

Cedarville Public Schools

Classified Personnel Policies

2014-2015



Audie Murphy, President of the Board

Cedarville Public School Classified Personnel Policies

The policies are valuable to the Board, the School and Staff.

- 1. They bring clarity to school operation.**
- 2. They bring understanding of the school operation.**
- 3. They bring good will by giving assurance.**
- 4. They provide direction and stability.**
- 5. They provide control and efficiency.**
- 6. They provide the legal basis for operation of the school.**

Adopted by the Cedarville Board of Education

Audie Murphy – President

Robert Neal – Vice President

Jerry Kennedy – Secretary

Phillip Fears – Member

Kallie Goines – Member

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NON –MANAGEMENT EMPLOYEES

- (1) “Classified employees: means any person employed by a school district under a written annual contract who is not required to have a teaching certificate issued by the Department of Education as a condition of employment
- (2) “Classified employee administrator” shall means any classified or certified employee who evaluates non-management classified employees and any classified employee who supervises but does not evaluate other classified employees, if the non-management classified employees exclude them.
- (3) “Non-management classified employee” means any classified employee who does not evaluate other classified employee. The non-management classified employees in a school district, at their discretion in an election conducted in accordance with § 6-17-2303, include in this definition classified employees who supervise but do not evaluate other classified employees; and committee for the school district.

PERSONNEL POLICY COMMITTEE

Act 1780 of 2003

Section 1.

- (a) Each school district in the State of Arkansas shall have a set of written personnel policies, including the salary schedule for each classification of classified personnel in the schools.
- (b) For the purposes of this act there shall be five (5) classifications of classified personnel.
- (c) For purposes of this act, a classified employee shall be an employee of a public school who is not required to hold a teaching license issued by the State Board of Education.

Section 2.

The provisions of this act shall not apply if the district chooses to officially recognize in its policies an organization representing the majority of the classified personnel of the district for the purposes of negotiating personnel policies, salaries, and educational matters of mutual concern under a written policy agreement.

Section 3.

- (a) Each school district shall have a committee on personnel policies for classified personnel which consists of at least
 1. One non-management representative from each of the following five (5) classifications:
 - (A). Maintenance and operation
 - (B). Transportation
 - (C). Food service
 - (D). Secretarial and clerical; and
 - (E). Aides and paraprofessional
 2. Any classification of support personnel not identified in the five (5) classifications may be grouped together and added as an at-large classification and shall have at least one (1) non-management classified representative on the committee on classified personnel policies.
- (b) There shall be no more than three (3) administrators on the committee, one (1) of which may be the superintendent of schools.
- (c) The classified personnel members of the committee of personnel shall be elected by a majority of the classified personnel voting by secret ballot,
- (d) The election shall be solely and exclusively conducted by the classified personnel including distribution of ballots to all classified personnel.
- (e) The election shall be conducted by mid-October.

Section 4.

- (a) The personnel policies of the school district in effect at the time a classified employee’s contract is entered into or renewed shall be considered to be incorporated as terms of the contract and shall be binding upon both parties unless changed by mutual consent.
- (b) Any amendments to personnel policies adopted during term of such contract shall become effective the following July
 1. However, these amendments may take place immediately with mutual consent.

Section 5.

- (a) The school district's committee on the personnel policies for classified personnel shall organize itself in October, elect a chairman and secretary, and develop a calendar of meetings throughout the year to review the district's personnel policies to determine if additional policies or amendments to existing policies are needed.
- (b) Minutes of the committee meeting shall be promptly reported and distributed to members of the board and posted in the worksites of the district including administrative offices.
- (c) Either the committee or the board of directors may propose new personnel policies or amendments to existing policies, if the proposal by the board has been submitted to the committee at least ten (10) working days prior to presentation to the board.
- (d) The committee shall present its proposed policies or amendments to existing policies to the board of directors.
- (e) After presentation to the board, final action shall be taken no later than the next regular board meeting.
- (f) The board of directors shall have the authority to adopt, reject, or refer back the committee on personnel policies for further study and revision, any proposed policies or amendments to existing policies that are submitted to the board for consideration.

Section 6.

- (a) Each classified employee being employed by a school district for the first time shall be given a copy of the district's personnel policies in effect at the time of his or her employment.
- (b) Each classified employee or administrator who was employed before the adoption of this policy shall be given a copy of the district's personnel policies at the time his or her contract is renewed or extended.
- (c) Each classified employee or administrator shall be furnished a copy of any amendments to the personnel policies within thirty (30) days after approval of the amendments by the board of directors of the district.

Election and Contract

1. All new applicants for classified position in the Cedarville Schools shall file a written application in the office of the Superintendent.
2. All classified employees shall be elected by the Board upon recommendation of the Superintendent who will have consulted the principal for election, reelection, or dismissal of the employee.
3. Classified employees being recommended for renewal will be recommended for renewal at the April board meeting.
4. All new applicants for classified position in the Cedarville Schools shall file a written application in the office of the Superintendent.
5. All classified employees shall be elected by the Board upon recommendation of the Superintendent who will have consulted the principal for election, reelection, or dismissal of the employee.
6. Classified employees being recommended for renewal will be recommended for renewal at the April board meeting.

NONCERTIFIED PERSONNEL POLITICAL ACTIVITY

Employees are free to engage in political activity outside of work hours and to the extent that it does not affect the performance of their duties or adversely affect important working relationships.

It is specifically forbidden for employees to engage in political activities on the school grounds or during work hours. The following activities are forbidden on school property:

1. Using students for preparation or dissemination of campaign materials;
2. Distributing political materials;
3. Distributing or otherwise seeking signatures on petitions of any kind;
4. Posting political materials; and
5. Discussing political matters with students, in or out of the classroom, in other than circumstances appropriate to the employee's responsibilities to the students and where a legitimate pedagogical reason exists.

NONCERTIFIED PERSONNEL DEBTS

All employees are expected to meet their financial obligations. If an employee writes "hot" checks or has his income garnished, dismissal may result.

An employee will not be dismissed for having been the subject of one (1) garnishment. However, a second or third garnishment may result in dismissal.

At the discretion of the Superintendent, he or his designee may meet with an employee who has received a second garnishment for the purpose of warning the employee that a third garnishment will result in a recommendation of dismissal to the School Board.

At the discretion of the Superintendent, a second garnishment may be used as a basis for a recommended dismissal. The Superintendent may take into consideration other factors in deciding whether to recommend dismissal based on a second garnishment. Those factors may include, but are not limited to, the amount of the debt, the time between the first and the second garnishment, and other financial problems which come to the attention of the District.

Date Adopted: November 9, 2006

PERSONNEL FILE

1. Each classified employee shall have the right to examine his/her files within the confines of the law.
2. Each classified employee shall have the opportunity to react to items placed in his/her file.

Date Adopted: November 9, 2006

Personnel and Academic Freedom

1. A classified employee's private life is his/her own concern and will not be considered in judging his/her professional performance and competency except as it has been proven to damage his/her effectiveness or influence among the students.
2. A classified employee shall be free to use his professional judgment in the pursuit of truth in fulfilling his/her obligation.

Personnel Appearance Code

Cedarville School District classroom teachers and other professional staff members should always exemplify high standards of personal appearance and physical characteristics which are conducive to effective teaching and learning. Students view their teachers as role models; therefore, it is incumbent upon all employees to portray the best possible image to the Cedarville community. All personnel will be expected to dress in professional attire and in a manner that is appropriate to the teaching profession.

Attire should always reflect the respect he/she has for himself/herself and others. Attire should also be of such a nature as to elicit respect from students and generally teach respect for authority. Clothing for all must not be distracting and be appropriate in length and fit. Clothing that exposes underwear, buttocks, or the breast of a female are prohibited.

Female employee's blouses shall not be revealing in cut, style and material. No halter tops or tank tops are allowed. Sleeveless tops are allowed as long as they are not revealing.

Male instructional staff shall be expected to wear long pants and shirts. Ties are recommended, and sport coats and suits are encouraged, but not required.

No excessive casualness is permitted. Torn, ripped or faded jeans will not be permitted. Shorts, plain sweats, plain white T-shirts, or overalls, revealing/provocative shirts and tops, short skirts, spandex or similar tight outfits will not be permitted without prior administrative approval. Slippers, flip-flops, house shoes, and other similar foot apparel are not considered professional attire. Dress and grooming shall be clean and in keeping with health and sanitary practices. Hats/caps, unusual headdress, and sunglasses shall not be used inside buildings unless administrative permission has been given. Shrink tops, see-through tops, tops that expose the midriff, halter-tops, tank tops, low cut neck lines, clothing which exposes undergarments, midriffs or cleavages; tank tops and spaghetti straps shall not be permitted. Shirts must be

buttoned within the top 2 buttons. Apparel that advertises alcoholic beverages, drugs and tobacco, or which is sexually suggestive or offensive or which shows foul or inappropriate language is not allowed. Jewelry in body piercing is to be limited to two earrings per ear. No other jewelry in any other body piercing will be allowed to be shown.

In the event that an employee is considered to be dressed inappropriately, a conference with the building principal will be held. In the event a resolution cannot be reached, a Review Board, consisting of the two P.P.C. representatives from the employee's building and the building principal, will make the ruling as to the appropriateness of the dress. If a member of the Review Board is not present, then a replacement will be chosen from the district's other principals and district P.P.C. members by the Review Board members present.

NONCERTIFIED PERSONNEL TOBACCO USE

Smoking or the use of tobacco, or products containing tobacco in any form, in or on any property owned or leased by the district, including buses or other school vehicles, is prohibited.

Violation of this policy by employees shall be grounds for disciplinary action up to, and including, dismissal.

Smoking and/or use of tobacco products will be permitted by school faculty and staff in areas off of the school site. Employees found in violation of this policy will be given a warning the first time. Repeated violations of this law may result in termination or non-renewal. Legal Reference: A.C.A. § 6-21-609

Adopted: February 23, 1998

Last Revised: November 9, 2006

NONCERTIFIED PERSONNEL SEXUAL HARASSMENT

The Cedarville School District is committed to having an academic and work environment in which all students and employees are treated with respect and dignity. Student achievement and amicable working relationships are best attained in an atmosphere of equal educational and employment opportunity that is free of discrimination. Sexual harassment is a form of discrimination that undermines the integrity of the educational environment and will not be tolerated.

Believing that prevention is the best policy, the district will periodically inform students and employees about the nature of sexual harassment, the procedures for registering a complaint, and the possible redress that is available. The information will stress that the district does not tolerate sexual harassment and that students and employees can report inappropriate behavior of a sexual nature without fear of adverse consequences.

It shall be a violation of this policy for any student or employee to be subjected to, or to subject another person to, sexual harassment as defined in this policy. Any employee found, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action up to, and including, termination.

Sexual harassment refers to unwelcome sexual advances, requests for sexual favors, or other personally offensive verbal, visual, or physical conduct of a sexual nature made by someone under any of the following conditions:

1. Submission to the conduct is made, either explicitly or implicitly, a term or condition of an individual's education or employment;
2. Submission to, or rejection of, such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; and/or
3. Such conduct has the purpose or effect of substantially interfering with an individual's academic or work performance or creates an intimidating, hostile, or offensive academic or work environment.

The terms "intimidating," "hostile," and "offensive" include conduct of a sexual nature which has the effect of humiliation or embarrassment and is sufficiently severe, persistent, or pervasive that it limits the student's or employee's ability to participate in, or benefit from, an educational program or activity or their employment environment.

Within the educational or work environment, sexual harassment is prohibited between any of the following: students; employees and students; non-employees and students; employees; employees and non-employees.

Actionable sexual harassment is generally established when an individual is exposed to a pattern of objectionable behaviors or when a single, serious act is committed. What is, or is not, sexual harassment will depend upon all of the surrounding circumstances. Depending upon such circumstances, examples of sexual harassment include, but are not are not limited to: unwelcome touching;

crude jokes or pictures; discussions of sexual experiences; pressure for sexual activity; intimidation by words, actions, insults, or name calling; teasing related to sexual characteristics; and spreading rumors related to a person's alleged sexual activities.

Employees who believe they have been subjected to sexual harassment are encouraged to file a complaint by contacting their immediate supervisor, administrator, or Title IX coordinator who will assist them in the complaint process. Under no circumstances shall an employee be required to first report allegations of sexual harassment to a school contact person if that person is the individual who is accused of the harassment. To the extent possible, complaints will be treated in a confidential manner. Limited disclosure may be necessary in order to complete a thorough investigation.

Employees who file a complaint of sexual harassment will not be subject to retaliation or reprisal in any form.

Employees who knowingly fabricate allegations of sexual harassment shall be subject to disciplinary action up to and including termination.

Individuals, who withhold information, purposely provide inaccurate facts, or otherwise hinder an investigation of sexual harassment shall be subject to disciplinary action up to and including termination.

Legal References: Title IX of the Education Amendments of 1972, 20 USC 1681, et seq.
 Title VII of the Civil Rights Act of 1964, 42 USC 2000-e, et seq.
 ACA § 6-15-1005 (b) (1)
 Date Adopted: November 9, 2006

ARKANSAS WHISTLEBLOWER ACT

Act 1523 protects public employees, including school district employees, who report the existence of any waste of public funds or violations of state law, rule, or regulation from retaliation or discharge by their employer.

SCHOOL WORKER DEFENSE PROGRAM

Act 540 establishes a School Worker Defense Program to help defray legal costs of defense for school districts, school board members, and school employees. Employees facing criminal charges resulting from performance of job related duties that are subsequently acquitted or have charges against them dismissed or dropped are eligible for reimbursement of up to \$5,000 for attorney fees and costs of defense. The law also establishes a board to hear appeals on liability coverage's, etc.

PUBLIC OFFICE – NONCERTIFIED PERSONNEL

An employee of the District who is elected to the Arkansas General Assembly or any elective or appointive public office (not legally constitutionally inconsistent with employment by a public school district) shall not be discharged or demoted as a result of such service.

No paid leave will be granted for the employee's participation in such public office. The employee may receive pay for personal leave or vacation (if applicable), if approved in advance by the Superintendent, during his absence.

Prior to taking leave, and as soon as possible after the need for such leave is discerned by the employee, he must make written request for leave to the Superintendent, setting out, to the degree possible, the dates such leave is needed.

An employee who fraudulently requests sick leave for the purpose of taking leave to serve in public office may be subject to nonrenewal or termination of his employment contract.

Cross Reference: Policy # 8.17—Noncertified Personnel Political Activity

Legal Reference: A.C.A. § 6-17-115

Date Adopted: February 23, 1998

Last Revised: November 9, 2006

NONCERTIFIED EMPLOYEES SICK LEAVE

Definitions

1. "Employee" is an employee of the District working 20 or more hours per week who is not required to have a teaching license as a condition of his employment.
2. "Sick Leave" is absence from work due to illness, whether by the employee or a member of the employee's immediate family, or due to a death in the family. The principal shall determine whether sick leave will be approved on the basis of a death outside the immediate family of the employee.
3. "Current Sick Leave" means those days of sick leave for the current contract year, which leave is granted at the rate of one day of sick leave per month worked, or major part thereof.*
4. "Accumulated Sick Leave" is the total of unused sick leave, up to a maximum of ninety (90) days accrued from previous contract, but not used.
5. "Immediate family" means an employee's spouse, child, parent, or any other relative provided the other relative lives in the same household as the teacher.

Sick Leave

The principal has the discretion to approve sick leave for an employee to attend the funeral of a person who is not related to the employee, under circumstances deemed appropriate by the principal. Such approved sick leave shall not exceed one-half day.

Pay for sick leave shall be at the employee's daily rate of pay, which is that employee's hourly rate of pay times the number of hours normally worked per day. Absences for illness in excess of the employee's accumulated and current sick leave shall result in a deduction from the employee's pay at the daily rate as defined above.

At the discretion of the principal (or Superintendent), the District may require a written statement from the employee's physician. Failure to provide such documentation of illness may result in sick leave not being paid, or in dismissal.

Excessive absenteeism, whatever the cause, to the extent that the employee is not carrying out his assigned duties to the degree that the education of students or the efficient operation of a school or the district is substantially adversely affected (at the determination of the principal or Superintendent) may result in dismissal.

(Law 80-1251) Minimum sick leave provision.

The Cedarville School District shall provide sick leave for each of its employees at a minimum one (1) day per month. Such leave shall be in force beginning with the first day of the first school term for which each employee is employed. Provided, if a employee resigns or leaves his/her position for any reason before the end of the school term, the district will deduct from his/her last pay check full compensation for any days sick leave used in excess of the number of days earned. An employee shall be entitled to such leave only for reasons of personal illness and illness or death in his immediate family (including parents and parents-in-law).

When classified employees in the Cedarville School District with (10) years or more service to the Cedarville School District, shall meet the requirements to draw retirement benefits from the Arkansas Teacher Retirement system and/or Arkansas Public Employees Retirement System. The district will purchase unused sick leave at the current pay rate of the substitute for that position. For those classified employees who are not replaced with a substitute when they are absent, the rate of pay will be ½ their daily pay the maximum number of days that may be accumulated is 120.

Legal Reference: A.C.A. § 6-17-1301 et seq.

Date Adopted: November 9, 2006 September 13, 2010

NONCERTIFIED EMPLOYEES PERSONAL LEAVE

Employees of the district working 20 or more hours per week receive two (2) days of personal leave per contract year. An employee may take personal leave when he must be absent from work for reasons which do not entitle the employee to take sick leave. An employee may also elect to take personal leave when the school is closed due to snow or other emergencies which would otherwise result in lost wages for the hourly employee.

Any employee desiring to take personal leave may do so by making a written request to his supervisor at least twenty-four (24) hours prior to the time of the requested leave. The twenty-four hour requirement may be waived by the supervisor when the supervisor deems it appropriate.

- (1) Each employee shall be granted two (2) days personal leave, whereby the substitute shall be paid by the district. Personnel may be able to use three days of sick leave as personal business.
- (2) (Policy concerning the act of God) If any employee is unable to attend work due to an act of God, he/she will be charged a personal leave day. If personal leave has been exhausted, the employee may use sick leave or pay for the substitute.
- (3) Any unused personal days will be carried forward as sick days. The district will provide two personal days per calendar year. These will be converted, if not used, to sick days and carried over to the next school year.

Date Adopted: December 15, 2005

Revised: November 6, 2006

NONCERTIFIED EMPLOYEES PROFESSIONAL LEAVE

“Professional Leave” is paid leave granted for the purpose of enabling an employee to participate in professional activities (e.g., workshops or serving on professional committees) which improve the instructional program or the employee’s ability to perform his duties. Any employee seeking professional leave must make a written request to his immediate supervisor, setting forth the information necessary for the supervisor to make an informed decision. The supervisor’s decision is subject to review and overruling by the Superintendent. Applications for professional leave should be made as soon as possible following the employee’s discerning a need for such leave, but, in any case, no less than two (2) weeks before the requested leave is to begin, if possible.

During such approved leave, the employee’s pay shall not be deducted. If a substitute is needed during such approved leave, the District shall pay the full cost of the substitute.

Budgeting concerns may always be taken into consideration in reviewing a request for professional leave.

Date Adopted: November 6, 2006

BEREAVEMENT LEAVE

Death in the family - In one school year a maximum of four (4) days leave with full pay is allowed for employees who have a death in the immediate family. Immediate family shall be defined to include spouse, parent, child, brother, sister, grandchild, **aunt, uncle, niece, nephew**, sister or brother-in-law, grandparent, or any other of the above in the spouse’s family, or legal guardian or other members of the family residing in the same household. **Any funeral not covered by Bereavement Leave above may be attended as per sick leave with prior approval of the principal/Supervisor.**

Revised August 25, 2011

MATERNITY/PATERNITY LEAVE

Pregnancy or pregnancy-related disabilities will be treated the same as other disabilities.

MILITARY LEAVE

(Act 586 HB 1359) - Establishes minimum guaranteed military leave. Members of the National Guard or reserved branches of the armed forces must be granted leave at the rate of 15 days per calendar year plus necessary travel time for annual training requirement time. If leave is not used in a calendar year, it will accumulate in the succeeding calendar year until it totals 15 days at the beginning of the calendar year for a maximum of 30 days of military leave available in one calendar year or fiscal year. (Act 956 of 1991) Leave must be granted without a loss of pay in addition to regular

vacation time. An employee who is drafted or called to active duty in the armed forces or who volunteers for military services shall be placed on extended military leave without pay and upon application, in ninety days after his release, shall be reinstated to the position vacated or its equivalent with no loss of seniority or any other benefits or privileges of employment. An employee who enlists or re-enlists for a second consecutive term of military duty forfeits his re-employment rights. Personnel called to duty in emergency situations by the Governor or President shall be granted leave with pay not to exceed thirty working days after which leave without pay will be granted. This leave is in addition to regular vacation time. Effective 7-3-89.

JURY DUTY – NONCERTIFIED PERSONNEL

Employees are not subject to discharge, loss of sick leave, loss of vacation time or any other penalty due to absence from work for jury duty, upon giving reasonable notice to the District through the employee's immediate supervisor.

The employee must present the original (not a copy) summons to jury duty to his supervisor in order to confirm the reason for the requested absence.

Employees shall receive their regular pay from the district while serving jury duty, and shall reimburse the district from the stipend they receive for jury duty, up to, but not to exceed, the cost of the substitute hired to replace the employee in his/her absence.

Legal Reference: A.C.A. § 16-31-106 Last Revised: November 6, 2006

PERSONAL INJURY LEAVE

In compliance with Act 1115 of 1993, it shall be the policy of the Cedarville Schools that whenever an employee is absent from his/her duties as a result of personal injury caused by either an assault or other violent criminal act committed against the employee in the course of his/her employment, the employee shall be granted a leave of absence with full pay for up to one (1) year from the date of the injury. The leave of absence for personal injury from an assault or other violent criminal act shall not be charged to the employee's sick leave.

Before granting such leave, the school district shall require the employee to present a statement from a physician certifying the injury and providing an estimate of the duration of the absence. The district shall then grant the employee the amount of leave necessary for recovery, up to a maximum of one year. Should the employee's recovery be slower than anticipated, an extension of the leave may be granted by the district, subject to the maximum of one year, and a statement by the employee's physician stating the reason for the extension. Act 1494 of 1999 adds to current law the provision that an employee who is injured while intervening in student fights, restraining a student, or protecting a student from harm will be considered to be injured as a result of an assault or a criminal act and eligible for up to one year's leave under Act 1115.

NONCERTIFIED PERSONNEL FAMILY MEDICAL LEAVE

Eligibility

The Cedarville School District will grant up to twelve (12) weeks of leave in accordance with the Family Medical Leave Act of 1993 (FMLA) to its employees who have been employed by the District for at least twelve (12) months and for 1250 hours of service during the twelve (12) month period immediately preceding the commencement of the leave. The twelve (12) month period of eligibility shall begin on the first duty day of the school year. Leave will be granted for one or more of the following reasons:

1. Because of the birth of a son or daughter of the employee and in order to care for such son or daughter;
2. Because of the placement of a son or daughter with the employee for adoption or foster care;
3. In order to care for the spouse, or a son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent has a serious health condition; and
4. Because of a serious health condition that makes the employee unable to perform the functions of the position of such employee.

The entitlement to leave for reasons 1 and 2 listed above shall expire at the end of the twelve (12) month period beginning on the date of such birth or placement.

If both the husband and wife are employed by the district and entitled to leave as defined above, the District may, as determined by the needs of the District, limit their leave to a combined total of twelve (12) weeks when taken for reasons 1 or 2 listed above or to care for a parent with a serious health condition.

Notice by Employees

Foreseeable: When the need for leave is foreseeable, the employee must provide the District with at least thirty (30) days advance notice before the leave is to begin. If thirty (30) days is not practicable, such as because of a lack of knowledge of approximately when the leave will be required to begin, notice must be given as soon as practicable. As soon as practicable means as soon as both possible and practical, taking into account all of the facts and circumstances in the individual case.

When the need for leave is for reasons 3 or 4 listed above, the employee should provide a medical certification from a health care provider supporting the need for leave at the time the notice for leave is given, but must provide certification at least fifteen (15) days prior to the date the leave is to begin.

Failure by the employee to give thirty (30) days notice may delay the taking of FMLA leave until at least thirty (30) days after the date the employee provides notice to the District.

Unforeseeable: When the approximate timing of the need for leave is not foreseeable, an employee shall provide the District notice of the need for leave as soon as practicable given the facts and circumstances of the particular case. Ordinarily, the employee shall notify the District within two (2) working days of learning of the need for leave, except in extraordinary circumstances where such notice is not feasible. Notice may be provided in person, by telephone, telegraph, fax, or other electronic means.

Medical Certification

The required medical certification from a licensed, practicing health care provider of the need for FMLA leave for reasons 3 or 4 listed above shall include the date on which the serious health condition began, the probable duration of the condition, and the appropriate medical facts within the knowledge of the health care provider regarding the condition. For reason 4 listed above, the certification must include a statement that the employee is unable to perform the required functions of his/her position.

Second Opinion: In any case where the District has reason to doubt the validity of the certification provided, the District may require, at its expense, the employee to obtain the opinion of a second health care provider designated or approved by the employer. If the second opinion differs from the first, the District may require, at its expense, the employee to obtain a third opinion from a health care provider agreed upon by both the District and the employee. The opinion of the third health care provider shall be considered final and be binding upon both the District and the employee.

Recertification: The District may request the employee obtain a recertification, at the employee's expense, no more often than every thirty (30) days unless one or more of the following circumstances apply;

- a. The employee requests an extension of leave;
- b. Circumstances described by the previous certification have changed significantly; and/or
- c. The District receives information that casts doubt upon the continuing validity of the certification.

The employee must provide the recertification in no more than fifteen (15) calendar days after the District's request.

No second or third opinion on recertification may be required.

Concurrent Leave

The District requires employees to substitute any applicable accrued leave for any part of the twelve (12) week period of FMLA leave. All FMLA leave is unpaid unless substituted by applicable accrued leave.

Workers Compensation: FMLA leave may run concurrently with a workers' compensation absence when the injury is one that meets the criteria for a serious health condition.

Health Insurance Coverage

The District shall maintain coverage under any group health plan for the duration of FMLA leave the employee takes at the level and under the conditions coverage would have been provided if the employee had continued in active employment with the District. The employee remains responsible for any portion of premium payments customarily paid by the employee. When on unpaid FMLA leave, it is the employee's responsibility to submit their portion of the cost of the group health plan coverage to the District's business office on or before it would be made by payroll deduction.

If an employee gives unequivocal notice of intent not to return to work, or if the employment relationship would have terminated if the employee had not taken FMLA leave the district's obligation to maintain health benefits ceases.

If the employee fails to return from leave after the period of leave to which the employee was entitled has expired, the District may recover the premiums it paid to maintain health care coverage unless:

- a. The employees fails to return to work due to the continuation, reoccurrence, or onset of a serious health condition that entitles the employee to leave under reasons 3 or 4 listed above; and/or
- b. Other circumstances exist beyond the employee's control.

Circumstances under "a" listed above shall be certified by a licensed, practicing health care provider verifying the employee's inability to return to work.

Reporting Requirements During Leave

Employees shall inform the District every two weeks during FMLA leave of their current status and intent to return to work.

Return to Work

Medical Certification: An employee who has taken FMLA leave under reason 4 stated above shall provide the District with certification from a health care provider that the employee is able to resume work.

Return to Previous Position: An employee returning from FMLA leave is entitled to be returned to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. an equivalent position must involve the same or substantially similar duties and responsibilities, which must entail substantially equivalent skill, effort, and authority. The employee may not be restored to a position requiring additional licensure or certification.

Failure to Return to Work: In the event that an employee is unable or fails to return to work, the Superintendent will make a determination at that time regarding the documented need for a severance of the employees contract due to the inability of the employee to fulfill the responsibilities and requirements of their contract.

Intermittent Leave

The District will honor employee requests for intermittent leave as prescribed by the FMLA and that are in the best interests of the District.

Policy

The provisions of this policy are intended to be in line with the provisions of the FMLA. If any conflict(s) exist, the Family Medical Leave Act of 1993 shall govern.

Legal References: 29 USC 2601 et seq.
29 CFR 825.100 et seq.

Date Adopted: November 9, 2006

29 CFR 825.114 - What is a "serious health condition" entitling an employee to FMLA leave?

- (a) For purposes of FMLA, "serious health condition" entitling an employee to FMLA leave means an illness, injury, impairment, or physical or mental condition that involves:
 - (1) 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 therefore, or recovery there from), or any subsequent treatment in connection with such inpatient care; or

- (2) Continuing treatment by a health care provider. A serious health condition involving continuing treatment by a health care provider includes any one or more of the following:
- (i) A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefore, or recovery there from) of more than three consecutive calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:
 - (A) 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
 - (B) 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.
 - (ii) Any period of incapacity due to pregnancy, or for prenatal care.
 - (iii) Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:
 - (A) 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;
 - (B) Continues over an extended period of time (including recurring episodes of a single underlying condition); and
 - (C) May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).
 - (iv) 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.
 - (v) Any period of absence to receive multiple treatments (including any period of recovery there 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).
- (b) Treatment for purposes of paragraph (a) of this section includes (but is not limited to) 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. Under paragraph (a)(2)(i)(B), 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 regimen of continuing treatment for purposes of FMLA leave.
- (c) 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, minor 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.
- (d) 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 services on 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.
- (e) Absences attributable to incapacity under paragraphs (a) (2) (ii) or (iii) 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.

NONCERTIFIED PERSONNEL OUTSIDE EMPLOYMENT

An employee of the District may not be employed in any other capacity during regular working hours.

An employee may not accept employment outside of his district employment which will interfere, or otherwise be incompatible with the District employment, including normal duties outside the regular work day; nor shall an employee accept other employment which is inappropriate for an employee of a public school.

The Superintendent, or his designee(s), shall be responsible for determining whether outside employment is incompatible, conflicting, or inappropriate.

Legal Reference: A.C.A. § 6-24-106, 107, 111

Date Adopted: November 6, 2006

NONCERTIFIED PERSONNEL EMPLOYMENT

All prospective employees must fill out an application form provided by the District, in addition to any resume provided, all of which information is to be placed in the personnel file of those employed.

If the employee provides false or misleading information, or if he withholds information to the same effect, it may be grounds for dismissal.

The Cedarville School District is an equal opportunity employer and shall not discriminate on the grounds of race, color, religion, national origin, sex, age, or disability.

Date Adopted: November 6, 2006

SCHOOL BUS DRIVER'S USE OF CELL PHONES

Any driver of a motor vehicle which is privately owned and operated for compensation, or which is owned, leased or otherwise operated by, or for the benefit of the District, and is operated for the transportation of children to or from school or school sponsored activity shall not operate a cell phone unless the vehicle is safely off the road with the parking brake engaged.

Legal Reference: A.C.A. § 6-19-120

ADE Rules and Regulations Governing Mobile Phone Usage by School Bus Drivers

Date Adopted: November 9, 2006

NONCERTIFIED PERSONNEL CELL PHONE USE

Use of cell phones or other electronic communication devices by employees during their designated work time is strictly forbidden unless specifically approved in advance by the superintendent, building principal, or their designees.

Date Adopted: November 9, 2006

NONCERTIFIED PERSONNEL REIMBURSEMENT OF TRAVEL EXPENSES

Employees shall be reimbursed for personal and/or travel expenses incurred while performing duties or attending workshops or other employment-related functions, provided that prior written approval for the activity for which the employee seeks reimbursement has been received from the Superintendent, principal (or other immediate supervision with the authority to make school approvals), or the appropriate designee of the Superintendent.

It is the responsibility of the employee to determine the appropriate supervisor from which he must obtain approval.

Reimbursement claims must be made on forms provided by the District and must be supported by appropriate, original receipts. Copies of receipts or other documentation are not acceptable, except in extraordinary circumstances.

Cross Reference: Policy #7.12

Date Adopted: November 6, 2006

(Out of Pocket Meals)

| MEAL PER DIEM | In-State | Out-of-State |
|----------------------|----------|--------------|
| Breakfast | \$8.00 | \$9.00 |
| Lunch | \$10.00 | \$12.00 |
| Dinner | \$17.00 | \$19.00 |
| Total per day | \$35.00 | \$40.00 |

PAID BUS DRIVER MEALS

All trip drivers of school functions are reimbursed for all meals (with receipts).

Date Approved June 17, 2004

Expenses not covered

The district shall not reimburse the following items/categories of expenses.

1. Alcoholic beverages;
2. Entertainment expenses – including sports or sporting events; pay per view or game expenses at motels;
3. Replacement due to loss or theft;
4. Discretionary expenses for items such as clothing or gifts;
5. Medical expenses incurred while on route to or from or at the destination of the reason for the travel;
6. Optional or supplementary insurance obtained by the employee for the period covered during the travel
7. Tips, gratuities

IMPORTANT

(If traveling to conference/workshop)

PICK UP TRAVEL ARRANGEMENT/EXPENSE REIMBURSEMENT PACKET*

PRIOR TO REQUEST

REQUEST DUE 21 DAYS PRIOR

TO CONFERENCE/WORKSHOP REGISTRATION DEADLINE

Available in Administration Offices of Schools Website

NONCERTIFIED PERSONNEL RESPONSIBILITIES IN DEALING WITH SEX OFFENDERS ON CAMPUS

Individuals who have been convicted of certain sex crimes must register with law enforcement as sex offenders. Arkansas law places restrictions on sex offenders with a Level 1 sex offender having the least restrictions (lowest likelihood of committing another sex crime), and Level 4 sex offenders having the most restrictions (highest likelihood of committing another sex crime).

While Levels 1 and 2 place no restrictions prohibiting the individual's presence on a school campus, Levels 3 and 4 have specific prohibitions. These are specified in Policy 6.10—SEX OFFENDERS ON CAMPUS (MEGAN'S LAW) and it is the responsibility of district staff to know and understand the policy and, to the extent requested aid school administrators in enforcing the restrictions placed on campus access to Level 3 and Level 4 sex offenders.

It is the intention of the board of directors that district staff not stigmatize students whose parents or guardians are sex offenders while taking necessary steps to safeguard the school community and comply with state law. Each school's administration should establish procedures so attention is not drawn to the accommodations necessary for registered sex offender parents or guardians.

Legal References: A.C.A. § 12-12-913 (g) (2)
Arkansas Department of Education Guidelines for “Megan’s Law”
A.C.A. § 5-14-132

Date Adopted: November 9, 2007

NONCERTIFIED PERSONNEL SUPERVISION OF STUDENTS

All District personnel are expected to conscientiously execute their responsibilities to promote the health, safety, and welfare of the District’s students under their care. The Superintendent shall direct all principals to establish regulations ensuring adequate supervision of students throughout the school day and at extracurricular activities.

Date Adopted: November 9, 2006

NONCERTIFIED PERSONNEL WHO ARE MANDATORY REPORTERS Duty to Report Child Abuse, Maltreatment or Neglect

It is the statutory duty of noncertified school district employees **who are mandatory reporters**¹ and who have reasonable cause to suspect child abuse or maltreatment to directly and personally report these suspicions to the Arkansas Child Abuse Hotline, by calling 1-800-482-5964. Failure to report suspected child abuse, maltreatment or neglect by calling the Hotline can lead to criminal prosecution and individual civil liability of the person who has this duty. Notification of local or state law enforcement does not satisfy the duty to report; only notification by means of the Child Abuse Hotline discharges this duty.

The duty to report suspected child abuse or maltreatment is a direct and personal duty for statutory mandatory reporters, and cannot be assigned or delegated to another person. There is no duty to investigate, confirm or substantiate statements a student may have made which form the basis of the reasonable cause to believe that the student may have been abused or subjected to maltreatment by another person; however, a person with a duty to report may find it helpful to make a limited inquiry to assist in the formation of a belief that child abuse, maltreatment or neglect has occurred, or to rule out such a belief². Employees and volunteers who call the Child Abuse Hotline in good faith are immune from civil liability and criminal prosecution.

By law, no school district or school district employee may prohibit or restrict an employee or volunteer **who is a mandatory reporter** from directly reporting suspected child abuse or maltreatment, or require that any person notify or seek permission from any person before making a report to the Child Abuse Hotline.

Legal References: A.C.A. § 12-12-504, 507, 517

Date Adopted: August 21, 2008

PERSONNEL COMPUTER USE POLICY

The Cedarville School District provides computers and/or computer Internet access for many employees; to assist employees in performing work related tasks. Employees are advised that they enjoy **no expectation of privacy** in any aspect of their computer use, including email, and that under Arkansas law both email and computer use records maintained by the district are subject to disclosure under the Freedom of Information Act. Consequently, no employee or student-related reprimands or other disciplinary communications should be made through email.

Passwords or security procedures are to be used as assigned, and confidentiality of student records is to be maintained at all times. Employees must not disable or bypass security procedures, compromise, attempt to compromise, or defeat the district’s technology network security, alter data without authorization, disclose passwords to other staff members or students, or grant students access to any computer not designated for student use. It is the policy of this school district to equip each computer with Internet filtering software designed to prevent users from accessing material that is harmful to

minors. The designated District Technology Administrator or designee may authorize the disabling of the filter to enable access by an adult for a bona fide research or other lawful purpose.

Employees who misuse district-owned computers in any way, including excessive personal use, using computers for personal use during work or instructional time, using computers to violate any other policy, knowingly or negligently allowing unauthorized access, or using the computers to access or create sexually explicit or pornographic text or graphics, will face disciplinary action, up to and including termination or non-renewal of the employment contract.

Legal References: (Children’s Internet Protection Act; PL 106-554)
 20 USC 6777
 47 USC 254(h)
 A.C.A. § 6-21-107
 A.C.A. § 6-21-111 Date Adopted: August 20, 2009

CLASSIFIED PERSONNEL EMPLOYEE INTERNET USE AGREEMENT

Name (Please Print) _____

School _____ Date _____

The Cedarville School District agrees to allow the employee identified above (“Employee”) to use the district’s technology to access the Internet under the following terms and conditions:

1. **Internet Security:** The Cedarville School District provides computers and/or computer Internet access for many employees to assist employees in performing work related tasks. Employees are advised that they enjoy no expectation of privacy in any aspect of their computer use, including email, and that under Arkansas law both email and computer use records maintained by the district are subject to disclosure under the Freedom of Information Act. Passwords or security procedures are to be used as assigned, and confidentiality of student records is to be maintained at all times. Employees must not disable or bypass security procedures, compromise, attempt to compromise, or defeat the district’s technology network security, alter data without authorization, disclose passwords to other staff members or students, or grant students access to any computer not designated for student use. It is the policy of this school district to equip each computer with Internet filtering software designed to prevent users from accessing material that is harmful to minors. The designated District Technology Administrator or designee may authorize the disabling of the filter to enable access by an adult for a bona fide research or other lawful purpose.
2. **Conditional Privilege:** The Employee’s use of the district’s access to the Internet is a privilege conditioned on the Employee’s abiding by this agreement. Employees who misuse district-owned computers in any way, including excessive personal use, using computers for personal use during instructional time, using computers to violate any other policy, knowingly or negligently allowing unauthorized access, or using the computers to access or create sexually explicit or pornographic text or graphics, will face disciplinary action, up to and including termination or non-renewal of the employment contract.
3. **Acceptable Use:** The Employee agrees that in using the District’s Internet access he/she will obey all federal and state laws and regulations. Internet access is provided as an aid to employees to enable them to better perform their job responsibilities. Under no circumstances shall an Employee’s use of the District’s Internet access interfere with, or detract from, the performance of his/her job-related duties.
4. **Penalties for Improper Use:** If the Employee violates this agreement and misuses the Internet, the Employee shall be subject to disciplinary action up and including termination.
5. **“Misuse of the District’s access to the Internet” includes, but is not limited to, the following:**
 - a. using the Internet for any activities deemed lewd, obscene, vulgar, or pornographic as defined by prevailing community standards;
 - b. using abusive or profane language in private messages on the system; or using the system to harass, insult, or verbally attack others;
 - c. posting anonymous messages on the system;
 - d. using encryption software;
 - e. wasteful use of limited resources provided by the school including paper;
 - f. causing congestion of the network through lengthy downloads of files;
 - g. vandalizing data of another user;

- h. obtaining or sending information which could be used to make destructive devices such as guns, weapons, bombs, explosives, or fireworks;
- i. gaining or attempting to gain unauthorized access to resources or files;
- j. identifying oneself with another person's name or password or using an account or password of another user without proper authorization;
- k. using the network for financial or commercial gain without district permission;
- l. theft or vandalism of data, equipment, or intellectual property;
- m. invading the privacy of individuals;
- n. using the Internet for any illegal activity, including computer hacking and copyright or intellectual property law violations;
- o. introducing a virus to, or otherwise improperly tampering with, the system;
- p. degrading or disrupting equipment or system performance;
- q. creating a web page or associating a web page with the school or school district without proper authorization;
- r. attempting to gain access or gaining access to student records, grades, or files of students not under their jurisdiction;
- s. providing access to the District's Internet Access to unauthorized individuals; or
- t. taking part in any activity related to Internet use which creates a clear and present danger of the substantial disruption of the orderly operation of the district or any of its schools;
- u. making unauthorized copies of computer software;
- v. personal use of computers during instructional time; or
- w. Installing software on district computers without prior approval of technology director or his/her designee.

6. Liability for debts: Staff shall be liable for any and all costs (debts) incurred through their use of the District's computers or the Internet including penalties for copyright violations.

7. No Expectation of Privacy: The Employee signing below agrees that in using the Internet through the District's access, he/she waives any right to privacy the Employee may have for such use. The Employee agrees that the district may monitor the Employee's use of the District's Internet Access and may also examine all system activities the Employee participates in, including but not limited to e-mail, voice, and video transmissions, to ensure proper use of the system.

8. Signature: The Employee, who has signed below, has read this agreement and agrees to be bound by its terms and conditions.

Employee's Signature: _____ Date _____

Legal References: 20 USC 6801 et seq. (Children's Internet Protection Act; PL 106-554)
 A.C.A. § 6-21-107
 A.C.A. § 6-21-111

Date Adopted: February 23, 1998

Date Adopted: November 9, 2006 Legal References: 20 USC 6801 et seq. (Children's Internet Protection Act; PL 106-554)

Revised: November 9, 2006

Revised: August 20, 2009

COMPLAINT HANDLING PROCEDURE

- (a) Persons having complaints against classified staff members will be directed to first take the complaint to the person involved. If satisfaction is not received, the complaint will then be taken to the person's immediate supervisor (i.e., faculty-principal-superintendent-board). Complaints will not be brought before the board until the procedure has been completed.
- (b) Employees will not be discussed at board meetings unless previous notice is given to the employee.
- (c) Any complaint concerning a staff member brought before the board and found groundless shall not be brought up again for at least (3) months.
- (d) Unsigned or anonymous complaints shall not be considered as valid nor shall be considered during evaluation. Any item should be considered anonymous if it is unsigned, even if the source is known, and it shall not be placed in a personnel file.

Act 1161 - requires superintendents, rather than school boards, to report violations or felony convictions of employee to the State Board of Education.

Act 1474 - Prevents civil liability due to the release of information requested by an employee. (Informational)

Act 1474 - Allows a current or former employer, upon written consent from a current or former employee, to disclose certain information to a prospective employer and be immune from civil liability which otherwise might arise out of the disclosure.

SALARY SCHEDULE POLICY

All classified employees are paid on a single schedule based on training and/or approved experience. Classified personnel are paid in twelve installments. All employees are paid the last working day of the month, or sooner at the Superintendent's discretion.

NONCERTIFIED PERSONNEL ASSIGNMENTS

The superintendent shall be responsible for assigning and reassigning noncertified personnel.

Date Adopted: November 9, 2006

TEACHER AIDES

All teacher aides for elementary, middle school, and high school will be assigned by the Administration depending on the area of greatest need.

CHANGES IN POLICY

Realizing that laws change frequently, any law that changes will supersede any conflicting policy within this handbook.

Any law that effects classified employees will automatically become part of this handbook.

EMPLOYEE'S CHILDRENS

Act 624 – SECTION 1. The children or wards of any person who is a public school employee in one school district in this State and a resident of another school district in this State shall be entitled to be enrolled in and to attend school in either the district in which the parent or guardian resides or the district in which the parent or guardian is a public school employee.

Employee's children that do not attend Cedarville Public Schools are not to be brought to school during regular school days. The school system is for instructional learning not for baby-sitting an employee's child.

GRANT WRITING

This new program is designed to encourage employees to seek and write new grants that are relevant for our school and our students. This program is only available for new grants. Existing grant will be exempt from consideration.

All grants must be pre-approved prior to seeking funding. A letter of intent must be submitted to the appropriate principal with guidelines for funding. The information will then be reviewed by the superintendent for approval. Failure to receive approval from the superintendent for a grant may result in exemption of the commission payment to the employee.

Employee will receive 5% commission payment for each grant that is awarded. The payment of commission will be made after the school receives the grant money. Grants less than \$1000.00 will be exempt from commission payment.

All grants approved and awarded will be commissioned at a rate of 5% of the dollar value of the grant. (Maximum ceiling is set for \$5000.00 for commission for each grant, unless it is written in to the grant for more.)

No commission will be paid to any employee with a job description including grant writing. No additional commission will be paid to an employee currently being paid for extra days or with a stipend to pay for these fund-seeking duties.

NONCERTIFIED PERSONNEL RESPONSIBILITIES GOVERNING CYBER-BULLYING

School employees who have witnessed, or are reliably informed that, a student has been a victim of bullying as defined in this policy, including a single action which if allowed to continue would constitute bullying, shall report the incident(s) to the principal. The principal or his/her designee shall be responsible for investigating the incident(s) to determine if disciplinary action is warranted.

District staff are required to help enforce implementation of the district's anti-bullying policy. The district's definition of bullying is included below. Students who bully another person are to be held accountable for their actions whether they occur on school grounds; off school grounds at a school-sponsored or school-approved function, activity, or event; or going to or from school or a school activity. Students are encouraged to report behavior they consider to be bullying; including a single action which if allowed to continue would constitute bullying, to their teacher, staff member, or the building principal. The report may be made anonymously.

Definition:

Bullying is any pattern of behavior by a student, or a group of students, that is intended to harass, intimidate, ridicule, humiliate, or instill fear in another child or group of children. Bullying behavior can be a threat of, or actual, physical harm or it can be verbal abuse of the child. Bullying also includes unacceptable behavior identified in this policy which is electronically transmitted. Bullying is a series of recurring actions committed over a period of time directed toward one student, or successive, separate actions directed against multiple students.

Examples of "Bullying" may include but are not limited to a pattern of behavior involving one or more of the following:

- a Sarcastic "compliments" about another student's personal appearance,
- b Pointed questions intended to embarrass or humiliate,
- c Mocking, taunting or belittling,
- d Non-verbal threats and/or intimidation such as "fronting" or "chesting" a person,
- e Demeaning humor relating to a student's race, gender, ethnicity or personal characteristics,
- f Blackmail, extortion, demands for protection money or other involuntary donations or loans,
- g Blocking access to school property or facilities,
- h Deliberate physical contact or injury to person or property,
- i Stealing or hiding books or belongings, and/or
- j Threats of harm to student(s), possessions, or others.
- k Sexual harassment, as governed by policy 4.27, is also a form of bullying,

- 1 Teasing or name-calling based on the belief or perception that an individual is not conforming to expected gender roles (Example: “Slut”) or conduct or is homosexual, regardless of whether the student self-identifies as homosexual (Examples: “You are so gay.” “Fag” “Queer”).

Legal Reference: A.C.A. § 6-18-514

Date Adopted: November 9, 2006

ANTI-CYBER-BULLYING POLICIES

The Cedarville School District has an obligation to and is committed to providing a safe learning environment for each of its students. Student achievement is best attained in an atmosphere that is free from the fear of emotional and physical intimidations and threats. Bullying is a destructive behavior that will erode the foundational principles on which a school is built. This school will not tolerate any behavior that is classified under the definition of bullying while in school, on school property, in school vehicles, on school buses, and designated school stops, at school sponsored activities, or at school sanctioned events will take steps needed to eliminate such behavior.

Believing that prevention is the strongest means available in eliminating bullying, this school will offer programs or educational material regarding the nature of bullying, its consequences should a child choose to engage in this type of behavior, and the procedures for reporting an incident which involves bullying. The information will emphasize that this district will not tolerate bullying, and that school employees, volunteers, and students are encouraged to report any instances of bullying without fear of consequences. Any reports will take into account the age of the offending student, the level of seriousness of the behavior, and whether or not the offending student has developed a habit of engaging in bullying behavior. Appropriate measures will be taken in dealing with such students.

It will be considered a violation of this policy for any student to inflict bullying behavior upon another student(s) as defined in this policy. After completing an investigation of the reported incident, a student who is found to have participated in bullying behavior will be subject to disciplinary action that is appropriate to the degree of seriousness of the bullying behavior.

For the purpose of this policy bullying is defined as any written or verbal expression or physical act or gesture, or a pattern there of, that is intended to cause distress or fear upon one or more students. A student will be found violating this policy if his or her conduct has been found to have the effect of humiliation or embarrassment on a student and is sufficiently severe, persistent, or pervasive that it limits the student’s ability to participate in, or benefit from an educational program or activity.

Bullying behavior will generally be established when an individual has endured a pattern of offensive behavior or when a single serious act is committed. What is or isn’t bullying will depend on the surrounding circumstances.

Students who believe they have been victimized by a bully or parents who believe their child has been victimized by a bully should file a complaint by contacting a school counselor, teacher, principal, or superintendent who will assist in getting help for the child and take the appropriate steps to ensure that such behavior is stopped. To the extent possible, complaints will be treated in a confidential manner. Limited disclosure may be necessary in order to complete a thorough investigation. Students, parents, or teachers, who file a complaint against a student who is guilty of being a bully, will not be subject to retaliation or reprisal in any form. Students, parents, teachers any persons who knowingly fabricate allegations and falsely accuse a student of being a bully, will be subject to disciplinary action.

Individuals who withhold information, purposely provide inaccurate facts, or otherwise hinder an investigation of a student for the purposes of bullying, shall be subject to disciplinary action. A school employee who has witnessed or has reliable information that a student has been a victim of bullying as defined by the district shall report the incident to the principal. (Act 1437 of 2005) (ACA 6-18-514)

Revised: September 13, 2007

NONCERTIFIED PERSONNEL EVALUATIONS

Noncertified personnel may be periodically evaluated. Any forms, procedures or other methods of evaluation, including criteria, are to be developed by the Superintendent and or his designee(s), but shall not be part of the personnel policies of the District.

Legal Reference: A.C.A. § 6-17-2301

Date Adopted: November 9, 2006

EVALUATION OF NONCERTIFIED PERSONNEL BY RELATIVES

No person shall be employed in, or assigned to, a position which would require that he be evaluated by any relative, by blood or marriage, including spouse, parent, child, grandparent, grandchild, sibling, aunt, uncle, niece, nephew, or first cousin.

Date Adopted: November 9, 2006

REQUIREMENTS FOR PARAPROFESSIONALS

No Child Left Behind (NCLB) requires that Title I paraprofessionals who have any student instructional contact be “highly qualified.” This requires that, at a minimum, they shall have:

1. completed at least 2 years of study at an institution of higher education;
2. obtained an associate's (or higher) degree;
3. taken and passed the Parapro Assessment Test certifying they are highly qualified; or
4. satisfied any other state or federal requirement for paraprofessionals to be “highly qualified.”

New employees hired as paraprofessionals are required to have met the qualifications criteria as an initial condition for employment. Title I paraprofessionals who have any student instructional contact already employed by the district as of January 8, 2002 must be able to meet the qualifications criteria by January 1, 2006.

The superintendent shall determine if, in his or her opinion, a paraprofessional employed by the district prior to January 8, 2002 may be reasonably expected to satisfy the requirements imposed by NCLB or state requirements by January 1, 2006.¹ No later than 30 days prior to each paraprofessional’s contract commencement date the superintendent shall notify paraprofessional employees deemed unlikely to satisfy NCLB and/or state requirements that they are being recommended for non-renewal. In the event that, subsequent to contract renewal, the superintendent determines the paraprofessional employee does not meet the definition of “highly qualified,” it shall be grounds for termination of the paraprofessional’s contract of employment.

An exception to the highly qualified requirements of NCLB is allowed for paraprofessionals who are proficient in English and a language other than English and who provide services primarily to enhance the participation of children in programs served under Title I by acting as a translator; or whose duties consist solely of conducting parental involvement activities consistent with the requirements of NCLB.

Legal Reference: 20 USC § 6319(c)(d)(e)

Date Adopted: November 9, 2006

GENERAL POLICY

1. (1) “Employee” shall mean any person employed by a school district under a written annual contract, who is not required to have a teaching certificate issued by the Department of Education as a condition of employment;
- (2) “Full-time employee” means any employee who is contracted to work at least twenty (20) hours per week; and
- (3) “Probationary employee” means an employee who has not completed one (1) year of employment in the school district in which he is employed. Provided that at least thirty (30) days prior to the completion of an employee’s probationary period, the superintendent of schools may recommend and the board of directors may vote that one (1) additional year of probation is necessary for an employee.
2. Every contract of employment hereafter made between a employee and the board of directors of the school district shall be renewed in writing on the same terms and for the same salary, unless increased or decreased by law, for

the next school year succeeding the date of termination fixed therein, which renewal may be made by an endorsement on the existing contract instrument, unless by end of the contract year, the employee is notified by the school superintendent that the superintendent is recommending that the employee's contract not be renewed or unless during the period of the contract or within (10) working days after the end of the school year a new contract is offered for signature, the employee shall deliver or mail by registered mail to the board of directors or superintendent his or her resignation as a classified employee, or unless such contract is superseded by another contract between the parties. If a employee refuses to sign and return a new and return a new contract within the (30) working days from the time the contract is offered for signature, the contract offer is withdrawn, the contract instrument is void, and the refusal to sign and return the new contract shall be considered as the employee's rejection to be rehired in the Cedarville School District. Since refusal to sign and return a new contract within (30) working days is not a district dismissal or non-renewal action, but rather the decision of the employee not to work in the Cedarville School District the following year, no further action will be necessary. Termination, nonrenewal or suspension shall be only upon the recommendation of the superintendent. A notice of nonrenewal shall be delivered in person to the employee or mailed by registered or certified mail to the employee at the employee's residence address as reflected in the employee's personnel file.

3. Termination or nonrenewal – notice.

- (a) The superintendent of a school district may recommend termination of an employee during the term of any contract or the nonrenewal of a full-time non-probationary employee's contract provided that he gives notice in writing, personally delivered, or by letter posted by registered or certified mail to the employee's residence address as reflected in the employee's personnel file.
- (b) The recommendation of nonrenewal of a full-time non-probationary employee's contract shall be made no later than thirty (30) calendar days prior to the beginning of the employee's next contract period.
- (c) Such written notice shall include a statement of the reasons for the proposed termination or nonrenewal.
- (d) The notice shall further state that an employee being recommended for termination or a full-time non-probationary employee being recommended for nonrenewal is entitled to a hearing before the school board upon request provided that the request is made in writing to the superintendent within twenty-five (25) calendar days from receipt of the notice.
- (e) It is the public policy of the State of Arkansas that employees, as defined in this subchapter, shall not be considered "at will" employees with regard to the termination of their employment, notwithstanding any contractual provision to the contrary.

4. Immediate suspension – Notice.

- (a) Nothing herein shall be construed or interpreted to preclude the superintendent from placing an employee on immediate suspension, provided he gives written notice of such action to the employee within two (2) school days of the suspension.
- (b) The notice shall include a statement of reasons for the suspension, state whether the superintendent is recommending termination, and state that a hearing before the school board is available upon request provided that the request is made in writing to the superintendent within twenty-five (25) calendar days from receipt of the notice.

5. Hearing.

- (a) Upon receipt of a request for a hearing, the school board shall conduct a hearing in accordance with the following provisions:
 - (1) The hearing shall take place no fewer than five (5) nor more than (10) days after the written request has been received by the superintendent, except that the employee and board may, in writing, agree to an earlier or later hearing date; and (2) The hearing shall be public or private at the request of the employee.
- (b) The employee may be represented by persons of his or her own choosing.
- (c) In hearings held concerning a recommendation for the termination of an employee's contract, either the board or the employee may elect to have a record of the hearing made at the board's expense.
- (d) In hearings held concerning a recommendation for the nonrenewal of a full-time non-probationary employee, either the board or the employee may elect to have a record of the hearing made, and the expense for the record shall be shared equally between the board and the employee.
- (e) After the hearing, the school board may terminate the employee or continue the suspension for a definite period of time. The salary of a suspended employee shall cease when the school board sustains the suspension. Otherwise, the employee shall be reinstated without loss of compensation.
- (f) The decision of the school board shall be made within ten (10) calendar days of the hearing.

NONCERTIFIED PERSONNEL REDUCTION IN FORCE

SECTION ONE

The School Board acknowledges its authority to conduct a reduction in force (RIF) when a decrease in enrollment or other reason(s) make such a reduction necessary or desirable. A RIF will be conducted when the need for a reduction in the work force exceeds the normal rate of attrition for that portion of the staff that is in excess of the needs of the district as determined by the superintendent.

In effecting a reduction in force, the primary goals of the school district shall be: what is in the best interests of the students; to maintain accreditation in compliance with the Standards of Accreditation for Arkansas Public Schools and/or the North Central Association; and the needs of the district. A reduction in force will be implemented when the superintendent determines it is advisable to do so and shall be effected through non-renewal, termination, or both. Any reduction in force will be conducted by evaluating the needs and long- and short-term goals of the school district in relation to the staffing of the district.

If a reduction in force becomes necessary, the RIF shall be conducted separately for each occupational category of classified personnel identified within the district on the basis of each employee's years of service. The employee within each occupational category with the least years of experience will be laid off first. The employee with the most years of employment in the district as compared to other employees in the same category shall be laid off last. In the event that employees within a given occupational category have the same length of service to the district the one with the earlier hire date, based on date of board action, will prevail.

All credited years of service must be verified by documents on file with the District by October 1 of the current school year. All non-certified employees shall receive a listing of the personnel within their category with corresponding point totals. Upon receipt of the list, each employee has ten (10) working days within which to appeal his or her assignment of points with the superintendent whose decision shall be final.

Total years of service to the district shall include non-continuous years of service; in other words, an employee who left the district and returned later will have the total years of service counted, from all periods of employment. Working fewer than 120 days in a school year shall not constitute a year. Length of service in a certified position shall not count for the purpose of length of service for a non-certified position. There is no right or implied right for any employee to "bump" or displace any other employee. This specifically does not allow a certified employee who might wish to assume a classified position to displace a classified employee.

Pursuant to any reduction in force brought about by consolidation or annexation and as a part of it, the salaries of all employees will be brought into compliance, by a partial RIF if necessary, with the receiving district's salary schedule. Further adjustments will be made if length of contract or job assignments change. A Partial RIF may also be conducted in conjunction with any job reassignment whether or not it is conducted in relation to an annexation or consolidation.

If an employee is non-renewed under this policy, he or she shall be offered an opportunity to fill a vacancy for which he or she is qualified for a period of up to two (2) years. The non-renewed employee shall be recalled for a period of two (2) years in reverse order of the layoff to any position for which he or she is qualified. Notice of vacancies to non-renewed employees shall be by certified mail and they shall have 10 working days from the

date that the notification is received in which to accept the offer of a position. A lack of response or a non-renewed employee's refusal of a position shall end the district's obligation to replace the laid-off employee.

SECTION TWO

In the event the district is involved in an annexation or consolidation, employees from all the districts involved will be ranked according to years of service. A year of employment at an annexed or consolidated district will be counted the same as a year at the receiving or resulting district. No credit for years of service will be given at other public or private schools, or for higher education or Educational Service Cooperative employment.

LEVELS OF PROFESSIONAL GRIEVANCE PROCEDURE

- Level One - The employee shall attempt to resolve the matter informally by having a conference with the immediate supervisor.
- Level Two - If the informal conference fails to resolve the matter, the employee should appeal in writing to the building principal.
- Level Three- If the informal conference with the building principal fails to resolve the matter, the employee should then appeal in writing to the superintendent.
- Level Four - The employee may appeal to the school board at a hearing; which shall be open to the public, unless either the superintendent or the employee requests a private hearing; and all parties have the right to be represented by a person of their own choosing at any level of the procedure.

This grievance policy is in accordance with ACA 6-17-201 through 208, and other applicable policies of the district.
August 21, 2000

NONCERTIFIED PERSONNEL TERMINATION AND NON-RENEWAL

For procedures relating to the termination and non-renewal of noncertified employees, please refer to the Public School Employee Fair Hearing Act A.C.A. § 6-17-1701 through 1705. The Act specifically is not made a part of this policy by this reference.

A copy of the code is available in the office of the principal of each school building.

Legal reference: A.C.A. § 6-17-2301
Date Adopted: August 21, 2008

LEVEL TWO GRIEVANCE FORM - NONCERTIFIED

Name: _____

Date submitted to supervisor: _____

Noncertified Personnel Policy grievance is based upon:

Grievance (be specific): _____

What would resolve your grievance? _____

Supervisor's Response

Date submitted to recipient: _____

Date Adopted:

Last Revised:

DRUG FREE WORKPLACE - CLASSIFIED PERSONNEL

The conduct of district staff plays a vital role in the social and behavioral development of our students. It is equally important that the staff have a safe, healthful, and professional environment in which to work. To help promote both interests, the district shall have a drug free workplace. It is, therefore, the district's policy that district employees are prohibited from the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illegal drugs, inhalants, alcohol, as well as inappropriate or illegal use of prescription drugs. Such actions are prohibited both while at work or in the performance of official duties while off district property; violations of this policy will subject the employee to discipline, up to and including termination.

To help promote a drug free workplace, the district shall establish a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace, the district's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance abuse programs, and the penalties that may be imposed upon employees for drug abuse violations.

Should any employee be found to have been under the influence of, or in illegal possession of, any illegal drug or controlled substance or under the influence of alcohol, whether or not engaged in any school or school-related activity, and the behavior of the employee, if under the influence, is such that it is inappropriate for a school employee in the opinion of the superintendent, the employee may be subject to discipline, up to and including termination.

Possession, use or distribution of drug paraphernalia by any employee, whether or not engaged in school or school-related activities, may subject the employee to discipline, up to and including termination. Possession in one's vehicle or in an area subject to the employee's control will be considered to be possession as though the substance were on the employee's person.

It shall not be necessary for an employee to test at a level demonstrating intoxication by any substance in order to be subject to the terms of this policy. Any physical manifestation of being under the influence of a substance may subject an employee to the terms of this policy. Those physical manifestations include, but are not limited to: unsteadiness; slurred speech; dilated or constricted pupils; incoherent and/or irrational speech; or the presence of an odor associated with a prohibited substance on one's breath or clothing.

Should an employee desire to provide the District with the results of a blood, breath or urine analysis, such results will be taken into account by the District only if the sample is provided within a time range that could provide meaningful results and only by a testing agency chosen or approved by the District. The District shall not request that the employee be tested, and the expense for such voluntary testing shall be borne by the employee.

Any employee who is charged with a violation of any state or federal law relating to the possession, use or distribution of illegal drugs, other controlled substances or alcohol, or of drug paraphernalia, must notify his immediate supervisor within five (5) week days (i.e., Monday through Friday, inclusive, excluding holidays) of being so charged. The supervisor who is notified of such a charge shall notify the Superintendent immediately. If the supervisor is not available to the employee, the employee shall notify the Superintendent within the five (5) day period.

Any employee so charged is subject to discipline, up to and including termination. However, the failure of an employee to notify his supervisor or the Superintendent of having been so charged shall result in that employee being recommended for termination by the Superintendent.

Any employee convicted of any criminal drug statute violation for an offense that occurred while at work or in the performance of official duties while off district property shall report the conviction within 5 calendar days to the superintendent. Within 10 days of receiving such notification, whether from the employee or any other source, the district shall notify federal granting agencies from which it receives funds of the conviction. Compliance with these requirements and prohibitions is mandatory and is a condition of employment.

Any employee convicted of any state or federal law relating to the possession, use or distribution of illegal drugs, other controlled substances or alcohol, or of drug paraphernalia, shall be recommended for termination.

Any employee who must take prescription medication at the direction of the employee's physician, and who is impaired by the prescription medication such that he cannot properly perform his duties shall not report for duty. Any employee who reports for duty and is so impaired, as determined by his supervisor, will be sent home. The employee shall be given sick leave, if owed any. The District or employee will provide

transportation for the employee, and the employee may not leave campus while operating any vehicle. It is the responsibility of the employee to contact his physician in order to adjust the medication, if possible, so that the employee may return to his job unimpaired. Should the employee attempt to return to work while impaired by prescription medications, for which the employee has a prescription, he will, again, be sent home and given sick leave, if owed any. Should the employee attempt to return to work while impaired by prescription medication a third time the employee may be subject to discipline, up to and including a recommendation of termination.

Any employee who possesses, uses, distributes or is under the influence of a prescription medication obtained by a means other than his own current prescription shall be treated as though he was in possession, possession with intent to deliver, or under the influence, etc. of an illegal substance. An illegal drug or other substance is one which is (a) not legally obtainable; or (b) one which is legally obtainable, but which has been obtained illegally. The District may require an employee to provide proof from his physician and/or pharmacist that the employee is lawfully able to receive such medication. Failure to provide such proof, to the satisfaction of the Superintendent, may result in discipline, up to and including a recommendation of termination.

Legal References: 41 USC § 702, 703, and 706

Date Adopted: November 9, 2006

CLASSIFIED PERSONNEL DRUG TESTING

Scope of Policy

Each person hired for a position which allows or requires that the employee operate any type of motor vehicle which is privately owned and operated for compensation, or which is owned, leased or otherwise operated by, or for the benefit of the District, and is operated for the transportation of children to or from school or school sponsored activity shall undergo a physical examination, including a drug test.

Methods of Testing

The collection, testing methods and standards shall be determined by the agency or other medical organizations chosen by the School Board to conduct the collection and testing of samples. The drug and alcohol testing is to be conducted by a laboratory certified pursuant to the most recent guidelines issued by the United States Department of Health and Human Services for such facilities. ("Mandatory Guidelines for Federal Workplace Drug Testing Programs").

Definition

Safety sensitive function includes:

- a All time spent inspecting, servicing, and/or preparing the vehicle;
- b All time spent driving the vehicle;
- c All time spent loading or unloading the vehicle or supervising the loading or unloading of the vehicle; and
- d All time spent repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

Requirements

Employees shall be drug and alcohol free from the time the employee is required to be ready to work until the employee is relieved from the responsibility for performing work and/or any time they are performing a safety-sensitive function. In addition to the testing required as an initial condition of employment, employees shall submit to subsequent drug tests as required by law and/or regulation. Subsequent testing includes, and/or is triggered by, but is not limited to:

1. Random tests;
2. Testing in conjunction with an accident;
3. Receiving a citation for a moving traffic violation; and
4. Reasonable suspicion.

Prohibitions

- A. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater;
- B. No driver shall use alcohol while performing safety-sensitive functions;
- C. No driver shall perform safety-sensitive functions within four (4) hours after using alcohol;

- D. No driver required to take a post-accident alcohol test under # 2 above shall use alcohol for eight (8) hours following the accident or until he/she undergoes a post-accident alcohol test, whichever occurs first;
- E. No driver shall refuse to submit to an alcohol or drug test in conjunction with # 1, 2, and/or 4 above;
- F. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when using any controlled substance, except when used pursuant to the instructions of a licensed medical practitioner, knowledgeable of the driver's job responsibilities, who has advised the driver that the substance will not adversely affect the driver's ability to safely operate his/her vehicle. It is the employee's responsibility to inform his/her supervisor of the employee's use of such medication;
- G. No driver shall report for duty, remain on duty, or perform a safety-sensitive function if the driver tests positive or has adulterated or substituted a test specimen for controlled substances.

Violation of any of these prohibitions may lead to disciplinary action being taken against the employee, which could include termination or non-renewal.

Testing for Cause

Drivers involved in an accident in which there is a loss of another person's life shall be tested for alcohol and controlled substances as soon as practicable following the accident. Drivers shall also be tested for alcohol within eight (8) hours and for controlled substances within thirty two (32) hours following an accident for which they receive a citation for a moving traffic violation if the accident involved: 1) bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident, or 2) one or more motor vehicles incurs disabling damage as a result of the accident requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

Refusal to Submit

Refusal to submit to an alcohol or controlled substance test means that the driver

- Failed to appear for any test within a reasonable period of time as determined by the employer consistent with applicable Department of Transportation agency regulation;
- Failed to remain at the testing site until the testing process was completed;
- Failed to provide a urine specimen for any required drug test;
- Failed to provide a sufficient amount of urine without an adequate medical reason for the failure;
- Failed to undergo a medical examination as directed by the Medical Review Officer as part of the verification process for the previous listed reason;
- Failed or declined to submit to a second test that the employer or collector has directed the driver to take;
- Failed to cooperate with any of the testing process; and/or
- Adulterated or substituted a test result as reported by the Medical Review Officer.

Consequences for Violations

Drivers who engage in any conduct prohibited by this policy, who refuse to take a required drug or alcohol test, or who exceed the acceptable limits for the respective tests shall no longer be allowed to perform safety sensitive functions. Actions regarding their continued employment shall be taken in relation to their inability to perform these functions and could include termination or non-renewal of their contract of employment.

Drivers who exhibit signs of violating the prohibitions of this policy relating to alcohol or controlled substances shall not be allowed to perform or continue to perform safety-sensitive functions if they exhibit those signs during, just preceding, or just after the period of the work day that the driver is required to be in compliance with the provisions of this policy. This action shall be based on specific, contemporaneous, articulatable observations concerning the behavior, speech, or body odors of the driver. The Superintendent or his/her designee shall require the driver to submit to "reasonable suspicion" tests for alcohol and controlled substances. The direction to submit to such tests must be made just before, just after, or during the time the driver is performing safety-sensitive functions. If circumstances prohibit the testing of the driver the Superintendent or his/her designee shall remove the driver from reporting for, or remaining on, duty for a minimum of 24 hours from the time the observation was made triggering the driver's removal from duty.

If the results for an alcohol test administered to a driver is equal to or greater than 0.02, but less than 0.04, the driver shall be prohibited from performing safety-sensitive functions for a period not less than 24 hours from the time the test was

administered. Unless the loss of duty time triggers other employment consequence policies, no further other action against the driver is authorized by this policy for test results showing an alcohol concentration of less than 0.04.

The drivers covered under this policy are those who are required to have a teaching license as a prerequisite for their job. Federal law requires you to remove them from safety-sensitive functions when a drug or alcohol related problem exists, but does not enter into the realm of dismissing them from their teaching duties. Bus drivers who are not also teaching licensed personnel are covered under the Classified Policy 8.4 and may be dealt with given the specific provisions of their employment.

Legal Reference: A.C.A. § 6-19-108
 49 C.F.R. § 382-101 – 605
 49 C.F.R. § part 40

Date Adopted: September 13, 2007

DRUG FREE WORKPLACE POLICY ACKNOWLEDGEMENT

CERTIFICATION

I, hereby certify that I have been presented with a copy of the Cedarville School District's drug-free workplace policy, that I have read the statement, and that I will abide by its terms as a condition of my employment with District.

Signature _____

Date _____

NONCERTIFIED PERSONNEL WORKPLACE INJURIES and WORKERS' COMPENSATION

The district provides Workers' Compensation Insurance, as required by law. Employees who sustain **any** injury at work must immediately notify their immediate supervisor, or in the absence of their immediate supervisor notify Superintendent's Office. An injured employee must fill out a Form N and the employee's supervisor will determine whether to report the claim or to file the paperwork if the injury requires neither medical treatment or lost work time. While many injuries will require no medical treatment or time lost at work, should the need for treatment arise later, it is important that there be a record that the injury occurred. All employees have a duty to provide information and make statements as requested for the purposes of the claim assessment and investigation.

For injuries requiring medical attention, the district will exercise its right to designate the initial treating physician and an injured employee will be directed to seek medical attention, if necessary, from a specific physician or clinic.

Workers' Compensation absences may be designated as FMLA absences when the criteria are met under FMLA for a serious health condition.

An employee who is absent from work due to a workplace injury or receiving temporary disability benefits due to a Workers' Compensation claim will utilize any sick leave accumulation he or she may have at the rate of 1/3 of a sick leave day for day of absence to bring the total amount of combined income up to 100% of usual contracted pay, unless the employee gives the school district written notice to not use sick leave days in this manner. No employee may realize a net compensation gain from a combination of Workers' Compensation benefits and sick leave in excess of contracted pay. Sick leave days used for workplace injuries will not be restored to the employee.

Cross Reference: 3.32—CERTIFIED PERSONNEL FAMILY MEDICAL LEAVE

Legal References: Ark. Workers Compensation Commission RULE 099.33 - MANAGED CARE
A.C.A. § 11-9-508(d)(5)(A)
A.C.A. § 11-9-514(a)(3)(A)(i)

Date Adopted: August 20, 2009

WELLNESS POLICY

The health and physical well-being of our students directly affects their ability to learn. Childhood obesity increases the incidence of adult diseases occurring in children and adolescents such as heart disease, high blood pressure and diabetes. The increased risk carries forward into their adulthood. Research indicates that a healthy diet and regular physical activity can help prevent obesity and the diseases resulting from it. It is understood that the eating habits and exercise patterns of students cannot be magically changed overnight, but at the same time, the board of directors believes it is necessary to strive to create a culture in our schools that consistently promotes good nutrition and physical activity.

The problem of obesity and inactivity is a public health issue. The board is keenly aware that it has taken years for this problem to reach its present level and will similarly take years to correct. The responsibility for addressing the problem lies not only with the schools and the Department of Education, but with the community and its residents, organizations and agencies. Therefore, the district shall enlist the support of the larger community to find solutions which improve the health and physical activity of our students.

Goals

In its efforts to improve the school nutrition environment, promote student health, and reduce childhood obesity, the district will adhere to the Arkansas Rules Governing Nutrition and Physical Activity Standards in Arkansas Public Schools. Adhering to these Rules will include, but is not limited to district efforts to

1. Appoint a district school health coordinator who shall be responsible for ensuring that each school fulfills the requirements of this policy;
2. Implement a grade appropriate nutrition education program that will develop an awareness of and appreciation for nutrition and physical activity throughout the curriculum;
3. Enforce existing physical education requirements and engage students in healthy levels of vigorous physical activity;
4. Strive to improve the quality of physical education curricula and increase the training of physical education teachers;

5. Follow the Arkansas Physical Education and Health Education Frameworks in grades K-12;
6. Not use food or beverages as rewards for academic, classroom, or sports performances;
7. Ensure that drinking water is available without charge to all students;
8. Establish class schedules, and bus routes that don't directly or indirectly restrict meal access;
9. Provide students with ample time to eat their meals in pleasant cafeteria and dining areas;
10. Establish no more than nine (9) school wide events which permit exceptions to the food and beverage limitations established by Rule. The schedule of the events shall be by school, approved by the principal, and shall be part of the annual school calendar;
11. Abide by the current allowable food and beverage portion standards;
12. Meet or exceed the more stringent of Arkansas' or the U.S. Department of Agriculture's Nutrition Standards for reimbursable meals and a la' carte foods served in the cafeteria;
13. Restrict access to vended foods, competitive foods, and foods of minimal nutritional value (FMNV) as required by law and Rule;

Conform new and/or renewed vending contracts to the content restrictions contained in the Rules and reduce district dependence on profits from the sale of FMNV.

Provide professional development to all district staff on the topics of nutrition and/or physical activity;

Utilize the School Health Index available from the Center for Disease Control (CDC) to assess how well the district is doing at implementing this wellness policy and at promoting a healthy environment for its students;

Advisory Committee

To enhance the district's efforts to improve the health of our students, a School Nutrition and Physical Activity Advisory Committee (SNPAAC) shall be formed. It shall be structured in a way that ensures age-appropriate recommendations are made which correlate to our district's grade configurations. The SNPAAC shall have the powers and responsibilities delegated to it by statute and Rule. The overarching goal of the committee shall be to promote student wellness by monitoring how well the district is doing at implementing this policy. The SNPAAC shall use modules 1, 2, 3, 4, and 8 of the CDC's School Health Index as a basis for assessing each school's progress toward meeting the requirements of this policy. The results of the annual assessment shall be included in each school's ACSIP, provided to each school's principal, and reported to the board.

Legal References: Richard B. Russell National School Lunch Act 42 U.S.C. § 1751 et seq.
 Child Nutrition Act of 1966 42 U.S.C. § 1771 et seq.
 A.C.A. §§ 20-17-133, 134, and 135
 ADE Rules Governing Nutrition and Physical Activity Standards in Arkansas Public Schools
 Allowable Competitive Foods/Beverages - Maximum Portion Size List for Middle, Junior High,
 and High School
 Nutrition Standards for Arkansas Public Schools (Commissioner's Memo FIN-06-106)

Date Adopted: April 17, 2006

NONCERTIFIED PERSONNEL SCHOOL CALENDAR

The superintendent shall present to the PPC a school calendar which the board has adopted as a proposal. The Superintendent, in developing the calendar, shall accept and consider recommendations from any staff member or group wishing to make calendar proposals. The PPC shall have the time prescribed by law and/or policy in which to make any suggested changes before the board may vote to adopt the calendar.

The Cedarville School District shall operate by the following calendar.

Legal Reference: A.C.A. § 6-17-2301
 Date Adopted: August 21, 2008