STAFF PERSONNEL

SERIES 400

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Policy Title: ***Statement of Guiding Principles*** Code No. ***400***

It is the policy of the Board of Education of the Cedar Falls Community School District to provide an educational program of the highest standard possible and feasible, and to fulfill the mission statement of the District. Success in attaining these goals is dependent in large measure upon the competency of the personnel of the District. Therefore, it shall be the policy of the Board of Education to recruit and retain employees who exhibit the highest standards of professionalism and competency.

Each member of the District's staff provides an important service for the students, whether teaching or assisting in the classroom, working in the office, preparing meals, maintaining facilities, transporting students, or performing other duties. Each employee has an impact on the school environment by his/her dedication to work and his/her actions, verbal and nonverbal. Each employee shall be expected to be a positive role model for the students. All District personnel shall strive to promote a cooperative, enthusiastic, and supportive learning environment.

It is the policy of the Board of Education to delegate to the superintendent or designee and the superintendent or designee's administrative staff decisions regarding personnel matters, except as may be specifically limited by Board of Education policy or by law.

Except where a specific provision has been collectively bargained governing the employment relationship, all employees of the District shall be governed by the policies of the Board of Education and by administrative procedures, rules and directives. Persons employed by another organization to perform services for the District shall not be granted salary or benefits by the District, but shall be subject to other District policies and administrative procedures, rules and directives while performing services for the District.

The Board of Education reserves discretion, which may be delegated to administrative personnel, to determine the number of positions and employees, the qualifications for and the duties of each position in the District, and the required standards of performance of employees.

Date of Adoption: September 8, 2008

Date of Revision: April 22, 2013

Policy Title: ***Definitions*** Code No. ***401.1***

The following terms shall have the following meanings as used in these Series 400 policies:

Administrators

The term "administrators" shall include professional licensed employees employed under contracts issued pursuant to Iowa Code Section 279.23 and shall include the superintendent of schools, the director of secondary education, the director of elementary education, principals, and associate principals. The term shall also include the director of business affairs and the director of human resources, positions not covered by the stipulations of Iowa Code Section 279.23.

Supervisors and Coordinators

Unless the context otherwise requires, such as by reference to an employee's "immediate supervisor," the term "supervisors" shall include supervisory employees who are not licensed employees, including the supervisor of financial services, the supervisor and the manager of food services, the supervisor of buildings and grounds, the manager of custodial services, the supervisor of transportation, and the supervisor of information technology services. Coordinators provide leadership for a function or area, typically under the direction and guidance of a supervisor or administrator. Such positions include, but not limited to the Coordinator of Student Services, Coordinator of Instructional Services, Coordinator of Instructional Technology, Coordinator of TAP, Coordinator of ECHOES, and Coordinator of Preschool.

Licensed Employees

The term "licensed employees" shall include all professional employees who hold certificates, licenses or statements of professional recognition from the Iowa Department of Education and the Iowa Board of Educational Examiners or a license from the Board of Nursing, whether full-time or part-time, when such certificates, licenses or statements are required for the position the employee is holding, including administrators, teachers, nurses, counselors, librarians, and coaches.

It is solely the responsibility of the employee to file and maintain a valid license with the Human Resource Department. No licensed employee will be employed or permitted to serve without a current and valid license.

Classified Employees

Classified employees are employees who are not administrators, supervisors, or licensed employees. Classified employees are employed to fulfill their duties on a monthly or hourly basis. The term "classified employees" shall include the following employees, whether full-time or part-time:

a) transportation employees
b) clerical employees
c) custodial and maintenance employees
d) paraeducators
e) food service employees
f) child care employees
g) information technology employees

Full-Time Employees

The term “full-time employees” shall include all employees who are contracted to work a minimum of 40 hours per week, except in cases where the term is otherwise defined by law.

Part-Time Employees

The term “part-time employees” shall include all employees who are contracted to work fewer than 40 hours per week, except in cases where the term is otherwise defined by law.

Temporary Employees

The term “temporary employees” shall include all employees who have been employed for a period of time of four consecutive months or less. In addition, all substitute teachers, counselors, teacher librarians, and nurses not on continuing contracts shall be deemed temporary employees.

Date of Adoption: September 8, 2008

Date of Revision: June 10, 2013

Selection for Employment and Assignments

The Cedar Falls Community School District will select for employment qualified applicants for each position without improper discrimination on the basis of race, color, creed, religion, sex, sexual orientation, gender identity, national origin, ethnic background, age, disability, or genetic information. Persons with disabilities who can perform the essential functions of an assignment with or without reasonable accommodations shall be considered qualified applicants. The District shall take affirmative action in the recruitment, appointment, assignment, and advancement of personnel to accomplish the goals of equal employment opportunity. In keeping with the law, the District shall consider the veteran status of applicants.

Employment Conditions

The Cedar Falls Community School District will not unlawfully discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment because of such individual's race, color, creed, religion, sex, sexual orientation, gender identity, national origin, ethnic background, age, disability, or genetic information.

Complaints of Discrimination

Any applicant or employee alleging discrimination on the basis of race, color, creed, religion, sex, sexual orientation, gender identity, national origin, ethnic background, age, disability, or genetic information may follow the complaint procedures set forth in Policy 401.4. The complainant may bypass any step of the complaint procedure where the person to whom the complaint is to be lodged is the alleged perpetrator. The complainant may file the initial complaint with the compliance officer, whose decision may be appealed to the superintendent or designee. Inquiries or complaints may also be directed to federal and state agencies including the Iowa Civil Rights Commission, the Equal Employment Opportunity Commission, and the Office of Civil Rights of the United States Department of Education.

The complainant may be required to complete a complaint form and turn over copies of evidence of discrimination including, but not limited to, recordings, memoranda, letters, and pictures. The investigator shall promptly commence an investigation and proceed to completion. Both the complainant and the alleged perpetrator will be given an opportunity to give a statement. A written investigation report shall be completed, and a summary of the report (including a finding that the complaint was founded, unfounded, or inconclusive) will be forwarded to the complainant and to the alleged perpetrator.

Compliance Officer

The director of human resources shall be designated as the District’s compliance officer to insure that applicants and employees are treated in accordance with this policy. In the event the director of human resources is the alleged perpetrator, the director of secondary education shall be the alternate compliance officer. The compliance officer shall also be responsible for coordinating the preparation, implementation, evaluation, and updating of written equal

employment opportunity and affirmative action plans, with systematic input from diverse racial/ethnic groups, women, men, and persons with disabilities.

Confidentiality

The right of confidentiality, both of the complainant and of the alleged perpetrator, will be respected to the extent possible consistent with the District's legal obligations to investigate allegations of misconduct and to take corrective action when misconduct has occurred. Complaints of discrimination shall not be filed in the complainant's personnel file.

No Retaliation

No person shall retaliate against another person because the person has filed a discrimination complaint, assisted or participated in an investigation, or has opposed language or conduct that violates this policy, as long as the participation or action was done in good faith.

Corrective Action

The District will take action to halt any improper discrimination or retaliation and will take other appropriate corrective actions to remedy all violations of this policy. This may include disciplinary measures, including discharge of a perpetrator.

Notice

In order to effectively communicate and interpret the District's policy to all levels of the administration and to all other employees, applicants, educational agencies and to the public, a statement of the District's policy shall be distributed to all applicants for employment and shall be disseminated annually to employees, students, parents, and recruitment sources. District employees involved in the hiring or supervision of personnel shall be trained on proper equal employment opportunity procedures.

Date of Adoption: June 23, 1975

Dates of Revision:
December 13, 1976
March 11, 1985
May 8, 1989
June 11, 1990
December 10, 1990
August 9, 1993
September 12, 1994
April 24, 1995
November 11, 1996
October 12, 1998
July 12, 1999
September 27, 1999
November 25, 2002
July 19, 2004
August 14, 2006
September 8, 2008
August 8, 2011
April 22, 2013

DISCRIMINATION/HARASSMENT COMPLAINT FORM

Please complete the following as fully as possible. If you need assistance, contact the compliance officer.

Date of Complaint:_____

Name of Complainant:_____

Position and Building of Complainant:_____

_____

Primary Address:_____

Primary Telephone: ( )_____ Email:_____

Name and Position of Alleged Perpetrator:_____

Discrimination Alleged:

_____	Race, Color	_____	Sexual Orientation
_____	Sex/Gender	_____	Gender Identity
_____	Religion, Creed	_____	Age
_____	National Origin, Ethnic Background	_____	Disability
_____	Other _____	_____	Genetic Information

Statement of Discrimination/Harassment: (Include dates, places and persons involved in incidents, if known. List any witnesses, their position and addresses and telephone numbers. Attach any pertinent written documents. Describe any actions you took in response to the incidents.)

I agree that all of the information on this form is given in good faith and is accurate and true to the best of my knowledge.

Signature:_____

Name Printed:_____

Date:_____

WITNESS STATEMENT

Date of Interview:_____

Interviewer:_____

Name of Person Giving Statement:_____

Position and Building of Witness:_____

_____

Primary Address:_____

_____

Primary Telephone: (___)_____ Email:_____

Statement: (Include dates, places and persons involved if known.)

I agree that all of the information on this form is given in good faith and is accurate and true to the best of my knowledge.

Signature:_____

Name Printed:_____

Date:_____

SUMMARY OF DISPOSITION OF DISCRIMINATION/HARASSMENT COMPLAINT

Name of Complainant:_____

Position and Building of Complainant:_____

_____

Name and Position of Alleged Perpetrator/Respondent:_____

_____

Date of Initial Complaint_____

Nature of Harassment Alleged:

_____	Race, Color	_____	Sex/Gender
_____	Sexual Orientation	_____	Age
_____	Religion, Creed	_____	Disability
_____	National Origin, Ethnic Background	_____	Gender Identity
_____	Other _____	_____	Genetic Information

Summary of Investigation:

Conclusion:

_____ Founded (The totality of the evidence reasonably demonstrates the actions occurred and constituted improper discrimination or harassment.)

_____ Unfounded (It is reasonable to believe that the actions complained of did not occur, or were not so serious or pervasive as to constitute improper discrimination or harassment.)

_____ Inconclusive

_____
Signature

_____
Typed or Printed Name

_____
Position

_____
Address

_____
Date

Copies to:

_____ Complainant

_____ Alleged Perpetrator/Respondent

_____ Superintendent or Designee

Policy Title: ***Harassment*** Code No. ***401.3***

Purpose

The District is committed to promoting positive intercultural, intergroup relationships. The District, therefore, prohibits acts of intolerance or harassment toward others because of race, color, religion, creed, ethnic background, national origin, age, disability, sex, sexual orientation, gender identity, genetic information, or other factors that are likewise not reasonably related to the individual's employment.

Employees are expected to conduct themselves at all times in a manner which fosters an atmosphere of tolerance, mutual respect, and collaboration. The following will not be tolerated: verbal, nonverbal, physical or other acts, gestures, statements, and the like which place another employee in reasonable fear of harm to the employee or his/her property; has a detrimental effect on the employee's physical, emotional, or mental health; has the effect of substantially interfering with the employee's work performance; or creates an intimidating, offensive or hostile environment.

Sexual Harassment

General – It is the policy of the Cedar Falls Community School District to maintain a learning and working environment that is free from sexual harassment. Because of the District's strong disapproval of offensive or inappropriate sexual behavior at work, all employees, officials and visitors must avoid any action or conduct which could be perceived as sexual harassment. It shall be a violation of this policy for any employee, official or visitor of the District to harass others through conduct or communications of a sexual nature as defined below.

Definition – Sexual harassment shall consist of unwelcome sexual advances, requests for sexual acts or favors, and other verbal or physical conduct of a sexual nature where:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual; or

3. Such conduct is so sufficiently severe, persistent, or pervasive that it has the purpose or effect of substantially interfering with an individual's employment or creates an intimidating, hostile, or offensive employment environment.

Sexual harassment may include, but is not limited to the following:

- verbal or written harassment or abuse
- pressure for sexual activity
- repeated remarks to or about a person with sexual or demeaning implications
- unwelcome touching
- suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one's job
- the telling or showing of offensive jokes and stories
- display of sexually graphic pictures

Harassment Complaint Procedures

Any employee who alleges improper harassment by any person in the District may follow the complaint procedures set forth in Policy 401.4. The complainant may bypass any step of the complaint procedure where the person to

whom the complaint is to be lodged is the alleged perpetrator. The complainant may file the initial complaint with the compliance officer, whose decision may be appealed to the superintendent or designee. Inquiries or complaints may also be directed to federal and state agencies including the Iowa Civil Rights Commission, the Equal Employment Opportunity Commission, and the Office of Civil Rights of the United States Department of Education.

The complainant may be required to complete a harassment complaint form and to turn over copies of evidence of harassment, including, but not limited to, letters, recordings, and pictures. The investigator shall promptly commence an investigation and proceed to completion. Both the complainant and the alleged perpetrator will be given an opportunity to give a statement. A written investigation report shall be completed, and a summary of the report "including a finding that the complaint was founded, unfounded, or inconclusive" will be forwarded to the complainant and to the alleged perpetrator.

Compliance Officer

The director of human resources shall be designated as the District's compliance officer to insure that applicants and employees are treated in accordance with this policy. In the event the director of human resources is the alleged perpetrator, the director of secondary education shall be the alternate compliance officer.

Confidentiality

The right to confidentiality, both of the complainant and of the alleged perpetrator, will be respected to the extent possible consistent with the District's legal obligations to investigate allegations of misconduct and to take corrective action when misconduct has occurred. Complaints of harassment shall not be filed in the complainant's personnel file.

No Retaliation

No person shall retaliate against another person because the person has filed a harassment complaint, assisted or participated in an investigation, or has opposed language or conduct that violates this policy, as long as the participation or action was done in good faith.

Corrective Actions

The District will take action to halt any improper harassment or retaliation and will take other appropriate corrective actions to remedy all violations of this policy. This may include disciplinary measures, including discharge of a perpetrator.

Notification

Notice of this policy will be circulated on an annual basis and incorporated into staff handbooks.

Staff Development

Periodic training shall be provided all staff regarding the nature and prohibition of harassment.

Date of Adoption: August 13, 2007

Date of Revision: September 8, 2008
June 10, 2013

DISCRIMINATION/HARASSMENT COMPLAINT FORM

Please complete the following as fully as possible. If you need assistance, contact the compliance officer.

Date of Complaint:_____

Name of Complainant:_____

Position and Building of Complainant:_____

_____

Primary Address:_____

Primary Telephone: (__)_____Email:_____

Name and Position of Alleged Perpetrator:_____

Discrimination Alleged:

_____	Race, Color	_____	Sexual Orientation
_____	Sex/Gender	_____	Age
_____	Religion, Creed	_____	Disability
_____	National Origin, Ethnic Background	_____	Gender Identity
_____	Other _____	_____	Genetic Information

Statement of Discrimination/Harassment: (Include dates, places and persons involved in incidents, if known. List any witnesses, their position, addresses and telephone numbers. Attach any pertinent written documents. Describe any actions you took in response to the incidents.)

I agree that all of the information on this form is given in good faith and is accurate and true to the best of my knowledge.

Signature:_____

Name Printed:_____

Date:_____

WITNESS STATEMENT

Date of Interview:_____

Interviewer:_____

Name of Person Giving Statement:_____

Position and Building of Witness:_____

_____

Primary Address:_____

_____

Primary Telephone: (___) _____ Email:_____

Statement: (Include dates, places and persons involved if known.)

I agree that all of the information on this form is given in good faith and is accurate and true to the best of my knowledge.

Signature:_____

Name Printed:_____

Date:_____

SUMMARY OF DISPOSITION OF DISCRIMINATION/HARASSMENT COMPLAINT

Name of Complainant:_____

Position and Building of Complainant:_____

_____

Name and Position of Alleged Perpetrator/Respondent:_____

_____

Date of Initial Complaint_____

Nature of Harassment Alleged:

_____	Race, Color	_____	Sex/Gender
_____	Sexual Orientation	_____	Age
_____	Religion, Creed	_____	Disability
_____	National Origin, Ethnic Background	_____	Gender Identity
_____	Other _____	_____	Genetic Information

Summary of Investigation:

Conclusion:

_____ Founded (The totality of the evidence reasonably demonstrates the actions occurred and constituted improper discrimination or harassment.)

_____ Unfounded (It is reasonable to believe that the actions complained of did not occur, or were not so serious or pervasive as to constitute improper discrimination or harassment.)

_____ Inconclusive

_____
Signature

_____
Typed or Printed Name

_____
Position

_____
Address

_____
Date

Copies to:

_____ Complainant

_____ Alleged Perpetrator/Respondent

_____ Superintendent or Designee

Policy Title: ***Employee Complaint Procedures*** Code No. **401.4**

Purpose

The purpose of these complaint procedures is to resolve, at the lowest possible level, complaints of employees which may arise from time to time regarding their working conditions.

Exclusion

Any matter brought under a grievance procedure of a collective bargaining agreement shall not also be brought under the procedures of this policy.

Procedures

Any employee with a complaint regarding his/her working conditions may first discuss such complaint with his/her immediate supervisor in an attempt to resolve the matter informally. The immediate supervisor should be informed of the complaint within 15 working days of the event giving rise to the complaint, and the supervisor shall attempt to meet with the employee within 15 working days of being notified. This informal step may be bypassed.

If the matter is not satisfactorily resolved, the employee may file a written complaint with the immediate supervisor. The complaint should be filed within 15 working days of the event giving rise to the complaint or within 15 working days following the discussion with the immediate supervisor. The immediate supervisor shall attempt to indicate the disposition of the complaint in writing within 15 working days of the filing of the written complaint.

If the employee feels that the matter is not satisfactorily resolved, he/she may file the written complaint and the immediate supervisor's disposition with the next level supervisor along with a request for further review. The request should be filed within ten working days of the disposition by the immediate supervisor. The next level supervisor shall attempt to indicate the disposition of the complaint in writing within 15 working days of the filing of the request for further review.

If the matter is not satisfactorily resolved, the employee may continue to file requests for further review through the chain of authority through the superintendent or designee. The same procedures and timelines as set forth above for review by a next level supervisor shall apply through the chain of authority through the superintendent or designee.

If the employee still feels that the matter is not satisfactorily resolved, the employee may request to appear before the Board of Education by filing the written complaint and the written dispositions with the Board of Education secretary and ask for a place on the agenda. The Board of Education secretary shall consult with the Board of Education president. The Board of Education president may direct that the matter be placed on the Board of Education agenda. If the Board of Education president declines to place the matter on the Board of Education

agenda, the superintendent or designee's decision shall be final. If the matter is placed on the Board of Education agenda, the employee may appear at the Board of Education meeting and discuss the matter with the Board of Education. The administrative staff may also discuss the matter with the Board of Education. Prior to the Board of Education meeting at which the matter will be discussed, the Board of Education Secretary should ascertain whether a closed session may be appropriate. The Board of Education may refuse in its sole discretion to take action on the complaint or the Board of Education shall decide the matter as soon as practicable, and the Board of Education secretary shall communicate the Board of Education's decision to the employee. If the Board of Education declines to decide the matter, the disposition of the superintendent or designee shall be final.

Non-interference

To the extent possible, all investigations, handling or processing of any complaint shall be conducted so as to result in no interference with or interruption of work activities.

Discrimination and Harassment Complaints

Employees alleging improper discrimination or harassment may bypass any step of these procedures which requires the employee to meet with the alleged perpetrator. The complainant may file the initial complaint with the compliance officer.

Date of Adoption: April 19, 1976 (effective July 1, 1976)

Date of Revision: May 8, 1989
November 11, 1996
November 25, 2002
September 8, 2008
April 22, 2013

EMPLOYEE COMPLAINT FORM
CEDAR FALLS COMMUNITY SCHOOL DISTRICT

Date Filed:_____

Name of Complainant:_____

Building:_____

Primary Number:_____

Primary Address:_____

_____Home Telephone_____

E-mail:_____

Statement of Complaint (include specific statement of incident(s), dates, persons involved, witnesses, and any other pertinent facts):

Remedy Sought:

Date you held informal meeting with Immediate Supervisor (if applicable): _____

_____ _____
Signature of Complainant Date

Date Received by Immediate Supervisor:_____

Response by Immediate Supervisor:

_____ _____
Signature of Immediate Supervisor Date

I wish to have this reconsidered by the supervisor of my immediate supervisor.

_____ _____
Signature of Complainant Date

_____
Date Received by Next Level Supervisor

_____
Date of Conference with Next Level Supervisor

Response by Next Level Supervisor:

_____ _____
Signature of Supervisor Date

I wish to have this reconsidered by the Superintendent or designee.

_____ _____
Signature of Complainant Date

_____
Date Filed with Superintendent or Designee

_____
Date of Conference with Superintendent or Designee

Response by Superintendent or Designee:

_____ _____
Signature of Superintendent or Designee Date

I wish to have this matter placed on the Board of Education agenda:

_____ _____
Signature of Complainant Date

Date Received by Board of Education Secretary: _____

Denied: _____ OR
Board of Education President

Placed on Board of Education Agenda for: _____ _____
Date Time

Disposition by Board of Education:

The superintendent or designee shall be responsible for recruiting personnel for the various positions within the District, with the assistance of other employees as the superintendent or designee may so determine. The superintendent or designee shall take affirmative action to encourage persons to apply in accordance with the District's affirmative action plan.

The superintendent or designee shall use such methods, advertising media or other sources as may be appropriate to recruit personnel. Vacant positions shall be posted online at the TeachIowa.gov website as required by law. Vacant positions requiring licensed employees not filled via transfer shall generally be advertised in at least one print or electronic publication having statewide circulation. All applicants shall be required to complete an application. Applicants who provide false, inaccurate, or incomplete information in their application form or resume or who fail to disclose information requested in the application form may not be eligible for employment.

To the fullest extent permitted by state and federal law, the District may consider all information concerning an applicant or an employee in making hiring, termination, and other employment-related decisions. The term "all information" includes information of any kind (verbal, written, photographic, videographic, etc.) that is accessible in any medium (print, electronic, etc.) from any source.

The District may consider public information and other information to which it has lawful access. This may include information that is contained in social networking sites, blogs, and other websites. If there is information that pertains to the applicant that requires explanation, interpretation, or clarification when it is considered by the District, it is the applicant's obligation to communicate this information to the District.

Information that is relevant to the District's decisions may be considered regardless of the date on which the District obtains the information and regardless of the date on which the information was first published, created, or made accessible to the District.

Employees who have provided false, inaccurate or incomplete information in their application form or resume or who have failed to disclose information requested in the application form will be subject to disciplinary action up to and including termination of employment. This policy applies to all employees regardless of the date on which the individual was employed and applies to all violations regardless of the date on which the District discovers the violation of this policy.

Applications for employment may be obtained and completed online at the District's website or applicants may contact the Human Resource Department for assistance in completing an application. Administrators and supervisors will follow district hiring practices to fill positions in their work area and will make recommendations to the superintendent or designee concerning employment and assignment.

Selection and assignment of staff shall be based upon the following:

a. All professional employees shall be properly certificated, authorized or licensed as required by statute, the Iowa Department of Education and the Iowa Board of Educational Examiners and as required by the District's job descriptions.

b. All classified employees shall be properly licensed by the State if a license is required by law or by the District's job description.

c. Educational and other training where such training is necessary or appropriate for the position.

d. Needs of the District.

e. Demonstrated ability to fulfill all aspects and essential duties of the position.

f. Demonstrated rapport with children, fellow workers, and others.

g. Ability to exercise discretion and good judgment.

h. Diligence and dependability.

i. Honesty and integrity.

j. Ability to follow instructions and suggestions of supervisors.

k. Degree of being well-informed on all essentials relating to the position.

l. Compatibility with the District's philosophy and programs.

m. Adherence to professional ethics.

n. Personal qualities advantageous to the position.

o. History of past successful job experiences.

p. If applicable, impact on the school and or department from which an employee is requesting an internal transfer, as well as the "fit" with the existing staff in the school and or department into which an internal transfer has been requested.

q. Satisfactory outcomes on post-offer pre-employment testing and, where applicable, pre-assignment testing including, but not limited to, drug and alcohol testing and physical abilities testing.

r. Other factors or qualities as may be determined from time to time by the administrative and supervisory staff.

The District shall carefully consider the facts relating to any applicant who has a known history of a criminal conviction or of a conviction or judicial or administrative finding of child, dependent adult, or sexual abuse, and shall make an employment decision in accordance with applicable law. The District shall perform criminal and abuse background checks as required by law and as deemed necessary by the administration.

Employment of administrators and teachers shall require Board of Education approval. The superintendent or designee will have the authority to employ:

- licensed employees, other than administrators and teachers
- supervisors and coordinators
- classified employees

Date of Adoption: September 8, 2008

Date of Revision: June 10, 2013
June 8, 2015

Policy Title: ***Licensure and Transcripts*** Code No. ***401.7***

All employees, including temporary employees, required to hold a certificate, license, statement of professional recognition, or authorization from the State of Iowa or any of its agencies or Board of Educations' are required to have the certificate, license or statement valid for the position for which they have been employed on file with the Human Resource Department prior to commencing duties. It shall be the sole responsibility of each employee to maintain current licensure or certification. Employees may not continue to be employed or to be paid if not properly licensed or certified.

Licensed employees are required to have an official college transcript on file with the Human Resource Department prior to commencing duties. Employees earning additional credits shall file an official college transcript with the Human Resource Department. Temporary employees may also be required to file a transcript.

Date of Adoption: July 11, 1977

Date of Revision: December 11, 1989
November 11, 1996
November 25, 2002
September 8, 2008
April 22, 2013

Contracts with Administrators

Contracts with administrators in the District shall be in writing and shall state the term of employment, the length of time during the year services are to be performed, the compensation to be paid, and such other matters as may be agreed upon. The contract is invalid if the administrator is under contract with another Board of Education of another district in Iowa covering the same period of time until such contract shall have been released or terminated.

Contracts of administrators shall automatically continue for only one additional year beyond the end of their terms unless mutually modified or unless terminated.

A contract shall not be tendered to a continuing administrator prior to March 15. The administrator shall sign and return the contract by the date specified by the Board of Education, which shall be at least 21 days after it is tendered. If the administrator does not sign and return the contract by the date specified and does not submit a resignation, the prior contract shall automatically continue for one additional year.

The contract shall be signed by the president of the Board of Education and by the administrator and shall be filed in the Administrative Center before the administrator enters upon performance of the contract.

Contracts with Licensed Employees Other Than With Administrators

Contracts with licensed employees in the District, other than with administrators or with temporary employees, shall be in writing and shall state the number of contract days, the compensation to be paid, and any other matters mutually agreed upon. The contract is invalid if the employee is under a contract with another Board of Education during the same time period until a release is obtained.

Contracts for coaching interscholastic athletic activities shall be issued separately from teaching contracts. A resignation or termination from a coaching contract shall not affect the teaching contract. However, a resignation or termination from a teaching contract shall automatically be a resignation or termination from all coaching contracts held by the employee.

Contracts with continuing licensed employees for teaching or for coaching interscholastic athletics shall be the same as for the preceding contract term except as mutually modified or unless terminated. However, contracts for coaching interscholastic athletics with individuals who do not also have a teaching contract with the Cedar Falls Community School District shall not be continuing contracts; such individuals serve at the pleasure of the District, and such contracts may be terminated at any time by the Board of Education for any reason.

A contract shall not be tendered to a continuing licensed employee prior to March 15. The licensed employee shall sign and return the contract by the date specified, which shall be at least 21 days after it is tendered. If the licensed employee does not sign and return the contract by the date specified and does not submit a resignation, the prior contract shall automatically continue for one additional year.

The contract shall be signed by the president of the Board of Education when tendered, and after it is signed by the licensed employee, the contract shall be filed in the Administrative Center before the employee enters into performance under the contract.

Date of Adoption: September 8, 2008

Date of Revision: April 22, 2013

Policy Title: ***Employees at Will*** Code No. ***401.9***

Classified employees, licensed employees, supervisors, and coordinators may have letters of appointment or may be issued written contracts stating the salary or hourly wage rate. Classified employees, licensed employees, supervisors, and coordinators are not guaranteed a minimum number of days or hours of employment. All classified employees, licensed employees (with the exception of teachers and administrators), supervisors, and coordinators whether they do or do not have written contracts are considered "at will" employees who may be terminated at any time for any reason. The superintendent or designee has the authority to hire classified employees, licensed employees (with the exception of teachers and administrators), supervisors, and coordinators without advance Board of Education approval. The superintendent or designee has authority to discipline and discharge classified employees, licensed employees (with the exception of discharge of teachers and administrators), supervisors, and coordinators without advance Board of Education approval, subject to the right of the employee to appeal such decision under the complaint procedure of Code No. 401.4, or as otherwise specified by law. Classified employees, licensed employees, supervisors, and coordinators are not automatically re-employed each school year.

Date of Adoption: September 8, 2008

Date of Revision: June 10, 2013

Policy Title: ***Probationary Status*** Code No. ***401.10***

The first three consecutive years of employment of a licensed employee (other than of an administrator) in the Cedar Falls Community School District shall be a probationary period, unless the employee has already successfully completed the probationary period as a licensed employee in another Iowa school district. Nonadministrative licensed employees who have previously successfully completed a probationary period in another Iowa school district will serve a one year probationary period in the Cedar Falls Community School District.

For purposes of this policy, a licensed employee shall be deemed to have met the requirements for successfully completing a probationary period in another Iowa school district if the licensed employee was employed in the prior district for the requisite number of years, received a satisfactory or better evaluation for the most recent formal evaluation, and the licensed employee has not engaged in conduct which would disqualify the licensed employee from receiving a continuing contract from the prior district.

The first two consecutive years of employment of an administrator in the Cedar Falls Community School District shall be a probationary period.

Only the Board of Education, in its discretion, may waive the probationary period for any licensed employee who has previously served a probationary period in another Iowa school district. The Board of Education may extend the probationary period for one additional year with the consent of the licensed employee. The Board of Education will make the decision to extend or waive a licensed employee's probationary status based upon the superintendent or designee's recommendation.

Employees may also serve a probationary period based upon their performance. Such probationary period shall be determined on a case-by-case basis in light of the circumstances surrounding the employee's performance as documented.

Date of Adoption: July 11, 1977

Date of Revision: May 8, 1989
November 11, 1996
October 12, 1998
December 13, 1999
November 25, 2002
September 8, 2008
April 22, 2013

Policy Title: ***Resignations*** Code No. ***401.11***

Form

Resignations shall be submitted in writing, signed and dated by the resigning party and delivered to the director of human resources.

Regular Time for Submitting Resignations

Administrators

Administrators shall submit their written resignations in the last year of the term of their employment on or before May 1, or on or before the date specified by the Board of Education for return of the contract, whichever date occurs first.

Licensed Employees Other Than Administrators

Licensed employees, other than administrators, shall submit their written resignations on or before the last day of the school year or on or before the date specified by the Board of Education for return of the contract, whichever date occurs first. The Board of Education may require a continuing employee who has resigned from an interscholastic coaching contract to accept the coaching contract for one additional year if a good faith effort to find a suitable replacement has been made but the position is not filled by June 1.

Supervisors, Coordinators, and Classified Employees

Employees shall submit their written resignations at least 14 calendar days prior to their departure dates.

Early Release Requests by Licensed Employees

The Board of Education recognizes that there are some circumstances which force an employee to request a release from a contract before the expiration date of the contract. The Board of Education also recognizes that the District suffers difficulties and expenses in finding a suitable replacement, fewer applicants may be available during a contract term, and that a late resignation causes disruption to the District's programs. The Board of Education believes that any employee who signs a contract should fulfill the contract to the best of the employee's ability.

A licensed employee who wishes to resign a contract before the expiration date of the contract shall submit a signed written request setting out the reasons for the requested release and the date of the requested release. The licensed employee shall be released from the contract only if the Board of Education, in its sole discretion, determines that an unusual circumstance exists for an early release from the contract and a suitable replacement is found.

Licensed employees requesting a release from a contract after June 30 may be required to reimburse the District the expenses of finding a replacement, not to exceed the equivalent cost of running two Sunday advertising packages in a newspaper with state-wide distribution. Payment of these costs shall be a condition for release from the contract.

The licensed employee shall be expected to continue performing services under the contract until a suitable replacement can be secured and a written release is obtained from the Board of Education.

A licensed employee may seek a waiver from the Board of Education of any of the conditions set forth for requesting a release prior to the expiration date of the contract. The Board of Education, on its own or following a request, may, in its discretion, waive any of the conditions.

In the event a licensed employee terminates employment without proper release, the superintendent or designee is directed to file a complaint with the Iowa Board of Educational Examiners, and the superintendent or designee may pursue any other remedies under the law.

Date of Adoption: July 11, 1977

Date of Revision: May 8, 1989
November 25, 2002
September 8, 2008
April 22, 2013

Policy Title: ***Discipline and Discharge*** Code No. ***401.12***

Expected Behavior

All employees shall perform their assigned duties cooperatively and competently and in accordance with District policies, rules, regulations and directives. All employees are also expected to obey the laws, to adhere to professional ethics, and to abstain from behavior which adversely affects their job performance or the performance of others.

Sanctions

The superintendent or designee may impose disciplinary sanctions for circumstance which include, but are not limited to, breach of expected behavior, failure to meet performance expectations, failure of an employee to return to work on the specified date following a leave of absence or vacation, failure to communicate in a timely manner an inability to return to work on the specified date following a leave of absence or vacation, or failure to provide a legitimate reason for failing to return on the specified date following a leave of absence or vacation, insubordination, neglect of duties, abusive ~~or offensive~~ language, dishonesty, or failure to comply with Board of Education policy. Insubordination includes, but is not limited to, disobedience, failure or refusal to follow the written or oral instructions of a supervisor or representative of the District, failure or refusal to carry out work assignments, or the use of abusive language toward a supervisor. Neglect of duties includes, but is not limited to, failure to perform duties as outlined in the employee's job description or carry out reasonable assignments or instructions, failure to follow the proper procedures or policies of the District, working on personal jobs or carrying on secondary employment on District time, or negligence in the operation of or care of any equipment or vehicle which results in either damage to the equipment or vehicle or results in injury to the employee or others.

Disciplinary sanctions which may be imposed include: verbal or written warnings or reprimands, disciplinary probation, disciplinary reassignment, disciplinary suspensions not to exceed ten work days (with or without pay), and/or termination of employment. The nature and duration of the disciplinary sanction shall depend upon the seriousness of the offense, extenuating or exacerbating circumstances, and the employee's prior work record. The sanctions listed in this policy are not intended to provide a rank ordering of sanctions, and probation, reassignment or suspension may be imposed without first imposing a warning or an employee may be discharged without first applying any of these sanctions.

Procedures

Prior to imposing a disciplinary sanction, the employee shall be orally told of the charges and given a summary of the evidence supporting the charges. The employee shall be given an opportunity to respond to the charges. No delay need be given between notice of the charges and the chance to respond. Written notice of the terms of the disciplinary action shall be given to the employee other than for oral warnings or reprimands. If the employee believes that the disciplinary sanction is unwarranted, the employee may file a complaint utilizing the employee

complaint procedures of Code No. 401.4. At any step of the complaint procedure, the person hearing the complaint may impose a less severe or more severe disciplinary sanction.

Suspensions Pending Action

An employee may be suspended by the superintendent or designee pending an investigation into charges against an employee or pending the commencement of discharge proceedings. This shall not be deemed a disciplinary suspension and shall not be covered by the procedures set forth in the prior paragraph.

Discharge

The Board of Education may terminate the contract of a licensed teacher or administrator in accordance with applicable provisions of Chapter 279 of the Code of Iowa. Sanctions specified in this policy need not be first utilized. The Board of Education may terminate the employment of an individual who holds a coaching contract but not a teaching contract with the District or who is authorized but not licensed to coach at any time or in accordance with the terms of the contract.

The superintendent or designee may terminate the employment of a classified employee, licensed employee not covered by the provisions of Chapter 279 of the Code of Iowa, supervisor or coordinator immediately for any reason. Such an employee may appeal the action utilizing the employee complaint procedures of Code No. 401.4.

Date of Adoption: February 13, 1989

Date of Revision: November 11, 1996
November 25, 2002
September 8, 2008
June 10, 2013

Policy Title: ***Assignments and Transfers*** Code No. ***401.13***

Employees Other Than Administrators and Supervisors

Employees shall be assigned to positions and work assignments based upon the qualifications of the employee and the needs of the District as determined by the Board of Education and/or by the administrators and supervisors. Changes in assignment may be made at the initiative of the superintendent or designee, other administrators or supervisory employees, or at the request of the employee. Instructional personnel will ordinarily continue in their current building for the succeeding years unless notified.

Administrators and Supervisors

Administrators and supervisors shall be assigned to positions and work assignments based upon the qualifications of the administrators and supervisors and the needs of the District as determined by the Board of Education and/or by the superintendent or designee. Changes in assignment may be made by the superintendent or designee, or at the request of the administrator or supervisor a change may be considered. An administrator or supervisor being involuntarily transferred shall have a right to a conference with the superintendent or designee.

Date of Adoption: July 11, 1977

Date of Revision: September 10, 1979
December 11, 1989
November 11, 1996
November 25, 2002
September 8, 2008
April 22, 2013

Policy Title: ***Formal Evaluations*** Code No. ***401.14***

Evaluation of Superintendent

The primary purposes of formal evaluation of the superintendent are to improve and enhance the performance of the superintendent, to communicate to the superintendent the Board of Education's perception of his/her performance, and to provide written documentation of the superintendent's level of performance to provide a basis for contract decisions.

The Board of Education shall be responsible for the formal evaluation of the superintendent. The Board of Education may utilize relevant information from other persons as it so desires. Each Board of Education member shall have an opportunity to complete a written evaluation of the superintendent on a form adopted by the Board of Education. The form shall provide evaluation on how well the superintendent performs the duties of the superintendent's job description and how well the superintendent has met goals established for the superintendent. The Board of Education president or designee shall then prepare a written composite evaluation. The superintendent shall be given a copy of the composite evaluation and shall have the opportunity to discuss the evaluation with the Board of Education. The superintendent may respond in writing to the evaluation. The written composite evaluation and any response shall be filed in the superintendent's confidential personnel file.

The Board of Education will formally evaluate the superintendent at least one time each contract year. A conference to review progress towards meeting professional goals and District goals shall be held as frequently as the Board of Education deems necessary.

Evaluation of Other Administrators and of Supervisors

The primary purposes of formal evaluation of the administrators and supervisors are to improve and enhance the performance of each administrator and supervisor and to provide written documentation of the individual's level of performance to provide a basis for contract decisions.

The superintendent or designee shall be responsible for evaluating the performance of all other administrators and of supervisors in the District. The superintendent or designee may delegate this authority and duty to other authorized persons to evaluate the performance of individuals. The evaluator may utilize other individuals to assist in the formal evaluation process and may utilize relevant information from other individuals.

Each administrator and supervisor shall be formally evaluated at least one time each contract year. A conference to review progress towards meeting professional goals shall be held annually.

A copy of the completed formal evaluation will be given to the evaluated administrator or supervisor and a conference shall be held. The evaluated individual may respond in writing to the evaluation. The written evaluation and any response shall be filed in the individual's confidential personnel file.

Evaluation of Licensed Employees Other Than Administrators

The primary purposes of formal evaluation of licensed employees are to improve and enhance the performance of each employee and to provide written documentation of the employee's level of performance to assist in making employment decisions.

Licensed employees of the District shall be formally evaluated by the administrative staff of the District in accordance with law. Administrative staff may utilize relevant information from other individuals in the performance of this duty. Licensed employees shall be evaluated in accordance with the procedures set forth in the negotiated agreement with their bargaining representative.

Evaluation of Classified Employees (Other Than Supervisors)

The primary purposes of formal evaluations of classified employees are to improve and enhance the performance of each employee and to provide written documentation of the employee's level of performance to assist in making employment decisions.

The superintendent or designee shall be responsible for the evaluation of classified employees of the District. The superintendent or designee may delegate this authority and duty to other administrators or supervisors of the District. The evaluator may utilize relevant information from other individuals in the performance of this duty.

The superintendent or designee shall approve evaluation forms for evaluation of classified employees. Classified employees, except temporary employees, shall be formally evaluated at least once during their first year of employment and at least once triannually thereafter. A copy of the completed formal evaluation will be given to the evaluated employee and a conference shall be held. The evaluated individual may respond in writing to the evaluation. The written evaluation and any response shall be filed in the individual's confidential personnel file.

Classified employees of the District shall be formally evaluated using the criteria specified in the evaluation form.

Other

Nothing in this policy shall preclude other methods of evaluation in addition to those prescribed herein, which may include self-evaluation, peer-evaluation, or student evaluation and the use of verified comments from individuals from outside the District, including comments from parents and students, as long as such additional sources of evaluation are related to the employee's performance as an employee of the District.

Any person formally evaluating the performance of licensed employees (except Board of Education members when evaluating the superintendent) shall obtain and maintain an evaluator's license from the Iowa Board of Educational Examiners.

Date of Adoption: July 11, 1977

Date of Revision: January 10, 1983
January 8, 1990
November 11, 1996
November 25, 2002
September 8, 2008
June 10, 2013

If a supervisor or evaluator determines that a teacher, other than a beginning teacher, is not meeting District expectations under the Iowa teaching standards and criteria, or other standards and criteria set in the collective bargaining agreement, the teacher may be required to participate in an assistance program(s) for remediation of the identified concerns, in accordance with applicable law.

Definitions

Evaluator: The administrator charged with responsibility as the primary evaluator of the teacher.

Supervisor: The director of elementary education or the director of secondary education, or both, as appropriate.

Awareness Phase: There is an optional awareness phase, which may not extend beyond two months (60 calendar days). This element exists for use in instances where the evaluator responsible for the decision to begin intensive assistance determines that it is appropriate to use the time for informal discussions and collaboration on the performance modifications identified. When implemented, this phase requires participation by the teacher and the evaluator, but may include other persons, as determined by the evaluator and/or supervisor.

Professional Assistance Phase: This optional phase is for the purpose of providing assistance through the involvement of the teacher, the evaluator and other person(s), as deemed appropriate for the situation, in working with the teacher to effectively implement identified performance modifications. It may follow an awareness phase, or it may be the initial assistance function. The elements of this phase are determined by the participating parties.

If the identified performance concern(s) no longer exist at any point during the professional assistance phase, the evaluator may return the teacher to his/her prior status. That notification will be in written form, and will be included in the teacher's personnel file with a notation that the professional assistance phase activities did not constitute a complete intensive assistance cycle.

Intensive Assistance Phase (Employment at Risk): At any time during the awareness phase, if the first phase option has been utilized, or at any time during the professional assistance phase, if the second phase option has been utilized, or at any other time as determined by the evaluator and/or supervisor, the formal intensive assistance program may commence. Intensive assistance involves the provision of organizational support and technical assistance for the remediation of identified teaching and classroom management concerns, and intensive assistance may not function for more than twelve months.

- **Notification:** The teacher will receive a written notification of the fact that formal intensive assistance has been initiated.
- **Limitations:** A teacher may be a participant in Intensive Assistance (Employment at Risk) Phase for not more than two times during his/her employment with this school district. Iowa Teaching Standards 1-7 will be considered as possible areas for intensive assistance with career teachers. Beginning teachers will not qualify for intensive assistance, and issues emanating from Iowa Teaching Standard 8 will not qualify for this program.

- **Assistance Strategies:** The evaluators and other persons appointed by the evaluator and/or the supervisor to serve on the assistance team with the teacher function as sources of ideas, strategies and methods of instruction and management, and in any other manner deemed appropriate by the evaluator and/or the supervisor. Periodic meetings will be held with the teacher, and classroom observations will be conducted.

- **Documentation:** Appropriate documentation will be maintained for Professional Assistance and Intensive Assistance Phases.

- **Dissolution:** Intensive assistance team activities will cease at the close of the twelve month period or at any other earlier time determined by the evaluator or supervisor.

Date of Adoption: March 7, 2005

Date of Revision: February 12, 2007
April 22, 2013

Policy Title: ***Nepotism*** Code No. ***401.16***

The District may employ more than one member of the same family. As with all employees, the employment of more than one individual in a family is a decision made on the basis of the individual's qualifications, credentials and records. Assignment of family members to the same building or department will be avoided, but is not prohibited, subject to review by the superintendent or designee.

Favoritism or other preferential treatment with regard to the employment of more than one individual in a family is strictly prohibited. No preferential treatment will be solicited or granted in any aspect of the employment relationship including, but not limited to, hiring, selection, assignment, evaluation, training, compensation, promotion, retention, discipline, or discharge.

No employee will directly supervise a family member.

For purposes of this policy family member is deemed to include individuals related within the third degree by birth or marriage. Family relationships covered by this policy include, but may not be limited to: spouse; parent (including step relationships); brother; sister; son or daughter (including step, adopted, foster, legal ward); in-law relations i.e. father, mother, brother, sister, son, daughter; grandparent; grandson or granddaughter; uncle; aunt; niece; nephew.

The superintendent or designee may recommend an exception to the restrictions in this policy on a case-by-case basis.

Date of Adoption: September 8, 2008

Date of Revision: April 22, 2013
April 7, 2014

Policy Title: ***Dishonesty*** Code No. ***401.17***

Employees of the District serve in a position of public trust, are compensated with public funds, and are entrusted with public property. Employee actions and behavior must be honest and above reproach at all times. This work rule requires complete honesty in the discharge of an employee's duties, and, unless otherwise prohibited by law, it applies to all conduct whether the employee is on duty or off duty.

The conduct which is prohibited by this work rule includes, but is not limited to, the following:

1. Making statements to representatives of the District which the employee knows or has reason to believe are untrue, inaccurate, or incomplete.
2. Stealing cash, funds, or property of any kind belonging to the District, belonging to a fellow employee, or belonging to other persons who are on District property.
3. Failing to report or to transfer to the District any funds or property belonging to the District.
4. Unauthorized use, possession or removal of vehicles, property or equipment belonging to the District, belonging to a fellow employee, or belonging to others persons who are on District property.
5. Falsification of employment applications or any District records, including, but not limited to, work records and time records. Time record violations include, but are not limited to, claiming time for work which was not performed by the employee and reporting/signing another employee in or out.
6. Performing official duties in an unauthorized manner.
7. Charging items for personal use to a District credit card or account, or making unauthorized withdrawals from a District account using a debit card.
8. Misuse or unauthorized use of accounts or allowance (clothing, mileage, meals, etc.)
9. Converting surplus District property to personal use without authorization, or declaring property to be surplus or junk and then converting it to personal use.
10. Making improper claims for overtime when no overtime was worked, or working slowly to create the need for overtime work.
11. Using sick leave, or any other leave of absence, for any purpose which is not authorized.

Employees who violate this policy are subject to disciplinary action, including termination.

Date of Adoption: July 22, 2013

Policy Title: ***Notification of Arrest, Criminal Charges, Child or Dependent Adult Abuse Complaints*** Code No. ***401.18***

Employees are expected to perform their assigned jobs, respect and follow Board of Education policies, and obey the law. In the event that employees are arrested, have any criminal charges filed against them, receive a disposition of any criminal charges pending against them, and/or any charges relating to operating a motor vehicle while intoxicated, they must notify the Human Resource Department. Notification of the Human Resource Department should occur within five business days of notification to the employee. Employees whose duties require possession of a Commercial Driver's License and/or who regularly and frequently operate District vehicles must report all charges and citations, including traffic tickets such as speeding tickets. Employees will be responsible for the payment of a fine, penalty, or ticket incurred while operating a District vehicle. Other employees need not report such traffic tickets.

Employees must notify the Human Resource Department of any child or dependent adult abuse complaints filed against them. Employees must notify the Human Resource Department regarding the findings in any complaint against them alleging child or dependent adult abuse. The Human Resource Department should be notified of any complaints and findings within five business days of notification to employee.

Information relating to arrests, criminal charges and ~~child~~ abuse complaints shall be treated as confidential and maintained as part of the employee's personnel file.

Employees who do not notify the District as required by this policy may be subject to disciplinary action up to and including termination.

Date of Adoption: June 8, 2015

Policy Number: ***Work Day and Work Year*** Code No. ***402.1***

The work year and regular hours of duty for all employees shall be determined by the superintendent or designee.

Date of Adoption: September 22, 2008

Date of Revision: May 13, 2013

Policy Title: ***Vacations and Holidays*** Code No. ***402.2***

Vacation days and holidays shall be set forth in a collective bargaining agreement, employee handbook or individual contract approved by the Board of Education. Vacation days will be prorated for employees who are not contracted for or who do not work a full contract year.

Vacation

Eligibility for employees not covered by a collective bargaining agreement: All regular full time and part time 12-month, supervisory and classified employees shall accrue paid vacation. Part time 12-month employees shall earn vacation which is prorated based on full time equivalency (fte). Administrators shall be eligible for vacation as specified in individual employment contracts and agreements.

Vacation accruals: Existing employees shall begin accruing on July 1 each year and shall be credited on the last day of each month. Vacation shall be available for use, subject to supervisory approval, in the month immediately following the month in which it was accrued. Upon initial employment new employees shall have vacation accrual prorated from the date of employment through June 30 of the initial year of employment, credited on the last day of each month. Thereafter vacation accrual shall begin on July1 and be credited on the last day of each month.

Vacation shall accrue as follows:

Service Period	Date	Annual Total (Weeks Or Hours)
Year 0	Start date through June 30	Proration of 2 weeks; i.e. 80 hours
Year 1-5	July 1 - June 30	2 weeks
Years 6-12	July 1 - June 30	3 weeks
Year 13 and above	July 1 - June 30	4 weeks

Note: The superintendent or designee may grant a deviation from this accrual schedule under circumstances deemed appropriate. Under no circumstances shall an employee, other than administrators, accrue more than a total of four weeks of vacation per year, excluding any amount which may have rolled over from a prior year.

Paid sick leave, vacation, personal leave and other paid leave are considered as time worked for the purpose of vacation accrual. Accrual shall be based on a regular 40 hour week and shall not include over time hours. Unpaid time, including workers' compensation leave, shall not be included for purposes of accrual computation.

Vacation Rollover: As of June 30 of any school year, any vacation balance over the total vacation hours accrued during that school year, with the exception of administrators, will be forfeited.

Rate of Pay: Vacation shall be paid at the employee's regular straight time rate of pay per hour.

Holiday's During Vacation: If a recognized holiday falls within a period of paid vacation that day shall be treated as a holiday and shall not be debited from the employee's vacation balance.

Vacation Scheduling: Approval of requests to take vacation rests with the immediate supervisor or designee with managerial authority. Vacations may be scheduled at any time during the contract year. Vacation may be taken in one hour increments by Classified employees who are considered Non-Exempt employees under the Federal Fair Labor Standards Act and as such are compensated on an hourly wage basis. All other groups of employees are considered Exempt employees under the Fair Labor Standards Act and as such shall take vacation and all other paid time off in one-half or whole day increments.

Termination: Employees who provide a minimum of 14 calendar days' notice of intent to terminate employment shall be paid for all accrued but unused vacation earned as of the final day of paid employment. Any employee who has taken more vacation than has been either rolled over or accrued by the date of termination, shall have his/her final pay adjusted accordingly.

Discipline: Failure on the part of the employee to follow procedures for requesting vacation, failure of an employee to return to work on the specified date following vacation, failure to communicate in a timely manner an inability to return to work on the specified date, or failure to provide a legitimate reason for failing to return on the specified date, may be grounds for disciplinary action, including dismissal.

HOLIDAYS

Holidays for employees not covered by a collective bargaining agreement: All regular full and part-time 12-month Administrators, Supervisory and Classified employees shall be eligible for the following paid holidays, which shall be prorated for part-time employees based on full time equivalency:

July 4	Two days at Christmas time
Labor Day	Two days at New Year's time
Thanksgiving Day	Martin Luther King, Jr. Day
Friday after Thanksgiving	Memorial Day

For individuals employed on a basis of less than 12 months, paid holidays are as follows, (provided that the holiday falls during an employee's effective period of employment):

July 4	New Years (1 day)
Labor Day	Martin Luther King, Jr. Day
Thanksgiving Day	Memorial Day
Christmas (1 day)	

If an emergency situation requires an employee to work on a holiday, the employee if regularly compensated on an hourly wage basis shall receive holiday pay at straight time plus double time pay for time worked.

Holiday pay eligibility: An employee must be in an active paid status on the work day immediately preceding a holiday to receive holiday pay.

Holiday pay rate: Shall be at the regular straight time hourly rate for the employee, and shall be prorated on the basis of time worked per 40 hour week.

Date of Adoption: September 22, 2008

Date of Revision: June 10, 2013
June 8, 2015

Policy Title: ***Leaves of Absence*** Code No. ***402.3***

Employees covered by collective bargaining agreements shall receive leaves of absence in accordance with the appropriate collective bargaining agreement provisions. This policy delineates leaves of absence for employees not covered by a collective bargaining agreement.

Sick Leave

Employees, except temporary employees, shall be granted paid leave of absence for personal illness, injury, or associated treatment each year in the following amounts:

- 1st full school year: 12 days
- 2nd full school year: 13 days
- 3rd full school year: 14 days
- 4th full school year: 15 days
- Thereafter: 18 days

Unused sick leave days may be accumulated to a maximum of 95 contract days, including the current year allocation. Accrued but unused sick leave is not "paid out" upon termination of employment.

Sick leave days will be prorated for employees who are not contracted for or who do not work a full contract year. Part-time employees shall be granted a pro-rata amount of sick leave based upon the ratio of the number of hours they work to 40 hours.

Up to a maximum of six days of paid sick leave may be approved under the following circumstances; such days will be deducted from the employee's personal sick leave balance:

- Leave for the parent of a new born or newly adopted child
- Illness, injury, or medical treatment for a member of the employee's immediate family.

"Immediate family" is defined as: a spouse, parent (including step relationships), or child (including step, adopted, foster, and legal guardian).

(NOTE: Elective and cosmetic surgery and related procedures, including but not limited to cosmetic treatments, orthodontic consultation or treatment, lasik surgery, periodic physicals and preventative health check-ups, etc. do not qualify for paid sick leave.)

An employee making a claim for paid sick leave, either for the employee's own illness or that of a family member, shall provide a medical report from a doctor confirming the necessity for such a leave of absence upon request of the superintendent or designee. A report may also be required to confirm fitness to return to duty.

Workers' Compensation

An employee injured or disabled on the job may be eligible to receive a weekly benefit under the Iowa workers' compensation law. If an employee receives workers' compensation benefits, the employee's accumulated sick leave will be reduced proportionate to the amount the workers' compensation benefits are to the employee's regular salary. At such time, the employee may also elect to have the workers' compensation benefits supplemented from the District by using either sick leave, vacation leave, personal leave, and/or earned compensatory time. If supplemental payments are elected, leave time will be reduced by one full day for each day of absence. When all leave time is exhausted, supplemental payments will cease.

An employee who, in the course of employment, suffers a personal injury resulting from an episode of violence toward that employee for which workers' compensation is payable, shall be entitled to have workers' compensation benefits supplemented in order for the employee to receive full salary and benefits for the shortest of:

(a) one year from the date of the disability; or
(b) the period during which the employee is disabled and incapable of employment.

Supplementation in such situations shall not be charged against sick leave, vacation time, personal leave, or earned compensatory time. The District may require the employee, as a condition of receiving benefits under this section, to provide a signed statement that justifies the use of this leave and, if medical attention is required, a certificate from a licensed physician that states the nature and duration of the leave.

Extended Disability Leaves of Absence

An administrator, supervisor or classified employee, except a temporary employee, who is unable to work because of personal illness or injury, and who has exhausted all paid leave available, may be granted an unpaid leave of absence and may continue all available fringe benefits at his/her own expense, except that the District shall provide benefits in accordance with the Family and Medical Leave Act.

Family and Medical Leave Act

Federal law requires the District to grant up to 12 weeks of unpaid leave per year to employees who have been employed at least 12 months and who have worked at least 1,250 hours during the preceding 12 months for the purpose of:

(1) the employee's personal serious health condition,
(2) caring for the employee's newly born child,
(3) caring for a child placed for adoption or placement of a foster child,
(4) caring for the employee's parent, spouse, or child (under 18 years of age, or 18 years of age or older and incapable of self-care because of a physical or mental disability) with a serious health condition, and

(5) a qualifying exigency arising out of the fact that the employee's spouse, child, or parent is on active duty or has been notified of an impending call to active duty in the Armed Forces in a foreign country.

In addition, federal law requires the District to grant eligible employees up to 26 weeks of leave during a single twelve-month period to care for a covered service member with a serious illness or injury incurred or aggravated in the line of duty on active duty.

During FMLA the District requires an eligible employee to first utilize any earned paid sick leave, vacation time or other leave provided by policy or by a collective bargaining agreement to the extent the purpose is covered by and consistent with requirements for the paid leave time. Any FMLA leave in excess of available paid leave shall be unpaid.

At the employee's option, the District shall continue the District's contributions towards health insurance on behalf of the employee for up to 12 (or 26, if applicable) weeks as if the employee were still at work. If the employee has more than 12 (or 26, if applicable) weeks of paid leave available, the District shall continue the District's contribution until the paid leave is exhausted. The employee shall remit the employee's contribution towards health insurance by the date the District makes payment to the insurance carrier or within 30 days thereafter. Failure to make contributions when due may result in the employee losing coverage during the period of the leave. If the employer makes the employee-owed payments, the employee authorizes the District to offset such sums advanced against any sums owed to the employee. If the employee does not return to work at the end of the leave (except for reasons specified in the Act), the employee will be required to reimburse the District for all contributions made by the District while the employee was on unpaid leave.

Employees may request leave under the Family Medical and Leave Act for up to a total of 12 weeks per year (or a total of 26 weeks to care for a covered service member with a serious illness or injury incurred or aggravated in the line of duty). "Year" shall be defined as a 12-month period measured forward from the date an employee's first FMLA leave begins. Leave to care for a newly-born, adopted or foster child must conclude within 12 months of the birth or placement of the child. Spouses, both of whom are employed by the District, may take a combined 12-week allotment for the birth or placement of a child and/or spouses may take a combined 26-week allotment to care for a covered service member with a serious illness or injury incurred or aggravated in the line of duty. The District may require an employee to provide written certification from a health care provider when an employee requests family and medical leave for the employee's own serious health condition or to care for the employee's parent, spouse, or child with a serious health condition, or to care for a covered service member with a serious illness of injury.

Bereavement Leave

Employees, except temporary employees, may be granted up to five days paid leave per occurrence in the event of the death of a member of the employee's immediate family. The "immediate family" shall include spouse, child (including step, adopted, foster or legal guardian relationship), parent, step-parent, brother, or sister of the employee.

Emergency Leave

Employees, except temporary employees, shall be granted up to a total of three days of paid emergency leave per contract year in the event of a death or a serious health condition in the extended family or of a close friend, where sick leave or bereavement leave provisions do not apply.

"Serious health condition" is defined as: an illness, injury, impairment, or physical/mental condition that involves:

A. either, inpatient (at least one overnight stay), non-elective treatment in a hospital, hospice, or residential care facility including any period of subsequent related outpatient treatment delivered in a hospital, hospice, or medical treatment facility in connection with the initial inpatient condition;

B. or, the actual day an immediate family member undergoes outpatient surgery (or other invasive procedure) at a hospital or medical treatment facility, including doctor's office when the doctor deems it medically appropriate, where the presence of the employee is medically required by the patient's doctor.

"Extended family" for purposes of leave for a serious health condition is defined as grandparent, grandchild, sister, brother, in-law relations (i.e. father, mother, sister, brother, son, daughter) or close friend.

"Extended family" leave for a death is defined as in-law relations (i.e. father, mother, sister, brother, son, daughter), grandparent and grandchild, or close friend.

In the event of death of a student or employee of the Cedar Falls Community School District, the principal of the appropriate building may grant to an appropriate number of employees sufficient time to attend the funeral.

Personal Leave

Employees, except temporary employees, are allowed up to two days of paid leave per year for personal leave. Personal leave may be granted for routine doctor or dental appointments including physicals, dental visits, well-baby appointments, preventive health checkups; visits with financial or legal advisors; or such other purposes as the employee may determine. Personal leave days may be accumulated up to four days, including the current year allotment. Personal leave shall be taken by Classified Employees in one hour, one-half day, one day, or two day allotments. The unused personal leave days will be added to the allotment of sick leave and may be in excess of the established sick leave maximum.

Personal leave may be granted for use at a time that extends a vacation or holiday.

Military Leave

Leaves for military service will be granted in accordance with applicable law which provides that employees (other than employees employed temporarily for six months or less) who are members of the national guard, organized reserves or any component part of the military, naval, or air force or nurse corps of Iowa or of the United States, or who may be otherwise inducted into the military service shall, when ordered by proper authority to service, be entitled to a leave of absence for the period of such service, and without loss of pay for the first 30 calendar days of such leave of absence.

Jury Duty and Subpoena Leave

Employees called for jury service, or subpoenaed in a civil or criminal court proceeding on a matter related to their employment with the District, shall be permitted to be absent from duties. Pay received for jury or witness service, except travel expense, shall be remitted to the District. In order to receive payment, the employee must give at least two days' prior notice of the summons for service or subpoena, and must furnish satisfactory evidence that such service was performed on the days for which payment is claimed. An employee not required to perform duty all day shall return to work.

Conference Leave

An employee appointed by the appropriate director to represent an area of service or instruction or the District, will be granted leave with pay to attend educational conferences or conventions. All approved costs will be borne by the District.

An employee approved by the appropriate director to attend an educational conference or convention directly or closely related to the employee's area of service shall be eligible for leave with pay. In such instances, the District shall provide a substitute, if necessary, and may partially or wholly reimburse the employee for approved expenses (depending upon factors which include, but are not limited to, the nature of the conference, the number of persons attending, and the costs related to the attendance).

An employee who is an officer or participant of a curriculum specialty event, conference, or convention may attend with pay if approved by the appropriate director. In such instances, the District shall pay for the cost of any required substitute, but will not reimburse the employee for any conference/convention-related expenses.

Requests for approval for leaves described in paragraphs two and three of this section must be made to the appropriate director at least two weeks before the beginning of the leave.

Public Office Leave

Leaves of absence for service in an elected municipal, county, state or federal office shall be granted in accordance with applicable law. The leave of absence shall be without pay or benefits and shall not exceed six years. The employee may continue all fringe benefits in effect for the duration of the leave at his/her own expense. In addition, an employee who becomes a candidate for elective public office shall be granted a leave commencing within 30 days prior to a contested primary, special, or general election and continuing until the day after the election. The employee shall first use any earned compensatory time, then vacation and personal leave time and then unpaid leave. An employee who is a candidate for any elective public office shall not campaign while on duty as an employee.

Other Absences

Leaves of absence for reasons other than those listed above, or in excess of the number of days allowed, may be granted by the superintendent or designee. The employee shall have deducted from his/her salary an amount equal to one day's pay for each day of absence. The District shall not continue fringe benefits, but the employee may continue the fringe benefits for the duration of the leave at his/her own expense, except that the District shall provide benefits in accordance with the Family and Medical Leave Act.

Discipline

Absences for reasons other than those provided for in this policy or in a negotiated agreement, or failure on the part of the employee to follow procedures for requesting leave of absence, failure of the employee to provide reasonable evidence confirming the necessity for the leave of absence following request by the District, failure of an employee to return to work on the specified date following the leave of absence, failure to communicate in a timely manner an inability to return to work on the specified date following the leave of absence, or failure to provide a legitimate reason for failing to return on the specified date following the leave of absence, may be grounds for disciplinary action, including dismissal.

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October 24, 2005
July 16, 2007
September 22, 2008
June 10, 2013

A. District Notice

1. The District will post a notice regarding family and medical leave.

2. Information on the Family and Medical Leave Act and on the Board of Education policy on family and medical leave, including leave provisions and employee obligations, will be provided annually.

3. When an employee requests family and medical leave, the District will provide the employee with information listing the employee's obligations and requirements. Such information will include:

    a. a statement clarifying whether the leave qualifies as family and medical leave and will, therefore, be credited to the employee's annual 12-week (or 26 week) entitlement;

    b. a reminder that an employee requesting family and medical leave for his/her serious health condition or for that of an immediate family member or for that of a covered service member must furnish medical certification of the serious health condition and notice of the consequences for failing to do so;

    c. an explanation of the employee's right and obligation to substitute paid leave for family and medical leave, including a description of when the District requires substitution of paid leave and the conditions related to the substitution; and

    d. a statement notifying the employee that the employee must pay, and must make arrangements for paying, any premium or other payment to maintain health or other benefits, as applicable.

B. Eligible Employees

Employees are eligible for family and medical leave if three criteria are met.

If the employee requesting leave is unable to meet the three criteria, then the employee is not eligible for family and medical leave.

1. The District has more than 50 employees on the payroll at the time leave is requested;

2. The employee has worked for the District for at least 12 months or 52 weeks (the months and weeks need not be consecutive); and

3. The employee has worked at least 1,250 hours within the previous year. Full-time professional employees who are exempt from the wage and hour law may be presumed to have worked the minimum hour requirement.

Employee Requesting Leave -- Two Types of Leave.

1. Foreseeable family and medical leave.

a. Definition - leave is foreseeable for the birth or placement of an adopted or foster child with the employee or for planned medical treatment.

b. The employee must give at least 30 days' notice for foreseeable leave. Failure to give the notice may result in the leave beginning 30 days after notice is received.

c. Employees must consult with the District prior to scheduling planned medical treatment leave to minimize disruption to the District. The scheduling is subject to the approval of the health care provider.

2. Unforeseeable family and medical leave.

a. Definition - leave is unforeseeable in such situations as emergency medical treatment or premature birth.

b. The employee must give notice as soon as possible but no later than one to two work days after learning that leave will be necessary.

c. A spouse or family member may give the notice if the employee is unable to personally give notice.

D. Eligible Family and Medical Leave Determination

The District may require the employee to provide reasonable documentation or a statement of family relationship.

1. Six purposes.

a. The birth of a son or daughter of the employee and in order to care for that son or daughter prior to the first anniversary of the child's birth;

b. The placement of a son or daughter with the employee for adoption or foster care and in order to care for that son or daughter prior to the first anniversary of the child's placement;

c. To care for the spouse, son, daughter or parent of the employee if the spouse, son, daughter or parent has a serious health condition; the child must be under 18, or, if over 18, incapable of self-care because of a mental or physical disability;

d. Employee's serious health condition that makes the employee unable to perform the essential functions of the employee's position;

e. Any qualifying exigency arising out of the fact that the employee's spouse, child or parent is on active duty or has been notified of an impending call or order to active duty in the Armed Forces in support of a contingency operation;

f. To care for the employee's spouse, child, parent, or a person to whom the employee is next of kin who is a member of the Armed Forces ~~or~~ who is undergoing medical treatment, recuperation, or therapy, is otherwise in out-patient status, or on the temporary disability retired list for a serious injury or illness sustained in the line of duty or on active duty.

2. Medical certification

a. When required:

(1) Employees shall be required to present medical certification of the employee's serious health condition and inability to perform the essential functions of the job.

(2) Employees shall be required to present medical certification of the family member's serious health condition and that it is medically necessary for the employee to take leave to care for the family member.

(3) Employee shall be required to present medical certification of the spouse, child, parent or next of kin who is a covered service member.

b. Employee's medical certification responsibilities:

(1) The employee must obtain the certification from the health care provider who is treating the individual with the serious health condition.

(2) The District may require the employee to obtain a second certification by a health care provider chosen by and paid for by the District if the District has reason to doubt the validity of the certification an employee submits. The second health care provider cannot, however, be employed by the District on a regular basis.

(3) If the second health care provider disagrees with the first health care provider, then the District may require a third health care provider to certify the serious health condition. This health care provider must be mutually agreed upon by the employee and the District and paid for by the District. This certification or lack of certification is binding upon both the employee and the District.

c. Medical certification will be required 15 calendar days after family and medical leave begins unless it is impracticable to do so. The District may request recertification every 30 calendar days or as otherwise provided by law. Recertification must be submitted within 15 calendar days of the District's request.

d. The employee must provide certification of fitness to return to duties from the health care provider who was treating the employee with a serious health condition prior to the employee returning to work.

Family and medical leave requested for the serious health condition of the employee or to care for a family member with a serious health condition or to care for a covered service member with a serious illness or injury which is not supported by medical certification may be denied until such certification is provided.

E. Entitlement

1. Employees are entitled to 12 weeks family and medical leave per year (12-month period), except that employees are entitled to 26 weeks family and medical leave during a single 12-month period to care for a covered service member.

2. The 12-month period is measured forward from the date an employee's first FMLA leave begins.

3. If insufficient leave is available, the District may:

   a. Deny the leave if entitlement is exhausted; or

   b. Award additional leave.

F. Type of Leave Requested

1. Continuous - employee will not report to work for set number of days or weeks.

2. Intermittent - employee requests family and medical leave for separate periods of time.

   a. Intermittent leave is available for:

      (1) Birth, adoption or foster care placement of child only with the District's agreement.

      (2) Serious health condition of the employee, spouse, parent, or child or of a serious illness or injury of covered service member when medically necessary without the District's agreement.

      (3) A qualifying exigency arising out of the fact that the spouse, child or parent of the employee is on active duty or has been notified of an impending call or order to active duty in the Armed Forces in support of a contingency operation without the District's agreement.

   b. In the case of foreseeable intermittent leave, the employee must schedule the leave to minimize disruption to the District's operation.

c. During the period of foreseeable intermittent leave, the District may move the employee to an alternative position with equivalent pay and benefits. *[For instructional employees, see G below.]*

3. Reduced work schedule - employee requests a reduction in the employee's regular work schedule.

a. Reduced work schedule family and medical leave is available for:

(1) Birth, adoption or foster care placement of child only with the District's agreement.

(2) Serious health condition of the employee, spouse, parent, or child or of a serious illness or injury of a covered service member when medically necessary without the District's agreement.

(3) A qualifying exigency arising out of the fact that the spouse, child or parent of the employee is on active duty or has been notified of an impending call or order to active duty in the Armed Forces in support of a contingency operation without the District's agreement.

b. In the case of foreseeable reduced work schedule leave, the employee must schedule the leave to minimize disruption to the District's operation.

c. During the period of foreseeable reduced work schedule leave, the District may move the employee to an alternative position with equivalent pay and benefits. *[For instructional employees, see G below.]*

G. Special Rules for Instructional Employees

1. Definition - an instructional employee is one whose principal function is to teach and instruct students in a class, a small group or in an individual setting. This includes, but is not limited to, teachers, coaches, driver's education instructors and special education assistants.

2. Instructional employees who request foreseeable medically necessary intermittent or reduced work schedule family and medical leave greater than twenty percent of the work days in the leave period may be required to:

a. Take leave for the entire period or periods of the planned medical treatment; or

b. Move to an available alternative position, with equivalent pay and benefits, but not necessarily equivalent duties, for which the employee is qualified.

3. Instructional employees who request continuous family and medical leave near the end of a semester may be required to extend the family and medical leave through the end of

the semester. The number of weeks remaining before the end of a semester do not include scheduled school breaks, such as summer, winter or spring break.

a. If an instructional employee begins family and medical leave for any purpose more than five weeks before the end of a semester, the District may require that the leave be continued until the end of the semester if the leave will last at least three weeks and the employee would return to work during the last three weeks of the semester if the leave was not continued.

b. If the employee begins family and medical leave for a purpose other than the employee's own serious health condition during the last five weeks of a semester, the District may require that the leave be continued until the end of the semester if the leave will last more than two weeks and the employee would return to work during the last two weeks of the semester.

c. If the employee begins family and medical leave for a purpose other than the employee's own serious health condition during the last three weeks of the semester and the leave will last more than five working days, the District may require the employee to continue taking leave until the end of the semester.

4. The entire period of leave taken under the special rules is credited as family and medical leave. The District will continue to fulfill the District's family and medical leave responsibilities and obligations, including the obligation to continue the employee's health insurance and other benefits, if an instructional employee's family and medical leave entitlement ends before the involuntary leave period expires.

H. Employee Responsibilities While on Family and Medical Leave

1. The employee must continue to pay health care benefit contributions or other benefit contributions regularly paid by the employee unless the employee elects not to continue the benefits.

2. The employee contribution payments will be deducted from any money owed to the employee, or the employee shall reimburse the District at a time set by the superintendent or designee.

3. An employee who fails to make the health care contribution payments within 30 calendar days after they are due will be notified that his/her coverage may be canceled if payment is not received within an additional 15 calendar days.

4. An employee may be required to re-certify the medical necessity of family and medical leave for the serious medical condition of an employee or family member or of a serious injury or illness of a covered service member once every 30 calendar days or as otherwise provided by law and to return the certification within 15 calendar days of the request.

5. The employee must notify the District of the employee's intent to return to work at least once each month during leave and at least two weeks prior to the conclusion of the family and medical leave.

6. If an employee intends not to return to work, the employee must immediately notify the District, in writing, of the employee's intent not to return. The District will cease benefits upon receipt of this notification.

I. Use of Paid Leave for Family and Medical Leave

An employee shall substitute unpaid family and medical leave with any paid leave available to the employee, which is applicable to the reason for family and medical leave, under Board of Education policy or a collective bargaining agreement. Paid leave includes sick leave, family illness leave, emergency leave, paid vacation, and/or personal leave. When the District determines that paid leave is being taken for a FMLA reason, the District will notify the employee within two business days (if feasible) that the paid leave will be counted as FMLA leave.

J. Definitions

The following definitions shall apply to the District's policy and regulations on family and medical leave:

1. *Common Law Marriage* - according to Iowa law, common law marriages exist when there is a present intent by the two parties to be married, continuous cohabitation, and a public declaration that the parties are husband and wife. There is no time factor that needs to be met in order for there to be a common law marriage.

2. *Contingency Operation* - means a military operation that: (1) is designated by the U.S. Secretary of Defense as an operation in which members of the Armed Forces are or may become involved in military actions, operations, or hostilities against an enemy of the United States or against an opposing military force; or (2) results in the call or order to, or retention on, active duty of members of the uniformed services under applicable law during a war or during a national emergency declared by the U.S. President or Congress.

3. *Continuing Treatment* - a serious health condition involving continuing treatment by a health care provider includes one or more of the following:

   a A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from) of more than three consecutive calendar days and any subsequent treatment or period of incapacity relating to the same condition that also involves:

      -- treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or in referral by, a health care provider; or

      -- treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of a health care provider.

   b. Any period of incapacity due to pregnancy or for prenatal care.

c. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:

-- requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under direct supervision of a health care provider;

-- continues over an extended period of time (including recurring episodes of a single underlying condition); and

-- may cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).

d. Any period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke or the terminal stages of a disease.

e. Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

4. *Covered Service Member* – a member of the Armed forces, including a member of the National Guard or reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in out-patient status, or is otherwise on the disability retired list, for a serious injury or illness.

5. *Eligible Employee* - an employee of the District which has more than 50 employees on the payroll at the time leave is requested. The employee has worked for the District for at least twelve months and has worked at least 1,250 hours within the previous year.

6. *Essential Functions of the Job* - those functions which are fundamental to the performance of the job. It does not include marginal functions.

7. *Employment Benefits* - all benefits provided or made available to employees by an employer, including group life insurance, health insurance, disability insurance, sick leave, annual leave, educational benefits, and pensions, regardless of whether such benefits are provided by a practice or written policy of an employer or through an "employee benefit plan."

8. *Family Member* - individuals who meet the definition of son, daughter, spouse or parent.

9. *Group Health Plan* - any plan of, or contributed to by, an employer (including a self-insured plan) to provide health care (directly or otherwise) to the employer's employees, former employees, or the families of such employees or former employees.

10. *Health Care Provider* -

    a. A doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the state in which the doctor practices; or

    b. Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice in the state and performing within the scope of their practice as defined under state law; or

    c. Nurse practitioners and nurse-midwives who are authorized to practice under state law and who are performing within the scope of their practice as defined under state law; or

    d. Christian Science practitioners listed with the First Church of Christ Scientist in Boston, Massachusetts; or

    e. Any health care provider from whom an employer or a group health plan's benefits manager will accept certification of the existence of a serious health condition to substantiate a claim for benefits; or

    f. A health care provider as defined above who practices in a country other than the United States who is licensed to practice in accordance with the laws and regulations of that country.

11. *In Loco Parentis* - individuals who had or have day-to-day responsibilities for the care and financial support of a child not their biological child or who had the responsibility for an employee when the employee was a child.

12. *Incapable of Self-care* - that the individual requires active assistance or supervision to provide daily self-care in several of the "activities of daily living" or "ADLs." Activities of daily living include adaptive activities such as caring appropriately for one's grooming and hygiene, bathing, dressing, eating, cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.

13. *Instructional Employee* - an employee employed principally in an instructional capacity by an educational agency or school whose principal function is to teach and instruct students in a class, a small group, or an individual setting, and includes athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. The term does not include teacher assistants or aides who do not have as their principal function actual teaching or instructing, nor auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers, bus drivers, or other primarily noninstructional employees.

14. *Intermittent Leave* - leave taken in separate periods of time due to a single illness or injury, rather than for one continuous period of time, and may include leave or periods from an hour or more to several weeks.

15. *Medically Necessary* - certification for medical necessity is the same as certification for serious health condition.

16. *Needed to Care For* - the medical certification that an employee is "needed to care for" a family member encompasses both physical and psychological care. For example, where, because of a serious health condition, the family member is unable to care for his or her own basic medical, hygienic or nutritional needs or safety or is unable to transport himself or herself to medical treatment. It also includes situations where the employee may be needed to fill in for others who are caring for the family member or to make arrangements for changes in care.

17. *Next of Kin* – the nearest blood relative of that individual.

18. *Out-patient Status* – with respect to a covered service member, means the status of a member of the Armed Forces assigned to a medically necessary treatment facility as an out-patient or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as out-patients.

19. *Parent* - a biological parent or an individual who stands *in loco parentis* to a child or stood *in loco parentis* to an employee when the employee was a child. Parent does not include parent-in-law.

20. *Physical or mental disability* - a physical or mental impairment that substantially limits one or more of the major life activities of an individual.

21. *Reduced leave schedule* - a leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.

22. *Serious health condition* - an illness, injury, impairment, or physical or mental condition that involves:

    a. Inpatient care (i.e. an overnight stay) in a hospital, hospice or residential medical care facility including any period of incapacity (for purposes of this section, defined to mean inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery therefrom), or any subsequent treatment in connection with such inpatient care; or

    b. Continuing treatment by a health care provider. A serious health condition involving continuing treatment by a health care provider includes:

-- A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery therefrom) of more than three consecutive calendar days, including any subsequent treatment or period of incapacity relating to the same condition, that also involves:

* Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider; or

* Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.

c. Any period of incapacity due to pregnancy or for prenatal care.

d. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:

-- Requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under direct supervision of a health care provider;

-- Continues over an extended period of time (including recurring episodes of a single underlying condition); and

-- May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).

e. A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke or the terminal stages of a disease.

f. Any period of absence to receive multiple treatments (including any period of recovery from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

- Treatment for purposes of this definition includes, but is not limited to, examinations to determine if a serious health condition exists and evaluation of the condition. Treatment does not include routine physical examinations, eye examinations or dental examinations. Under this definition, a regimen of

continuing treatment includes, for example, a course of prescription medication (e.g., an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition (e.g., oxygen). A regimen of continuing treatment that includes the taking of over-the-counter medications such as aspirin, antihistamines, or salves; or bed rest, drinking fluids, exercise and other similar activities that can be initiated without a visit to a health care provider, is not, by itself, sufficient to constitute a regime of continuing treatment for purposes of FMLA leave.

- Conditions for which cosmetic treatments are administered (such as most treatments for acne or plastic surgery) are not "serious health conditions" unless inpatient hospital care is required or unless complications develop. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomach, ulcers, headaches other than migraine, routine dental or orthodontia problems, periodontal disease, etc., are examples of conditions that do not meet the definition of a serious health condition and do not qualify for FMLA leave. Restorative dental or plastic surgery after an injury or removal of cancerous growths are serious health conditions provided all the other conditions of this regulation are met. Mental illness resulting from stress or allergies may be serious health conditions, but only if all the conditions of this section are met.

- Substance abuse may be a serious health condition if the conditions of this section are met. However, FMLA leave may only be taken for treatment for substance abuse by a health care provider or by a provider of health care on a referral by a health care provider. On the other hand, absence because of the employee's use of the substance, rather than for treatment, does not qualify for FMLA leave.

- Absences attributable to incapacity under this definition qualify for FMLA leave even though the employee or the immediate family member does not receive treatment from a health care provider during the absence, and even if the absence does not last more than three days. For example, an employee with asthma may be unable to report for work due to the onset of an asthma attack or because the employee's health care provider has advised the employee to stay home when the pollen count exceeds a certain level. An employee who is pregnant may be unable to report to work because of severe morning sickness.

23. *Serious Injury or Illness* – in the case of a member of the Armed Forces, means an injury or illness incurred in the line of duty or on active duty that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating.

24. *Son or daughter* - a biological child, adopted child, foster child, stepchild, legal ward, or a child of a person standing in loco parentis. The child must be under age 18 or, if over 18, incapable of self-care because of a mental or physical disability.

25. *Spouse* - a husband or wife recognized by Iowa law including common law marriages.

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- for incapacity due to pregnancy, prenatal medical care or child birth;
- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son, daughter or parent, who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status 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 servicemember during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

***The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition".**

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months*, and if at least 50 employees are employed by the employer within 75 miles.

***Special hours of service eligibility requirements apply to airline flight crew employees.**

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 the employee from performing the functions of the employee's 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 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen 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

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is 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. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers 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 employer must provide a reason for the ineligibility.

Covered employers 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 employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA; and
- 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.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulation 29 C.F.R. § 825.300(a) may require additional disclosures.

For additional information:
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627
WWW.WAGEHOUR.DOL.GOV

U.S. Department of Labor | Wage and Hour Division

WHD Publication 1420 · Revised February 2013

U.S. Department of Labor
Wage and Hour Division

U.S. Wage and Hour Division
(Revised 2012)

Fact Sheet #28: The Family and Medical Leave Act

The Family and Medical Leave Act (FMLA) entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons. This fact sheet provides general information about which employers are covered by the FMLA, when employees are eligible and entitled to take FMLA leave, and what rules apply when employees take FMLA leave.

COVERED EMPLOYERS

The FMLA only applies to employers that meet certain criteria. A **covered employer** is a:

- Private-sector employer, with 50 or more employees in 20 or more workweeks in the current or preceding calendar year, including a joint employer or successor in interest to a covered employer;
- Public agency, including a local, state, or Federal government agency, regardless of the number of employees it employs; or
- Public or private elementary or secondary school, regardless of the number of employees it employs.

ELIGIBLE EMPLOYEES

Only eligible employees are entitled to take FMLA leave. An **eligible employee** is one who:

- Works for a *covered employer*;
- Has worked for the employer for at least *12 months*;
- Has at least *1,250 hours* of service for the employer during the 12 month period immediately preceding the leave*; and
- Works at a location where the employer has at least *50 employees within 75 miles*.

* Special hours of service eligibility requirements apply to airline flight crew employees. *See* Fact Sheet 28J: Special Rules for Airline Flight Crew Employees under the Family and Medical Leave Act.

The 12 months of employment do not have to be consecutive. That means any time previously worked for the same employer (including seasonal work) could, in most cases, be used to meet the 12-month requirement. If the employee has a break in service that lasted seven years or more, the time worked prior to the break will not count *unless* the break is due to service covered by the Uniformed Services Employment and Reemployment Rights Act (USERRA), or there is a written agreement, including a collective bargaining agreement, outlining the employer's intention to rehire the employee after the break in service. *See* "FMLA Special Rules for Returning Reservists".

LEAVE ENTITLEMENT

Eligible employees may take up to **12 workweeks** of leave in a 12-month period for one or more of the following reasons:

- The birth of a son or daughter or placement of a son or daughter with the employee for adoption or foster care;
- To care for a spouse, son, daughter, or parent who has a serious health condition;
- For a serious health condition that makes the employee unable to perform the essential functions of his or her job; or
- For any qualifying exigency arising out of the fact that a spouse, son, daughter, or parent is a military member on covered active duty or call to covered active duty status.

An eligible employee may also take up to **26 workweeks** of leave during a "single 12-month period" to care for a covered servicemember with a serious injury or illness, when the employee is the spouse, son, daughter, parent, or next of kin of the servicemember. The "single 12-month period" for military caregiver leave is different from the 12-month period used for other FMLA leave reasons. *See* Fact Sheets 28F: Qualifying Reasons under the FMLA and 28M: The Military Family Leave Provisions under the FMLA.

Under some circumstances, employees may take FMLA leave on an intermittent or reduced schedule basis. That means an employee may take leave in separate blocks of time or by reducing the time he or she works each day or week for a single qualifying reason. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the employer's operations. If FMLA leave is for the birth, adoption, or foster placement of a child, use of intermittent or reduced schedule leave requires the employer's approval.

Under certain conditions, employees may choose, or employers may require employees, to "substitute" (run concurrently) accrued paid leave, such as sick or vacation leave, to cover some or all of the FMLA leave period. An employee's ability to substitute accrued paid leave is determined by the terms and conditions of the employer's normal leave policy.

NOTICE

Employees must comply with their employer's usual and customary requirements for requesting leave and provide enough information for their employer to reasonably determine whether the FMLA may apply to the leave request. Employees generally must request leave 30 days in advance when the need for leave is foreseeable. When the need for leave is foreseeable less than 30 days in advance or is unforeseeable, employees must provide notice as soon as possible and practicable under the circumstances.

When an employee seeks leave for a FMLA-qualifying reason for the first time, the employee need not expressly assert FMLA rights or even mention the FMLA. If an employee later requests additional leave for the same qualifying condition, the employee must specifically reference either the qualifying reason for leave or the need for FMLA leave. *See* Fact Sheet 28E: Employee Notice Requirements under the FMLA .

Covered employers must:

(1) Post a notice explaining rights and responsibilities under the FMLA (and may be subject to a civil money penalty of up to $110 for willful failure to post);

(2) Include information about the FMLA in their employee handbooks or provide information to new employees upon hire;

(3) When an employee requests FMLA leave or the employer acquires knowledge that leave may be for a FMLA-qualifying reason, provide the employee with notice concerning his or her eligibility for FMLA leave and his or her rights and responsibilities under the FMLA; and

(4) Notify employees whether leave is designated as FMLA leave and the amount of leave that will be deducted from the employee's FMLA entitlement.

See Fact Sheet 28D: Employer Notice Requirements under the FMLA.

CERTIFICATION

When an employee requests FMLA leave due to his or her own serious health condition or a covered family member's serious health condition, the employer may require certification in support of the leave from a health care provider. An employer may also require second or third medical opinions (at the employer's expense) and periodic recertification of a serious health condition. *See* Fact Sheet 28G: Certification of a Serious Health Condition under the FMLA. For information on certification requirements for military family leave, *See* Fact Sheet 28M(c): Qualifying Exigency Leave under the FMLA; Fact Sheet 28M(a): Military Caregiver Leave for a Current Servicemember under the FMLA; and Fact Sheet 28M(b): Military Caregiver Leave for a Veteran under the FMLA.

JOB RESTORATION AND HEALTH BENEFITS

Upon return from FMLA leave, an employee must be restored to his or her original job or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment. An employee's use of FMLA leave cannot be counted against the employee under a "no-fault" attendance policy. Employers are also required to continue group health insurance coverage for an employee on FMLA leave under the same terms and conditions as if the employee had not taken leave. *See* Fact Sheet 28A: Employee Protections under the Family and Medical Leave Act .

OTHER PROVISIONS

Special rules apply to employees of local education agencies. Generally, these rules apply to intermittent or reduced schedule FMLA leave or the taking of FMLA leave near the end of a school term.

Salaried executive, administrative, and professional employees of covered employers who meet the Fair Labor Standards Act (FLSA) criteria for exemption from minimum wage and overtime under the FLSA regulations, 29 CFR Part 541, do not lose their FLSA-exempt status by using any unpaid FMLA leave. This special exception to the "salary basis" requirements for FLSA's exemption extends only to an eligible employee's use of FMLA leave.

ENFORCEMENT

It is unlawful for any employer to interfere with, restrain, or deny the exercise of or the attempt to exercise any right provided by the FMLA. It is also unlawful for an employer to discharge or discriminate against any individual for opposing any practice, or because of involvement in any

proceeding, related to the FMLA. *See* Fact Sheet 77B: Protections for Individuals under the FMLA . The Wage and Hour Division is responsible for administering and enforcing the FMLA for most employees. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress. If you believe that your rights under the FMLA have been violated, you may file a complaint with the Wage and Hour Division or file a private lawsuit against your employer in court.

For additional information, visit our Wage and Hour Division Website: http://www.wagehour.dol.gov and/or call our toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4-USWAGE (1-866-487-9243).

This publication is for general information and is not to be considered in the same light as official statements of position contained in the regulations.

U.S. Department of Labor
Frances Perkins Building
200 Constitution Avenue, NW
Washington, DC 20210

1-866-4-USWAGE
TTY: 1-866-487-9243
Contact Us

FAMILY AND MEDICAL LEAVE REQUEST FORM

Date:_____

I, _____, request family and medical leave for the following reason: (check all that apply)

_____ for the birth of my child;
_____ for the placement of a child for adoption or foster care;
_____ to care for my child who has a serious health condition;
_____ to care for my parent who has a serious health condition;
_____ to care for my spouse who has a serious health condition;
_____ because I am seriously ill and unable to perform the essential functions of my position;
_____ for a qualifying exigency arising out of fact that my spouse is on active duty or has been notified of an impending call or order to active duty in the Armed Forces in support of a contingency operation;
_____ for a qualifying exigency arising out of fact that my child is on active duty or has been notified of an impending call or order to active duty in the Armed Forces in support of a contingency operation;
_____ for a qualifying exigency arising out of fact that my parent is on active duty or has been notified of an impending call or order to active duty in the Armed Forces in support of a contingency operation;
_____ to care for my spouse who is a member of the Armed Forces and who is undergoing medical treatment for a serious illness or injury
_____ to care for my child who is a member of the Armed Forces and who is undergoing medical treatment for a serious illness or injury
_____ to care for my parent who is a member of the Armed Forces and who is undergoing medical treatment for a serious illness or injury
_____ to care for a person to whom I am next of kin who is a member of the Armed Forces and who is undergoing medical treatment for a serious illness or injury

I acknowledge my obligation to provide medical certification of my serious health condition or that of a family member or to provide medical certification of the serious illness or injury of a service member in order to be eligible for family and medical leave within 15 calendar days of a request for certification.

I acknowledge receipt of information regarding my obligations under the family and medical leave policy of the District.

I request that my family and medical leave begin on _____, and I request leave as follows: (check one)

_____ Continuous

I anticipate that I will be able to return to work on _____.

_____ Intermittent leave for the:

- _____ birth of my child or adoption or foster care placement subject to agreement by the District
- _____ serious health condition of myself, parent, or child when medically necessary
- _____ qualifying exigency arising out of the fact that my spouse, child, or parent is on active duty or has been notified of an impending call or order to active duty in the Armed Forces in support of a contingency operation
- _____ to care for my spouse, child, or parent, or a person to whom I am next of kin, who is a member of the Armed Forces and who is undergoing medical treatment for a serious illness or injury

Details of the needed intermittent leave:

_____

_____

_____

I anticipate returning to work at my regular schedule on _____.

_____ Reduced work schedule for the:

- _____ birth of my child or adoption or foster care placement subject to agreement by the District
- _____ serious health condition of myself, parent, or child when medically necessary
- _____ qualifying exigency arising out of the fact that my spouse, child, or parent is on active duty or has been notified of an impending call or order to active duty in the Armed Forces in support of a contingency operation
- _____ to care for my spouse, child, or parent, or a person to whom I am next of kin, who is a member of the Armed Forces and who is undergoing medical treatment for a serious illness or injury

Details of needed reduction in work schedule as follows:

_____

_____

_____

I anticipate returning to work at my regular schedule on _____.

I realize I may be moved to an alternative position during the period of the family and medical intermittent or reduced work schedule leave. I also realize that with foreseeable intermittent or reduced work schedule leave, subject to the requirements of my health care provider, I may be required to schedule the leave to minimize District operations.

While on family and medical leave, I agree to pay my regular contributions to employer sponsored benefit plans. My contributions shall be deducted from moneys owed me during the leave period. If no monies are owed me, I shall reimburse the District by personal check (cash) for my contributions. I understand that I may be dropped from the employer-sponsored benefit plans for failure to pay my contribution.

I agree to reimburse the District for any payment of my contributions with deductions from future monies owed to me, or the District may seek reimbursement of payments of my contributions in court.

I acknowledge that the above information is true to the best of my knowledge.

Signed_____

Notice of Eligibility and Rights & Responsibilities (Family and Medical Leave Act)

U.S. Department of Labor
Wage and Hour Division

OMB Control Number: 1235-0003
Expires: 2/28/2015

In general, to be eligible an employee must have worked for an employer for at least 12 months, meet the hours of service requirement in the 12 months preceding the leave, and work at a site with at least 50 employees within 75 miles. While use of this form by employers is optional, a fully completed Form WH-381 provides employees with the information required by 29 C.F.R. § 825.300(b), which must be provided within five business days of the employee notifying the employer of the need for FMLA leave. Part B provides employees with information regarding their rights and responsibilities for taking FMLA leave, as required by 29 C.F.R. § 825.300(b), (c).

[Part A – NOTICE OF ELIGIBILITY]

TO: _____
Employee

FROM: _____ _____
Employer Representative

DATE: _____ _____

On _____, you informed us that you needed leave beginning on _____ for:

_____ The birth of a child, or placement of a child with you for adoption or foster care;

_____ Your own serious health condition;

_____ Because you are needed to care for your ____ spouse; _____child; _____ parent due to his/her serious health condition.

_____ Because of a qualifying exigency arising out of the fact that your ____ spouse; _____son or daughter; _____ parent is on covered active duty or call to covered active duty status with the Armed Forces.

_____ Because you are the ____ spouse; _____son or daughter; _____ parent; _____ next of kin of a covered servicemember with a serious injury or illness.

This Notice is to inform you that you:

_____ Are eligible for FMLA leave (See Part B below for Rights and Responsibilities)

_____ Are **not** eligible for FMLA leave, because (only one reason need be checked, although you may not be eligible for other reasons):

_____ You have not met the FMLA's 12-month length of service requirement. As of the first date of requested leave, you will have worked approximately ___ months towards this requirement.
_____ You have not met the FMLA's hours of service requirement.
_____ You do not work and/or report to a site with 50 or more employees within 75-miles.

If you have any questions, contact _____ or view the FMLA poster located in _____.

[PART B-RIGHTS AND RESPONSIBILITIES FOR TAKING FMLA LEAVE]

As explained in Part A, you meet the eligibility requirements for taking FMLA leave and still have FMLA leave available in the applicable 12-month period. **However, in order for us to determine whether your absence qualifies as FMLA leave, you must return the following information to us by** _____. (If a certification is requested, employers must allow at least 15 calendar days from receipt of this notice; additional time may be required in some circumstances.) If sufficient information is not provided in a timely manner, your leave may be denied.

____ Sufficient certification to support your request for FMLA leave. A certification form that sets forth the information necessary to suport your request ____**is**/____ **is not** enclosed.

____ Sufficient documentation to establish the required relationship between you and your family member.

____ Other information needed (such as documentation for military family leave): _____

_____

_____

____ No additional information requested

CONTINUED ON NEXT PAGE

If your leave does qualify as FMLA leave you will have the following **responsibilities** while on FMLA leave (only checked blanks apply):

____ Contact _____ at _____ to make arrangements to continue to make your share of the premium payments on your health insurance to maintain health benefits while you are on leave. You have a minimum 30-day (or, indicate longer period, if applicable) grace period in which to make premium payments. If payment is not made timely, your group health insurance may be cancelled, provided we notify you in writing at least 15 days before the date that your health coverage will lapse, or, at our option, we may pay your share of the premiums during FMLA leave, and recover these payments from you upon your return to work.

____ You will be required to use your available paid _____ **sick,** _____ **vacation**, and/or _____**other leave** during your FMLA absence. This means that you will receive your paid leave and the leave will also be considered protected FMLA leave and counted against your FMLA leave entitlement.

____ Due to your status within the company, you are considered a "key employee" as defined in the FMLA. As a "key employee," restoration to employment may be denied following FMLA leave on the grounds that such restoration will cause substantial and grievous economic injury to us. We ___**have**/____ **have not** determined that restoring you to employment at the conclusion of FMLA leave will cause substantial and grievous economic harm to us.

____ While on leave you will be required to furnish us with periodic reports of your status and intent to return to work every _____. (Indicate interval of periodic reports, as appropriate for the particular leave situation).

If the circumstances of your leave change, and you are able to return to work earlier than the date indicated on the this form, you will be required to notify us at least two workdays prior to the date you intend to report for work.

If your leave does qualify as FMLA leave you will have the following **rights** while on FMLA leave:

- You have a right under the FMLA for up to 12 weeks of unpaid leave in a 12-month period calculated as:

  _____ the calendar year (January – December).

  _____ a fixed leave year based on _____.

  _____ the 12-month period measured forward from the date of your first FMLA leave usage.

  _____ a "rolling" 12-month period measured backward from the date of any FMLA leave usage.

- You have a right under the FMLA for up to 26 weeks of unpaid leave in a single 12-month period to care for a covered servicemember with a serious injury or illness. This single 12-month period commenced on _____.
- Your health benefits must be maintained during any period of unpaid leave under the same conditions as if you continued to work.
- You must be reinstated to the same or an equivalent job with the same pay, benefits, and terms and conditions of employment on your return from FMLA-protected leave. (If your leave extends beyond the end of your FMLA entitlement, you do not have return rights under FMLA.)
- If you do not return to work following FMLA leave for a reason other than: 1) the continuation, recurrence, or onset of a serious health condition which would entitle you to FMLA leave; 2) the continuation, recurrence, or onset of a covered servicemember's serious injury or illness which would entitle you to FMLA leave; or 3) other circumstances beyond your control, you may be required to reimburse us for our share of health insurance premiums paid on your behalf during your FMLA leave.
- If we have not informed you above that you must use accrued paid leave while taking your unpaid FMLA leave entitlement, you have the right to have ____ **sick,** ____**vacation,** and/or ___ **other leave** run concurrently with your unpaid leave entitlement, provided you meet any applicable requirements of the leave policy. Applicable conditions related to the substitution of paid leave are referenced or set forth below. If you do not meet the requirements for taking paid leave, you remain entitled to take unpaid FMLA leave.

  ____For a copy of conditions applicable to sick/vacation/other leave usage please refer to _____ available at: _____.

  ____Applicable conditions for use of paid leave:_____

  _____

  _____

  _____

  _____

Once we obtain the information from you as specified above, we will inform you, within 5 business days, whether your leave will be designated as FMLA leave and count towards your FMLA leave entitlement. If you have any questions, please do not hesitate to contact:

_____at _____.

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

It is mandatory for employers to provide employees with notice of their eligibility for FMLA protection and their rights and responsibilities. 29 U.S.C. § 2617; 29 C.F.R. § 825.300(b), (c). It is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2616; 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 10 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Ave., NW, Washington, DC 20210. **DO NOT SEND THE COMPLETED FORM TO THE WAGE AND HOUR DIVISION.**

Certification of Health Care Provider
(Family and Medical Leave Act of 1993)

U.S. Department of Labor
Employment Standards Administration
Wage and Hour Division

*(When completed, this form goes to the employee, **Not to the Department of Labor**.)*

OMB No.: 1215-0181
Expires: 09-30-2010

1. Employee's Name

2. Patient's Name *(If different from employee)*

3. Page 4 describes what is meant by a **"serious health condition"** under the Family and Medical Leave Act. Does the patient's condition[1] qualify under any of the categories described? If so, please check the applicable category.

(1)_____ (2) _____ (3) _____ (4)_____(5) _____ (6) _____ , or None of the above _____

4. Describe the **medical facts** which support your certification, including a brief statement as to how the medical facts meet the criteria of one of these categories:

5. a. State the approximate **date** the condition commenced, and the probable duration of the condition (and also the probable duration of the patient's present **incapacity**[2] if different):

b. Will it be necessary for the employee to take work only **intermittently or to work on a less than full schedule** as a result of the condition (including for treatment described in Item 6 below)?

If yes, give the probable duration:

c. If the condition is a **chronic condition** (condition #4) or **pregnancy**, state whether the patient is presently incapacitated[2] and the likely duration and frequency of **episodes of incapacity**[2]:

[1] Here and elsewhere on this form, the information sought relates **only** to the condition for which the employee is taking FMLA leave.

[2] "Incapacity," for purposes of FMLA, is defined to mean inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefor, or recovery therefrom.

Form WH-380
Revised December 1999

6. a. If additional **treatments** will be required for the condition, provide an estimate of the probable number of such treatments.

If the patient will be absent from work or other daily activities because of **treatment** on an **intermittent** or **part-time** basis, also provide an estimate of the probable number of and interval between such treatments, actual or estimated dates of treatment if known, and period required for recovery if any:

b. If any of these treatments will be provided by **another provider of health services** (e.g., physical therapist), please state the nature of the treatments:

c. **If a regimen of continuing treatment** by the patient is required under your supervision, provide a general description of such regimen (*e.g.*, prescription drugs, physical therapy requiring special equipment):

7. a. If medical leave is required for the employee's **absence from work** because of the **employee's own condition** (including absences due to pregnancy or a chronic condition), is the employee **unable to perform work** of any kind?

b. If able to perform some work, is the employee **unable to perform any one or more of the essential functions of the employee's job** (the employee or the employer should supply you with information about the essential job functions)? If yes, please list the essential functions the employee is unable to perform:

c. If neither a. nor b. applies, is it necessary for the employee to be **absent from work for treatment**?

8. a. If leave is required to **care for a family member** of the employee with a serious health condition, **does the patient require assistance** for basic medical or personal needs or safety, or for transportation?

b. If no, would the employee's presence to provide **psychological comfort** be beneficial to the patient or assist in the patient's recovery?

c. If the patient will need care only **intermittently** or on a part-time basis, please indicate the probable **duration** of this need:

Signature of Health Care Provider

Type of Practice

Address

Telephone Number

Date

To be completed by the employee needing family leave to care for a family member:

State the care you will provide and an estimate of the period during which care will be provided, including a schedule if leave is to be taken intermittently or if it will be necessary for you to work less than a full schedule:

Employee Signature

Date

A **"Serious Health Condition"** means an illness, injury impairment, or physical or mental condition that involves one of the following:

1. Hospital Care

   Inpatient care (*i.e.*, an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity[2] or subsequent treatment in connection with or consequent to such inpatient care.

2. Absence Plus Treatment

   (a) A period of incapacity[2] of **more than three consecutive calendar days** (including any subsequent treatment or period of incapacity[2] relating to the same condition), that also involves:

   (1) **Treatment**[3] **two or more times** by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (*e.g.*, physical therapist) under orders of, or on referral by, a health care provider; or

   (2) **Treatment** by a health care provider on **at least one occasion** which results in a **regimen of continuing treatment**[4] under the supervision of the health care provider.

3. Pregnancy

   Any period of incapacity due to **pregnancy**, or for **prenatal care**.

4. Chronic Conditions Requiring Treatments

   A **chronic condition** which:

   (1) Requires **periodic visits** for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;

   (2) Continues over an **extended period of time** (including recurring episodes of a single underlying condition); and

   (3) May cause **episodic** rather than a continuing period of incapacity[2] (*e.g.*, asthma, diabetes, epilepsy, etc.).

5. Permanent/Long-term Conditions Requiring Supervision

   A period of **Incapacity**[2] which is **permanent or long-term** due to a condition for which treatment may not be effective. The employee or family member must be **under the continuing supervision of, but need not be receiving active treatment by, a health care provider.** Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease.

6. Multiple Treatments (Non-Chronic Conditions)

   Any period of absence to receive **multiple treatments** (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for **restorative surgery** after an accident or other injury, **or** for a condition that **would likely result in a period of Incapacity**[2] **of more than three consecutive calendar days in the absence of medical intervention or treatment**, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), and kidney disease (dialysis).

This optional form may be used by employees to satisfy a mandatory requirement to furnish a medical certification (when requested) from a health care provider, including second or third opinions and recertification (29 CFR 825.306).

Note: Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number.

[3] Treatment includes examinations to determine if a serious health condition exists and evaluations of the condition. Treatment does not include routine physical examinations, eye examinations, or dental examinations.

[4] A regimen of continuing treatment includes, for example, a course of prescription medication (*e.g.*, an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition. A regimen of treatment does not include the taking of over-the-counter medications such as aspirin, antihistamines, or salves; or bed-rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a health care provider.

Public Burden Statement

We estimate that it will take an average of 20 minutes to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, Department of Labor, Room S-3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

DO NOT SEND THE COMPLETED FORM TO THIS OFFICE; IT GOES TO THE EMPLOYEE.

*U.S. GPO: 2000-461-954/25505

Policy Title: ***Compensation and Salary Basis*** Code No. ***402.4***

Wages and Salaries

The Board of Education shall establish salary schedules and rates of pay for the several positions in the District. Wages and salaries shall be negotiated with properly certified bargaining representatives.

Denial of Salary Increase or Increment

The Board of Education may deny a wage or salary increase or increment advance to an employee upon recommendation of the superintendent or designee.

Overtime

Non-exempt employees shall be compensated on an hourly basis, which is at least the minimum wage set by federal or state law, whichever is higher. Over-time work must have the prior approval of the employee's supervisor. Failure to obtain approval shall result in disciplinary action. Non-exempt employees shall be compensated at one and one-half times their regular hourly wage rate for work over 40 hours in a work week, or shall be granted compensatory time at one and one-half time for work over 40 hours a work week. The District may require that the employee take compensatory time rather than over-time pay provided the employee is notified of this requirement prior to working the over-time hours. A work week shall run from Sunday at 12:01 a.m. to the following Sunday at 12:00 a.m. Holidays, paid vacations and paid leaves of absence shall not count towards the 40 hours for purposes of computing overtime, unless a collective bargaining agreement provides otherwise. Non-exempt employees shall complete daily time records showing actual time worked, or shall be required to use a time-clock. All time actually worked shall be paid. The time records shall be signed if requested. Failure of the employee to maintain such records or falsification of such records will be grounds for disciplinary action.

Salary Basis

The Fair Labor Standards Act (FLSA) is a federal law which requires that most employees in the United States be paid at least the federal minimum wage for all hours worked and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek.

However, the FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional and outside sales employees. The FLSA also exempts certain computer employees. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis at not less than the amount set by the U.S. Department of Labor. Job titles do not determine exempt status. In order for an

exemption to apply, an employee's specific job duties and salary must meet all the requirements of the Department's regulations.

Salary Basis Requirement

To qualify for exemption, employees generally must be paid at not less than the amount set by the U.S. Department of Labor on a salary basis. These salary requirements do not apply to teachers, counselors, librarians, academic administrators i.e., those whose primary duty is performing administrative functions directly related to academic instruction or training, or employees whose primary duty is teaching, tutoring, instructing, or academic functions directly related to academic instruction or training, and exercise independent judgment Exempt computer employees may be paid at least the amount set by the U.S. Department of Labor on a salary basis or on an hourly basis at a rate not less than the amount set by the U.S. Department of Labor.

Being paid on a "salary basis" means an employee regularly receives a predetermined amount of compensation each pay period on a weekly or less frequent basis. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee's work. Subject to exceptions listed below, an exempt employee must receive the full salary for any work week in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any work week in which they perform no work. If the employer makes deductions from an employee's predetermined salary, i.e., because of the operating requirements of the business, that employee is not paid on a "salary basis." If the employee is ready, willing and able to work, deductions may not be made for time when work is not available.

Circumstances in Which the Employer May Make Deductions from Pay

Deductions from pay are permissible when an exempt employee is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees, or for military pay; or for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions. Also, an employer is not required to pay the full salary in the initial or terminal week of employment, for penalties imposed in good faith for infractions of safety rules of major significance, or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. In these circumstances, either partial day or full day deductions may be made to the extent permitted by law.

Pay Deductions for Leaves of Absence

The District provides a variety of leaves of absence to allow non-exempt to be absent from work. As a public employer, the District is expected to record and monitor the work that employees perform and to conform to principles of public accountability in its compensation practices. Therefore, it is the policy of the District that when a non-exempt employee is absent from work for less than one work day, the employee's pay will be reduced or the employee will be placed on leave without pay if:

- the employee has not sought permission to use paid leave for this partial-day absence;
- the employee has sought permission to use paid leave for this partial-day absence and permission has been denied;
- the employee's accrued paid leave has been exhausted; or
- the employee chooses to use leave without pay.

In each case in which a non-exempt employee is absent from work for part of a work day, a deduction from compensation will be made or the employee will be placed on leave without pay for a period of time which is equal to the employee's absence from the employee's regularly scheduled hours of work on that day.

Compliance

It is District policy to comply with all applicable laws with respect to payments of wages, salaries, and benefits to employees, including the Fair Labor Standards Act, including specifically the salary basis requirements of the FLSA, and the Iowa Wage Payment Collection Act. Therefore, all administrators and supervisors are prohibited from making any improper deductions from the salaries of employees. Employees are to be aware of this policy and that the District does not allow deductions that violate federal or state law.

If an employee believes that an improper deduction has been made to the employee's salary, or that proper payment has not been made, the employee should immediately report this information in writing to the director of business affairs. Reports of improper deductions or payments will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for any improper deduction made. This procedure is in addition to any other complaint process that may also be available to employees.

Date of Adoption: September 22, 2008

Date of Revision: May 13, 2013

Policy Title: ***Employee Insurance Program*** Code No. ***402.5***

Group, medical, dental, vision, term life insurance and long-term disability insurance is available to employees, as set forth in a collective bargaining agreement, employee handbook, or individual contract approved by the Board of Education. For health insurance coverage, the Board of Education will offer employees who work an average of at least 30 hours per week or 130 hours per month, based on the measurement method adopted by the Board of Education, minimum essential coverage which is anticipated to be affordable and provide minimum value in accordance with the requirements of the Patient Protection and Affordable Care Act. For all other coverages, eligible employees must be employed for at least 80 percent of full time for nine months or more each year. Application of this rule means classified employees must be employed at least 32 hours per week. Contributions by the District shall be determined annually for individuals and family group medical, dental, vision, term life insurance and long-term disability.

Employees who are 50 percent to 79.99 percent F.T.E. (full-time equivalent) are eligible to apply for participation in the Group Insurance Plan. Such employees will pay the total cost of insurance premiums.

Employees, not covered by a collective bargaining agreement, who have had insurance coverage provided by the District and are involuntarily reduced below 80 percent F.T.E. through a reduction not related to seniority, will continue insurance coverage with no change in the employee's contributions.

All school employees are covered by worker's compensation insurance. This policy covers medical expenses and disability compensation for accidents occurring while the employee is on duty. (Such accidents are not covered by the school insurance program explained above.) When an employee has an accident, he/she must report this immediately to his/her supervisor.

The following rules will apply to the worker's compensation disability checks and deductions:

1. The insurance company shall notify the employee and the school business office as to the amount of payment and the dates of coverage.

2. The school business office shall reduce sick leave payments by the amount of disability compensation for worker's compensation received by the employee. Such deductions shall be based on per day payments. If worker's compensation should exceed sick leave payments, only the total amount of sick leave per day shall be deducted. In no case shall the employee receive less than provided for under the school sick leave policy.

Employees would also have the choice of choosing the worker's compensation allowance only which would put them on unpaid status with the school District. Employees would be personally responsible for medical and dental insurance premiums normally paid by the District for each month the employee is not in a paid leave status.

Date of Adoption: April 19, 1976 (effective July 1, 1976)

Dates of Revision: September 10, 1979
January 22, 1990
March 10, 1997
April 28, 2003
April 9, 2007
September 22, 2008
May 13, 2013

Policy Title: ***Annuities*** Code No. ***402.6***

Premiums for payment of annuities and deferred compensation programs from the State of Iowa sponsored plan, or other plan as approved by the Board of Education, may be deducted from the salaries of employees provided that written application from the employees for such deductions shall be on file.

Date of Adoption: September 22, 2008

Date of Revision: May 13, 2013

Policy Title: ***Employee Health: Physical and Mental Health Examinations: Vaccines*** Code No. ***402.7***

New Employees

Reports of physical examinations shall be required of all employees who will be working in job categories designated by the District to have physical examinations, including, but not limited to, custodial employees, food service employees, and transportation maintenance employees. Such examinations shall be required upon their initial employment with the District and/or at the time of their transfer into a position in a job category designated by the District to have physical examinations, certifying fitness to perform assigned duties with or without reasonable accommodation. The reports shall be required only after an offer of employment has been made. The examination shall be conducted by a medical professional selected by the District.

Bus drivers shall present reports of physical examinations by a certified medical examiner selected by the District evidencing fitness to perform duties as required by law. Such examinations shall be required upon initial employment and/or at the time of their transfer into the position, and every other year thereafter as required by law or more frequently as required by the District or Health Care Provider.

Additional Examinations

An employee may be required to have additional examinations (physical and/or mental) when, in the judgment of the superintendent or designee, or the Board of Education, such examinations are relevant to the employee's performance or status.

Vaccines

Employees identified as having reasonably anticipated occupational contact with blood or infectious materials in their work settings shall receive training and education on safety precautions and shall be provided the opportunity for a District-paid Hepatitis B vaccine. The employee shall sign a written waiver if he/she refuses the vaccine.

Date of Adoption: March 1, 1976

Date of Revision: May 8, 1989
November 11, 1996
November 25, 2002
July 17, 2006
September 22, 2008
May 13, 2013

Code Number 402.7
Exhibit A

MEDICAL VERIFICATION

CEDAR FALLS COMMUNITY SCHOOL DISTRICT

Name of Person Examined: _____

Address: _____

Primary Phone Number: _____

Social Security Number: _____

Position: _____

Building: _____

I certify that he/she ☐ is, ☐ is not, fully qualified in health to perform the assigned duties of the position listed above.

Additional remarks: _____

_____

_____

_____

_____ _____

Name of Examining Physician, Chiropractor, Licensed Physician, Assistant, or Advanced Registered Nurse Practitioner

Address

_____ _____

Signature of Examining Physician, Chiropractor, Licensed Physician Assistant, or Advanced Registered Nurse Practitioner

Date of Examination

Return to: _____

Cedar Falls Comm. School District
1002 West 1st Street
Cedar Falls, Iowa 50613

~~Policy Title: ***Employee Health: Communicable Diseases*** Code No. ***402.8***~~

Delete this Policy because of duplicity with 405.1

An employee of the District with a communicable disease shall be allowed to attend to regularly assigned duties as long as the employee is physically able to perform the essential functions of the assignment and the employee's assignment does not create a substantial health or safety risk to others in the District.

Each case shall be evaluated on its own merits. The superintendent or the superintendent's designee may consult with the employee's personal physician, with the Iowa State Department of Health, with personnel from the United States Public Health Center for Disease Control, and with other appropriate agencies and persons in making decisions regarding an employee's placement. The superintendent may require an employee to provide medical evidence of fitness to perform the tasks assigned.

Data and records regarding communicable diseases shall be maintained separately from general personnel files and so as to protect the privacy of the employee. This shall not be construed to prevent appropriate administrative and nursing staff from being informed of which employee has a communicable disease.

An employee who is at work and who has a communicable disease which creates a substantial risk to others at the workplace should report the condition to the superintendent. Employees with communicable diseases may be excluded from school and/or school assignments for the period of time that their conditions endanger the health or safety of others or during such period as they are physically unable to perform assigned tasks.

No person shall be asked or required as a condition of employment to take a test for the presence of the antibody to the human immunodeficiency virus, and no person shall have his/her terms, conditions, or privileges of employment affected solely because the employee had such a test.

All staff members should practice hygienic principles designed to protect themselves and others from infection.

Date of Adoption: November 9, 1998

Date of Revision: November 25, 2002
September 22, 2008
May 13, 2013

Policy Title: ***Employee Health: Occupational Exposure to Bloodborne Pathogens*** Code No. ***402.9***

The superintendent or designee shall be responsible to insure that the District implements, reviews and updates at least annually, an exposure control plan to eliminate or minimize employees' occupational exposure to bloodborne pathogens in accordance with applicable OSHA requirements. The plan shall designate a response team at each building. Failure of an employee to comply with the plan shall be grounds for disciplinary action, up to and including discharge.

Data and records regarding employee communicable diseases shall be maintained separately from general personnel files to protect the privacy of the employee. This shall not be construed to prevent appropriate administrative and nursing staff from being informed of which employee has a communicable disease in accordance with law.

The District shall provide at no cost to the employees necessary supplies, personal protective devices, and training for employees to comply with the exposure control plan. Training shall include a discussion of universal precautions.

Employees identified as having reasonably anticipated occupational contact with blood or infectious materials shall receive the Hepatitis B vaccine at District expense or shall sign a written waiver declining the vaccine.

Following a report of an exposure incident, the District shall make immediately available to the exposed employee a confidential medical examination and follow-up.

Medical records shall be maintained for each employee with occupational exposure. Such records shall be kept confidential and shall not be disclosed without the employee's express written consent to any person within or outside the workplace, except as required by law.

Date of Adoption: September 9, 1994

Date of Revision: November 11, 1996
November 25, 2002
September 22, 2008
June 10, 2013

Policy Title: ***Employee Health: Injury at Work*** Code No. ***402.10***

If an employee is injured at work, school personnel, or contracted personnel, may administer minor or emergency first aid. If necessary, a member of the family shall be notified or the employee shall be transported to a medical facility. Each employee shall maintain an up-to-date emergency medical form on file in the building office.

If possible, the employee or a person on behalf of the employee shall file an accident report with the District within 24 hours of the occurrence. It shall be the responsibility of the employee to cooperate with any investigation into the occurrence.

Date of Adoption: September 22, 2008

Date of Revision: May 13, 2013

Code Number 402.10
Exhibit A

EMPLOYEE EMERGENCY MEDICAL FORM

Date Completed:_____

Name of Employee:_____

Primary Address:_____

Cell Telephone: (___)_____ Primary Telephone: (___)_____

Physician's Name:_____

Address:_____

_____

Telephone :(___)_____

Preferred Hospital:_____

Address:_____

_____

Telephone: (___)_____

Contact in Case of Emergency:

Name:_____

Address:_____

Cell Telephone: (___)_____ Primary Telephone: (___)_____

Business Address:_____

_____

Business Telephone: (____)_____

Allergies or information to be shared in case of emergency:_____

_____

_____

Policy Title: ***Hazardous Chemical Disclosure*** Code No. ***402.11***

The Board of Education authorizes the maintenance of a comprehensive hazardous chemical communication program for the District to disseminate information about hazardous chemicals in the workplace.

Each employee shall review information about hazardous substances. Further, when a new employee is hired, the information and training, if necessary, shall be included in the orientation of the employee. When an additional hazardous substance enters the workplace, information about it shall be distributed and training shall be conducted for the appropriate employees. The District shall maintain a file indicating when training and informing takes place.

School district personnel who will be instructing or otherwise working with students shall disseminate information about the hazardous chemicals they will be working with as part of the instructional program.

Date of Adoption: September 22, 2008

Date of Revision: May 13, 2013

Policy Title: ***Drug and Alcohol-Free Workplace*** Code No. ***402.12.1***

General

No employee shall possess, use, be under the influence of, distribute, dispense, or manufacture any alcoholic beverage or controlled or illegal substance in the workplace or during work time unless legally prescribed by a physician. "Workplace" includes school district premises, property, facilities or vehicles; "workplace" also includes non-school property if the employee is at any school-sponsored, school-approved or school-related event, activity or function including, but not limited to, field trips and athletic events where students are under the control of the school district or where the employee is engaged in school business. Any violation of this policy shall be grounds for discipline, up to and including immediate discharge.

Federal Grant Employees

Prohibition

In addition, no employee engaged in work in connection with a federal grant shall unlawfully manufacture, distribute, dispense, possess or use, on or in the workplace, any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance as defined in schedules I through V of section 202 of the Controlled Substances Act and as further defined by federal regulation.

"Workplace" is defined to mean the site for the performance of work done in connection with a federal grant. This includes, but is not limited to, any building or any school premises, any school-owned or approved vehicle used to transport students to and from school or school activities, off school property during any school-sponsored or approved activity, event, or function, where students are under the jurisdiction of the District where work on a federal grant is performed.

Reporting

As a condition of employment on any federal grant, each employee who is engaged in performance of a federal grant shall agree to abide by this policy and shall notify his or her supervisor of his or her conviction of any criminal drug statute for a violation occurring in the workplace as defined above, no later than five days after such conviction.

Sanctions

An employee who violates the terms of this policy may be suspended or discharged, at the discretion of the District and in accordance with law.

Notification

The superintendent or designee shall give a copy of this policy to each employee engaged in the performance of federal grants. The superintendent or designee shall also notify the granting agency within ten days after receiving notice of a conviction.

Programs

The superintendent or designee shall also establish a drug-free awareness program to inform employees of this policy, possible sanctions for violation of this policy, of the dangers of drug abuse in the workplace, and of any available drug counseling, rehabilitation and employee-assistance programs.

No Limitations

This policy is not intended to limit the rights of the District to discipline, including discharging, any employee who engages in an illegal act involving alcohol or drugs away from school when such violation adversely affects the employee's ability to perform his/her duties. Further, the section on a drug-free workplace under federal grant programs shall not limit the District's authority to prohibit other alcohol and drug-related behavior as set forth in this policy.

Date of Adoption: June 11, 1990

Date of Revision: May 10, 1999
November 25, 2002
September 22, 2008
May 13, 2013
December 8, 2014

Policy Title: ***Drug and Alcohol Testing Program for Drivers of Buses and other Vehicles Requiring a Commercial Driver's License (CDL)*** Code No. ***402.12.2***

It is the policy of the Cedar Falls Community School District to administer a drug and alcohol testing program in compliance with federal transportation regulations.

Employees who operate school vehicles are subject to drug and alcohol testing if a Commercial Driver's License (CDL) is required to operate the school vehicle and the school vehicle either transports 16 or more persons including the driver or weighs 26,001 pounds or more. For purposes of the drug and alcohol testing program, the term "employees" includes applicants who have been offered a position to operate a school bus or other vehicle requiring a CDL.

The employees operating a school vehicle as described above are subject to pre-employment drug testing and random, reasonable suspicion, post-accident, return-to-duty, and follow-up drug and alcohol testing. Employees operating school vehicles will not perform a safety-sensitive function within four hours of using alcohol. Employees governed by this policy are subject to the drug and alcohol testing program beginning the first day they operate or are offered a position to operate school vehicles and continue to be subject to the drug and alcohol testing program as long as they may be required to perform a safety-sensitive function as it is defined in the administrative regulations. Employees with questions about the drug and alcohol testing program may contact the school district contact person, Director of Human Resources, at the James L. Robinson Administration Center, 1002 West First St, Cedar Falls, IA 50613.

Employees testing positive for alcohol or illegal drug use, and/or who otherwise refuse to submit to alcohol or drug tests, violate the terms of this policy or any administrative regulations implementing this policy, and will be subject to discipline up to and including termination from their position on the first offense. At the District's discretion, employees who violate this policy may be required to successfully participate in a substance abuse evaluation and, if recommended, a substance abuse treatment program. Employees who refuse to participate in a substance abuse evaluation or recommended treatment program may be subject to discipline up to and including termination. The District's responsibility for the cost of any evaluation, treatment or counseling will be limited to the benefits provided by the District's health insurance plan for such evaluation, treatment or counseling.

It is the responsibility of the superintendent or designee who shall serve as the Designated Employer Representative (DER) to develop administrative regulations to implement this policy in compliance with the law. The superintendent or designee is authorized to receive communications and test results from service agents and is authorized to take immediate actions to remove employees from safety-sensitive duties and to make required decisions in the testing and evaluation processes. The superintendent or designee will inform applicants of the requirement for drug and alcohol testing in notices or advertisements for employment.

The superintendent or designee will also be responsible for publication and dissemination of this policy and supporting administrative regulations and forms to employees operating school vehicles. The superintendent or designee will also oversee a substance-free awareness program to educate employees about the dangers of substance abuse and notify them of available substance abuse treatment resources and programs.

Date of Adoption: November 27, 1995

Date of Revision: November 11, 1996
November 25, 2002
October 14, 2013
December 8, 2014

Policy Title: ***Drug and Alcohol Testing Program for Drivers of Buses and other Vehicles Requiring a Commercial Driver's License (CDL)*** Code No. ***402.12.2 E1***

Notice to Employees

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY **402.12.2** ARE HEREBY NOTIFIED they are subject to the school district's drug and alcohol testing program for pre-employment drug testing and random, reasonable suspicion, post-accident, return-to-duty, and follow-up drug and alcohol testing as outlined in the Drug and Alcohol Testing Program policy, its supporting documents and the law.

Employees who operate school vehicles are subject to drug and alcohol testing if a Commercial Driver's License (CDL) is required to operate the school vehicle and the school vehicle either transports 16 or more persons including the driver or weighs 26,001 pounds or more. For purposes of the drug and alcohol testing program, "employees" also includes applicants who have been offered a position to operate a school bus or other vehicle requiring a CDL. The employees operating a school vehicle as described above are subject to the drug and alcohol testing program beginning the first day they operate or are offered a position to operate a school vehicle and continue to be subject to the drug and alcohol testing program as long as they may be required to perform a safety-sensitive function as it is defined in the administrative regulations.

Driving a school bus or vehicle requiring a CDL is considered a "safety-sensitive function" by the U.S. Department of Transportation. Employees operating school vehicles will not perform safety-sensitive functions within four hours of consuming alcohol. Safety-sensitive function means all time from the time a driver begins to work or is required to be in readiness to work until the time s/he is relieved from work and all responsibility for performing work. Safety-sensitive functions shall include:

1. All time at an employer or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the employer;
2. All time inspecting equipment as required or otherwise inspecting servicing, or conditioning any commercial motor vehicle at any time;
3. All time spent at the driving controls of a commercial motor vehicle in operation;
4. All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a designated sleeper berth;
5. All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and
6. All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

It is the responsibility of the superintendent or designee to inform employees of the drug and alcohol testing program requirements. Employees with questions regarding the drug and alcohol testing requirements will contact the school district contact person, Director of Human Resources, at the James L. Robinson Administration Center, 1002 West First St, Cedar Falls, IA 50613.

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY ARE FURTHER NOTIFIED that employees violating this policy, its supporting documents or the law, may be subject to discipline, up to and, including termination.

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY ARE FURTHER NOTIFIED it is a condition of their continued employment to comply with the Drug and Alcohol Testing Program policy, its supporting documents and the law. It is a condition of continued employment for employees operating a school vehicle to notify their supervisor of any prescription medication they are using. Drug and alcohol testing records about a driver are confidential and are released in accordance with this policy, its supporting documents or the law.

Date of Adoption: October 14, 2013

Date of Revision: December 8, 2014

Policy Title: ***Drug and Alcohol Testing Program for Drivers of Buses and other Vehicles Requiring a Commercial Driver's License (CDL)*** Code No. ***402.12.2 E2***

Pre-Employment Testing Acknowledge Form

I, _____, have received a copy, read and understand the Drug and Alcohol Testing Program policy of the Cedar Falls Community School District and its supporting documents.

I understand that the position for which I am applying at the District is governed by the Drug and Alcohol Testing Program policy, its supporting documents and the law, and that if I violate the Drug and Alcohol Testing Program policy, its supporting documents or the law, I may be subject to discipline, up to and, including termination.

I also understand that I must inform my supervisor of any prescription medication I use.

In addition, I have received a copy of the U.S. DOT publication, "*What Employees Need to Know about DOT Drug & Alcohol Testing*," and have read and understand its contents.

Furthermore, I know and understand I am required to submit to a controlled substance (drug) test, the results of which must be received by this employer before being employed by the school district and before being allowed to perform a safety-sensitive function. I also understand that if the results of the pre-employment test are positive, that I will not be considered further for employment with the school district.

I further understand that drug and alcohol testing records and information about me is confidential, and may be released at my request or in accordance with the District's drug and alcohol testing program policy, its supporting documents or the law.

(Signature of Employee) (Date)

Date of Adoption: October 14, 2013
Date of Revision: December 8, 2014

Policy Title: ***Drug and Alcohol Policy and Testing Program for Individuals Not Required to Possess a Commercial Driver's License*** Code No. ***402.12.3***

Statement of Policy

In order to foster an appropriate environment for the education of students and to protect the health and safety of employees, it is the policy of the Cedar Falls Community School District that the following conduct is prohibited: the use, sale, offering for sale, distribution, manufacturing, or possession of illegal drugs, controlled substances, imitation controlled substances or counterfeit controlled substances in the workplace;

(1) any improper use of "legal" or physician-prescribed drugs in the workplace,

(2) the use, sale, offering for sale, or possession of alcoholic liquor (beer, wine, or alcohol) in the workplace, and

(3) being under the influence of illegal drugs or controlled substances, alcoholic liquor (beer, wine, or alcohol) or improperly used prescription drugs in the workplace.

Application

The portion of this policy which pertain to testing (Sections C through M) apply to all individuals who are not required to possess a commercial driver's license in order to perform the duties of their position, with the exception of Section E, Pre-employment Testing, which shall not apply to substitute employees, temporary or seasonal employees.

Unless otherwise specified, this policy applies to all District employees, including part-time employees.

This policy applies to off-site lunch periods or breaks when an employee is scheduled to return to work. Visitors, vendors, and contractor employees are governed by this policy while on District premises and will not be permitted to conduct business if found to be in violation of this policy.

Testing Provisions

The District will conduct drug testing when the District makes an offer of employment to individuals who are not required to possess a commercial driver's license in order to perform the duties of their position.

The District may conduct drug and alcohol testing of individuals who are not required to possess a commercial driver's license in order to perform the duties of their position under the following circumstances:

- Where there is reasonable suspicion of the use of illegal drugs, controlled substances or alcohol,
- When investigating certain workplace accidents, and/or injuries, and
- During or after rehabilitation.

Definitions

(1) As used in this policy, the term "controlled substance" means any substance specified in Schedule I, II, III, IV, or V of the federal Controlled Substances Act, 21 U.S.C. 801 et. seq. and published at 21 CFR 1308.11 and 21 CFR 1308.12, and any substance defined as a "controlled substance" by federal or state law.

(2) Workplace is defined as the site for the performance of work done in the capacity as an employee. This includes school District facilities, other school premises or school District vehicles. Workplace also includes non-school property if the employee is at any school sponsored, school-approved or school-related event, activity or function including, but not limited to, field trips and athletic events where students are under the control of the District or where the employee is engaged in school business.

(3) Alcohol means the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohol including methyl or isopropyl alcohol. The term "alcohol" may include, but is not limited to, beer, wine, liquor, other alcoholic beverages, and medicines containing alcohol (unless the packaging seal is unbroken).

Pre-Employment Testing

Applicants for employment will undergo drug testing as part of the physical requirements prior to commencement of their duties for employment. The testing will be conducted at a laboratory or testing facility approved under rules adopted by the Department of Health and specified by the District. If the test of an individual results in a Medical Review Officer (MRO)-verified positive test for the use of controlled substances, the applicant will not be eligible for employment.

Reasonable Suspicion Testing

Any employee who is reasonably suspected of being impaired by or under the influence of a controlled substance or alcohol will be suspended from their job duties pending an investigation and verification of their condition. Employees who are reasonably suspected of being impaired by or under the influence of a controlled substance or alcohol will not be permitted to drive a motor vehicle after they have been suspended. If the employee has driven a motor vehicle to work, the employee must either make arrangements with another individual to drive their vehicle or must make arrangements for alternative transportation.

Employees may be subject to testing when the superintendent or designee has reason to believe that an employee is using or has used alcohol or other drugs in violation of the District's written policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. For purposes of this provision, facts and inferences may be based upon, but are not limited to, any of the following:

- Observable phenomena while at work such as direct observation of alcohol or drug use or abuse or of the physical symptoms or manifestations of being impaired due to alcohol or other drug use.
- Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
- A report of alcohol or other drug use provided by a reliable and credible source.
- Evidence that an individual has tampered with any drug or alcohol test during the individual's employment with the District.
- Evidence that the employee has manufactured, sold, distributed, solicited, possessed, used, or transferred drugs while working or while on the District's premises or while operating the District's vehicle, machinery, or equipment.

Reasonable suspicion testing will only be required during, just before, or just after the period of the day when the employee is engaged in work functions.

Employees who are required to submit to reasonable suspicion testing will be suspended from their job duties pending an investigation and the report of the tests. If the test of the employee produces an alcohol concentration result of less than 0.04 and/or Medical Review Officer (MRO) verified negative test result for the use of controlled substances, then the period of suspension will be with pay. If the test of the employee leads to an MRO-verified positive test result for the use of controlled substances or an alcohol concentration of 0.04 or greater, then the period of suspension will be without pay and further disciplinary action may be taken up to and including termination of employment.

Post-Injury Testing

Employees may be subject to testing if they have suffered a work-related injury for which a report could be required under Iowa Code Chapter 85, Workers Compensation. Iowa Code Section 85.16(2) provides that worker's compensation benefits will not be allowed for an injury which was caused by the employee's intoxication, if the intoxication was a substantial factor in causing the injury. In determining whether an employee will be required to submit to a post-injury drug test, the District will apply the standards set forth in Part F of this policy ("Reasonable Suspicion Testing").

The employee is permitted to obtain necessary medical attention following an accident, to leave the scene of an accident for the period necessary to obtain necessary emergency medical care, but the employee will be subject to post-injury testing and must remain readily available for testing or the employee will be deemed to have refused to submit to testing.

Alcohol tests will be administered as soon as practicable, but no later than eight hours after the injury. Tests for illegal drugs or controlled substances will be administered as soon as practicable, but no later than 32 hours after the injury.

Rehabilitation

Employees who have tested positive on a drug or alcohol test and whose employment has not been terminated will be subject to testing during, and after completion of, drug or alcohol rehabilitation. The number, type, and frequency of follow-up tests will be as directed by the substance abuse professional and, unless otherwise recommended, will consist of at least six tests in the first 12 months following the employee's return to duty.

Cooperation Required

Any individual who refuses to submit to an alcohol or controlled substance test, who provides false information in connection with a test, or who attempts to falsify test results through tampering, contamination, adulteration, or substitution will be subject to disciplinary action. The phrase "refuses to submit to an alcohol or controlled substance test" means that the individual:

- Fails to provide adequate breath for testing without a valid medical explanation after he/she has received notice of the requirement for breath testing, or
- Fails to provide adequate urine for controlled substance testing without a valid medical explanation after he/she has received notice of the requirement for urine testing, or
- Engages in conduct that clearly obstructs the testing process.

All employees are encouraged to make use of available resources for treatment of substance abuse problems. Under certain circumstances, employees may be referred for treatment for substance abuse. An employee will be subject to disciplinary action for:

- A failure or refusal to submit to an evaluation.
- A failure or refusal to undergo treatment recommended as a result of an evaluation.
- Withdrawal from or a failure to satisfactorily complete the treatment program recommended as a result of an evaluation.
- Withdrawal from or a failure to satisfactorily participate in an aftercare program, if aftercare is prescribed as a part of treatment.

Testing will be conducted in a manner to assure the highest degree of accuracy and reliability by using techniques and laboratory facilities which meet the requirements of the Iowa Department of Health.

Confirmatory Testing

If the result of the initial test for alcohol is positive or if the result of the initial test is positive for the presence of a controlled substance, a confirmatory test must be performed. The confirmatory test will use a different chemical process than was used in the initial screen for drugs or alcohol. The confirmatory drug or alcohol test will be a chromatographic technique such as gas chromatography/mass spectrometry, or another comparably reliable analytical method.

Employee Requested Testing

If a confirmed positive drug or alcohol test for a current employee is reported to the District by the Medical Review Officer (MRO), the District will notify the employee in writing by certified mail, return receipt requested, of the results of the test, the employee's right to request and obtain a confirmatory test of the second sample collected at an approved laboratory of the employee's choice, and the fee payable by the employee to the District for reimbursement of expenses concerning the test. The fee charged an employee will be an amount that represents the costs associated with conducting the second confirmatory test, which will be consistent with the District's cost for conducting the initial confirmatory test on an employee's sample.

If the employee, in person or by certified mail, return receipt requested, requests a second confirmatory test, identifies an approved laboratory to conduct the test, and pays the District the fee for the test within seven days from the date the District mails by certified mail, return receipt requested, the written notice to the employee of the employee's right to request a test, a second confirmatory test will be conducted at the laboratory chosen by the employee. The results of the second confirmatory test will be reported to the medical review officer who reviewed the initial confirmatory test results and the medical review officer will review the results and issue a report to the District on whether the results of the second confirmatory test confirmed the initial confirmatory test as to the presence of a specific drug or alcohol. If the results of the second test do not confirm the results of the initial confirmatory test, the District will reimburse the employee for the fee paid by the employee for the second test and the initial confirmatory test will not be considered a confirmed positive drug or alcohol test for purposes of taking disciplinary action.

If a confirmed positive drug or alcohol test for a prospective employee is reported to the District by the medical review officer, the District will notify the prospective employee in writing of the results of the test, of the name and address of the medical review officer who made the report, and of the opportunity for the prospective employee to request records.

Consequences for Violations

Post Offer/Pre Employment:
If the test of an individual who is applicant for employment results in a Medical Review Officer (MRO)-verified positive test for the use of controlled substances ~~or alcohol~~, the applicant will not be eligible for employment.

Employees:
Disciplinary action, including termination of employment, may be taken against employees for any of the following reasons:

- A violation of any provision of Board of Education Policy.
- If the test of the employee results in a Medical Review Officer (MRO)-verified positive test for the use of controlled substances or an alcohol concentration of 0.04 or greater.
- A failure or refusal to submit to testing.
- Engages in conduct that clearly obstructs the testing process.
- A failure or refusal to submit to an evaluation.
- A failure or refusal to undergo treatment recommended as a result of an evaluation.
- Withdrawal from or a failure to satisfactorily complete the treatment program recommended as a result of an evaluation.
- Withdrawal from or a failure to satisfactorily participate in an aftercare program, if aftercare is prescribed as a part of treatment.

Payment for Evaluation and Treatment

The District's responsibility for the cost of any evaluation, treatment, or counseling will be limited to the benefits provided by the District's health insurance plan for such evaluation, treatment, or counseling.

Adopted: December 8, 2014

Policy Title: ***Violence in the Work Place*** Code No. ***402.13***

Cedar Falls Community School District is committed to providing a safe, professional work environment that is free of violence, either by employees against other employees or by third parties against employees. Work place violence may include, but is not limited to, the following when such conduct is committed on school district property, at a school district activity or event, or in connection with a school district activity or event:

- offensive and/or unlawful touching by one person against another,
- threats of bodily harm to another,
- causing physical harm or injury to another,
- use of abusive language, threatening, or intimidating comments,
- possession of unauthorized firearms or weapons,
- conduct detrimental to school personnel, which may cause undue disruption of work or be perceived as endangering the safety of persons or property,
- stalking, or
- causing or encouraging another to commit conduct as listed above.

Such conduct will be subject to disciplinary action, up to and including termination of employment. Employees, who believe they have been subjected to violence in the work place, as defined in this policy, should immediately terminate all contact and communication with the offending party, inform their immediate supervisor and file a written complaint with the Director of Human Resources. Allegations of work place violence shall be investigated, documented and, if substantiated, disciplinary action shall be taken. Initiating legitimate complaints under this policy shall not cause any negative impact on the complainant, nor shall it affect their employment, compensation or work assignments.

Date of Adoption: February 26, 1996

Date of Revision: November 25, 2002
September 22, 2008
May 13, 2013

Policy Title: ***Personnel Files; Release of Information*** Code No. ***402.14***

A confidential file of employment records shall be maintained for each employee in the central administration office. Included in the file shall be the following, without limitation: licenses and transcripts if required, employment application, references, contracts of employment, formal evaluations, disciplinary reports, and wage information. Information on leave usage may be maintained separately.

Confidential health information shall be maintained separately, such as:

- medical forms,
- sick or long-term disability leave days,
- worker's compensation claims,
- emergency information,
- family and medical leave request forms, and
- reasonable accommodations of an employee's disability.

Except in limited instances allowed by law, only the superintendent or designee, the director of human resources, the employee's supervisors, the building principals, the Board of Education secretary, the employee, and authorized representatives of the District or of the employee shall have access to the confidential employee files without the employee's consent or a valid subpoena. However, information for tax purposes, for qualification for benefits, and for wage garnishment may be released.

Employees who have listed the District as a place of employment or who have listed a District employee as a reference shall be deemed to have granted permission to the District to release information which may be included in the personnel file. Information from confidential health records shall not be released, however, without permission of the employee. This does not preclude release of leave usage information to a prospective employer, however.

The following information only will be confirmed to any entity with whom an employee has applied for credit or has obtained credit: title of position, income, and number of years employed. This information will be released without prior written notice to the employee. Confidential information about the employee will not be released to an inquiring creditor without a written authorization from the employee.

Each employee shall have the right to review the contents of his/her own confidential personnel file maintained in the central administration office, except for confidential credentials or reference letters. An employee desiring to view the contents of his/her file shall make a request to the director of human resources. No papers may be removed from the file, but copies may be obtained. The District may

charge a reasonable fee for copies. The employee shall have the right to respond in writing to materials contained in the file.

All employee records, except payroll and salary records, shall be maintained for a minimum of seven years after termination of employment with the District. Applicant records shall be maintained for a minimum of three years after the position was filled.

Date of Adoption: November 9, 1998

Date of Revision: March 20, 2000
November 25, 2002
September 22, 2008
June 10, 2013

Policy Title: ***Professional Development*** Code No. ***402.15***

The Board of Education encourages staff members to continue professional growth by being involved in professional organizations, attending conferences, continuing advanced education and participating in other professional activities.

The District shall maintain and support a professional development program for personnel as part of its comprehensive school improvement plan and in accordance with applicable law. The District shall maintain a library and media materials collection that supports the District's professional development program.

Requests for attendance or participation in a development program, other than those development programs sponsored by the District, shall be made to the employee's supervisor. The superintendent or designee shall have discretion to allow or disallow attendance, giving consideration to the value of the program to the employee and to the District, the effect of the employee's absence on the educational program, the effect on the budget and other relevant factors.

Date of Adoption: September 22, 2008

Date of Revision: May 13, 2013

Policy Title: ***Travel Reimbursement; Use of School Vehicle*** Code No. ***402.16***

Employees will be reimbursed for travel which has been approved by the superintendent or designee at the rate set by the Board of Education periodically. Each employee requesting to use his/her personal vehicle on school business shall have personal liability insurance. Employees will be reimbursed for actual and necessary travel expenses only if the employee received approval from the superintendent or designee in advance.

Employees may be authorized to use a school vehicle to conduct business for the District or to attend District-related conferences or activities. The vehicle shall be checked out after completion of an authorization form. The vehicle shall not be used exclusively for personal use. Only the person(s) authorized on the form shall be allowed to drive the vehicle, and only those persons authorized on the form shall be passengers in the vehicle. The employee shall record the mileage and other pertinent information as requested. All authorized drivers must have a valid driver's license and must be insurable under the District's liability insurance. No tobacco products shall be used in the vehicles, and no alcoholic beverages or illegal substances shall be placed in the vehicle or consumed in the vehicle.

Date of Adoption: January 9, 1995

Date of Revision: April 28, 2003
April 9, 2007
September 22, 2008
May 13, 2013

Policy Title: ***Activity Passes*** Code No. ***402.17***

Employees are encouraged to attend athletic, musical and dramatic events, and other school activities in order to obtain a comprehensive view of student accomplishments and to encourage students in their efforts. All employees of the District, whether full-time or part-time, may attend events free of charge if they assist with extra duties at school activities without pay. Employees may obtain activity passes for spouses and family members by assisting at additional events without pay. The passes shall cover only regular school activities held within the District and shall not cover tournaments or special events.

Date of Adoption: September 22, 2008

Date of Revision: May 13, 2013

Policy Title: ***Responsibility for Personal Property*** Code No. ***402.18***

The District shall not be responsible for any lost, damaged, or stolen items of employee personal property brought onto school property or into school vehicles, nor shall the District be responsible for replacing, repairing or recovering such items.

Date of Adoption: September 22, 2008

Date of Revision: May 13, 2013

Policy Title: ***Collective Bargaining*** Code No. ***402.19***

The Board of Education recognizes its obligation to bargain in good faith on mandatory subjects of bargaining with employee organizations certified by the Iowa Public Employment Relations Board as the exclusive bargaining representatives of District bargaining units. The Board of Education shall be responsible for determining the composition of the Board of Education's negotiating team. The Board of Education shall select a chief spokesperson who shall have the authority to represent the Board of Education in collective bargaining. The Board of Education retains its authority to approve and ratify the collective bargaining agreement.

The Board of Education shall set the parameters and goals for the negotiating team. Periodic strategy sessions shall be conducted with the entire Board of Education to maintain open communications with the team.

A public employee or any employee organization shall not negotiate or attempt to negotiate directly with a member of the Board of Education if the Board of Education has appointed or authorized a bargaining representative for the purpose of bargaining with the employees or their representative, unless the Board of Education member is the designated bargaining representative.

Board of Education meetings held to discuss strategy in matters relating to employment conditions of employees, whether covered by collective bargaining agreements or not, are exempt from the Open Meetings Law and may be held without advance notice and without the right of the public to be present. Negotiating sessions with certified employee organizations after the exchange of proposals shall be closed to the public, unless both the Board of Education and the employee organization agree to hold open sessions. However, the session in which the employee organization presents its initial bargaining position and the session in which the Board of Education presents its initial bargaining position shall be open to the public and subject to the Open Meetings Law.

Date of Adoption: September 22, 2008

Date of Revision: May 13, 2013

Policy Number: ***Professional Ethics*** Code No. ***403.1***

School personnel shall not act as agents or accept commissions, royalties or other gratuities for school textbooks, school supplies (including sports apparel or equipment), or other school materials or services to be selected or purchased by the District, the selection or purchase of which they may influence. Licensed personnel shall adhere to the standards of professional practices set forth by the Iowa Board of Educational Examiners and by District policies, rules and regulations.

Employees shall not use their positions with the District for personal financial gain from a private activity. Employees shall not use confidential information regarding students to further a private activity. Employees may not solicit students for contributions to or purchase from a private business. Employees shall not solicit contributions to nonprofit organizations without consent of the superintendent or designee.

Date of Adoption: October 13, 2008

Date of Revision: May 13, 2013

Policy Number: ***Tutoring and Conducting Personal Business*** Code No. ***403.2***

All instructional and extra-curricular services to students shall be provided as a part of the District's instructional and activity program. No employee shall accept fees or other compensation for private tutoring, lessons, coaching or any other educational services for District students during the school year or while under contract outside of the school year unless specific written approval is obtained in advance from the superintendent or designee.

No District facilities, equipment, materials or supplies shall be used by any employee for private tutoring, lessons, coaching or any other educational services or for an employee's private business or activities without prior specific approval from the superintendent or designee.

The Board of Education, through its administration, retains all rights to determine when individuals and employees, when on school property or during working hours, may conduct personal business.

Date of Adoption: October 13, 2008

Date of Revision: May 13, 2013

Policy Number: ***Conflicts of Interests*** Code No. ***403.3***

No employee shall engage in any outside employment or activity which is in conflict with the employee's official duties and responsibilities. Situations in which an unacceptable conflict of interest shall be deemed to exist shall include, but not be limited to:

(1) The outside employment or activity involves the use of the District's time, facilities, equipment and supplies or the use of the District badge, uniform, business card or other evidence of office to give the employee or member of the employee's immediate family an advantage or pecuniary benefit that is not available to other similarly situated employees or classes of members of the general public. For purposes of this section, a person is not "similarly situated" merely by being related to an employee.

(2) The outside employment or activity involves the receipt of, promise of, or acceptance of more or other consideration by the employee or a member of the employee's immediate family from anyone other than the District for the performance of any act that the employee would be required or expected to perform as part of the employee's regular duties or during the hours in which the employee performs service for the District.

(3) The outside employment or activity is subject to the official control, inspection, review, audit or enforcement authority of the employee during the performance of the employee's employment.

If the outside employment or activity is employment or activity in (1) or (2) above, the employee must cease the employment or activity. If the activity or employment falls under (3), then the employee must:

- Cease the outside employment or activity; or
- Publicly disclose the existence of the conflict and refrain from taking any official action or performing any official duty that would detrimentally affect or create a benefit for the outside employment or activity. Official action or official duty includes, but is not limited to, participating in any vote, taking affirmative action to influence any vote, or providing any other official service or thing that is not available generally to members of the public in order to further the interests of the outside employment or activity.

It shall be the responsibility of each employee to be aware of an actual or potential conflict of interest. It shall also be the responsibility of each employee to take the action necessary to eliminate such a conflict of interest. Should a conflict of interest arise, an employee should not participate in any action relating to the issue from which the conflict arose.

Date of Adoption: October 13, 2008

Date of Revision: May 13, 2013

Policy Number: ***Gifts and Honoraria to District Employees and Their Families*** Code No. ***403.4***

Except as otherwise provided in this policy, no employee of the District or member of an employee's immediate family (spouse or dependent children) shall solicit, accept, or receive any gift or series of gifts, nor shall any employee of the District accept an honorarium, if the donor is or is seeking to be a party to one or any combination of sales, purchases, leases, or contracts with the District or if the donor will personally be or is the agent of a person who will be directly or substantially affected financially by the performance or nonperformance of the employee's official duty in a way that is greater than the effect on the public generally.

A "gift" for purposes of this policy shall include anything of value in return for which legal consideration of equal or greater value is not given. However, the following gifts may be allowed:

(1) a contribution to a candidate; or

(2) informational material relevant to official functions, such as books, pamphlets, reports, documents, periodicals or other information that is recorded in a written audio or visual format; or

(3) anything received from a person related within the fourth degree by kinship or marriage, unless the donor is acting as an agent or intermediary; or

(4) an inheritance; or

(5) anything available or distributed free of charge to the public generally; or

(6) items received from a bona fide charitable, professional, educational, or business organization to which the employee belongs as a dues paying member, if the items are given to all members of the organization without regard to the individual member's status or positions held outside of the organization and if the dues paid are not inconsequential when compared to the items received; or

(7) actual expenses for food, beverages, registration, travel, and lodging for a meeting which is given in return for the employee's participation in a panel or speaking engagement at the meeting when the expenses relate directly to the day(s) on which the employee has participation or presentation responsibilities; or

(8) plaques or items of negligible resale value given as recognition for public services; or

(9) food and beverages provided at a meal that is part of a bona fide event or program at which the recipient is being honored for public service; or

(10) nonmonetary items with a value of $3.00 or less received from one donor during one calendar day; or

(11) items or services solicited by or given to, for purposes of a business or educational meeting, a state, national, or regional government organization in which the District is a member, or solicited by or given for purposes of a business or educational meeting, a state, national, or regional government organization whose membership and officers are primarily composed of state or local government officials or employees; or

(12) items or services received as part of a regularly scheduled event that is part of a business or educational conference, seminar, or other meeting that is sponsored and directed by any state, national, or regional organization in which the District is a member, or received at such an event by members or representatives of members of state, national, or regional government organizations whose membership and officers are primarily comprised of state or local government officials or employees; or

(13) funeral flowers or memorials to a church or nonprofit organization; or

(14) gifts for an employee's wedding or 25th or 50th wedding anniversary; or

(15) payment of salary or expenses by the District for the cost of attending a meeting of a subunit of an agency when the employee whose expenses are being paid serves on a Board of Education, commission, committee, council or other subunit of the agency and the employee is not entitled to receive compensation or reimbursement of expenses from the District for attending the meeting; or

(16) gifts other than food, beverages, travel and lodging received by an employee which are received from a person who is a citizen of a country other than the United States and is given during a ceremonial presentation or as a result of a custom of the other country and is of personal value only to the recipient; or

(17) actual registration costs for informational meetings or sessions which assist the employee in the performance of the person's official functions. The costs of food, drink, lodging, and travel are not "registration costs" under this paragraph. Meetings or sessions which the employee attends for personal or professional licensing purposes are not "informational meetings or sessions" under this paragraph.

An otherwise prohibited nonmonetary gift may be accepted if the gift is donated within thirty days to a public body, the department of administrative services, or a bona fide educational or charitable organization as provided by law.

An "honorarium" for purposes of this policy means anything of value that is accepted by, or on behalf of, an employee of the District, as consideration for an appearance, speech, or article. However, the following "honoraria" may be accepted:

(1) payment of actual expenses for registration, food, beverages, travel, and lodging when the expenses relate directly to the day(s) on which the employee has participation or presentation responsibilities; or

(2) a non-monetary item if the employee donates the item within 30 days to a public body, a bona fide educational or charitable organization, or the department of administrative services of the State of Iowa; or

(3) a payment made to the employee for services rendered as part of the employee's private business, trade or profession if the payment is commensurate with the actual services rendered and is not made because of the person's status as a public official or public employee but, rather, because of the employee's special expertise or other qualifications.

This policy shall not prohibit District employees from receiving gifts from or on behalf of students or groups of students for special occasions such as holidays, retirement, end of sessions, or periods of illness, *provided* the gift is not of excessive value and is not given to influence the employee's judgment in professional or official matters, but rather is given as a token of appreciation.

It shall be the policy of the District to encourage students and their parents to donate an item for the District or for a classroom or activity in lieu of donating gifts personally to an employee.

It is the intent of the Board of Education that District officials and employees be extremely cautious and circumspect about accepting any gratuity, favor, or gift. The acceptance of personal benefits raises suspicions that tend to undermine public trust.

Date of Adoption: June, 1965

Dates of Revision: January 14, 1980
November 24, 1980
January 8, 1990
August 9, 1993
June 9, 2003
June 18, 2007
October 13, 2008
May 13, 2013

Policy Number: ***Use of District Facilities and Equipment*** Code No. ***403.5***

Each licensed employee and supervisor will be issued keys or access codes to his/her assigned building and assigned room and shall take reasonable care to keep such items secure. All keys and access codes shall be turned in upon request of the administration.

An employee desiring to use school facilities and equipment for non-school business shall be subject to the same terms and conditions as other persons (refer to Board of Education Policy Code No. 1004.1 *Rental of Facilities and Equipment*).

Date of Adoption: October 13, 2008

Date of Revision: May 13, 2013

Policy Number: ***Workplace Inspections*** Code No. ***403.6***

Employees may be assigned desks, workspaces, lockers or other storage areas, computers and electronic communications devices in connection with the performance of their job duties. These desks, workspaces, lockers, storage areas, computers and electronic communications devices are District property. The District retains the right to inspect these areas and devices, including accessing, inspecting and reading anything stored in or on them, at any time and for any reason, without notice, including checking for damage or for a violation of a District policy or rule. Employees have no expectation of privacy in desks, workspaces, lockers, storage areas, computers and electronic communications devices or in any materials or data therein, including any personal property or information stored in such spaces or on such devices.

The District assumes no responsibility or liability for any items of employee personal property which are placed in or on desks, workspaces, lockers, storage areas, computers and electronic communications devices. Employees are not to store hazardous materials, weapons, controlled substances not validly prescribed for the employee, or alcoholic beverages on District property, except that a small container of spray commonly used for self-defense may be stored on District property if the facility in which it is stored is locked.

Except in cases of emergency, if the District conducts an inspection or examination under the terms of this policy, there will be at least two individuals present at the time of the inspection or examination. Similarly, except in cases of emergency, if it is reasonably believed that an employee has a prohibited item inside a personal belonging the employee will first be asked to open the personal belonging before the inspection proceeds.

Date of Adoption: October 13, 2008

Date of Revision: May 13, 2013
June 8, 2015

Policy Number: ***Electronic Communication Systems*** Code No. ***403.7.1***

No Privacy Expectation

All of the District's automated and technology systems, including electronic mail, voice mail, Internet access and electronic storage systems are District property. **The District has the right to access, review, copy, modify, and delete any information transmitted through or stored in the system, including e-mail messages.** Files containing personal information or business of an employee are treated no differently than the District's files, and the employee has no expectation of privacy in such materials.

Computers Owned by the District

Whether being used in the District or in another location:

- Only authorized employees, authorized students, or persons authorized by the administration may use the computer as use by others puts District assets and records in jeopardy. Employees are not to allow unauthorized persons access to District computer equipment whether by allowing use of the computer or by viewing the contents of the computer.

- Only software approved by the District shall be loaded on the computer. All software must be installed by the information technology department. Individual employees shall not download software, including screen savers. All software installed on District computers must be installed in the District's software inventory. The information technology department will catalog software and file all licensing agreements.

- Passwords need to be kept secure in a discreet location.

E-mail Usage Policy

Use of e-mail to engage in any communication in violation of District policies, including transmission of defamatory, obscene, profane, offensive, or harassing messages, or messages that disclose personal information without authorization, is prohibited.

Unauthorized use of another user's name/account to access e-mail or the Internet is prohibited.

Internet Usage

Internet resources may be used only for purposes that effectively support the District's goals and objectives or for non-business purposes that are approved by the administration. Employees are expected to access only educationally appropriate sites. The District has the ability and reserves the right to review records of use of the Internet.

The District will not be responsible for maintaining or payment of personal Internet accounts.

Employees must respect all copyright and license agreements regarding software or publications they access from the Internet. The District will not condone violations of copyright laws and licenses, and employees will be personally liable for any fines or sanctions caused by any license or copyright infringement.

Inappropriate Uses of Internet and/or E-mail

The District prohibits the inappropriate uses of the Internet (including e-mail), including, but not limited to, the following:

- Disclosure of confidential or sensitive data known or entrusted to the District to any unauthorized individuals.
- Misuse of copyrighted material or other copyright violations.
- Communicating in ways that improperly disparage the products or services of other entities.
- Communicating information that could be perceived as an official District position or endorsement without proper approval.
- Using confrontational or improper language or making statements that are defamatory.
- Creating, storing, accessing, viewing, or transmitting defamatory, pornographic, obscene, profane, illegal or otherwise offensive material.
- Participating in any harassment.
- Misrepresenting an individual's identity or the source of communications or data.
- Attempting to break into any other Internet server or gain unauthorized access to another's systems or materials.
- Accessing confidential information on computer resources without authorization.
- Promoting political or religious positions.
- Participating or engaging in activities that violate the law, or any District policies or standards.
- Operating a personal business or using the Internet as provided by the District for personal gain.
- Exporting or importing of any governmentally controlled technical data or software (such as software encryption) to or from unauthorized locations or persons, without appropriate licenses or permits.

Employees' e-mail/Internet access and other use of the District's information technology systems may be monitored at any time, without prior notice. Users violating any portion of these rules may receive a written warning or other discipline, including immediate discharge, depending upon the seriousness of the violation.

Date of Adoption: April 9, 2001

Dates of Revision: November 25, 2002
October 13, 2008
September 23, 2013

Policy Number: ***Employee Use of Social Media*** Code No. ***403.7.2***

The Cedar Falls Community School District expects its employees to model responsible and appropriate conduct, both at school and away from school. Employees' use of social media forms, including text, audio, video, images, podcasts, social networking websites including, but not limited to Facebook, Twitter, Instagram and similar sites now or in the future, and personal web pages or blogs, and electronic messaging, are subject to the normal requirements of legal and ethical behavior within the District community. Employees should be guided by applicable laws, District policies, and sound professional judgment when using social media.

District / Professional Use of Social Media

An employee using social media in his or her professional capacity as an employee of the District and/or pursuant to his or her official duties shall be honest about his or her identity, and be thoughtful and respectful when submitting or posting messages. In addition, employees using social media for such purposes should adhere to the following guidelines:

- An employee must identify himself or herself and position held with the District. Never create an alias or be anonymous.

- The "cfschools.org" address attached to an employee's name and/or email implies that he/she is acting on behalf of the District and, as such, employees are expected to conduct themselves in a professional manner.

- Any information shared via social media regarding the business of the District, whether using personal or District equipment, may be considered a public record. All information communicated through or maintained on the District's system is subject to being monitored or inspected at any time.

- Employees must comply with District policy on *Use of Information Resources*.

- Absent parent permission, staff members may not share, send, or post pictures, text messages, e-mails or other material that personally identifies District students. Employees may not use images of students, e-mails, or other personally-identifiable student information for personal gain, profit, or any other non-school related purpose.

- Staff members shall not submit or post confidential information about the District, its students, alumni, or employees; one must assume that most information about a student is protected from disclosure by both federal law (the Family Educational Rights and Privacy Act) and state law (Iowa Code Section 22.7(1)). Disclosures of confidential or protected information may result in liability for invasion of privacy or defamation.

- By their very nature, social media forms such as social networking websites and web pages or blogs are not truly private. To minimize unintended disclosure of information, staff must set and maintain social networking privacy settings at the most restrictive level.

- Internet search engines can find information years after it was originally posted. Comments can be forwarded or copied and archival systems can save information even if a post was deleted; staff must assume that a message or image which is posted or communicated can never be completely deleted.

Personal Use of Social Media

The District recognizes the prevalence of social media used for personal purposes and acknowledges that its employees have the right under the First Amendment to speak out on matters of public concern. However, the District also has the right to regulate the speech of employees when that speech in certain circumstances, such as the personal use of social media, interferes with the employee's ability to perform his or her duties or affects the District's ability to efficiently provide educational services. Accordingly, it is essential that employees conduct themselves in such a way that their personal use of social media does not adversely affect their position with the District. In addition, employees using social media for such purposes should adhere to the following guidelines:

- If an employee is participating on a social networking website, web page, and/or blog for personal use, the employee may identify himself or herself as an employee of the District. However, the employee must state that he/she is expressing personal opinions, not those of the District.

- If identifying oneself as a District employee, remember that one's actions will reflect not only on you, but also on the District.

- Staff shall never pretend to be someone else and submit or post information concerning the District.

- Staff shall not use the District's school logos or mascots, photographs, or any other such graphic representations or images, or link any personal page on a social networking website, or other personal web page to any District website or material.

- If submitting or posting information or comments that are not related to the District, a staff member's activities may still result in professional repercussions. Such actions include, but are not limited to, posting of photographs or information which violates federal or state law and regulations and/or District policies and rules.

- While an individual does not have control of what others may submit or post on social networking websites; staff members must be aware that conduct in one's private life may affect one's professional life. Be vigilant about what others post about you or on your page and, if necessary, take steps to remove comments that pose a risk to your status with the District.

- It could be viewed as inappropriate for District employees to communicate with current students enrolled in the District through social media, such as through electronic messaging or any social networking website. This includes becoming "friends" on such sites. Employees should refrain from engaging in social interaction with current students enrolled in the District through personal pages on social networking websites and other personal web pages or electronic messaging.

    - Employees may use professional web pages that are created through the District and used solely for school-related purposes. Notify parents of intentions to use this media to communicate with students and the intended purpose of such communications. All ethical expectations for appropriate employee/student relationships must be followed.

- Staff members shall not provide personal contact information to students currently enrolled in the District. Only provide an official District email address and/or telephone number as a way to communicate with students or parents regarding District business.

- During the work day, participating on any personal social media, regardless of whether such participation is through District or personal equipment shall be limited to professional purposes.

Disciplinary Action

Employees who fail to comply with this policy or who make other inappropriate use of social media may be subject to disciplinary action, up to and including discharge. If an employee has any questions about the application of this policy, he/she should consult his or her supervisor.

Date of Adoption: October 14, 2013

Policy Number: ***Personal Communications*** Code No. ***403.8***

The Board of Education recognizes the need of its employees to send and receive personal communications during working hours from time to time. Phone calls related to the educational program will be paid for by the District.

Personal communications should be kept to the absolute minimum. Employees are expected to exercise discretion in making and receiving personal communications during working hours. Personal communications should occur during the employee's lunch, break or preparation time.

No personal communications shall be billed to the District.

Date of Adoption: October 13, 2008

Date of Revision: May 13. 2013

Policy Number: ***Political Activity*** Code No. ***403.9***

Employees shall not engage in political activities upon District property or during a student activity. Activities prohibited include, but are not limited to:

- posting of political signs, circulars or petitions,
- the distribution of political circulars or petitions,
- the collection of and/or solicitation for campaign funds,
- solicitations for campaign workers,
- the use of students or equipment for writing, drawing or addressing political materials, and
- using District telephones, reproduction and computer equipment, for solicitations or to poll or to urge a particular vote, wearing political buttons, and the distribution of such materials to or by students.

Employees may engage in political activities of their choosing on their own time off District premises. Employees may attend political caucuses and events on District property which are open generally to the public.

Date of Adoption: October 13, 2008

Date of Revision: May 13, 2013

Policy Number: ***Solicitations from Outside*** Code No. ***403.10***

Generally, employees should be free from solicitations at their place of employment. No organization or individual may solicit employees or distribute flyers or other materials within school facilities or on school grounds without the approval of the superintendent or designee.

The superintendent or designee may approve campaigns for solicitation on school property. However, no employee shall be required to pledge money.

Date of Adoption: October 13, 2008

Date of Revision: May 13, 2013

Policy Number: ***Publication or Creation of Materials*** Code No. ***403.11***

Materials created by an employee and the financial gain therefrom shall be the property of the District if school materials and/or time were used in their creation and/or such materials were created in the scope of the person's employment. If the work or activity may interfere with the employee's primary responsibility, the employee must seek written approval of the superintendent or designee.

Date of Adoption: October 13, 2008

Date of Revision: May 13, 2013

Policy Number: ***Reporting Child and Dependent Adult Abuse*** Code No. ***403.12***

Any licensed employee or other mandatory reporter who believes, or has reason to believe, that a student has been abused or neglected as defined by law shall see that such child abuse or neglect, dependent adult abuse or neglect, or suspected abuse or neglect, is reported to the Department of Human Services in compliance with the law. The District shall arrange for licensed staff members to complete training relating to the identification and reporting of child and dependent adult abuse.

Date of Adoption: October 13, 2008

Date of Revision: May 13, 2013

Policy Number: ***Child Abuse Reporting Regulation*** Code No. ***403.12R1***

Iowa law requires licensed employees and other mandatory reporters to report to the Iowa Department of Human Services (DHS) instances of suspected child abuse which they become aware of within the scope of their professional practice. A "child" is defined as a person under 18 years of age.

The law further specifies that a licensed employee or other mandatory reporter who knowingly or willfully fails to report a suspected case of child abuse is guilty of a simple misdemeanor and that the licensed employee may be subject to civil liability for damages caused by the failure to report.

Employees participating in good faith in the making of a report or in a judicial proceeding that may result from the report are immune from liability as provided by law.

Child Abuse Defined

"Child abuse" is defined as:

- Any nonaccidental physical injury, or injury which is at variance with the history given of it, suffered by a child as the result of the acts or omissions of a person responsible for the care of the child.

- Any mental injury to a child's intellectual or psychological capacity as evidenced by an observable and substantial impairment in the child's ability to function within the child's normal range of performance and behavior as the result of the acts or omissions of a person responsible for the care of the child, if the impairment is diagnosed and confirmed by a licensed physician or qualified mental health professional.

- The commission of a sexual offense with or to a child as a result of the acts of omissions of the person responsible for the care of the child. *(Sexual offense includes sexual abuse, incest, and sexual exploitation of a minor.)*

- The failure on the part of a person responsible for the care of a child to provide for the adequate food, shelter, clothing or other care necessary for the child's welfare when financially able to do so, or when offered financial or other reasonable means to do so. A parent or guardian legitimately practicing religious beliefs who does not provide specified medical treatment for a child for that reason alone shall not be considered abusing the child.

- The acts or omissions of a person responsible for the care of a child which allow, permit or encourage the child to engage in acts prohibited pursuant to Iowa Code section 725.1 (which deals with prostitution).

- An illegal drug is present in a child's body as a direct and foreseeable consequence of the acts or omissions of the person responsible for the care of the child.

- The person responsible for the care of a child has, in the presence of the child, manufactured a dangerous substance, or in the presence of the child possesses a product containing ephedrine, its salts, optical isomers, salts of optical isomers, or pseudoephedrine, or its salts, with the intent to use the product as a precursor or an intermediary to a dangerous substance.

- The commission of bestiality in the presence of a minor by a person who resides in a home with a child, as a result of the acts or omissions of a person responsible for the care of the child.

- Cohabitation by a person responsible for the care of the child with a person on the sex offender registry, unless the person responsible for the care of the child is married to or the parent of the registered sex offender.

- Any other circumstances as defined by law.

Teachers in public schools are not "persons responsible for the care of the child" under this definition. However, a teacher who abuses a child is subject to civil, criminal, and professional sanctions.

Reporting Procedures

Licensed employees and other mandatory reporters are required to report, either orally or in writing, within 24 hours to the Iowa Department of Human Services when the employee reasonably believes from knowledge obtained within the scope of employment that a child has suffered from abuse. If the licensed employee or other mandatory reporter has reason to believe that immediate protection for the child is advisable, the employee shall also make an oral report to an appropriate law enforcement agency. Within 48 hours of an oral report, a written report must be filed with the DHS.

District employees shall report orally to the following:
Department of Human Services Child Protection Investigation Unit (Phone: 291-4441 or 1-800-362-2178 for Black Hawk County only.)

Each report should contain as much of the following information as can be obtained within the time limit. However, the law specifies a report will be considered valid even if it does not contain all of the information.

- name, age, and home address of the child,
- name and home address of parents, guardians or other persons believed to be responsible for care of the child,
- the child's present whereabouts if not the same as the parent's or other person's home address,
- description of nature and extent of injuries, including evidence of previous injuries,
- name, age, and condition of other children in the same home,
- any other information considered helpful in establishing the cause of the injury to the child, the identity of the person(s) responsible for the injury, or in providing assistance to the child, and
- name and address of the person making the report.

Cooperation

It is not the responsibility of employees to prove that a student has been abused or neglected. Employees should not take it upon themselves to investigate the case or contact the family of the child. The DHS is responsible to investigate the incident of alleged abuse. All employees shall cooperate in good faith with the Department of Human Services in an investigation. The Department of Human of Services has the right to come to the school where the student named in a report is located. The administrators must cooperate with the investigation by providing confidential access to the student named in the report and to other children for the purpose of interviewing the child(ren) to obtain relevant information.

Date of Adoption: October 13, 2008

Date of Revision: May 13, 2013

Policy Number: ***Transporting Students*** Code No. ***403.13***

Generally, transportation of students for school purposes shall be in a school bus owned by the District and driven by a District school bus driver. In some cases, it may be more economical or efficient for the District to allow other employees or volunteers of the District to transport students in their personal motor vehicles or in a school district motor vehicle other than a school bus. Students may be transported in such vehicles by school employees or volunteers to activity events in which they are participants, or to their homes in case of illness or other emergency situations. In such situations, the employee or volunteer must have a valid Iowa driver's license and automobile liability insurance as required by law, and the vehicle should be in good operating condition and meet all applicable safety requirements.

School district employees or volunteers who transport students for school purposes in their personal motor vehicles or in school district motor vehicles must have the permission of the superintendent or designee. Where practicable, written permission of the parents/guardians of students who will be transported in such vehicles by school employees or volunteers will be obtained.

The District will advise parents/guardians and students in advance if transportation will not be provided by the District for a particular activity. If transportation will not be provided by the District, then the responsibility and corresponding liability for any transportation to and from the activity shall rest solely with the students and their parents/guardians.

Date of Adoption: October 13, 2008

Date of Revision: May 13, 2013

Policy Title: ***Cooperation in Investigations*** Code No. ***403.14***

All employees are required to fully cooperate with any representative of the District who is conducting a work-related investigation. Employees will be disciplined for lying to any representative of the District, or providing information to any representative of the District which is dishonest, misleading, inaccurate, or incomplete.

Employees will also be disciplined for impeding, obstructing, or failing to cooperate with an inquiry or investigation conducted by any representative of the District. "Obstructing" includes, but is not limited to, threatening, intimidating, or coercing other individuals who may be contacted by a representative of the District, and discouraging other individuals who may be contacted by a representative of the District from responding to or cooperating with the District. "Failing to cooperate" includes, but is not limited to, failing to provide information, documents, or materials requested by a representative of the District, and providing information, documents, or materials to a representative of the District which are dishonest, misleading, inaccurate, or incomplete.

If an employee is the subject of an investigation, the District will respect any rights which may be afforded to the employee by other applicable state or federal law.

Date of Adoption: July 22, 2013

Policy Number: ***Substitutes*** Code No. ***404.1***

It is the policy of the Board of Education to attempt to hire properly certificated, licensed or qualified individuals to substitute for absent employees. Substitute employees shall be retained by the administration, or designee, and not by the individual employee. A personnel file of all licensed substitute employees, including their licenses, shall be maintained.

Licensed substitutes shall be paid at a daily rate set by the Board of Education. The licensed substitute shall be paid for at least one-half day and in accordance with a schedule adopted by the Board of Education.

Date of Adoption: June, 1965

Dates of Revision: November, 1974
September 10, 1979
December 11, 1989
November 11, 1996
November 25, 2002
October 13, 2008
May 13, 2013

Policy Number: ***Pre-Service Professionals*** Code No. ***404.2***

It is the policy of the Board of Education to cooperate with higher educational institutions in the practical preparation of future professionals. The superintendent or designee has the authority to reject or accept any pre-service professional or teacher preparation institution. Fees paid by the higher education institutions for supervision will be paid to the District's supervising staff members. The staff member must provide sufficient supervision.

Date of Adoption: October 13, 2008

Date of Revision: May 13, 2013

Policy Title: ***Communicable Diseases – Employees*** Code No. ***405.1***

Employees with a communicable disease will be allowed to perform their customary employment duties provided they are able to perform the essential functions of their position and their presence does not create a substantial risk of illness or transmission or other substantial health or safety risk to students or other employees. The term "communicable disease" will mean an infectious or contagious disease spread from person to person, or animal to person, or as defined by law.

Prevention and control of communicable diseases is included in the school District's Bloodborne Pathogens Exposure Control Plan. The procedures will include scope and application, definitions, exposure control, methods of compliance, universal precautions, vaccination, post-exposure evaluation, follow-up, communication of hazards to employees and record keeping. This plan is reviewed annually by the superintendent or designee and provider of nursing services. All staff members should practice hygienic principles designed to protect themselves and others from infection.

The health risk to immunodepressed employees is determined by their personal physician. The health risk to others in the school district environment from the presence of an employee with a communicable disease is determined on a case-by-case basis by the employee's personal physician, a physician chosen by the school District, or public health officials. Employees with communicable diseases may be excluded from the school District environment for the period of time that their conditions endanger the health or safety of others or they are physically unable to perform assigned tasks.

Health data of an employee is confidential and ~~it~~ will not be disclosed to third parties except as provided by law. Employee medical records are kept in a file separate from their personal file.

An employee who has a communicable disease which creates a substantial risk to others in the school District environment should report the condition to the superintendent or designee. It is the responsibility of the superintendent or designee, in conjunction with the provider of nursing services, to develop administrative regulations stating the procedures for dealing with employees with a communicable disease.

Date of Adoption: June 22, 2009

Date of Revision: May 13, 2013

Policy Title: ***Standard Precautions Regulations*** Code No. ***405.1R***

Standard precautions (SP) are intended to prevent transmission of infection, as well as decrease the risk of exposure for employees and students. SP incorporates the major features of universal precautions (designed to reduce the risk of transmission of blood borne pathogens) and body substance isolation (designed to reduce the risk of transmission of pathogens from moist body substances), regardless of the presumed infection status of the individual. It is not currently possible to identify all infected individuals, thus precautions must be used with every individual. SP pertain to:

- Blood (e.g. lacerations, nose bleeds, abrasions, menstrual flow),
- all body fluids, secretions, and excretions except sweat, regardless of whether they contain visible blood (e.g. urine, emesis, feces),
- non-intact skin (e.g. cuts, scrapes, dermatitis), and
- mucous membranes (e.g. oral/nasal secretions).

The single most important step in preventing exposure to and transmission of any infection is anticipating potential contact with infectious materials in routine as well as emergency situations. Based on the type of possible contact, employees and students should be prepared to use the appropriate precautions prior to contact. Diligent and proper hand washing, respiratory hygiene/cough etiquette, the use of barriers, appropriate disposal of waste products and needles, proper decontamination of spills, and appropriate disinfection and cleaning of all equipment or materials likely to have been contaminated with infectious material are essential techniques of infection control. All individuals should respond to situations practicing SP. Using common sense in the application of these measures will enhance protection of employees and students.

Hand Hygiene

Proper hand washing is crucial to preventing the spread of infection. All large or textured jewelry, on the hands or wrists should be removed prior to washing and kept off until completion of the procedure and the hands are rewashed. Use of running water, lathering with soap and using friction to clean all hand surfaces for at least 20 seconds is a key factor. Rinse well with warm running water and dry hands with paper towels. In the event handwashing facilities are not immediately available, waterless alcohol based hand sanitizers with at least 60% alcohol content are an acceptable method of hand hygiene. Hand and/or skin should be washed with soap and water as soon as possible. Occasionally there will be times when unforeseen skin contact will happen and gloves are not immediately available. In this event, hands and all other affected skin areas must be scrubbed with copious amounts of soap containing antiviral/antibacterial agents and running water for 10 minutes at once or as soon as possible after contact. If exposure involves mucous membranes, the affected areas should be flushed with water or eye irrigation solution for 15 minutes or until all traces of the body fluid has been removed. The affected and surrounding areas should be

inspected closely for residue. All body fluid exposures should be reported to the immediate supervisor. If there is an obvious or suspected break in the skin or if the exposure was to a mucous membrane, the individual exposed should be referred for a medical evaluation.

- Hands should be washed before physical contact with individuals and after contact is completed.
- Hands should be washed after contact with any used equipment.
- If hands (or other skin) come into contact with blood or other body fluids, hands should be washed immediately before touching anything else.
- Hands should be washed after the gloves are removed.

Respiratory Hygiene/ Cough Etiquette

The following measures to contain respiratory secretions are recommended for all individuals with signs and symptoms of a respiratory infection.

- Cover the nose/mouth when coughing or sneezing.
- Use tissues to contain respiratory secretions and dispose of them in the nearest waste receptacle after use.
- Perform hand hygiene (e.g., hand washing with soap and water or at least 60% alcohol-based hand rub) after having contact with respiratory secretions and contaminated objects/materials.

When space and chair availability permit, instruct coughing persons to sit at least three feet away from others in common areas and classrooms. Some facilities may find it logistically easier to institute this recommendation than others. If coughing cannot be adequately controlled, it is advised that the individual be sent home and seek medical treatment.

Educational reminders and alerts should be provided to students and staff when seeking medical evaluation from the school nurse to inform the nurse of symptoms of a respiratory illness when they are first seen by the nurse. Healthcare personnel in the district are advised to observe Droplet Precautions (i.e., wearing a surgical or procedure mask for close contact), in addition to SP, when examining a student/staff member with symptoms of a respiratory infection, particularly if fever is present. These precautions should be maintained until it is determined that the cause of symptoms is not an infectious agent that requires Droplet Precautions.

Personal Hygiene and Eating in the School Setting

In areas where a reasonable likelihood of occupational exposure exists, work practice controls should include restricting eating, drinking, applying cosmetics or lip balm, and when handling contact lenses. School employees should refrain from taking part in these activities in health rooms, first aid stations, or in any area where there are

contaminated items or risk of exposure to potential blood borne pathogens. Food and drink should not be kept in refrigerators, freezers, shelves and cabinets, or on countertops or bench tops where blood or other potentially infectious materials are present. Employees should wash their hands before and after work, as well as before and after meals, after bathroom use, or whenever necessary.

Barriers/ Personal Protective Equipment

Using personal protective equipment (PPE) in schools adds another layer of insulation between being protected and being at risk for exposure to blood borne pathogens. The kind of PPE appropriate for the assignment can vary with the task performed and the exposure expected. Barriers and PPE anticipated to be used at school include disposable and utility gloves, surgical or procedure face masks, gowns, facemasks, eye goggles, absorbent materials, and resuscitation devices. Under the blood borne pathogen standard, the school district is required to provide, at no cost to the employee, personal protective equipment. The PPE must be accessible and provided in the correct size. If the employee notes an allergic sensitivity to latex or powder, hypoallergenic gloves or other similar alternative must be made available. The school district is also responsible for maintaining the personal protective equipment by means such as cleaning, laundering, repairing or replacing as needed for ensuring that the PPE is used properly. Suitable personal protective clothing is to be worn whenever the risk of occupational exposure to body fluids or other potentially infectious materials is anticipated. There are three levels of protection endorsed for school employees to reduce the occupational exposure to body fluids or other potentially infectious materials. These are intended to be the minimum requirements for infectious materials. Because the risk of exposure varies for each individual or task, each situation should be carefully individualized to determine the best level to be utilized. Employees should follow the "Pyramid of Protection" described below:

Level I: Disposable gloves should be worn whenever it can be reasonably expected that the exposure to blood or other potentially infectious materials, mucous membranes, non-intact skin, or contaminated surfaces is imminent. When putting on gloves, they should be visually inspected for absence of holes, tears, or defects. Single use gloves cannot be washed or decontaminated and should be replaced as soon as practical when they become contaminated or as soon as feasible if they are torn, punctured, or their ability to function as a barrier is compromised. Gloves should be removed without touching the outside and disposed of after each use. Hand hygiene should be performed immediately following glove removal and gloves should be discarded after use in an appropriate receptacle. Utility gloves should be worn when handling contaminated materials or cleaning contaminated surfaces or tools. Utility gloves can be decontaminated for reuse in the event the entirety of the glove is not compromised. They are to be discarded if they are cracked, peeled, torn, or punctured, they exhibit other signs of deterioration, or their ability as a barrier is compromised.

Assignments that may require Level I protection of single-use gloves:

- Minor wound care or dressing changes
- Blood glucose monitoring
- Injections
- Topical medications
- Catheterization
- Diapering/toileting
- Emesis cleanup
- Tooth brushing/oral care
- Changing ostomy bags
- Cleaning nose/mouth secretions
- Feeding (oral or gastrostomy)
- Suctioning
- Changing menstrual pads
- Oral temperatures

Assignments that may require Level I protection of utility gloves:

- Cleaning body fluid spills
- Emptying trash cans
- Handling sharps/containers
- Handling discarded contaminated materials/regulated waste
- Cleaning/sweeping up contaminated broken glass/sharps
- Handling contaminated laundry

Level II: Repellent gowns and gloves should be worn when there is an expectation of exposure to body fluids or other potentially infectious materials to clothing and skin from splashes, sprays, and splatters. Situations may vary and the clothing may changes with the nature of the task. Assignments that may require Level II protection:

- Changing pads for uncooperative mentally impaired student
- Diapering/toileting with gross contamination
- Wound care for a combative child
- Sorting or bagging contaminated laundry
- Disposing of regulated waste with gross contamination
- Diapering, toileting, feeding, suctioning, and general, and cleaning of students with little or no impulse control

Level III: There should not be many situations where a level III protection would be warranted in the school setting. However, there may be incidents in which body fluids or potentially infectious materials could come in contact with the face, nose, or eyes. In these instances, maximum protection should be utilized by donning face/eye protection as well as fluid repellent gown and utility gloves. Assignments that may require Level III protection:

- Feeding a child with a history of spitting, or forceful vomiting, or coughing,
- Suctioning tracheotomy with history of forceful coughing or copious secretions, and
- Assisting with severe injury and wound with spurting blood.

Resuscitation masks (CPR): Pocket masks and mechanical emergency respiratory devices are used as barrier from saliva, vomitus, or other potentially infectious body fluids when giving CPR. They should be easily accessible for emergency situations. It is imperative that the pocket masks and other respiratory devices contain a one-way valve to prevent possible exposure to body fluids to either rescuer or victim. Non-disposable masks should be properly cleaned after an incident for reuse by:

- Putting on gloves,
- Soaking mask in mild soap and warm water, then scrubbing vigorously, rinsing and air drying, and
- Cleansing with an EPA registered disinfectant.

There are also single-use disposable CPR masks available. These devices have a one-way valve and are easy to access as they are packaged in a key chain case or nylon pouch. They are available through the school nurse and are provided to all employees who are CPR trained in the district.

Disposal of Waste

All used or potentially contaminated supplies (including gloves and other barriers) except syringes, needles and other sharp instruments, should be placed in a plastic bag which is sealed. The waste can then be thrown in the garbage. Needles, syringes and other sharp objects should be placed in an approved biohazard puncture resistant container, immediately after use and disposed of as regulated waste. Bodily waste, such as urine, vomitus or feces should be disposed of in the toilet. A band-aid, towel, sanitary napkin or other absorbed waste should be discarded into waste containers lines with plastic bags. Biohazard bags will be located in the nurse's office or through the custodial department. These should be used when blood or body fluids are liquid, semi-liquid, caked with dried blood or secretions, not absorbed into materials, or capable of releasing the substance if compressed and special disposal of such regulated waste is required. It is anticipated schools would encounter the need for this only in the case of a severe accident.

Housekeeping Guidelines

Everyone is responsible for a clean and sanitary school environment, since it protects all of the staff and the students. Keeping the work areas clean reduces the employee's risk of exposure to bloodborne pathogens. The custodial staff has the principal task of maintaining a sanitary climate and they have all necessary equipment needed for proper clean up and disinfection. The following are guidelines for handling body fluid spills (e.g. blood, urine secretions, vomit, saliva, feces, pus, semen, and vaginal secretions).

Cleaning body spills on washable surfaces:

- Wear disposable or utility gloves, and
- Clean and disinfect all hard, soiled, washable surfaces immediately, cleaning with soap and water and removing contaminants before applying disinfectant

(For small spills)

- Use paper towels or tissues to wipe up soiled areas
- After soil is removed, use clean paper towels, soap and water to clean area
- Dispose of paper towels in a plastic bag
- Disinfect area

(For large spills)

- Apply commercial sanitary absorbent agent on soiled area
- After soil is absorbed, sweep all material into a plastic bag, taking care not to create any dust emissions
- Disinfect area with clean mop
- Disinfect mop and bucket

Cleaning body spills on carpet/rugs:

- Use industrial equipment and follow manufacturer's directions for shampooing and disinfecting
- Apply commercial sanitary absorbent agent on soiled area
- After soil is absorbed but still wet, sweep the spill toward the center of the spill, picking up the contents in a dust pan and disposing of in a plastic bag
- Vacuum with either wet vacuum extractor or a vacuum cleaner with high efficiency filter
- Spray the area with a white vinegar solution (1-ounce vinegar to one quart cool water)
- Blot the area repeatedly with white paper towels
- Rinse the area with clean cool water

- Disinfect area with a compatible disinfectant
- Apply a bacteriostatic rug shampoo
- Disinfect vacuum cleaner, dust pan, and brush

Guidelines for cleaning and disinfecting equipment:

- Clean and decontaminate all equipment and environmental surfaces as soon as possible after contact with blood or other body fluids.
- Use a registered EPA approved germicide.
- Remove and replace protective coverings such as plastic wrap and aluminum foil when decontaminating.
- Inspect and decontaminate, on a regular basis, reusable receptacles such as bins, pail and cans that have the likelihood for becoming contaminated.
- Always use mechanical means such as tongs, or brush and dustpan to pick up contaminated sharp; never pick up with hands even if gloves are worn.
- Place contaminated sharps in infectious wastes in designated containers.
- Handle contaminated laundry as little as possible with minimal agitation.
- Contaminated linen should be bagged on site and transported in red biohazard bags that prevent leakage. Label red bag with "laundry" prior to transport.
- Use appropriate personal protective equipment when handling contaminated laundry.
- Discard all regulated waste according to federal, state, and local regulations.

Guidelines for cleaning and disinfecting medical devices:

- Wear disposable or utility gloves,
- Clean the device with soap and water to remove debris,
- Soak in appropriate chemical germicide for 15-20 minutes, and
- Rinse with water and allow to air dry thoroughly before reuse.

Cleaning Schedule

A written schedule should be adopted for cleaning and decontamination of areas that may be susceptible to contamination with blood borne pathogens. These rooms may include, but are not limited to, health room, bathrooms, and self-contained special education classrooms.

Care of Students / Staff

- When possible, students/staff should be encouraged to take care of their own injuries. Students/staff should be encouraged to apply pressure with their own hand, tissue, or bandage over a bloody nose or wound.
- If needed, ask the school nurse, paraeducator, athletic trainers and/or designated first responders.
- If you must assist, provide a barrier between your skin and the blood/body fluid of others. This can be done with gloves. A thick layer of paper towels or cloth can be used as a barrier if gloves are not readily available.

Exposure Incident

An exposure incident is when a person's mucous membrane, non-intact skin or parenteral contact comes in contact with another person's blood or other potentially infected material. An exposure incident requires immediate washing/flushing, reporting and follow-up.

- Always wash the exposed area immediately with soap and water.
- If a mucous membrane splash (eye or mouth) or exposure of non-intact skin occurs, irrigate or wash the area thoroughly.
- If a cut or needle stick injury occurs, wash the area thoroughly with soap and water.

The exposure should be reported immediately to a staff member if the person exposed is a student or visitor. First aid should be sought immediately and the parent or guardian (if a minor student) is notified, and the person exposed should contact a physician immediately for further health care instructions. When a school employee incurs an exposure incident, it should be reported as soon as possible to the employee's supervisor and first aid care sought. All employees who incur an exposure incident will be offered post-exposure evaluation and follow-up in accordance with the OSHA standard. The following steps will be taken once an employee has reported an exposure incident:

1. Detailed information concerning the exposure incident will be given by the exposed employee to the District's occupational health carrier (Wheaton Occupational Medicine, 226 Bluebell Rd, Cedar Falls, IA 50613).
2. The exposed employee must sign a consent form for permission to release and exchange information with the exposed employee's medical provider.
3. If at all possible, the identification of the source individual and, if possible, the status of the source individual should be obtained, unless the employer can establish that identification is not feasible or prohibited by state or local law. The blood of the source individual will be tested (after consent is obtained) for HIV/HBV/HCV infectivity. It must be noted that the results of the source individual's tests cannot be relied on solely. It is prudent to remember that HIV antibodies may not be detectable for a window of 6-12 weeks.

4. Direct the exposed employee to the District's occupational health provider at the time of the exposure incident for evaluation and to determine the need for HIV PEP. (Wheaton Occupational Medicine, 222 Bluebell Rd., Cedar Falls, IA 50613 if exposure occurs between 7:00 am and 5:00 pm, Monday-Friday. If the exposure occurs before 7:00 am or after 5:00 pm or on weekends/holidays, the employee should report to Sartori Emergency Department.) Follow-up for HBV and HCV infections also should be conducted. The Human Resource office must provide the healthcare professional with a description of the employee's job duties as they relate to the incident, and a report of the specific exposure, including date/time of exposure, route of exposure, and relevant employee medical records, including Hepatitis B vaccination status.
5. If a severe exposure occurs involving:
    (1) a known infected individual; or
    (2) copious amounts of blood or other infected materials; or
    (3) if the exposed person is pregnant or suspected to be resistant to antiretroviral drugs, the CDC has new recommendations for post exposure prophylaxis.

    Infected individuals should be placed on the HIV medications within one to two hours of exposure and remain on them until HIV testing is negative.
6. The results of the source individual's testing shall be made available to the exposed employee, provided the source individual has given consent and release for testing. The employee shall be informed of applicable laws and regulations concerning disclosure of the identity and infectious status of the source individual.
7. The exposed employee will be given appropriate counseling concerning precautions to take during the period after the exposure incident. The employee will also be given information on what potential illnesses to be alert for and instructions to report any related experiences to the appropriate personnel.
8. The District Human Resource Director shall obtain and provide the employee with a copy of the healthcare professional's written opinion within 15 days of the completion of the evaluation. The healthcare professional will be instructed to limit their opinions to:
    a. whether the hepatitis B vaccine is indicated and if the employee has received the vaccine, or for evaluation following the incident;
    b. whether the employee has been informed of the results of the evaluation; and
    c. whether the employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials. All other findings or diagnoses will remain confidential and will not be included in the written report.

HBV Vaccinations

The following is a list of job classifications grouped according to level of occupational exposure potential. All employees in category (1) will be given the opportunity to receive the HBV vaccinations.

(1) Employees with exposure potential:

- Administrators

- Nurses
- Secretaries (who are trained to administer first aid and/or medication certified)
- Playground associates, paraeducators regularly assigned to assist students with disabilities, and those associates trained to administer first aid and/or parenteral medication)
- Teachers in physical education and teachers in laboratory settings (family & consumer science, industrial technology, art and science) and teachers regularly assigned to playground and/or bus duties
- Coaches and athletic trainers
- Custodians
- Bus drivers
- Emergency-response team members (CPR/AED/First Aid certified in each building)

(2) All other staff approved volunteers have the option to receive post-exposure vaccination.

School staff members may decline the vaccination. However, if they do, they must sign a declination form. The employee may request and obtain the vaccination later and at no cost if the individual is employed in a category (1) position. If the school employee has previously received the vaccination series, a copy of the information should be submitted by the employee to the Human Resource Department for placement in the employee's confidential medical records.

Employee Training and Information

Training for all employees should be:

(1) conducted prior to initial assignment to a task where exposure may occur,
(2) provided at no cost to the school personnel,
(3) transacted during working hours, and
(4) conducted at least once a year thereafter.

Additional training may be needed when tasks are modified or new tasks that involve occupational exposure to blood borne pathogens affect the employee's exposure. The person conducting the training must have knowledge of the subject matter, the information provided must be appropriate in content and vocabulary to the educational level, literacy, and language of the audience addressed.

An acceptable training will contain the following elements:

- A copy of or information on how to obtain the OSHA standard for blood borne pathogens regulations.
- Information on the epidemiology and symptoms of blood borne diseases; modes of transmission of blood borne pathogens.

- Modes of transmission of bloodborne pathogens.
- An explanation of the exposure control plan, including points of the plan, lines of responsibility, how the plan will be implemented, etc, and where it is located.
- Information on how to recognize tasks that might result in occupational exposure.
- A list of control measures and work practices which will be used in the school to control exposure to blood or other potentially infectious materials.
- Information concerning personal protective equipment available at the school, including the types, selections, proper use, location, removal, handling, decontamination, and disposal.
- Information on hepatitis B vaccination, such as safety, benefits, efficacy, methods of administration, and availability.
- Post-exposure evaluation and follow-up, including information on whom to contact and what to do in an emergency.
- Information on warning labels, signs and color-coding.
- Question and answer session on any aspect of the training.

This information and training may be conducted using a variety of learning modes, videotapes, written material, and lecture material. In most cases the school nurse will be responsible for the training.

Record Keeping

The bloodborne pathogen standard requires that two types of records be kept for school employees who sustain an occupational exposure incident to blood or other potentially infectious materials: medical and training.

The medical record is confidential and separate from other personnel records. It is retained by the Human Resource office and includes the employee's name, social security number, hepatitis B vaccination status, including dates of vaccination, and any medical records relative to the employee's ability to receive the vaccination. If an occupational exposure incident occurs, results of examinations, medical testing, and post-exposure evaluation and follow-up procedures as well as the health care professional's opinion and a copy of the information provided to the medical professional should be included. The medical records must be kept confidential and maintained for at least the duration of the employee's tenure in the District, plus 30 years.

The training records are also to be retained and kept for three years from the date on which the training occurred and must be available to OSHA upon request. They should include:

(1) the dates of the training sessions and the content,
(2) the name and qualifications of the person presenting the training, and
(3) the names and job titles of all those attending the training.

Upon request, both the medical and training records must be made available to the Assistant Secretary of Labor for OSHA. The training records must also be made available to the school employee upon request. The medical records can be accessed by anyone if the employee gives written consent.

References

Centers for Disease Control and Prevention. Recommendations for prevention and control of hepatitis C virus (HCV) infection and HCV-related chronic disease. MMWR Morb. Mortal. Wkly Rep 1998; 47 (RR-19):1-39.

Centers for Disease Control and Prevention. Recommendations for preventing transmission of infection with human T-lymphotropic virus type III/lymphadenopathy-associated virus in the workplace. MMWR Morb. Mortal. Wkly Rep 1985:34:681-5; 691-5.

Champion, C. Occupational Exposure to Blood Borne Pathogens; Implementing OSHA Standards in a School Setting. NASN (2005).

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May 13, 2013

Policy Title: ***Professional Learning Community*** Code No. ***406.0***

In order to ensure students are prepared to be lifelong learners and caring, responsible citizens, the Board of Education commits to collaborative practices that ensure continuous improvement and progress toward a new "Tradition of Excellence." To develop and implement a new "Tradition of Excellence" the Board of Education is committed to the philosophical constructs of a Professional Learning Community.

A professional learning community can be defined as a group of educators committed to working collaboratively in ongoing processes of a collective inquiry and action research to achieve better results for the students they serve. The following fundamental elements are those that must be in place to ensure a successful professional learning community:

Learning is the Fundamental Purpose

The fundamental purpose of the Cedar Falls Community Schools is to help all students achieve high levels of learning, and therefore, all practices will be examined in light of their impact on learning. To that end:

a) Collective knowledge will be developed regarding state standards to clarify what all students must know and be able to do as a result of each unit instruction.

b) A collaborative culture through high-performing teams who are committed to working together to achieve the fundamental purpose of learning will be established. Collaborative teams will be given time during the contractual day and year to meet on a regular basis.

c) Collaborative teams will clarify what students must learn, gather evidence of student learning, analyze the evidence, identify the most powerful teaching strategies/best practices, and transfer these strategies across all team members.

d) Collaborative teams will work together interdependently to create and achieve common goals that are specific, measurable, attainable, realistic, and timely (SMART).

e) Common assessments will be developed by teams to monitor the learning of each student in all essential outcomes. These assessments will be aligned to the required state and district tests.

f) Time will be dedicated and structured to implement innovation/enrichment initiatives during the course of the regular school day and academic year.

g) A system of mandatory interventions based upon the examined evidence that guarantees each student receives additional time and support for learning until he/she has met the agreed upon standards will be provided.

The Board of Education recognizes the value of the importance of strong collaborative relationships with its expanded community, families, residences, businesses, government agencies, and other educational systems to achieve the fundamental purpose of schooling. To that end:

a) The Board of Education will actively promote and uphold the District's mission, values, and goals.

b) The Board of Education commits to recruiting, developing, and retaining individuals who embrace the school's mission, values, and goals.

c) The Board of Education will reach out to expertise in the broader community of Cedar Falls to educate and garner support for the Professional Learning Community.

d) The Board of Education commits to the support of high-performing collaborative teams to better serve and support all students.

e) The Board of Education understands and supports the development of personal and professional goal-setting, resulting from thoughtful and critical reflection which leads to continued learning and growth.

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