

# VALPARAISO COMMUNITY SCHOOLS



## EMPLOYEE HANDBOOK

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### ***Receipt of Employee Handbook***

***THIS HANDBOOK IS CURRENTLY UNDER REVIEW FOR UPDATES***

## **Welcome from the Superintendent of schools**

Welcome to Valparaiso Community Schools. We are pleased that you have chosen to work with our school corporation. In the pages to follow, you will find helpful information regarding our employment policies as well as benefits available to you as a Valparaiso Community Schools employee.

We hope that you will find your work challenging and rewarding. Working together, we hope to continually progress in providing the best educational opportunities for all Valparaiso students.

Should you have any questions, whether addressed in this Employee Handbook or not, please feel free to raise them with your supervisor, building principal, or the Human Resources Office. We are available to assist you; we will try to provide you with whatever information you need.

Sincerely,  
Valparaiso Community Schools

By:  
Dr. E. Ric Frataccia  
Superintendent of Schools

## INTRODUCTION

### ***Disclaimer***

This Employee Handbook is meant to provide guidelines and expectations to employees in order to assist employees to better perform their job duties. This Handbook is not an exhaustive list of every workplace rule and policy, but rather a guide to employees on commonly raised questions.

### ***This Employee Handbook is not an employment contract.***

This Employee Handbook does not establish a contract (express or implied) between the Valparaiso Community Schools and any employee regarding terms and conditions of employment.

**EMPLOYMENT AT WILL RELATIONSHIP:** This Employee Handbook does not in any way alter the employment-at-will relationship between Valparaiso Community Schools and its employees. Valparaiso Community Schools and each employee have the right to terminate the employment relationship (at any time, with or without cause or notice).

Please be advised that no supervisor, building principal, or representative of the Valparaiso Community Schools other than the Board of Education has the authority to enter into any agreement with any individual for employment for any specified period of time or to make any promises or commitments contrary to the foregoing. Further, any employment agreement entered into by the Board of Education of the Valparaiso Community Schools will not be enforceable unless the agreement is in writing and signed by the Board of Education.

Valparaiso Community Schools may revise or revoke any portion of this Employee Handbook at any time without prior notice.

Any reference to one gender applies to both genders.

## **EMPLOYMENT POLICIES**

### ***Equal Employment Opportunities***

It is the policy of The Board of Education of the Valparaiso Community Schools to afford Equal Employment Opportunities regardless of race, age, religion, color, marital status, national origin, or gender. All applicable laws relating to disability discrimination will be strictly followed. This policy of Equal Employment applies to all aspects of the employment relationship.

## ***Employment of Support Staff***

The Valparaiso Community Schools (hereinafter referred to as the School District) recognizes that it is vital to the successful operation of the Valparaiso Community Schools that positions created by the Board be filled with qualified and competent staff.

The Board shall approve the employment and establish the term of employment for each support staff member employed by the Valparaiso Community Schools.

Individuals employed in the following categories shall be considered members of the support staff:

1. Transportation;
2. Food service;
3. Custodial/maintenance;
4. Secretarial/clerical;
5. Nurses; and
6. Aides.

All applications for employment shall be referred to the Human Resources Office.

Relatives of Board members may be employed by the Board, provided the member of the Board involved does not participate in any way in the discussion or vote on the employment.

Should the Board choose to employ a family member as herein defined, both the family member and the Board member must file a conflict of interest statement.

Relatives of staff members may be employed by the Board, provided staff members being employed will not be placed in a position in which they would be directly supervised by relative staff members.

Any support staff member's intentional misstatement of fact material to qualifications for employment or the determination of salary shall be considered by the Board to constitute grounds for dismissal.

When appropriate, no candidate for employment as a support staff member shall receive recommendation for such employment without having proffered visual evidence of their certification or pending application for certification.

The Superintendent shall prepare administrative guidelines for the recruitment and selection of all support staff.

## ***Requirements For Paraprofessionals***

Newly hired paraprofessionals – All paraprofessionals hired must have a secondary school diploma or its recognized equivalent and one of the following:

1. Completed two (2) years study at an institution of higher education; or
2. Obtained at least an associates degree; or
3. Met a rigorous standard of quality and demonstrate through formal state or local academic assessment:
  - a. Knowledge of and the ability to assist in instructing, reading, writing, and mathematics; or
  - b. Knowledge of and the ability to assist in instructing, reading readiness, writing readiness, and mathematics readiness, as appropriate.

Existing paraprofessionals – All current paraprofessionals must:

1. Have a secondary school diploma or its recognized equivalent, and
2. Not later than January 8, 2006, meet the requirements for newly hired paraprofessionals as described above.

Paraprofessional duties – Paraprofessionals may be assigned to:

1. Provide one-on-one tutoring for eligible students during times when the teacher would not otherwise be instructing the student;
2. Assist with classroom management, such as organizing instructional and other materials;
3. Provide assistance in a computer laboratory;
4. Provide support in a library or media center;
5. Conduct parental involvement activities;
6. Act as a translator;
7. Provide instructional services to students, if working under the direct supervision of a teacher, and
8. Perform limited duties beyond classroom instruction or that do not benefit program participants, so long as those duties are also assigned to non-Title I paraprofessionals. Title I paraprofessionals may not be assigned to more of these duties, proportional to their total work time, than the amount assigned to similar non-Title I paraprofessionals in the same school.

### ***Physical Examination***

The School District reserves the right to require any employee or candidate, after a conditional offer of employment, to submit to an examination in order to determine the physical and/or mental capacity to perform assigned duties.

Reports of all such examinations or evaluations shall be delivered to the Administrative Officer for Special Services, who shall protect their confidentiality. Reports will be discussed with the employee or candidate and made a part of an employee's personal record. In the event of a report of a condition that could influence job performance, the Administrative Officer shall base a nonemployment recommendation to the Board upon a conference with a physician and substantiation that the condition is directly correlated to defined job responsibilities, and reasonable accommodation will not allow the employee or prospective employee to adequately fulfill those responsibilities.



### ***Creating A Position***

The School District recognizes the need to establish positions which, when filled by competent, qualified support staff, will assist the Valparaiso Community Schools in achieving the education goals set by the Board. The Valparaiso Community Schools employs only citizens of the United States and others lawfully authorized to work in the United States.

The Administrative Officer shall verify all new employees' and substitutes right to work in the United States according to the Federal Immigration Reform and Control Act of 1986.

The Board reserves the right to fix the compensation, prescribe the duties to be performed by all support staff, create new positions, and specify the number of persons within each job category.

In the exercise of its authority to create new positions, the Board shall give primary consideration to:

1. The number of students enrolled;
2. The special needs of the Valparaiso Community Schools;
3. The special needs of the students, and
4. The operational services of the Valparaiso Community Schools.

The Board may delegate the right to fix and prescribe the duties of support staff to the Administrative Officer for Special Services.

### ***Layoffs of Support Staff***

The Board reserves the right in accordance with statute to abolish any existing position in whole or in part or to reduce the number of support staff in such positions based on the recommendation of the Superintendent.

All support staff shall be selected for layoff in accordance with:

1. Length of service in the school district;
2. Performance of the job;
3. Past experience and diversified capabilities, and
4. Military service credit.

***Assignment & Transfer***

The Board believes that the careful placement of support staff within the Valparaiso Community Schools is vital to the utilization of qualified and competent support staff for the successful functioning of the Valparaiso Community Schools.

Responsibility for the assignment and transfer of support staff members shall be vested in the Administrative Officer for Special Services.

## ***Student Supervision And Welfare***

Each support staff member shall maintain a standard of care for the supervision, control, and protection of students commensurate with assigned duties and responsibilities.

It is the responsibility of the Superintendent to prepare administrative guidelines for the maintenance of the following standards:

1. Each support staff member shall report immediately to a building administrator any accident, safety hazard, or other potentially harmful condition or situation they detect;
2. Each support staff member shall immediately report to a building administrator any knowledge of threats of violence by students;
3. A support staff member shall not send students on any personal errands;
4. A support staff member shall not associate inappropriately with students at any time in a manner which may give the appearance of impropriety, including, but not limited to, the creation or participation in any situation or activity which could be considered abusive or sexually suggestive or involve drugs, alcohol, or tobacco. Any sexual or other inappropriate conduct with a student by any staff member will subject the offender to potential criminal liability and discipline up to and including termination of employment;
5. A support staff member shall not transport students in a private vehicle without the approval of a building administrator;
6. Students shall not be required to perform work or services that may be detrimental to their health, and
7. If a student approaches a support staff member to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/or family relationships, etc., the support staff member may attempt to assist the student by facilitating contact with certified or licensed individuals in the district who specialize in the assessment, diagnosis, and treatment of the student's stated problem. However, under no circumstances should a support staff member attempt, unless properly licensed and authorized to do so, to counsel, assess, diagnose, or treat the student's problem or behavior, nor should such support staff member inappropriately disclose personally identifiable information concerning the student to third persons not specifically authorized by law.

Since most information concerning a child in school, other than directory information described in Board Policy 8330, is confidential under federal and state laws, any staff member who shares confidential information with another person not authorized to receive the information may be subject to discipline and/or civil liability. This includes, but is not limited to, information concerning assessments, grades, behavior, family background, and alleged child abuse, and any other recorded information.

Pursuant to the laws of the State and Board Policy 8462, each support staff member shall report to the proper legal authorities, immediately, any sign of suspected child abuse or neglect.

***Anti-Harassment/Sexual Harassment***

It is the policy of the Board to maintain an education and work environment which is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all school district operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by The School District.

## Sexual Harassment

Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, "sexual harassment" is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

1. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity;
2. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual, and
3. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

1. Unwelcome sexual propositions, invitations, solicitations, and flirtations;
2. Physical assault;
3. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances;
4. Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls;
5. Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the work or educational environment, which may embarrass or offend individuals.
6. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures;
7. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another;
8. Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history, and
9. Consensual sexual relationships where such relationship leads to favoritism of a student or subordinate employee with whom the teacher or superior is sexually involved and where such favoritism adversely affects other students and/or employees.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment.

NOTE: Any teacher, administrator, coach, or other school authority, or staff member who engages in certain sexual conduct with a student may be disciplined up to and including termination and may also be guilty of the criminal charge of "sexual battery" as set forth in I.C. 35-42-4-8. In the

case of a child under fourteen (14) years of age, the person may also be guilty of "child molesting" under I.C. 35-42-4-3. In the case of a child between the ages of fourteen (14) and sixteen (16), the person may also be guilty of "sexual misconduct with a minor" under I.C. 35-42-4-9. The issue of consent is irrelevant in regard to the latter two (2) criminal charges. Any employee accused of sexual relations with a student may be placed on leave with pay until school administrative proceedings are completed. Proven sexual relationships with a student regardless of the age of the student will initiate the termination process for the employee.

The Board will vigorously enforce its prohibition against harassment based on sex, race, color, national origin, religion, disability, or any other unlawful basis, and encourages those within the school district community as well as third parties who feel aggrieved to seek assistance to rectify the problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated; the Board will take immediate steps to end the harassment. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

For purposes of this policy, "school district community" means students, administrators, teachers, staff, and all other school personnel, including Board members, volunteers, contractors, or other persons subject to the control and supervision of the Board.

For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on school district property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the school district community at school-related events/activities (whether on or off school district property).

### **Other Violations of the Anti-Harassment Policy**

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

1. Retaliating against a person who has made a report or filed a complaint alleging harassment, or who has participated as a witness in a harassment investigation;
2. Filing a malicious or knowingly false report or complaint of harassment, and
3. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating harassment charges comprises part of one's supervisory duties.



## **Reports and Complaints of Harassing Conduct**

Members of the school district community and third parties are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor or other school district official so that the Board may address the conduct before it becomes severe, pervasive, or persistent.

Members of the school district community or third parties who believe they have been unlawfully harassed by another member of the school district community or a third party are entitled to utilize the Board's informal and/or formal investigation and complaint processes. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment or participation in educational or extra-curricular programs. Individuals should make every effort to file an informal or a formal complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

The titles of the Anti-Harassment Complaint Coordinators with whom complaints of sexual and other forms of unlawful harassment should be filed are set forth in the administrative guidelines which supplement this document. The titles of these individuals will be published annually.

The Superintendent shall establish administrative guidelines describing a formal and an informal process for making a charge of harassment, a process for investigating claims of harassment, and a process for rendering a decision regarding whether the claim of harassment was substantiated. This policy and the administrative guidelines will be readily available to all members of the school district community and posted in appropriate places throughout the school district.

Any Board employee who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Complaint Coordinators. Thereafter, the Complaint Coordinator must contact the student if over age eighteen (18) or the student's parents if under the age eighteen (18), to advise s/he/them of the Board's intent to investigate the alleged misconduct, including the obligation of the Complaint Coordinator or designee to conduct an investigation following all the procedures outlined for a formal complaint.

**Confidentiality**

The school district will make reasonable efforts to maintain the confidentiality of the parties involved in a harassment investigation. Confidentiality, however, cannot be guaranteed.

## **Formal Process for Addressing Complaints of Harassment**

The administrative guidelines will also include a formal complaint process. While the formal complaint process may serve as the first step to resolution of a charge of unlawful harassment, it is also available in those circumstances when the informal complaint process fails to satisfactorily resolve a concern. Because of the need for flexibility, no specific time lines are established for initiating the formal complaint process; however, once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within thirty-one (31) calendar days of the complaint being received).

## **Sanctions and Monitoring**

The Board shall vigorously enforce its prohibitions against unlawful harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable state law. When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the school district community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to eliminate such conduct in the future.

## ***Employee Records***

It is the policy of The Board to maintain complete and accurate employee records. Employees are responsible for notifying their supervisors and the Human Resources Office of changes relating to personal information such as change of home address, telephone number, marital status, and number of dependents promptly and accurately.

## ***Drugs and Alcohol***

The Valparaiso Community Schools is strongly committed to maintaining a safe and healthy working environment for all its employees (with the expectation that all employees will discharge their duties at an acceptable performance level and be unimpaired by drug and alcohol use). The use of alcohol and/or drugs by employees can undermine employee productivity and the School District's image. For these reasons, The Board has instituted the following policy:

### **1. On the Job Use, Possession, Sale, Distribution, or Manufacturing of Drugs and Alcohol**

The use, possession, sale, distribution or manufacturing of either non-medically prescribed controlled substances or alcohol by anyone while on school business or on school property is prohibited. Further, employees are prohibited from being at work under the influence of either drugs or alcohol. Violation of this policy by an employee while on school premises or on school business will result in disciplinary action up to and including discharge.

Depending on the circumstances, other action, including notification of appropriate law enforcement agencies, may be taken with respect to a violation of this policy.

Any illegal substances found in the workplace will be confiscated and turned over to the appropriate law enforcement agency.

### **2. Alcohol and Drug Tests**

Any employee who is involved in a serious on-the-job accident and any employee whose on-the-job behavior indicates that he or she may be under the influence of drugs or alcohol in violation of this policy will be tested for the use of drugs and alcohol. If the tests indicate evidence of illegal drugs or the improper use of other drugs or that the employee is under the influence of alcohol, appropriate disciplinary action will be taken up to and including discharge.

The Corporation requires a consent form to be signed by the individual prior to testing. Any employee who refuses to sign or submit to testing will be questioned as to the reason(s) for refusal. Unless there is a valid reason for refusal, the employee will be subject to disciplinary action up to and including discharge.

Drug tests will be conducted by a qualified laboratory, and proper chain of custody procedures will be observed for samples. When employment status will be affected, confirmatory testing will be carried out.

Records and information about testing and test results will be treated as private and confidential to the extent possible.

### **3. Substance Abuse**

Actual or suspected individual cases of employee substance abuse may originate through voluntary referral, or are referred on the basis of job performance as observed by the supervisor of the employee.

#### **Voluntary Referral**

Classified employees who voluntarily refer themselves or are referred by other school personnel for substance abuse issues will be assisted in treating their problems. Such employee will not jeopardize their job security or advancement opportunities.

Upon receipt of the referral, the Substance Abuse Coordinator for the School District will meet with the referred employee and assess his/her level of fitness for duty and recommend one of the following remedies:

1. On-going support from the Substance Abuse Coordinator without outside intervention;

2. Referral to the employee assistance program, and/or
3. Referral for medical/psychological evaluation to determine the employee's ability to perform their normal job duties.

Depending on the extent of the substance abuse, the employee shall be directed to either continue working with support from the Substance Abuse Coordinator or request a general leave of absence, a family medical leave, and/or the use of accumulated sick days.

Whether the employee returns to work immediately or is on a leave of absence, the Substance Abuse Coordinator shall have access to those outside agencies assisting the employee with his/her problems. For that reason, the referred employee will be required to sign a release of information with all assisting parties in order for those agencies to communicate with the Substance Abuse Coordinator. After all information is considered, a plan for improvement will be developed for the employee. The employee is obligated to comply with the conditions of the plan. If the employee fails to comply, corrective action will result.

**Job Performance Referral**

If a supervisor observes an employee exhibiting one or more of the following behaviors, he/she shall contact his/her supervisor immediately:

1. Excessive absenteeism/tardiness;
2. Drowsiness and/or sleepiness;
3. Slurred/incoherent speech;
4. Unusually aggressive behavior;
5. Unexplained work errors;
6. Unexplained change in moods;
7. Lack of manual dexterity;
8. Lack of coordination in walking;
9. Unexplained work related accident or injury; and/or
10. Odor or alcohol on breath.

After conferring with Superintendent of the School District, a full investigation will follow to determine if the behaviors are the result of substance abuse. If the investigation concludes that one or both of the following inappropriate forms of on-the-job behavior occurred:

1. Possession and/or usage of any alcoholic beverages or illegal or unperceived controlled drugs on school property, and/or
2. Reporting for work or working in a condition unfit for duty.

The Superintendent depending on the severity of the incident and cooperation of the employee will exercise one of the following options listed below:

1. Refer the employee to the Substance Abuse Coordinator and instruct the coordinator to follow the guidelines outlined for a voluntary referral, or
2. Determine an appropriate corrective action which may include, but not limited to, dismissal.



## ***Drug and Alcohol Testing of CDL License Holders***

The Board believes that the safety of students while being transported to and from the school or school activities is of utmost importance and is the primary responsibility of the driver of the school vehicle. To fulfill such a responsibility, each driver, as well as others who perform safety-sensitive functions with vehicles owned by the School District, must be mentally and physically alert at all times while on duty. To that end, the Board has established this policy and others related to employees' health and well-being.

The Board expects all CDL license holders to comply with Board Policy 4122.01 - Drug Free Schools - which prohibits the possession, use, sale, or distribution of alcohol and any controlled substance on school property at all times. Further, the Board concurs with the federal requirement that all CDL license holders should be free of any influence of alcohol or controlled substance while on duty.

The Board directs the Superintendent to establish a drug and alcohol testing program whereby each regular and substitute bus driver, as well as any other staff members who hold a CDL license, is tested for the presence of alcohol in their system as well as for the presence of the following controlled substances:

1. Marijuana (Hemp product consumption is not an acceptable alternative medical explanation for a positive marijuana screen test.);
2. Cocaine;
3. Opiates;
4. Amphetamines, and/or
5. Phencyclidine (PCP)

Such tests are to be conducted in accordance with federal and state regulations 1.) prior to employment (Controlled Substances Only), 2.) for reasonable cause, 3.) upon return to duty after any alcohol or drug rehabilitation, 4.) after any accident which involves the loss of human life or for which a citation is issued, 5.) on a random basis, and 6.) on a follow-up basis.

Any staff member who tests positive shall be prohibited from driving any school vehicle and subject to discipline, up to and including discharge, in accordance with district guidelines. Prior to the beginning of the testing program, the school district shall provide a drug-free awareness program which will inform each classified staff member about:

1. The dangers of illegal drug use and controlled substance and alcohol abuse;
2. Board Policy 4122.01 - Drug-Free Schools, Policy 4161 - Unrequested Leaves of Absence, and AG 4170B - Employee Assistance Program; and
3. The sanctions that may be imposed for violations of Policy 4122.01.

The Superintendent shall arrange for the required amount of training for appropriate staff members in drug recognition, in the procedures for testing, and in the proper assistance of staff members who are subject to the effects of substance abuse.

The Superintendent shall submit, for Board approval, a contract with a certified laboratory to provide services for implementation of the Department of Transportation rules including the following services:

1. Testing of all first and second test urine samples;
2. Clear and consistent communication with the Administrative Officer for Special Services;

3. Methodology and procedures for conducting random tests for controlled substances and alcohol, and
4. Preparation and submission of all required reports to the Administrative Officer for Special Services, and to federal and state governments.

The Superintendent shall also select the agency or persons who will conduct the alcohol breathalyzer tests, and the drug collection site(s) in accordance with the requirements of the law.

## ***Privacy Protections of Self-Funded Group Health Plans***

The School District provides coverage to eligible employees under self-funded group health plans. The Board has established the following self-funded group health plans:

1. Medical Plan;
2. Prescription Drug Plan;
3. Vision Plan;
4. Employee Assistance Plan, and
5. Health Flexible Spending Accounts (FSA).

The School District acknowledges that these group health plans are required to comply with the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule. Certain health information maintained by these group health plans is afforded significant protection by this Federal Law.

The Board hereby appoints Assistant Superintendent for Business to serve as the Privacy Protection Officer of the group health plans. The Board delegates authority to the Privacy Protection Officer to develop and implement the internal policies and procedures for the group health plan(s) relating to the use and disclosure of Protected Health Information. In the event that the HIPAA Privacy Rule is subsequently amended, the Privacy Protection Officer is authorized to make necessary amendments to the internal policies and procedures.

The Privacy Protection Officer shall develop administrative guidelines necessary to implement this policy.

The Privacy Protection Officer shall report his/her progress to the Board upon request.

Since the Department of Health and Human Services (HHS) has the authority to impose civil monetary penalties (CMP) for violations of the HIPAA Privacy Rule, the Board agrees to indemnify and hold harmless the Privacy Protection Officer for any CMP imposed upon him/her in connection with the performance of his/her duties for the group health plans. Notwithstanding the foregoing language, the Board shall not indemnify the Privacy Protection Officer in the event the CMP was imposed as the result of intentional misconduct or gross negligence by the Privacy Protection Officer.

The Board reserves the right to revoke any or all delegations set forth in this policy at any time for any reason.

## Compensation Policies

### ***Classifications of Employment***

For purposes of salary administration and eligibility for overtime payments and employee benefits, The School District classifies its employees and other workers as follows:

1. **Full-time regular employees**. Employees hired to work the School District's normal, full-time, 40 hour workweek on a regular basis.
2. **Part-time regular employees**. Employees hired to work fewer than 40 hours per week on a regular basis.
3. **Temporary employees**. Employees engaged to work full time or part time on the School District's payroll with the understanding that their employment will be terminated no later than on completion of a specific assignment. (Note that a temporary employee may be offered and may accept a new temporary assignment with the School District and thus still retain temporary status.) Such employees may be "exempt" or "nonexempt" as defined below.

If an employee changes positions during his/her employment as a result of a promotion, transfer, or otherwise, he/she will be informed by the Human Resources Office of any change in his/her benefit status.

Please direct any questions regarding employment classification status to the appropriate supervisor and/or the Human Resources Office.

***Work Hours***

Daily and weekly work schedules may be changed from time to time at the discretion of the School District to meet the varying conditions of business.

## ***Pay Procedures***

Employees are paid every two weeks. All required deductions, such as for federal, state and local taxes, and all authorized voluntary deductions, such as for health insurance contributions, will be withheld automatically from paychecks. It is the employee's responsibility to ensure that the Human Resources Office is kept apprised of any employee data changes, e.g., name, tax, address changes, etc.

Employees are also responsible for reviewing their paychecks and paystubs for errors and reporting any discrepancies to the Payroll Department immediately for resolution.

## **Overtime**

Employees may occasionally be directed to work beyond their normally scheduled hours, or on their day off, at the sole discretion of the School District. Employees who are required (or permitted) to work overtime will receive overtime pay in accordance with the requirements of the Fair Labor Standards Act, state laws and School District policies as follows.

All overtime (more than 8 hours per day) must be approved by the employee's immediate supervisor.

Employees asked to work overtime shall be paid one and one-half their regular rate for all hours worked in excess of 40 hours in each work week.

"Hours worked" means time actually spent on the job. It does not include hours away from work due to vacation, sickness or holiday (even where these days are compensated). Unpaid sick leave, personal leave (or any other time away from work) is also not considered hours worked.

## Benefits

### ***Employee Benefit Programs***

Certain School District employees are eligible for the following benefit programs which are subject to change or revocation at any time in the sole discretion of the Board:

<b><i>Classified Benefit</i></b>	<b><i>Total Hours</i></b>	<b><i>Benefit</i></b>	<b><i>FTE</i></b>
<b><i>PERF</i></b>	<b><i>17</i></b>		
<b><i>Life</i></b>	<b><i>20</i></b>	<b><i>Life</i></b>	<b><i>.5000</i></b>
<b><i>Health</i></b>	<b><i>35</i></b>	<b><i>Health</i></b>	<b><i>.8800</i></b>
<b><i>Long Term Disability</i></b>	<b><i>35</i></b>	<b><i>Long Term Disability</i></b>	<b><i>.8800</i></b>

Employees may refer to the appropriate plan documents for eligibility procedures and plan provisions concerning benefit programs. Plan documents must be followed in the administration of these plans, and will govern in the event any discrepancy exists.

The Valparaiso Community Schools pays 80% of the medical premium for employees scheduled to work for 35 hours or more per week.

The Valparaiso Community Schools pays all but \$1.00 for a \$20,000 life insurance for employees scheduled to work for 20 hours or more per week.

The Valparaiso Community Schools pays all but \$1.00 for long term disability insurance for employees scheduled to work for 35 hours or more per week.

Employees scheduled to work for 17 hours or more per week must participate in the Public Employees Retirement Fund. PERF contributions are as adopted by the School Board of Trustees. The Human Resources Department will have current information on those contributions.



**Sick Leave**

<b>Classified Position</b>	<b>Sick Leave Days</b>	<b>Personal Leave Days</b>	<b>Family Illness Days</b>
<i>Pt. Time / Less than 12 mos.</i>	<i>7</i>	<i>3 days sick leave days may be used as personal leave days</i>	<i>5 days sick leave may be used as family illness days</i>
<i>40 hrs. / Less than 12 mos.</i>	<i>10</i>	<i>3 days sick leave days may be used as personal leave days</i>	<i>5 days sick leave may be used as family illness days</i>
<i>40 hrs. / 12 mos.</i>	<i>13</i>	<i>4 days sick leave days may be used as personal leave days</i>	<i>5 days sick leave may be used as family illness days</i>

## ***Unrequested Leaves of Absence***

The Board reserves the right to place a support staff member on sick leave or suspend a support staff member for physical or mental disability to perform assigned duties.

If the supervisor believes the staff member is unable to perform essential job functions, the support staff member will be offered the opportunity for a meeting to discuss these issues which shall be conducted in accordance with law governing termination hearings.

If a support staff member refuses to attend the meeting, the Board may order the support employee to submit to an appropriate examination by a physician designated by the Board and compensated by the Board.

Where the physician designated by the Board disagrees with a physician designated by the support staff member, the two (2) physicians shall agree in good faith on a third impartial physician who shall examine the staff member and whose medical opinion shall be conclusive and binding on the issue of ability to perform assigned duties with or without accommodation. The expenses of a third examination shall be borne by the Board.

If, as a result of such examinations, support staff members are found to be unfit to perform assigned duties with or without accommodation, they shall be placed on leave of absence for a reasonable time to heal or until the staff member is able to perform the essential job function, but only for a period not to exceed one (1) year.

Should a support staff member refuse to submit to an examination following the exhaustion of proper appeals, the Board shall consider the certification of charges for reasons of insubordination.

## **Holidays**

The School District provides paid time off to full-time regular employees on the following holidays:

- New Year's Day + day before
- Memorial Day
- President's Day
- Fourth of July
- Labor Day
- Thanksgiving Day + day after
- Christmas Day + day before

Holidays falling on a Saturday are normally observed on the preceding Friday. Holidays falling on a Sunday are normally observed on the following Monday.

In order to be eligible to receive holiday pay, employees are required to work the regularly scheduled hours the workday preceding and the workday following the holiday.

Full-time regular employees will receive their regular rate of pay for each paid holiday.

## ***Vacations***

Regular full-time regular employees accrue paid vacation time in accordance with the following schedule based on the length of continuous service from the date of hire.

<b><u>Length of Service</u></b>	<b><u>Vacation Credit Earned</u></b>
1 year of service	10 days
7 years of service	15 days
14 years of service	20 days

Requests for vacation time should be made in writing and submitted to the employee's supervisor at least two weeks in advance. If two weeks' notice cannot be given, the administration may not be able to grant the request. In any event, the administration reserves the right to grant or deny any request for vacation time.

When paid vacation time is taken, employees are compensated at their regular rate of pay.

Unused vacation days will be carried forward until December 31<sup>st</sup> of the year following the issuance of those days. At that time, all vacation days issued in a previous year will be forfeited. No payments will be made in lieu of taking vacation time.

In the event that a holiday observed by the School District falls within a scheduled vacation period, the employee will be granted an additional day of vacation.

All earned and unused vacation benefits will be paid upon termination of employment.

## ***Family and Medical Leave (FMLA)***

Employees who have worked for the School District for at least twelve (12) months and at least 1,250 hours during the prior twelve (12) months may be eligible to take up to twelve (12) weeks of unpaid leave per calendar year for the following reasons:

1. for the birth of a son or daughter, and to care for the newborn child;
2. for the placement with the employee of a child for adoption or foster care, and to care for the newly placed child;
3. to care for an immediate family member (spouse, child, or parent (not a parent-in-law) with a serious health condition;
4. when the employee is unable to work because of a serious health condition;
5. to care for a covered service member with a serious injury or illness incurred in the line of duty or active duty (spouse, son, daughter, or parent); and
6. qualifying exigency for Military Family Leave (spouse, son, daughter, or parent).

In the case of unpaid leave for the birth or placement of a child, intermittent leave or working a reduced number of hours is not permitted unless both the School District and employee agree. If both spouses are employed by the School District, the combined leave will not exceed twelve (12) weeks.

In the case of unpaid leave for the serious health condition of the employee, the leave may be taken intermittently or on a reduced hours basis only if such leave is medically necessary. If intermittent or reduced hours leave is required, the School District may, in its sole discretion, temporarily transfer the employee to another job with equivalent pay and benefits that better accommodates that type of leave.

An employee on medical leave of absence for a serious health condition as a result of a workers' compensation injury will have such leave designated (and run concurrently) as FMLA leave by the School District, if the employee is eligible for FMLA leave.

During family/medical leaves of absence, the School District will continue to pay its portion of the health insurance premiums and the employee must continue to pay his/her share of the premium. Failure of the employee to pay his/her share of the health insurance premium may result in loss of coverage.

If the employee does not return to work after the expiration of the leave, the employee will be required to reimburse the School District for payment of health insurance premiums during the family leave, unless the employee does not return because of the presence of a serious health condition which prevents the employee from performing his/her job or circumstances beyond the control of the employee.

During a family medical leave of absence, the employee will not accrue employment benefits, such as vacation pay and sick/personal pay, etc. Employment benefits accrued by the employee up to the day on which the family medical leave of absence begins will not be lost. Also during the leave, the employee will not receive pay for holidays during the leave.

Employees are not required to use all available accrued paid leave in a Family and Medical Leave Act situation. The employee has the choice of substituting any qualifying accrued paid leave during a leave of absence under the terms of the Family and Medical Leave Act. All qualifying leave, whether paid or unpaid, will be charged against the employee's twelve (12) weeks of family leave entitlement during a twelve (12) month period measured forward from the beginning of the employee's leave of absence under the terms of the Family and Medical Leave Act.

Employees who return to work from a family medical leave of absence before or on the business day following the expiration of the twelve (12) weeks are entitled to return to their job or an equivalent position without loss of benefits or pay.

Applications for family/medical leave of absence should be submitted by the Employee in writing to the Human Resources Office. Applications should be submitted at least thirty (30) days before the leave is to commence, or as soon as possible if thirty (30) days' notice is not possible.

Appropriate forms must be submitted to initiate family medical leave and to return the employee to active status. Employees requesting FMLA must provide the Human Resources Office with the appropriate medical certification from their health care provider. (The School District also may first designate a leave as an FMLA leave where appropriate, even where the employee has not made such a request prior.) Please contact Human Resources as soon as possible regarding your leave, to discuss your eligibility, options and appropriate forms to be completed.

Release to Return to Work: Employees who wish to return to work from FMLA leave will be required to present a fitness-for-duty release by a doctor prior to being restored to employment.

### ***Maternity Leave of Absence***

An employee who is pregnant is encouraged to submit in writing to the Human Resources Office and his/her supervisor a letter stating that fact and requesting maternity leave as soon as she has definite knowledge of her pregnancy. Maternity leave as herein stated covers the minimum time an employee needs to be absent prior to and immediately following delivery. An employee on maternity leave may or may not resume the same position upon her return.

The effective date of the employee's relief of and return to duties shall be decided by the employee after consultation with the Human Resources Office and the building principal.

### ***Child Rearing Leave of Absence***

An employee desiring additional time for child rearing purposes should make an appointment to meet with a representative from the Human Resources Office to work out the details.



### ***Personal Leave Days***

Those employees working less than 12 months are granted three personal leave days each calendar year. Those employees working a total of 12 months are granted four personal leave days each calendar year. The Superintendent will approve or deny request for personal leave. A request for personal leave on any weekday must have the words "personal leave" written in the space provided for an explanation. However, if a personal leave is requested on the day(s) immediately preceding or following a break or vacation period, a specific written reason for such a leave must be provided and the reason must be acceptable to the Superintendent. Personal leave shall not be used to extend a break or vacation.

## ***Absences Without Pay***

### Short-term Leave of Absence Without Pay

A short-term leave of absence without pay may be granted for medical reasons, legal reasons, weddings, graduations, leaving for military service in a combat zone, and must be a member of the immediate family – spouse, child, stepchild, sister, brother, parent, grandparent, grandchild or any members of the family unit living in the same household, and to take children to school to attend his/her first year of college.

If the employee is denied a short term leave of absence without pay, and chooses to be absent without leave, the employee is subject to the provisions outlined in the “Absent Without Leave” AWOL portion below.

### Absence Without Leave

If at any time during employment an employee is absent from their duties without approval, the employee shall be considered (AWOL), and it shall be determined to be an infraction of the rules/regulations found in the Classified Employee Handbook.

- |                    |   |
|--------------------|---|
| First infraction:  | <ol style="list-style-type: none"> <li>1. Loss of pay</li> <li>2. A letter of concern shall be issued to the employee by the immediate supervisor and placed in the employees personnel file</li> </ol>   |
| Second infraction: | <ol style="list-style-type: none"> <li>1. Loss of pay</li> <li>2. A letter of reprimand shall be issued to the employee by the immediate supervisor. The letter of reprimand shall be placed in the employees personnel file</li> <li>3. A suspension without pay equal to the length of absence may be imposed.</li> </ol> |
| Third infraction:  | <ol style="list-style-type: none"> <li>1. All of the penalties listed for the second infraction shall be imposed</li> <li>2. Possible dismissal</li> </ol>  |

***Family Illness Days***

Employees shall be granted five days of their accumulated sick leave days for family illness per year for members of their immediate family. Immediate family is defined in the Bereavement Leave section.

### ***Jury and Witness Duty***

A classified employee called for jury duty on school days shall be compensated for the difference between their classified pay and the pay received for the performance of such obligations.

To qualify for jury or witness duty leave, the employee must submit to his/her supervisor a copy of the summons to serve as soon as it is received. In addition, proof of service must be submitted to the supervisor when the period of jury or witness duty is completed.

The School District will make no attempt to have the service on a jury postponed except when business conditions necessitate such action.

### ***Bereavement Leave***

For the death in the immediate family, the employee shall receive full compensation for a period of not more than five (5) business days beyond such death. A business day shall be interpreted as any day on which the Valparaiso Community Schools Administration Building is open to conduct school business. The immediate family shall be interpreted as employee's spouse, children, sister, brother, parents, grandparents, grandchildren, and any other member of the family unit living in the same household no matter what the degree of relationship.

An employee shall receive full compensation for a period of two (2) calendar days for the death of relatives, either by blood or marriage, who are not members of the immediate family as defined above.

### ***Military Leave***

If a National Guard, Reserve encampment or a period of training due to an emergency situation should occur during the school year, the employee required to participate shall be granted a temporary leave of absence. The employee will receive his/her regular salary minus that which he/she shall receive from the government for school days spent in government service, for a maximum of twenty (20) school days.

## ***Volunteer Firefighters***

If a staff member is a volunteer firefighter and has notified the school district in writing that he/she is a volunteer firefighter, the school district may not discipline the staff member for being absent from duty by reason of responding to a fire or emergency call that was received prior to the time the staff member was to report to duty or for leaving his/her duty station to respond to a fire or an emergency call if he/she has authorization from his/her supervisor to leave duty in response to a call received after he/she has reported to work.

The School District shall require that the staff member present a written statement from the officer in charge of the volunteer fire department at the time of the absence indicating the staff member was engaged in an emergency call at the time of his/her absence.

## **Employee Relations**

### ***Personal Appearance and Demeanor***

Discretion in style of dress and behavior is essential to the efficient operation of the School District. Office employees are, therefore, required to dress in appropriate business attire and to behave in a professional, businesslike manner. Custodial, transportation and maintenance employees should use judgment in their choice of work clothes and should remember to conduct themselves, at all times, in a way that best represents themselves and the School District.

Employees are also required to keep their work environments clean and orderly. Before departing in the evening, employees should lock all files and cabinets and clear all work materials from desk surfaces, especially materials of a sensitive or confidential nature.

Employees failing to adhere to proper School District standards with respect to appearance and demeanor are subject to disciplinary action up to and including discharge.



### ***Corporation Equipment***

Employees are responsible for the proper use, protection and maintenance of all equipment and other property furnished or made available to them by the School District. Unauthorized or abusive use of such property is prohibited.

Certain employees will be issued keys/fobs during their employment to enable them to carry out their job duties. These keys remain the property of the School District. They may not be duplicated.

All equipment, keys and other property of the School District must be returned on the last day of employment, or sooner, if requested.

Violation of this provision may result in disciplinary action up to and including discharge.

### ***No Solicitation***

In the interest of maintaining a proper business environment and preventing interference with work and inconvenience to others, employees may not distribute literature or printed materials of any kind, sell merchandise, solicit financial contributions or solicit for any cause during working time. Furthermore, employees may not distribute literature or printed material of any kind in working areas at any time.

Non-employees are likewise prohibited from distributing material or soliciting employees on school premises at any time, unless authorized by the Superintendent.

Working time includes the working time of both the employee doing the soliciting and distributing and the employee to whom the soliciting or distributing is being directed.

Violation of this provision may result in disciplinary action up to and including discharge.

### ***Attendance and Punctuality***

Regular attendance and punctuality are very important to the School District. Employees are expected to begin and end work on schedule. The Corporation recognizes that circumstances beyond an employee's control may cause him/her to be absent from or late to work. If you are going to be late or absent, you must call your supervisor to notify him/her of the reason for your tardiness or absence. Excessive absenteeism or tardiness in connection with scheduled work times, breaks and meal periods will result in disciplinary action up to and including discharge.

Should an employee be unable to report to work due to illness, the employee must notify his/her supervisor within one hour of the employee's starting time each day of the absence. Failure to properly notify their supervisor will result in an unexcused absence.

If an employee is absent more than two consecutive workdays, a statement from a physician chosen by the corporation may be required before the employee is permitted to return to work.

Employees who are absent from work for three consecutive days without giving proper notice to the School District will be considered to have voluntarily resigned.

## ***School Delay and/or cancellation because of in climate weather and/or early dismissal***

In the event of in climate weather such as snow or fog, the Valparaiso Community Schools may elect to cancel school, delay the opening of schools, or dismiss students early.

Every effort will be made to announce a cancellation or delay by 6:15 a.m. Parents should monitor local AM Radio WAKE, 1500, local FM Radio WLJE, 105.5, or the Valparaiso Community Schools web page for closing announcements, delays in the opening of school, or early release of students.

### **School – Year (less than 240 days) employees.**

1. Two Hour Delay. Classified staff in this category, with the exception of building secretaries, will report to work 2 hours later than normal unless otherwise directed. These personnel will be required to monitor the status of the delay by radio or other means to ascertain when and if further changes in the opening of school are made. Building secretaries in this category will report to the building and perform duties as directed by the principal, assistant principal, or supervisor.
2. School Cancellation. Classified staff in this category, including building secretaries, **will not** report to work unless directed otherwise by the building principal, assistant principal, or supervisor.
3. Early Release. Specific directions will be provided based on the situation by the Superintendent or designee.
4. Payroll Procedures. Classified staff will be paid for only the hours worked during these events. In the case of a school cancellation, no pay will be given for hours missed. The pay will subsequently be given on the make-up day scheduled for the cancellation.

### **Year – Round (240 or more days) employees.**

1. Two Hour Delay. Classified staff in this category will report to work at their regular reporting times unless directed otherwise by their building principal or supervisor.
2. School Cancellation. Classified staff in this category **will** report to work unless directed otherwise by their building principal or supervisor.
3. Early Release. Specific directions will be provided based on the situation by the Superintendent or designee.
4. Personnel in this category will have the option of taking a vacation or personal business leave in the event of a school cancellation or if directed not to report to work. No “dock days”, or personal illness leave can be used to supplement time not at work due to a school cancellation.

## ***Smoking***

For health and safety considerations, smoking is prohibited in all locations on School property.

## **Safety**

The School District makes every reasonable effort to ensure a safe working environment and expects all employees to be safety conscious. Employees should report any unsafe or hazardous conditions directly to their supervisor, manager or building principal immediately. Every effort will be made to remedy problems as soon as possible.

In case of an accident involving a personal injury, regardless of how serious, an employee should notify their building principal immediately, and follow all proper procedures regarding a personal injury.

## ***E-mail and Electronic Communication***

The Board has established the following policy that governs the use of electronic mail systems at the workplace, including the telephone communication systems. The Board reserves the right to amend these policies. An employee's use of the School District's telephone, E-mail and communication systems constitutes the employee's agreement to abide by the School District's policies governing the School District's communication systems as set forth below, or as modified in the future.

**Business use.** All electronic and telephone communication systems are to be used primarily for business purposes, meaning that use of such equipment and systems must be job-related.

**Business form.** E-mail and voice-mail messages reflect the School District's image. They should be composed in a professional manner that is similar to messages sent on the School District's letterhead. Employees should keep in mind that electronic files are subject to discovery and may subsequently be used in litigation involving the School District or the employee. Therefore, it is expected that employee statements in electronic messages and files will reflect favorably on the School District and on the employee.

**File management.** In order to keep the electronic communication systems and computer systems running efficiently, employees should delete unnecessary electronic messages stored in the system, as well as computer files that are no longer needed. Employees should be cautious before opening E-mails from unknown senders. Such E-mails may contain virus or contain questionable materials.

**School District property.** In addition to the system hardware and software, all electronic files and electronic messages are the property of the School District, whether composed, received or sent by the employee. E-mail messages and other electronic files constitute business records belonging to the School District.

**Privacy and passwords.** Because all messages are the property of the School District, employees should not expect that messages are private. In addition, employees should be aware that deleted files may be retrieved and read by the School District. The School District reserves the right to retrieve, monitor, or review any messages in the School District's E-Mail and Electronic Communication system, and may disclose such messages for any purpose without notice to the employee and without seeking permission of the employee.

**Solicitation prohibited.** Employees may not use E-mail or voice mail systems to solicit for charitable or commercial ventures, or in any way that violates the School District's no solicitation policy. Employees may not use the systems to further religious, political or other causes.

**Proprietary information restrictions.** Receiving or downloading, or sending or uploading of proprietary information is prohibited without prior authorization. Such information includes student information, personnel information, copyrighted materials, proprietary financial information, or similar materials.

**Anti-harassment policies applicable.** The School District's policies prohibiting sexual or other harassment are applicable to E-mail, voice mail systems, and the Internet. Messages that contain foul, inappropriate, or offensive language, or those containing racial or ethnic slurs, or sexual innuendo, are prohibited.

**Confidentiality.** Employees are expected to respect the confidentiality of messages sent to others. Employees may not access or review E-mail or voice-mail messages that are not distributed to them.

**Internet postings.** Employees must receive permission from their supervisor before posting messages to electronic bulletin boards, list-serves or similar public posting forums on the Internet. When posted, such messages must contain a disclaimer at the end of the message that: "The opinions expressed in this message are mine only, and do not reflect the opinion or position of my employer."

**Notice of violations.** Employees who observe violations of these electronic communication policies shall notify their immediate supervisor, manager or building principal or shall report the violation to the Human Resources Office.

**Discipline.** Employees who violate this policy are subject to discipline, up to and including termination of employment.

**Policy changes.** The School District reserves the right to modify or change the policies set forth above (or anywhere else in this Handbook) to comply with applicable law, to meet changing circumstances or for any reason.

By signing the Receipt of Employee Handbook page, the employee acknowledges that he/she has read this School District E-mail and electronic communication policy and agrees to abide by its terms.



## ***Workplace Searches***

To 1) protect and secure the property of our employees, our students, and the Valparaiso Community School Corporation and 2) help prevent the possession, sale, and use of illegal drugs on Valparaiso Community Schools premises (in support of the Valparaiso Community Schools Corporation drug-free workplace policy), the Valparaiso Community Schools Corporation establishes the right to question employees (and all other persons entering and leaving our premises), and to inspect any property whether locked or unlocked including packages, parcels, purses, handbags, briefcases, lunchboxes, electronic equipment or any other possessions or articles carried to and from School District premises.

In addition, the School District reserves the right to search any employee's office, desk, files, locker, palm pilot, computer, laptop computer, electronic organizer, or any other area or article on our premises, including personal or School District vehicles, whether or not such property is locked or unlocked and whether or not the lock is School District owned or employee owned. In this connection, it should be noted that all offices, desks, files, lockers, and so forth, whether locked or unlocked, are the property of the School District and are issued for the use of employees only during their employment with the School District.

Searches and inspections may be conducted at any time at the discretion of the School District.

Individuals entering the premises of the School District who refuse to cooperate in an inspection or search conducted under this policy will not be permitted to enter the premises. Employees who refuse to cooperate in an inspection or search, as well as employees who after the inspection or search are believed to be in possession of stolen property or illegal drugs, will be sent immediately to the principal and be subjected to disciplinary action up to and including discharge (if, on investigation, they are found to be in violation of School District security procedures or any other School District rules and regulations).

Employees should not have an expectation of privacy as to any property or articles on School District premises, including computers, electronic equipment, etc.

## **Workplace Violence**

The School District is concerned about the increased violence in society, which has also filtered into many workplaces throughout the United States. Therefore, the School District has taken steps to help prevent incidents of violence from occurring. For this reason, it is the policy of the School District to expressly prohibit any acts or threats of violence by a School District employee or former employee against any other employee in or about the School District's facilities or elsewhere at any time.

The School District also will not condone any acts or threats of violence against the School District's employees, students, parents, or visitors on the School District's premises at any time or while they are engaged in business with or on behalf of the School District, on or off the School District's premises.

In keeping with the spirit and intent of this policy, and to ensure that the School District's objectives in this regard are attained, it is the commitment of the School District:

1. To provide a safe and healthful work environment, in accordance with the School District's safety and emergency preparedness plan.
2. To take prompt remedial action up to and including immediate termination, against any employee who engages in any threatening or intimidating behavior or acts of violence or who uses any obscene, abusive, or threatening gestures or language, including E-mail, graffiti, etc.
3. To take appropriate action when dealing with employees, former employees, or visitors to the School District's facilities who engage in such behavior. Such action may include notifying the police or other law enforcement personnel and prosecuting violators of this policy to the maximum extent of the law.
4. To prohibit employees, former employees, and visitors from bringing unauthorized firearms or other weapons onto the School District's premises.
5. To establish viable security measures to ensure that the School District's facilities are safe and secure to the maximum extent possible and to properly handle access to School District facilities by the public, off-duty employees, and former employees.

Any employee who displays a tendency to engage in violent, abusive, or threatening behavior, or who otherwise engages in behavior that the School District, in its sole discretion, deems offensive, threatening, dangerous, or inappropriate will be subject to disciplinary action, up to and including discharge.

**DUTY TO WARN:** In furtherance of this policy, employees have a "duty to warn" their supervisors, managers, building principal, security personnel, or human resources representatives of any suspicious workplace activity or situations or incidents that they observe or that they are aware of that involve other employees, former employees, customers, or visitors and that appear problematic. This includes, for example, threats or acts of violence, aggressive behavior, offensive acts, threatening or offensive comments or remarks, and the like. Employee reports made pursuant to this policy will be held in confidence to the extent possible. The School District will not condone or tolerate any form of retaliation against any employee for making a report under this policy.

Nothing stated in this policy is intended to interfere with an employee's rights to engage in lawful protected concerted activities under the National Labor Relations Act.

### ***Visitors in the Workplace***

Employees are discouraged from entertaining visitors during working hours without permission of the supervisor or acting supervisor.

Employees may occasionally entertain family members and friends for brief 5 to 10 minutes visits with supervisory permission.

## ***Employee Misconduct***

The following types of misconduct are listed for the guidance of all employees. This list is not intended to be a comprehensive list of all prohibited activity. It is only a list of the types of misconduct that could result in disciplinary action against the employee, including termination.

1. \*\*Falsifying the employment application or other employment records such as time sheets and/or claims for reimbursement of expenses, overtime claims, etc.
2. Excessive or habitual absenteeism or tardiness from work.
3. Using obscene, abusive or threatening language or gestures directed toward administrators, supervisors, fellow employees, staff, students or visitors while on School District's property or while attending any School District activity.
4. Failure to maintain the confidentiality of the School District or employee information.
5. Willfully breaking a written policy of the School District.
6. \*\*Possession or consumption of any alcoholic beverage, controlled substance or the illegal use of a controlled substance on school corporation property or while attending any School District sponsored activity.
7. \*\*Reporting to work under the influence of alcohol and/or a controlled substance.
8. \*\*Unauthorized possession of dangerous or illegal firearms, weapons or explosives while on school property or while attending any School District sponsored activity.
9. \*\*Reporting to work or any School District sponsored activity under the influence of any alcoholic beverage or illegal drug.
10. Insubordination.
11. Sleeping on the job.
12. Willful disregard or violation of the School District's safety rules or procedures.
13. Sexual, racial or general harassment of a fellow employee.
14. Loitering or loafing during working hours.
15. Taking more than the specified time for meals or break periods.
16. Filling in another employee's time sheet, or permitting one's time sheet to be completed by someone else.
17. Smoking or using tobacco products in other than designated smoking areas.
18. Excessive use of the telephone for personal matters or making or receiving personal telephone calls, other than during authorized breaks and lunch periods.
19. Repeated failure to be at a designated work assignment ready to begin work at the appointed starting time.
20. Performing personal work during working hours.
21. \*\*Unauthorized possession of or removal of, or cooperation in the unauthorized possession of, or removal of property or possessions belonging to co-workers or the School District or applying to one's own use, any property, record or document of the School District or of co-workers.
22. Failure to maintain generally accepted standards of hygiene and cleanliness.
23. Leaving work without permission from a supervisor or failing to report the reason for leaving work as soon as possible when a supervisor is available.
24. Failure to perform work assignments according to acceptable standards of workmanship.

25. The deliberate hindrance of productive work.
26. Failure to comply with specific orders, instructions or posted notices.
27. Soliciting or collecting of funds in the workplace without the advance approval of the administration.
28. Posting or distributing written or printed material without the advance approval of the administration.
29. \*\*Fighting or causing harm to others while on School District property or while performing work for the School District.
30. Causing damage or destruction of School District property or the property of fellow employees.
31. Maintaining an additional financial, business or employment relationship which jeopardizes the well-being or best interests of the School District.
32. Threatening, intimidating or coercing fellow employees on or off the premises – at any time, for any purpose.
33. Using School District property or equipment for personal profit.
34. Disregarding verbal or written instructions or directives properly issued by a supervisor or an administrator pertaining to work.
35. Refusing or failing to assist with a special assignment.
36. Engaging in malicious gossip and/or spreading rumors; engaging in behavior designed to create discord and lack of harmony.
37. Interfering with another employee's ability to do their job or willfully restricting work output or encouraging others to do the same.
38. \*\*Immoral conduct or indecent behavior on School District property or while attending a corporation sponsored activity.
- 39 Physical or verbal abuse of students.

If a suspension is deemed necessary, the Superintendent or designee shall determine the length of the suspension and if the suspension will be with or without pay.

If an employee engages in behavior which the school corporation considers detrimental to the interests of the School District, or threatens the well-being of other employees, visitors, or students, the School District may terminate the employee immediately. Those activities marked with double asterisks (\*\*) are subject to immediate suspension.

The employee is expected to behave in a manner generally acceptable to the workplace and in a manner which gives credit to the employee and the School District.

Employees who do not follow standards of good behavior will be subject to disciplinary action, including termination of employment.

## ***Terminating Employees – Job Abandonment***

The ending of employment with the School District may occur in several ways, such as:

1. **Self-termination:** When one does not report to work for three (3) consecutive work days, without authority of a supervisor, the employee is considered self-terminated.
2. **Resignation:** When one initiates his/her own termination for any reason through a verbal or written resignation.
3. **Release:** When the School District initiates termination due to lack of work, a change in the workforce, unsatisfactory performance of the duties of the position, or for any other reason that would be in the best interest of the School District.
4. **Termination:** When the School District terminates an employee for violation of policy, procedures, or other reasons that are detrimental to the Valparaiso Community Schools.
5. **Retirement:** When one terminates his/her employment in accordance with provisions of the School District's retirement plan.

In the case of a release, the School District will try to give two weeks advance notice, unless circumstances require less time or no notice. In the case of a termination, the School District may suspend an employee, with or without pay pending an investigation of the incident, or it may terminate employment immediately following an incident of misconduct or insubordination.

### ***Outside Employment***

The School District believes that the demands of one's work schedule make it extremely difficult for one to perform a second job without a serious impairment of one's job performance.

If at any time, in the School District's opinion, outside employment affects one's work performance, attendance, or causes one to refuse to work overtime when requested, the School District may require you to limit or drop outside employment or terminate employment with the School District.

## ***Mobile Phone Use***

Employees should be aware that the School District does not promote the use of mobile phones while operating a vehicle. Safety must come before all concerns; under no circumstances should employees place themselves or others at risk to fulfill business needs.

Employees whose job responsibilities include driving, and who may use a mobile phone for business purposes, are expected to refrain from using their mobile phone while driving. Employees should plan calls to allow placement either prior to driving or while on rest breaks. Employees are expected to pull off to the side of the road and safely stop their vehicle before accepting calls. If acceptance of a call while driving is unavoidable, and pulling over is not an option, employees are expected to keep the call short and use a hands-free device, so that their eyes remain focused on the road, and both hands remain on the steering wheel, at all times.

Employees will be solely responsible for any traffic violations resulting from the use of a phone while driving.

Employees also should be aware that conversations over mobile phones are not necessarily confidential; it is possible that outside parties could tap into those conversations. If one needs to communicate about a highly confidential matter, he/she should try to use a more secure method of communication.

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Violations of this policy will be subject to discipline, up to and including termination.



Thank you for reading this Employee Handbook. This is just a brief guide to some commonly asked questions. If you have any other questions, please raise them with your supervisor, manager, building principal or the Human Resources Office.