School District of Manawa

***Policy & Human Resources* COMMITTEE MEETING**

Manawa School District Office - Board Room
800 Beech Street, Manawa WI
(920)596-2525

Wednesday, June 5, 2024

6:45 P.M.

Board of Education MISSION Statement: We Will Represent Our Community while Advocating For Our Stakeholders by Developing Strong Policy and Providing Direction For Our Future.

Board of Education Committee Members:
Reierson (C), Emmert, Coyle

*Notice is hereby given that School Board members who are not members of the **Policy and Human Resources Committee**, up to and possibly including all Board members, may attend the above-noticed committee meeting so as to constitute a quorum of the Board. However, the role of any Board member who is not a member of the above-identified committee is limited to information gathering and participation in the committee's discussion. The Board shall take no action as a governmental body as part of the committee meeting.*

- **CALL TO ORDER**

- **ROLL CALL** - *Verification of Quorum*
  - *B.O.E. Members Present:*

- **COMPLIANCE WITH OPEN MEETING LAW NOTIFICATION** *[§19.84(2) Wis. Stats.]*

Email notification dated:

- **AGENDA**

1. Discuss possible Board Retreat
   a. To have one or not
   b. Retreat topic focus

2. Discussion District/Business Office Position(s) pay structure
   a. Hourly vs. Salary - Employee Feedback

* Any person with a qualifying disability under the Americans with Disabilities Act that requires the meeting or material to be in accessible format, please contact the District Administrator to request reasonable accommodation. The meeting room is wheelchair accessible. This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public hearing. There may be a time for public comment during the meeting as indicated in the agenda.

**Upon request to the District Administrator, submitted twenty-four (24) hours in advance, the District shall make reasonable accommodations including the provision of informational material in an alternative format for a disabled person to be able to attend this meeting.

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3. Summer School, 2024
    a. MEMO Staffing #'s (Enrollment)

4. Informational Update on Health Benefit Option

5. Policy Review - PO 2416 - Student Privacy and Parental Access to Information
    a. Board Member question regarding opt out/opt in and legal compliance
    b. Discussion regarding conversation with School District's Attorney

6. Administrative Guidelines
    - Editing 3000's and Rescinding 4000's to match Policy formatting.

    a. AG3111A - Creating a Position
    b. AG4111A - RESCIND

    c. AG3111B - Verification of Employment Eligibility
    d. AG4111B - RESCIND

    e. AG3120A - Employment of School Personnel
    f. AG4120 - RESCIND

    g. AG3120C - Pre-Employment Interview Questions
    h. AG4120C - RESCIND

    i. AG3120D - Checking References of Applicants
    j. AG4120D - RESCIND

    k. AG3120.04 - Employment of Substitutes
    l. AG4120.04 - RESCIND

    m. AG3122.01 - Drug-Free Workplace
    n. AG4122.01 - RESCIND

    o. AG3123 - Section 504/ADA -Prohibition Against Disability Discrimination in Employment
    p. AG4123 - RESCIND

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q. AG3141 - Criminal Background Check Procedure
r. AG4141 - RESCIND

s. AG3160A - Physical Examination
t. AG4160A - RESCIND

u. AG3160C - Board-Ordered Post-Offer Physical Examinations
v. AG4160C - RESCIND

w. AG3213 - Liability of Staff for Student Welfare
x. AG4213 - RESCIND

y. AG3220A - Evaluation of Staff
z. AG4220 - RESCIND

aa. AG3231A - Participation in Political Activities
bb. AG4231A - RESCIND

cc. AG4251 - Extra Duty (RESCIND)
Guidelines/Process contained in Staff Handbook

dd. AG3362A - Reporting Threatening Behaviors
ee. AG4362A - RESCIND

ff. AG3362.01 - Reporting Threatening Behaviors
gg. AG4362.01 - RESCIND

hh. AG3430.01 - FMLA Leave
ii. AG4430.01 (RESCIND)

jj. AG3430.01B - FMLA Recordkeeping Requirements
kk. AG4430.01B (RESCIND)

ll. AG3440A - Job-Related Expenses
mm. AG4440A (RESCIND)

nn. AG3440B - Use of Privately Owned Car for School Business

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oo. AG4440B (RESCIND)

pp. AG3440C - Use of School Vehicle for School Business
qq. AG4440C (RESCIND)

7. ***REMINDER*** AG 9130A Procedures for Inspection of Instructional Materials
   Motion to endorse RESCINDING AG 9130A.
   Motion by: Coyle, Emmert Motion carried.

❖ FUTURE MEETING AGENDA ITEMS

- ➢ Handbooks
- ➢ July- Athletic philosophy and Coaching job descriptions
- ➢ August- Summer School Coordinator Review
- ➢ PI 8 Requirements:
  - ■ Each school district board shall certify annually that every teacher, supervisor, administrator, and other professional staff member has been issued a valid certificate, license or permit by the department for the position for which he/she is employed before entering on duties for such position and that a copy of the valid certificate, license, or permit is on file in the district.
  - ■ *Emergency nursing services*. A review and evaluation by the school board shall be made of the emergency nursing services program at least annually.

❖ ADJOURN

UPCOMING MEETING(S):

Regular Board of Education Meetings

- Regular ***Board of Education*** Meetings take place the 4th Monday every month.

Committee Meeting Dates and Times may be altered (June, July, & August)

- ***Buildings, Grounds & Finance Committee*** Meetings scheduled 2nd Wednesday every month.
- ***Curriculum Committee*** Meetings scheduled 1st Wednesday every month.
- ***Policy & Human Resource Committee*** Meetings scheduled 1st Wednesday every month.

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School District of Manawa

Students Choosing to Excel, Realizing Their Strengths

Board Meeting Date: _June 24, 2024_

Subject: __Summer School Enrollment & Staffing #'s__

Presenter(s): __Christy Hintz__

I. Overall Content/Purpose:

The purpose of this memo is to provide information to the B.O.E. regarding student enrollment #'s and staffing needs for summer school 2024.

II. Board Motion Needed:

TBD - Discussion with P&HR Committee regarding process

III. Point of Emphasis / Key Communication(s):

A. 31 contracts

B. 37 courses offered

C. 142 students enrolled

   1. This number does not include enrollments in skills camps:: volleyball, girls basketball, football, wrestling, and cheer

D. June 10 - June 28, 2024

E. The summer school course catalog was approved during the March BOE meeting.

F. Summer School Instructor Pay Rate: $30/hour (including prep)

IV. Contact for More Information:

Name: __Christy Hintz & Ryan Peterson__

Book	Policy Manual
Section	2000 Program
Title	Copy of STUDENT PRIVACY AND PARENTAL ACCESS TO INFORMATION
Code	po2416
Status	draft
Adopted	October 17, 2016
Last Revised	December 19, 2022

2416 - **STUDENT PRIVACY AND PARENTAL ACCESS TO INFORMATION**

The Board of Education respects the privacy rights of parents and their children.

Parents/guardians may request a change in or exemption to their child's participation in certain District educational programs or activities in accordance with State and Federal laws. These laws also grant parents/guardians the right to inspect certain materials that are part of the District's curriculum or other activities.

A. The parent/guardian of a student may, upon request, opt their child out of participation in:

    1. Instruction in human growth and development;

    2. Instruction in certain health-related subjects (physiology and hygiene, sanitation, the effects of controlled substances and alcohol upon the human system, symptoms of disease and the proper care of the body);

    3. Any State-mandated achievement examinations in grades 4, 8 and 10, and in any other grades authorized by the School Board and allowed by the Wisconsin Department of Public Instruction.

B. The District shall provide to the parent/guardian of each affected student, or to the adult or emancipated student, advance notice of the District's intent to engage any of the following activities (including notice of the scheduled or approximate date of the activity), and the parent/guardian/adult student shall have, at a minimum, the right to opt out of participation in each such activity:

    1. Any activity involving the collection, disclosure or use of personal information collected from students for the purpose of marketing or otherwise providing that information to others for that purpose.

    2. Any non-emergency, invasive physical examination or screening that is: (a) required as a condition of attendance, (b) administered by the school and scheduled by the school in advance, and (c) not necessary to protect the immediate health and safety of the student, or of other students; except that this paragraph shall not be interpreted to apply to any examination or screening that is required or expressly authorized by State law.

    3. Any survey that contains or reveals information concerning any of the following must be reviewed and approved by the Board at least two months prior to administration:

        a. political affiliations or beliefs of the student or the student's parent/guardian;

        b. mental or psychological problems of the student or the student's family;

c. sex behavior or attitudes;

d. illegal, anti-social, self-incriminating or demeaning behavior;

e. critical appraisals of other individuals with whom students have close family relationships;

f. legally recognized privileged or analogous relationships such as those of lawyers, physicals and ministers;

g. religious practices, affiliations or beliefs of the student or student's parent/guardian; or

h. income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program.

If the District intends to require students to participate in any survey, analysis or evaluation that would reveal information concerning any of the eight (8) protected-information categories above, and if the activity in questions is funded in whole or in part by any program of the U.S. Department of Education, then the District shall first obtain the affirmative, written consent of a parent/guardian for the student's participation (or, for an adult student, the advance, affirmative consent of the adult student) as found in the online registration section of the student information system (Skyward).

District staff shall take additional precautions to protect student privacy when engaging in any of the above-mentioned activities in accordance with established procedures.

C. Upon request to the District, the parent/guardian of a student may inspect:

1. Any instrument used in the collection of personal information from students for the purpose of marketing, or otherwise providing that information to others for that purpose.

2. Any survey the District intends to administer or distribute to students that contains or that would reveal information in any of the eight (8) protected-information categories listed within this policy, above.

3. Any survey created by a third party (regardless of content) before the survey is administered or distributed by a school to a student.

4. Any instructional materials (exclusive of tests or assessments) used as part of the educational curriculum for the student, which shall be interpreted to include, for example, a. the curriculum and instructional materials used in any human growth and development instructional program; and b. the instructional materials used in connection with any survey, analysis or evaluation (including any research or experimentation program or project designed to explore new or unproven teaching methods) that is funded in whole or in part by any U.S. Department of Education program.

Parents/guardians shall make any of the above requests regarding inspection of materials or student participation in certain activities in writing to the applicable building principal or designee. Other parent/guardian requests dealing with student participation in other curricular, instructional or programmatic activities that are not expressly identified in this policy may be made in the same manner. All requests will be judged individually and shall be based upon any applicable State or Federal requirements or guidelines. The principal or designee shall respond to such requests in a timely manner.

When whose parents request that their student not take part in the survey, arrangements will be made prior to the time period when the survey will be given, for the student(s) to go to a supervised location where under the supervision of a staff member the student will be provided with an alternate activity.

The Board will not allow the collection, disclosure, or use of personal information collected from students for the purpose of marketing or selling that information (or otherwise providing that information to others for that purpose).

The District Administrator is directed to provide notice of the substantive content of this policy directly to parents of students enrolled in the District at least annually at the beginning of the school year, and within a reasonable period of time after any substantive change in this policy. In addition, the District Administrator is directed to notify parents of students in the District, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when the administration of any survey by a third party that contains one or more of the items described in A though H above is scheduled or expected to be scheduled.

The notice shall provide the following:

A. Notice of the specific or approximate dates during the school year when the following activities are scheduled or expected to be scheduled:

    1. activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose)

    2. the administration of any survey by a third party that contains one or more of the items described in A through H above

B. The opportunity for the parents to opt their child(ren) out of participation in any survey involving any of the items above.

For purposes of this policy, the term "parent" includes a legal guardian or other person standing in loco parentis (such as grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).

Revised 3/15/21

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Legal 20 U.S.C. 1232g, 20 U.S.C. 1232h

Last Modified by Steve LaVallee on June 6, 2023

Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of CREATING A POSITION
Code	ag3111A
Status	Proposed to Policy & Human Resources Committee
Adopted	May 21, 2018

3111A - **CREATING A POSITION**

The Board of Education has reserved the right, in its discretion, to create new positions and specify the number of ~~professional~~ staff members in each category. In compliance with that policy the Board has adopted the following guidelines for the creation of a District position:

A. A job description will be prepared for each new position being considered.

B. The title of the new position shall be the same as the title on the certificate required to hold that position wherever possible. If a job title does not coincide with the certificate title, the job description will be approved by the District Administrator.

C. Documentation will be made of the need for the new position or an increase in the number of employees in an existing category of work.

D. The new position will be presented to the Board with a recommendation for adoption.

E. No person may be employed to fill the position until Board approval is obtained.

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Last Modified by Ryan Peterson on May 29, 2024

Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of CREATING A POSITION - RESCIND
Code	ag4111A
Status	Proposed to Policy & Human Resources Committee
Adopted	June 18, 2018

~~4111A **CREATING A POSITION**~~

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C. ~~Each new position will be presented to the Board by the District Administrator with a recommendation for approval.~~

D. ~~No person may be employed to fill the position until Board approval is obtained.~~

Last Modified by Ryan Peterson on May 29, 2024

Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of VERIFICATION OF EMPLOYMENT ELIGIBILITY
Code	ag3111B
Status	Proposed to Policy & Human Resources Committee
Adopted	May 21, 2018

3111B - **VERIFICATION OF EMPLOYMENT ELIGIBILITY**

In order to comply with Federal law the following verification of employment eligibility procedures will apply:

Completion of Form I-9

Form I-9 must be completed within three (3) business days of the date of the hire. If an individual is employed for less than three (3) days, the form must be completed before the end of the employee's first working day.

The following individuals **do not need** to complete Form I-9:

A. persons hired before November 7, 1986

B. persons who are employed by a contractor providing contract services

C. persons who are independent contractors

The payroll clerk is also responsible for reverifying employment eligibility of employees whose employment eligibility documents carry an expiration date.

Retention of Employment Eligibility Verification Form (Form I-9)

The payroll clerk must retain Form I-9 for three (3) years or for one (1) year past the end of the employment of the individual, whichever is longer. Such forms will be retained in a separate file and shall be considered to be confidential and used only for employment eligibility verification purposes.

Preparation of Documents for Inspection

U.S. Immigration and Customs Enforcement (ICE) or Department of Labor (DOL) Officers are required to give employers three (3) days advance notice before an inspection. The payroll clerk will assemble the I-9 forms and appropriate payroll records for the previous three (3) years in preparation for the inspection. Failure to provide the I-9 forms could result in civil monetary penalties for each employee for whom the form was not completed, retained, or presented.

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Legal	P.L. 99-603
	Immigration Reform and Control Act of 1986

Last Modified by Ryan Peterson on May 29, 2024

Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of VERIFICATION OF EMPLOYMENT ELIGIBILITY - RESCIND
Code	ag4111B
Status	Proposed to Policy & Human Resources Committee
Adopted	June 18, 2018

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Legal	P.L. 99-603 Immigration Reform and Control Act of 1986

Last Modified by Ryan Peterson on May 29, 2024

Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of SELECTION OF PROFESSIONAL PERSONNEL
Code	ag3120A
Status	Proposed to Policy & Human Resources Committee
Adopted	May 21, 2018

3120A - **EMPLOYMENT OF SCHOOL ~~SELECTION OF PROFESSIONAL~~ PERSONNEL**

A. **Introduction**

1. The Board of Education shall make all appointments to positions on the basis of a person's professional qualifications. To implement the desire of the Board to appoint on the basis of merit only, all those who have responsibility for staffing should search diligently within and outside the system for qualified candidates to fill staff positions.

2. Each position shall have a job description which shall include, but not be limited to, the following information:

    a. the position title

    b. its function

    c. a listing of the responsibilities and authorizations assigned to the position

    d. a description of the reporting and supervisory relationships of the position

3. For all staff openings, applications are solicited from current staff members through the internal posting process.

B. **Qualifications**

1. The qualities desired beyond minimum certification requirements are:

    a. formal training appropriate to the duties and responsibilities of the particular position;

    b. experience, both quantitative and qualitative, related to the particular position;

    c. demonstrated ability in the particular position;

    d. demonstrated ability to work harmoniously with others, both with those of greater and lesser responsibility and authority;

    e. evidence of high educational and professional standards;

    f. demonstrated commitment to the District and/or community where presently employed;

g. evidence of commitment to professional growth;

h. evidence of professional work habits and conduct consistent with the ethics of the profession.

2. Each candidate shall submit the following information ~~through WECAN~~:

a. personal data, limited to those allowed by law

b. certificates held

c. record of educational and professional training (including transcripts)

d. record of experience applicable to the position, e.g. teaching, counseling, administration, etc.

e. reports from references

f. other information as required by the District ~~through WECAN~~.

C. **Selection Process**

1. Application Procedure - All letters of application and all placement office credentials shall be provided to District Administration.

a. The applications ~~on WECAN~~ will be reviewed by the appropriate administrator.

b. The appropriate administrator will determine the candidates for the interview process.

c. Recommended Investigation Procedure

a. Checking of credentials should include, in addition to letters of reference, direct telephone calls to the person's recent supervisor(s) or employer. Such information shall be maintained in a confidential file restricted to supervisory and official use only so as to protect the source(s) of the information and the privacy of the applicant.

b. All necessary certification, training, and experience is documented.

d. Interview Procedure - (Not for Principals or Central Office Positions)

a. Applicants may be granted an interview if their credentials indicate they meet the criteria for the position.
b. Selected candidates shall be scheduled for personal interviews with interview team selected by the administrator..

c. PROFESSIONAL STAFF - After all interviews have been completed, the administrator in charge submits the recommended two (2) finalists for the position to the District Administrator who along with the administrative team will conduct the final interview and make the selection of the person to be recommended to the Board. Prior to the recommendation, a criminal history record check will be conducted. SUPPORT STAFF - In selecting personnel to fill support staff positions, the principal with the endorsement of the District Administrator shall be responsible for selecting the candidate best qualified to fill each position in accordance with position specifications established by the Board. Each final candidate must have a satisfactory criminal records check.

d. Both successful and unsuccessful candidates shall be notified of the District's employment decision.

e. Procedure for Principals

If the opening is for a principal position, a stakeholder group consisting of a combination of the District Administrator, administrative team members, teachers, parents, and students (if age appropriate) shall be selected to assist in the interview process.

a. The administrative team shall participate in the planning of the interview sessions and the questions that will be asked of all candidates.

b. At the end of the interview process, each member of the selection committee is to independently determine those candidates that s/he thinks should receive further consideration. The selection committee, as a group, will determine those candidates selected for the second round of interviews.

c. The second round of interviews will include a member of ~~be conducted by~~ the Board of Education. In addition, there will be involvement by members of the community. All parties will provide feedback to the District Administrator ~~Board of Education~~ who shall ~~determine~~ make a selection of the candidate to be recommended to the Board for employment ~~the candidate for whom an offer of employment will be made~~.

f. Procedure for Central Office Positions

The interview/selection procedure for professional staff with administrative responsibilities at the District level shall be established by the District Administrator, appropriate for the position.

g. Procedure for District Administrator Position

The interview/selection procedure for the District Administrator will be established by the Board of Education and may include the use of a search firm.
During all phases of all screening, interviewing, and selection process, the Equal Opportunity Employment Policy 3122 as well as Administrative Guidelines 3120C shall be adhered to by all personnel involved.

D. **Employment Procedure**

1. ~~After selection by the Board of Education, the District Administrator~~ Administration shall make an offer of employment and remuneration, pending Board approval, and upon acceptance by the successful candidate, initiate a contract or memorandum of employment which will include:

   a. terms of employment including wages;

   b. length of contract;

   c. fringe benefits;

   d. job title and person to whom responsible;

2. Upon acceptance, the new staff member shall report to the District office to fill out withholding tax, insurance, and any other necessary forms.

3. All documents concerning employment shall be attached to the application and filed in the District office. (See AG 8320 - Personnel Records)

4. The new staff member is to be properly oriented by his/her supervisor.

E. **Reporting Employment**
The District Administrator shall report all newly hired employees to the Wisconsin Department of Workforce Development within twenty (20) days of the employee's start date.

The report shall include the employee's name, address, date of birth, and social security number as well as the District's name, address, and Federal Employer Identification Number (FEIN).

For the purposes of this section, a newly-hired employee is any first-time employee and any individual rehired after an absence of ninety (90) days or more.

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Last Modified by Ryan Peterson on May 29, 2024

Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of EMPLOYMENT OF SUPPORT STAFF - RESCIND
Code	ag4120
Status	Proposed to Policy & Human Resources Committee
Adopted	June 18, 2018

~~4120 **EMPLOYMENT OF SUPPORT STAFF**~~

~~The following guidelines are established for the interviewing and screening of employee candidates:~~

A. ~~Applications are to be made in writing to the District Administrator's office or through WECAN.~~

B. ~~Checking of credentials may include direct telephone calls to immediate supervisors of the person being considered.~~

C. ~~Applicants may be granted an interview if their credentials indicate they meet the criteria for the position.~~

D. ~~Terms of employment shall be made known to the candidate at the time of the interview.~~

~~In selecting personnel to fill established positions, the principal with the endorsement of the District Administrator shall be responsible for selecting the person best qualified to fill each position in accordance with position specifications established by the Board. Each final candidate must have a satisfactory criminal records check.~~

~~**Reporting Employment**~~

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Last Modified by Ryan Peterson on May 29, 2024

Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of PRE-EMPLOYMENT INTERVIEW QUESTIONS
Code	ag3120C
Status	Proposed to Policy & Human Resources Committee
Adopted	May 21, 2018

3120C - **PRE-EMPLOYMENT INTERVIEW QUESTIONS**

Asking an applicant questions prohibited by the Equal Employment Opportunity Act during pre-employment interviews could open the door for a job candidate to take legal action against the District. The following guideline outlines the questions that are appropriate and those that should be avoided.

YOU CANNOT ASK:

A. any question that would indicate race or color;

B. any question that would indicate gender, unless job-related;

C. applicant's religion or religious customs and holidays; recommendations from church officials;

D. if applicant, spouse, or parents are native-born or naturalized; date of citizenship; or for other proof of citizenship before hiring; (Proof of citizenship required on I-9 Form)

E. marital status before hiring, the number and age of children, who cares for them, and if applicant plans to have more;

F. to see military service records, about military service with any country other than U.S.;

G. nationality, racial, or religious affiliation of school attended;

H. how foreign language ability was acquired;

I. inquiries about arrests, (as contrasted with convictions), except pending charges (see below at F.);

J. listing of all clubs to which the applicant belongs or has belonged;

K. that a candidate provide a photograph before hiring or that one be taken during an interview;

L. height and weight or physical/mental characteristics which do not relate directly to the job specifications;

M. whether applicant lives with a disabled individual (whether related or not);

N. whether applicant plans to marry or plans to have a family;

O. whether applicant has any military obligations.

YOU CAN ASK:

A. for applicant's current and previous address; phone number;

B. whether applicant is eighteen (18) years of age or older;

C. whether the applicant is lawfully authorized to work in the United States;

D. if applicant has served in the U.S. armed forces including branch of service and rank attained; job-related experience acquired in the military;

E. academic, professional, or vocational school attended; language skills such as reading and writing, foreign languages, grades, degrees, majors, etc.;

F. criminal convictions; any pending felony charges; any misdemeanor charge related to sexual conduct or assault or abuse of a child;

G. personal and professional and other work references not relating to race, color, religion, gender, national origin, or ancestry;

H. professional and social organization membership, so long as affiliation does not identify and is not used to discriminate on the basis of gender, race, national origin, or ancestry;

I. willingness to perform job functions;

J. willingness to work required work schedule and under prescribed working conditions.

AFTER HIRING, YOU MAY OBTAIN:

A. marital status and number/age of dependents for insurance and tax purposes;

B. proof of age;

C. status of citizenship (I-9 Form);

D. race, if done pursuant to required or approved affirmative action plan and maintained separately from applicant file;

E. a copy of military discharge certificate.

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Last Modified by Ryan Peterson on May 29, 2024

Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of PRE-EMPLOYMENT INTERVIEW QUESTIONS - RESCIND
Code	ag4120C
Status	Proposed to Policy & Human Resources Committee
Adopted	June 18, 2018

~~4120C **PRE-EMPLOYMENT INTERVIEW QUESTIONS**~~

~~Asking an applicant questions prohibited by the Equal Employment Opportunity Act during pre-employment interviews could open the door for a job candidate to take legal action against the District. The following guideline outlines the questions that are appropriate and those that should be avoided.~~

~~**YOU CANNOT ASK:**~~

A. ~~any question that would indicate race or color;~~

B. ~~any question that would indicate gender, unless job-related;~~

C. ~~applicant's religion or religious customs and holidays; recommendations from church officials;~~

D. ~~if applicant, spouse, or parents are native-born or naturalized; date of citizenship; or for other proof of citizenship before hiring;~~

   ~~(Proof of citizenship required on I-9 form)~~

E. ~~marital status before hiring, the number and age of children, who cares for them, and if applicant plans to have more;~~

F. ~~to see military service records; about military service with any country other than U.S.;~~

G. ~~nationality, racial, or religious affiliation of school attended;~~

H. ~~how foreign language ability was acquired;~~

I. ~~inquiries about arrests, (as contrasted with convictions), except pending charges (see below at F.);~~

J. ~~listing of all clubs to which the applicant belongs or has belonged;~~

K. ~~that a candidate provide a photograph before hiring or that one be taken during an interview;~~

L. ~~height and weight or physical/mental characteristics which do not relate directly to the job specifications;~~

M. ~~whether applicant lives with a disabled individual (whether related or not);~~

N. ~~whether applicant plans to marry or plans to have a family;~~

O. ~~whether applicant has any military obligations.~~

~~**YOU CAN ASK:**~~

A. ~~for applicant's current and previous address; phone number;~~

B. ~~whether applicant is eighteen (18) years of age or older;~~

C. ~~whether the applicant is lawfully authorized to work in the United States;~~

D. ~~if applicant has served in the U.S. armed forces including branch of service and rank attained; job-related experience acquired in the military;~~

E. ~~academic, professional, or vocational school attended; language skills such as reading and writing, foreign languages, grades, degrees, majors, etc.;~~

F. ~~criminal convictions; any pending felony charges; any misdemeanor charge related to sexual conduct or assault or abuse of a child;~~

G. ~~personal and professional and other work references not relating to race, color, religion, gender, national origin, or ancestry;~~

H. ~~professional and social organization membership, so long as affiliation does not identify and is not used to discriminate on the basis of gender, race, national origin, or ancestry;~~

I. ~~willingness to perform job functions;~~

J. ~~willingness to work required work schedule and under prescribed working conditions.~~

~~**AFTER HIRING, YOU MAY OBTAIN:**~~

A. ~~marital status and number/age of dependents for insurance and tax purposes;~~

B. ~~proof of age;~~

C. ~~status of citizenship (I-9 Form);~~

D. ~~race, if done pursuant to required or approved affirmative action plan and maintained separately from applicant file;~~

E. ~~a copy of military discharge certificate.~~

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Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of CHECKING REFERENCES OF APPLICANTS
Code	ag3120D
Status	Proposed to Policy & Human Resources Committee
Adopted	May 21, 2018

3120D - **CHECKING REFERENCES OF APPLICANTS**

The following procedure is to be used when conducting a check of references submitted by an applicant:

A. Review the references with the applicant to ensure that those submitted are people with whom the applicant has worked on a regular basis either in a job setting or an academic setting or both. For administrators, it is important to have references from District Administrators and board members with whom the applicant worked. Make sure the references have worked with the applicant within the last three (3) to five (5) years. Determine from the reference if other people who worked with the applicant are available to provide information concerning suitability for the job.

B. Make telephone contact with references particularly if there is discrepant information.

C. Confine questions to the applicant's suitability for employment work performance, including interpersonal skills. Ask "would you hire _____ again?" or "would you want to work with _____ again?". Ask the reference to give specific examples of what the applicant did well and/or to rate the applicant on various aspects of the job for which the person is applying.

D. Take notes of each reference contact, including time and date of the call and the reference's name and position. Maintain a written summary of the comments for later use.

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Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of CHECKING REFERENCES OF APPLICANTS - RESCIND
Code	ag4120D
Status	Proposed to Policy & Human Resources Committee
Adopted	June 18, 2018

~~4120D – **CHECKING REFERENCES OF APPLICANTS**~~

~~The following procedure is to be used when conducting a check of references submitted by an applicant:~~

A. ~~Review the references with the applicant to ensure that those submitted are people with whom the applicant has worked on a regular basis either in a job setting or an academic setting or both. Make sure the references have worked with the applicant within the last three (3) to five (5) years. Determine from the reference if other people who worked with the applicant are available to provide information concerning suitability for the job.~~

B. ~~Make telephone contact with at least three (3) references particularly if there is discrepant information from the first two (2).~~

C. ~~Confine questions to the applicant's suitability for employment work performance, including interpersonal skills. Ask "would you hire_____ again?" or "would you want to work with_____ again?" Ask the reference to give specific examples of what the applicant did well and/or to rate the applicant on various aspects of the job for which the person is applying.~~

D. ~~Take notes of each reference contact, including time and date of the call and the reference's name and position. Maintain a written summary of the comments for l~~ater use.

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Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of EMPLOYMENT OF SUBSTITUTES
Code	ag3120.04
Status	Proposed to Policy & Human Resources Committee
Adopted	May 21, 2018

3120.04 - **EMPLOYMENT OF SUBSTITUTES**

The District Administrator is responsible for approving candidates for employment recommended by the building principals. Approved candidates will be added to the substitute staff listing maintained by the District Office.

Employment Procedures shall be as follows:

A. Interested persons must return a complete application for the desired position to the school district.
B. A criminal background check of any applicant will be completed prior to offering employment.
C. Each applicant shall undergo a criminal history check.
D. The investigation and interview procedures described in AG 3120A will be used, as applicable to the position.
E. Each applicant must have a clear fitness-for-duty health screening provided by the District prior to being added to the substitute roster.
F. Screening tests may be used to determine the candidate's ability to perform the tasks for which s/he is being considered.
G. Recommendations from former employers and others will be requested. Such records shall be retained confidentially and for official use only.
H. Upon approval of the District Administrator, substitutes' names will be placed on the official substitute list.

In-School Procedures

Each principal is to develop procedures which ensure each substitute has completed necessary forms; received appropriate instructions, plans, and other resources needed to function properly in the position and the building; and been observed early and regularly in the performance of his/her responsibilities.

Long-Term Substitutes

A person will be considered a long-term substitute if ~~s/he~~ they ~~is~~ are appropriately certified and the staff member for whom ~~s/he~~ they ~~has~~ have been hired to replace has a leave which extends for more than ten (10) consecutive school days. The District Administrator may waive the consecutive school day requirement in extenuating circumstances.

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Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of EMPLOYMENT OF SUBSTITUTE SUPPORT STAFF - RESCIND
Code	ag4120.04
Status	Proposed to Policy & Human Resources Committee
Adopted	June 18, 2018

~~4120.04 **EMPLOYMENT OF SUBSTITUTE SUPPORT STAFF**~~

~~The District Administrator must approve those candidates for employment recommended by the building principals. Approved candidates will be added to the substitute support staff listing maintained by the District Office.~~

~~The screening procedure shall be as follows:~~

A. ~~A criminal background check of any applicant will be completed prior to offering employment.~~

B. ~~All applications for substitute positions shall be made through the WECAN website.~~

C. ~~Each applicant shall undergo a criminal history check.~~

D. ~~Each applicant must have a clear fitness-for-duty health screening provided by the District prior to being added to the substitute roster.~~

E. ~~Screening tests may be used to determine the candidate's ability to perform the tasks for which s/he is being considered.~~

F. ~~Recommendations from former employers and others will be requested. Such records shall be retained confidentially and for official use only.~~

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Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of DRUG-FREE WORKPLACE
Code	ag3122.01
Status	Proposed to Policy & Human Resources Committee
Adopted	May 21, 2018
Last Revised	May 22, 2023

3122.01 - **DRUG-FREE WORKPLACE**

Staff members shall comply with the provisions of Policy 3122.01 - Drug-Free Workplace.

Definitions

The term 'District-related activity or event' includes any program or activity over which the District or a school within the District exercises control or supervision or any activity or event at which District staff are present in their capacity as School District staff members. This includes, but is not limited to, all District-sponsored curricular, extra-curricular, co-curricular, and student or staff training events whether on or off District property and any field trip or other District-sponsored trip including national and international trips, as well as similar activities in which District students or staff participate as representatives of the District regardless of where the activity or event is held. In addition, this definition includes any District supported means of transportation to and from any such activity or event, regardless of whether students are present in the mode of transportation.

The term 'drugs' means any medicine or other substance which has a physiological effect on a person when ingested or otherwise introduced into the body, and includes any controlled substance, prescription medication, regardless of method of delivery, including by ingestion, injection, inhalation, or any other method of introducing the substance into the body. The term 'drugs' includes but is not limited to alcohol, marijuana, and any THC containing product or other cannabinoids including those derived from marijuana or hemp (Delta 8 or 9).

The term 'drug paraphernalia' means any device designed for or used for the purpose of introducing drugs into the body, including, pipes, vaping devices, needles, or other such devices.

The term 'mood-altering drugs' means any drug taken for the purpose of or that the effect of producing a change in the individual's demeanor, including those that create euphoric or depressive effects. A drug is mood-altering regardless of whether the individual taking such drug becomes actually impaired in any way.

The term 'illegal drugs' means any drug restricted as to use or possession by State or Federal law, and includes prescription drugs used or possessed by an individual other than the individual prescribed the medication or taken inconsistent with the prescribing health care provider's instructions.

The term 'workplace' is any location at which a staff member is at a District-related activity or event.

Prohibition Regarding Drugs and Drug Paraphernalia

Employees are to report to the workplace free of the effects of all mood-altering drugs, including alcohol. The use, possession, sale or intent to sell, transfer drugs, drug paraphernalia, or having illegal drugs or chemicals in a person's

system in or on District property, or in any District-owned or contracted vehicle is prohibited.

Each job description shall contain the following phrase:

> 'The employee shall remain free of any alcohol or illegal substance in the workplace in compliance with Policy 3122.01 throughout the employee's employment in the District.'

Enforcement Investigation and Sanction

Staff members reasonably suspected of being under the influence of alcohol or illegal drugs or having used alcohol or illegal drugs in the workplace may be required to undergo appropriate testing for the purpose of detecting the presence of such substances. Reasonable suspicion will support a requirement for testing if based on unusual or out-of-character behavior observed by other persons, irregular speech or gait patterns, appearance of confusion or disorientation, odor of alcohol or other prohibited substance, or observed usage at or immediately prior to entering the workplace. Additional signs of alcohol or drug effects may support a testing requirement if the suspicion is confirmed by a person who has received training, such as a law enforcement officer. An administrator or appointed supervisory staff member shall notify the staff member of the requirement to submit to an alcohol or drug test and shall direct the completion of the required test.

Desks, file cabinets, and other storage devices may be provided for the convenience of employees but remain the sole property of the District. Accordingly, they can be inspected by any agent or representative of the District at any time, either with or without prior notice. Any staff member's personal belongings kept on District property may be searched in the event District officials have reasonable suspicion that the staff member is in possession of prohibited items. Any such search shall occur only after the staff member has been asked to consent to the search. If reasonable suspicion exists, but consent to search is not provided, the search may occur. Any such search shall be conducted in the presence of more than one District official other than the staff member involved and shall be limited in scope by the basis for reasonable suspicion to conduct the search in the first instance. District officials may consult with law enforcement or District legal counsel prior to conducting a search and may prohibit the staff member from removing the item during the process.

Any staff member who violates the District policy shall be subject to disciplinary action in accordance with District guidelines.

When the discipline of a staff member becomes necessary, such action shall be consistent with the requirements of any applicable Board Policy and State and Federal law.

Employees that feel they may be experiencing or developing dependency on alcohol or other drugs are encouraged to take advantage of the District's Employee Assistance Program (EAP) before a violation of this policy occurs. Alcohol or drug dependency does not excuse any employee from the requirements of this policy.

Revised 4/25/22

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Legal

P.L. 101-126

Drug-Free Workplace Act of 1988, 41 U.S.C. 701 et seq.

20 U.S.C. 3224A

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Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of DRUG-FREE WORKPLACE - RESCIND
Code	ag4122.01
Status	Proposed to Policy & Human Resources Committee
Adopted	June 18, 2018
Last Revised	May 22, 2023

~~4122.01 **DRUG-FREE WORKPLACE**~~

~~Staff members shall comply with the provisions of Policy 4122.01 - Drug-Free Workplace.~~

~~**Definitions**~~

~~The term 'District-related activity or event' includes any program or activity over which the District or a school within the District exercises control or supervision or any activity or event at which District staff are present in their capacity as School District staff members. This includes, but is not limited to, all District-sponsored curricular, extra-curricular, co-curricular, and student or staff training events whether on or off school property, and any field trip or other District-sponsored trip including national and international trips, as well as similar activities in which District students or staff participate as representatives of the District regardless of where the activity or event is held. In addition, this definition includes any District supported means of transportation to and from any such activity or event, regardless of whether students are present in the mode of transportation.~~

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~~Each job description shall contain the following phrase:~~

~~'The employee shall remain free of any alcohol or illegal substance in the workplace in compliance with Policy 4122.01 throughout the employee's employment in the District.'~~

~~**Enforcement Investigation and Sanction**~~

~~Staff members reasonably suspected of being under the influence of alcohol or illegal drugs or having used alcohol or illegal drugs in the workplace may be required to undergo appropriate testing for the purpose of detecting the presence of such substances. Reasonable suspicion will support a requirement for testing if based on unusual or out-of-character behavior observed by other persons, irregular speech or gait patterns, appearance of confusion or disorientation, odor of alcohol or other prohibited substance, or observed usage at or immediately prior to entering the workplace. Additional signs of alcohol or drug effects may support a testing requirement if the suspicion is confirmed by a person who has received training, such as a law enforcement officer. An administrator or appointed supervisory staff member shall notify the staff member of the requirement to submit to an alcohol or drug test and shall direct the completion of the required test.~~

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~~Employees that feel they may be experiencing or developing dependency on alcohol or other drugs are encouraged to take advantage of the resources offered by the District before a violation of this policy occurs. Alcohol or drug dependency does not excuse any employee from the requirements of this policy.~~

~~Revised 4/25/22~~

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Legal	P.L. 101-126
	Drug-Free Workplace Act of 1988, 41 U.S.C. 701 et seq.
	20 U.S.C. 3224A

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Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of SECTION 504/ADA - PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT
Code	ag3123
Status	Proposed to Policy & Human Resources Committee
Adopted	May 21, 2018
Last Revised	February 22, 2018

3123 - **SECTION 504/ADA - PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT**

The Board of Education prohibits discrimination against any employee or applicant based on a disability. As such, the Board will not engage in employment practices or adopt policies that discriminate on the basis of disability against qualified individuals with disabilities in every aspect of employment. Specifically, the Board does not discriminate on the basis of disability against a qualified individual in regard to:

A. recruitment, advertising, and job application procedures;

B. hiring, upgrading, promotion, award of tenure, demotion, transfer, layoff, termination, right of return from layoff, and rehiring;

C. rates of pay or any other form of compensation and changes in compensation;

D. job assignments, job classifications, organizational structures, position descriptions, lines of progression, and seniority lists;

E. leaves of absence, sick leave, or any other leave;

F. fringe benefits available by virtue of employment, whether or not administered by the District;

G. selection and financial support for training, including: apprenticeships, professional meetings, conferences and other related activities, and selection for leaves of absence to pursue training;

H. activities sponsored by the Board, including social and recreational programs; and

I. any other term, condition, or privilege of employment.

The District will provide a reasonable accommodation to a qualified applicant and employee who has an actual disability or who has a record of a disability that is needed for the employee/applicant to perform the essential functions of the position, unless the accommodation would impose an undue hardship on the operation of the District's programs and/or activities. A reasonable accommodation is not required for an individual who is merely regarded as having a disability.

An individual with a disability is anyone who:

A. has a physical or mental impairment that substantially limits one or more major life activities ("actual disability");

B. has a record of having (i.e., has a history of, or has been misclassified as having) a physical or mental impairment that substantially limits one or more major life activities; or

C. is regarded as having a physical or mental impairment that substantially limits one or more major life activities (i.e., has a physical or mental impairment that does not substantially limit major life activities but is treated by the District as constituting such a limitation, or has a physical or mental impairment that substantially limits major life activities only as a result of the attitude of others toward such impairment, or has none of the physical or mental impairments recognized by Section 504 but is treated as having such an impairment).

Major life activities include, but are not limited to, caring for oneself, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, sitting, reaching, interacting with others, and working.

Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, hemic, lymphatic, musculoskeletal and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

Physical or mental impairment means:

A. any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems:

1. neurological;
2. musculoskeletal;
3. special sense organs;
4. respiratory, including speech organs;
5. cardiovascular;
6. reproductive;
7. digestive;
8. genitourinary;
9. hemic and lymphatic;
10. skin;
11. immune;
12. circulatory;
13. endocrine;

B. any mental or psychological disorder, such as an intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

While the determination of whether an impairment substantially limits a major life activity is an individualized one that is case specific, given the inherent nature of the following impairments, as a practical matter, they almost always will be found to impose a substantial limitation, at a minimum, on the major life activity indicated: deafness substantially limits hearing; blindness substantially limits seeing; an intellectual disability substantially limits brain function; partially or completely missing limbs or mobility impairments requiring the use of a wheelchair substantially limit musculoskeletal function; autism substantially limits brain function; cancer substantially limits normal cell growth; cerebral palsy substantially limits brain function; diabetes substantially limits endocrine function; epilepsy substantially limits neurological function; Human Immunodeficiency Virus (HIV) infection substantially limits immune functions; multiple sclerosis substantially limits neurological function; muscular dystrophy substantially limits neurological function; and major depressive disorder, bipolar disorder, post-traumatic stress disorder, obsessive-compulsive disorder, and schizophrenia substantially limit brain function.

Physical or mental impairments that are episodic in nature or in remission may constitute a disability for the purposes of Section 504/ADA if the impairment would substantially limit a major life activity when active, such as asthma, allergies, or cancer.

The determination of whether an impairment substantially limits a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (defined as devices that magnify, enhance, or otherwise augment a visual image, but not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aids and cochlear implants or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, use of assistive technology, reasonable accommodations or "auxiliary aids or services", learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy.

Individual with a disability does not include the following (i.e., Section 504 and/or the ADA specifically excludes):

A. individuals who currently are engaging in the use of illegal drugs, when the District acts on the basis of such use;

B. with respect to employment, any individual who is an alcoholic whose current use of alcohol prevents such individual from performing the duties of the job in question or whose employment, by reason of such current alcohol abuse, would constitute a direct threat to property or the safety of others;

C. with respect to employment, an individual who currently has a contagious disease or infection and who, by reason of such disease or infection, would constitute a direct threat to the health or safety of other individuals or who, by reason of the contagious disease or infection, is unable to perform the duties of the job;

D. an individual on the basis of homosexuality or bisexuality; and

E. an individual on the basis of:

    1. transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairment, or other sexual behavior disorders;

    2. compulsive gambling, kleptomania, or pyromania; or

    3. psychoactive substance use disorders resulting from current use of illegal drugs.

Individual with a disability includes an individual who:

A. has completed a supervised drug rehabilitation program successfully and is no longer engaging in the illegal use of drugs, or otherwise has been rehabilitated successfully and is no longer engaging in such use;

B. is participating in a supervised rehabilitation program and is no longer engaging in such use; or

C. is erroneously regarded as engaging in the use of illegal drugs, but is not engaging in such use.

Under Wisconsin law, an “individual with a disability” means an individual who has a real or perceived physical or mental impairment “which makes achievement unusually difficult or limits the capacity to work.” This definition has generally been interpreted as a broader definition than that which exists under Federal law discussed above.

Notice

Pursuant to policy, the identity of the District's Compliance Officers (COs) will be published on the District's website and posted throughout the District and included in all recruitment statements or general information publications.

Recruitment materials, job announcements and all other materials/publications published by the Board must contain the following statement:

The Board does not discriminate against individuals with disabilities in employment or the provision of services.

The requirement regarding recruitment materials may be met by including an insert in existing publications or revising and reprinting publications.

Equal Employment Opportunity Statement

The School District of Manawa Board of Education does not discriminate on the basis of race, color, sex (including gender status, change of sex, sexual orientation, or gender identity), religion, age, pregnancy, disability, national origin, ancestry, arrest record, conviction record, use or non-use of lawful products off the District's premises during non-working hours, declining to attend an employer-sponsored meeting or to participate in any communication with the employer about religious matters or political matters, or any other characteristic protected by law in its employment practices.

The Board also will include a notice of reasonable accommodation requirements on District employment application forms and post notices that employee reasonable accommodation Request Forms may be obtained from the District's Section 504/ADA Coordinator(s) (hereinafter referred to as the Compliance Officer(s) or CO(s)).

Decision-Making Process for Determining/Identifying Reasonable Accommodations and Undue Hardship

In determining the appropriate accommodation in the employment situation, the District will take into account two (2) factors:

A. the specific abilities and functional limitations of the particular applicant or employee with a disability; and

B. the specific functional requirements of the particular job.

A reasonable accommodation is "any change in the work environment or in the way things are customarily done that enables an individual with a disability to enjoy equal employment opportunities." Many times a reasonable accommodation will be obvious and made without difficulty and at little or no cost. The CO will first inquire of the individual with the disability as to any possible suggestions s/he may have for a simple change or adjustment that will serve as an effective accommodation. The District recognizes that employees with disabilities can be useful sources of the information on what type of accommodation they need, where to obtain information on appropriate accommodations, and where to purchase accommodations.

If, however, the identification of a reasonable accommodation proves difficult, the District will utilize an informal, interactive process whereby it and the individual will work together to identify the appropriate accommodation. The interactive process will include any and/or all of the following steps, as appropriate:

A. Examination of the particular job involved and determination of its purpose and essential functions. The District will conduct an individual assessment of the particular job at issue in order to analyze the actual job duties ("essential functions") and determine the true purpose or object of the job. Preferably, a written job description already will be in place that lists the essential functions of the job.

B. The District will consult with the individual with a disability to find out the individual's specific physical or mental abilities and limitations as they relate to the essential job functions. This will help the parties identify the barriers to job performance and assess how these barriers could be overcome with an accommodation.

C. In consultation with the individual, the District will identify potential accommodations and assess how effective each would be in enabling the individual to perform essential job functions.

D. If the parties still are not able to identify an appropriate accommodation, the District will seek technical assistance.

E. If there are several effective accommodations that would provide an equal employment opportunity, the District will select the accommodation that best serves the needs of the individual and the District. While the District will give the individual with a disability's preference first consideration, the District may choose among effective accommodations and select the accommodation that is less expensive or easier to provide. The District may consider the cost, efficiency and availability of the alternative accommodations in selecting an effective accommodation. The District does not have the obligation to provide the "best" accommodation possible, so long as it provides an accommodation that is sufficient to meet the job-related needs of the individual being accommodated.

The District will not provide an accommodation without first checking with the employee since the employee may not need or want an accommodation, or the unrequested accommodation may not meet the employee's functional limitations. The District will respect an individual with a disability's right not to accept an accommodation if the individual has not requested it and does not feel one is necessary. However, if this results in the individual failing to perform essential functions, the individual may be considered unqualified and either may be refused employment or discharged.

The District may decline to provide desired accommodations if it determines such accommodations will result in an undue hardship. An undue hardship entails a significant difficulty or expense in, or resulting from, the provision of the accommodation.

Such hardship is not limited to financial difficulty but rather encompasses any accommodation that would be unduly costly, extensive, substantial or disruptive, or that would fundamentally alter the nature or operation of the program. If the cost of an accommodation would impose an undue hardship, the District will give the individual with the disability the option of paying that portion of the cost which would constitute an undue hardship or providing the accommodation. Further, the District will not consider employee morale or the attitudes of others when determining undue hardship.

Decisions not to provide a reasonable accommodation will be in writing and accompanied by an explanation of the decision.

Reasonable accommodations may include:

A. making facilities used by employees readily accessible to and usable by individuals with disabilities;

B. job restructuring, part-time or modified work schedule, acquisition or modification of equipment or devices, the provision of readers or interpreters, and other similar actions;

C. making modifications to existing leave policies and providing leave when needed for a disability, even where an employer does not offer leave to other employees;

D. reassignment to a new job because the disability prevents the employee from performing one (1) or more essential functions of the current job, even with a reasonable accommodation, or because any accommodation in the current job would result in undue hardship. If reassignment is required, the Board will place the employee in a vacant position for which s/he is qualified, without requiring the employee to compete with other applicants for open positions, except reassignment does not include promotion, and generally does not involve placing an employee in a vacant position when another employee is entitled to the position under a uniformly-applied seniority system, if any.

Factors to be considered when determining whether an accommodation would impose an undue hardship on the operation of the District's program or activity include:

A. the overall size of the District's program or activity with respect to number of employees, number and type of facilities, and size of budget;

B. the type of the District's operation, including the composition and structure of the District's workforce; and

C. the nature and cost of the accommodation needed.

Accommodation obligations under the Wisconsin Fair Employment Act may be broader than that required under the ADA, as Wisconsin does not employ the “essential functions of the job” analysis as is used under Federal law.

Employment Criteria

The District will not use qualification standards, employment tests or other selection criteria that screen out or tend to screen out an individual with a disability or a class of individuals with disabilities, on the basis of disability, unless the standard, test or other selection criteria, as used by the Board, is shown to be job-related for the position in question and consistent with business necessity.

The District will select and administer tests concerning employment so that when administered to an applicant or employee who has a disability that impairs sensory, manual or speaking skills, the test results accurately reflect the applicant's or employee's job skills, aptitude, or whatever other factor the test purports to measure, rather than reflecting the applicant's or employee's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure).

Pre-employment Inquiries

Except as authorized by law, the District will not conduct a pre-employment medical examination or make pre-employment inquiry of an applicant as to whether the applicant is an individual with a disability or as to the nature or severity of a disability. The District will, however, make pre-employment inquiry into an applicant's ability to perform job-

related functions; this includes requesting the applicant to describe or demonstrate how the applicant would perform the functions.

The District may give a physical agility test at any point in the application or employment process, since such tests are not medical exams. When the District decides to give such a test it must give the test to all similarly situated applicants or employees regardless of disability.

Some examples of alternative test formats and reasonable accommodations are:

A. allowing people with certain learning or dexterity disabilities to take extra time on a test;

B. assuring the test site is accessible to a person with a mobility impairment;

C. allowing a person with a mental disability who cannot perform well with distractions to take a test in a separate room, if a group test setting is not relevant to the job; and

D. providing Braille, large print, a reader or a computer for people with vision impairments.

If the District conditions an offer of employment on the results of a medical examination conducted prior to the employee's entrance on duty, the District will:

A. subject all entering employees in the same job classification to such an examination regardless of disability; and

B. use the results of the examination only as authorized by law.

The successful candidate who is required to submit to a medical examination, as well as the medical provider that is designated by the District to conduct the examination, will be directed not to collect or provide any genetic information, including the candidate's medical history, in the report of the medical examination.

Information obtained as to the medical condition of the applicant, including any inadvertently provided genetic information, will be collected and maintained on separate forms that shall be accorded confidentiality as medical records, except that:

A. supervisors and managers may be informed regarding restrictions on the work or duties of individuals with disabilities and necessary accommodations;

B. first aid and safety personnel may be informed when appropriate, if the condition might require emergency treatment; and

C. government officials investigating compliance with Section 504, the ADA and/or the Genetic Information Nondiscrimination Act ("GINA") shall be provided relevant information upon request.

Interviews

All of the topics labeled off-limits with respect to job applications likewise are prohibited as subjects of inquiry during job interviews. The District, however, may ask questions that relate to an applicant's ability to perform job-related functions so long as they do not phrase the questions in terms of disability. The interviewer may ask about an applicant's ability to perform both essential and marginal job functions. In addition, the interviewer may describe or demonstrate job function(s) and inquire whether the applicant can perform that function(s) with or without reasonable accommodation. Along the same lines, the interviewer may ask the applicant to describe or demonstrate how, with or without reasonable accommodation, the applicant will perform the job-related functions. Any questions concerning the need for reasonable accommodation always should be linked with performance of a specific job function. The interviewer never should ask an open-ended question such as, "Will you need a reasonable accommodation?"

Interviews should thus concentrate on how applicants will complete tasks that are essential functions, rather than on eliciting information about the applicant's physical or mental condition. Similarly, the District may inquire as to an applicant's ability to perform a job effectively and safely.

According to the EEOC, the following are examples of questions that cannot be asked on a job application or during an interview:

A. Have you ever had or been treated for any of the following conditions or diseases?

B. Please list any conditions or diseases for which you have been treated in the past three (3) years.

C. Have you ever been hospitalized? If so, for what condition?

D. Have you ever been treated by a psychiatrist or psychologist? If so, for what condition?

E. Have you ever been treated for any mental condition?

F. Is there any health-related reason you may not be able to perform the job for which you are applying?

G. Have you had a major illness in the last five (5) years?

H. How many days were you absent from work because of illness last year?

I. Do you have any physical defects that preclude you from performing certain kinds of work? If yes, describe such defects and specific work limitations?

J. Do you have any disabilities or impairments that may affect your performance in the position for which you are applying?

K. Are you taking prescribed drugs?

L. Have you ever been treated for drug addiction or alcoholism?

M. Have you ever filed for workers' compensation insurance?

Interviewers should not ask a Reference question about an applicant that they could not ask the applicant directly (i.e., previous employers cannot be asked about a former employee's disabilities, illness or workers' compensation history/claims).

The following are pre-employment questions that can be asked:

A. Can you meet the requirements of our attendance policy?

B. Can you perform the tasks of this position with or without an accommodation?

C. Describe or demonstrate how you would perform this function, with or without an accommodation? Such a question can be asked of applicants who have a known disability that might prevent them from performing a job function. If the disability would not interfere with a job function, however, the person could be asked to demonstrate job performance only if all other candidates must do so.

   If an applicant indicates the applicant has performed a particular function with an accommodation, the potential employer may inquire about it.

Investigation and Complaint Procedure

Any employee or applicant who believes that s/he has been subjected to discrimination, retaliation, or denied reasonable accommodation may seek resolution of his/her complaint through the procedures described in Policy 3123 - Section 504/ADA Prohibition Against Disability Discrimination In Employment. The complaint procedure involves an investigation of the individual’s claims and a process for rendering a decision regarding whether the charges are substantiated.

Privacy/Confidentiality

The District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Board’s legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants will be advised that their identities may become known to the Respondent(s) through the investigation process.

During the course of an investigation, the CO will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to third parties any information that s/he learns and/or provides during the course of the investigation.

All public records created as a part of an investigation of a complaint of discrimination/retaliation will be maintained in accordance with the Board's records retention policy.

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Last Modified by Ryan Peterson on May 29, 2024

Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT - RESCIND
Code	ag4123
Status	Proposed to Policy & Human Resources Committee
Adopted	June 18, 2018
Last Revised	February 22, 2018

~~4123 **SECTION 504/ADA - PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT**~~

~~The Board prohibits discrimination against any employee or applicant based on a disability. As such, the Board will not engage in employment practices or adopt policies that discriminate on the basis of disability against qualified individuals with disabilities in every aspect of employment. Specifically, the Board does not discriminate on the basis of disability against a qualified individual in regard to:~~

A. ~~recruitment, advertising, and job application procedures;~~

B. ~~hiring, upgrading, promotion, award of tenure, demotion, transfer, layoff, termination, right of return from layoff, and rehiring;~~

C. ~~rates of pay or any other form of compensation and changes in compensation;~~

D. ~~job assignments, job classifications, organizational structures, position descriptions, lines of progression, and seniority lists;~~

E. ~~leaves of absence, sick leave, or any other leave;~~

F. ~~fringe benefits available by virtue of employment, whether or not administered by the District;~~

G. ~~selection and financial support for training, including: apprenticeships, professional meetings, conferences and other related activities, and selection for leaves of absence to pursue training;~~

H. ~~activities sponsored by the Board, including social and recreational programs; and~~

I. ~~any other term, condition, or privilege of employment.~~

~~The District will provide a reasonable accommodation to a qualified applicant and employee who has an actual disability or who has a record of a disability that is needed for the employee/applicant to perform the essential functions of the position, unless the accommodation would impose an undue hardship on the operation of the District's programs and/or activities. A reasonable accommodation is not required for an individual who is merely regarded as having a disability.~~

~~An individual with a disability is anyone who:~~

A. ~~has a physical or mental impairment that substantially limits one or more major life activities ("actual disability");~~

B. ~~has a record of having (i.e., has a history of, or has been misclassified as having) a physical or mental impairment that substantially limits one or more major life activities; or~~

C. ~~is regarded as having a physical or mental impairment that substantially limits one or more major life activities (i.e., has a physical or mental impairment that does not substantially limit major life activities but is treated by the District as constituting such a limitation, or has a physical or mental impairment that substantially limits major life activities only as a result of the attitude of others toward such impairment, or has none of the physical or mental impairments recognized by Section 504 but is treated as having such an impairment).~~

~~Major life activities include, but are not limited to, caring for oneself, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, sitting, reaching, interacting with others, and working.~~

~~Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, hemic, lymphatic, musculoskeletal and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.~~

~~Physical or mental impairment means:~~

A. ~~any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems:~~

1. ~~neurological;~~
2. ~~musculoskeletal;~~
3. ~~special sense organs;~~
4. ~~respiratory, including speech organs;~~
5. ~~cardiovascular;~~
6. ~~reproductive;~~
7. ~~digestive;~~
8. ~~genitourinary;~~
9. ~~hemic and lymphatic;~~
10. ~~skin;~~
11. ~~immune;~~
12. ~~circulatory;~~
13. ~~endocrine;~~

B. ~~any mental or psychological disorder, such as an intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities.~~

~~While the determination of whether an impairment substantially limits a major life activity is an individualized one that is case specific, given the inherent nature of the following impairments, as a practical matter, they almost always will be found to impose a substantial limitation, at a minimum, on the major life activity indicated: deafness substantially limits hearing; blindness substantially limits seeing; an intellectual disability substantially limits brain function; partially or completely missing limbs or mobility impairments requiring the use of a wheelchair substantially limit musculoskeletal function; autism substantially limits brain function; cancer substantially limits normal cell growth; cerebral palsy substantially limits brain function; diabetes substantially limits endocrine function; epilepsy substantially limits neurological function; Human Immunodeficiency Virus (HIV) infection substantially limits immune functions; multiple sclerosis substantially limits neurological function; muscular dystrophy substantially limits neurological function; and major depressive disorder, bipolar disorder, post-traumatic stress disorder, obsessive-compulsive disorder, and schizophrenia substantially limit brain function.~~

~~Physical or mental impairments that are episodic in nature or in remission may constitute a disability for the purposes of Section 504/ADA if the impairment would substantially limit a major life activity when active, such as asthma, allergies, or cancer.~~

~~The determination of whether an impairment substantially limits a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (defined as devices that magnify, enhance, or otherwise augment a visual image, but not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aids and cochlear implants or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, use of assistive technology, reasonable accommodations or "auxiliary aids or services", learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy.~~

~~Individual with a disability does not include the following (i.e., Section 504 and/or the ADA specifically excludes):~~

A. ~~individuals who currently are engaging in the use of illegal drugs, when the District acts on the basis of such use;~~

B. ~~with respect to employment, any individual who is an alcoholic whose current use of alcohol prevents such individual from performing the duties of the job in question or whose employment, by reason of such current alcohol abuse, would constitute a direct threat to property or the safety of others;~~

C. ~~with respect to employment, an individual who currently has a contagious disease or infection and who, by reason of such disease or infection, would constitute a direct threat to the health or safety of other individuals or who, by reason of the contagious disease or infection, is unable to perform the duties of the job;~~

D. ~~an individual on the basis of homosexuality or bisexuality; and~~

E. ~~an individual on the basis of:~~

   1. ~~transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairment, or other sexual behavior disorders;~~

   2. ~~compulsive gambling, kleptomania, or pyromania; or~~

   3. ~~psychoactive substance use disorders resulting from current use of illegal drugs.~~

~~Individual with a disability includes an individual who:~~

A. ~~has completed a supervised drug rehabilitation program successfully and is no longer engaging in the illegal use of drugs, or otherwise has been rehabilitated successfully and is no longer engaging in such use;~~

B. ~~is participating in a supervised rehabilitation program and is no longer engaging in such use; or~~

C. ~~is erroneously regarded as engaging in the use of illegal drugs, but is not engaging in such use.~~

~~Under Wisconsin law, an "individual with a disability" means an individual who has a real or perceived physical or mental impairment "which makes achievement unusually difficult or limits the capacity to work." This definition has generally been interpreted as a broader definition than that which exists under Federal law discussed above.~~

~~Notice~~

~~Pursuant to policy, the identity of the District's Compliance Officers (COs) will be published on the District's website and posted throughout the District and included in all recruitment statements or general information publications.~~

~~Recruitment materials, job announcements and all other materials/publications published by the Board must contain the following statement:~~

> ~~The Board does not discriminate against individuals with disabilities in employment or the provision of services.~~

~~The requirement regarding recruitment materials may be met by including an insert in existing publications or revising and reprinting publications.~~

> **~~Equal Employment Opportunity Statement~~**

~~The School District of Manawa Board of Education does not discriminate on the basis of race, color, sex (including gender status, change of sex, sexual orientation, or gender identity), religion, age, pregnancy, disability, national origin, ancestry, arrest record, conviction record, use or non-use of lawful products off the District's premises during non-working hours, declining to attend an employer-sponsored meeting or to participate in any communication with the employer about religious matters or political matters, or any other characteristic protected by law in its employment practices.~~

~~The Board also will include a notice of reasonable accommodation requirements on District employment application forms and post notices that employee reasonable accommodation Request Forms may be obtained from the District's Section 504/ADA Coordinator(s) (hereinafter referred to as the Compliance Officer(s) or CO(s)).~~

~~**Decision-Making Process for Determining/Identifying Reasonable Accommodations and Undue Hardship**~~

~~In determining the appropriate accommodation in the employment situation, the District will take into account two (2) factors:~~

A. ~~the specific abilities and functional limitations of the particular applicant or employee with a disability; and~~

B. ~~the specific functional requirements of the particular job.~~

~~A reasonable accommodation is "any change in the work environment or in the way things are customarily done that enables an individual with a disability to enjoy equal employment opportunities." Many times a reasonable accommodation will be obvious and made without difficulty and at little or no cost. The CO will first inquire of the individual with the disability as to any possible suggestions s/he may have for a simple change or adjustment that will serve as an effective accommodation. The District recognizes that employees with disabilities can be useful sources of the information on what type of accommodation they need, where to obtain information on appropriate accommodations, and where to purchase accommodations.~~

~~If, however, the identification of a reasonable accommodation proves difficult, the District will utilize an informal, interactive process whereby it and the individual will work together to identify the appropriate accommodation. The interactive process will include any and/or all of the following steps, as appropriate:~~

A. ~~Examination of the particular job involved and determination of its purpose and essential functions. The District will conduct an individual assessment of the particular job at issue in order to analyze the actual job duties ("essential functions") and determine the true purpose or object of the job. Preferably, a written job description already will be in place that lists the essential functions of the job.~~

B. ~~The District will consult with the individual with a disability to find out the individual's specific physical or mental abilities and limitations as they relate to the essential job functions. This will help the parties identify the barriers to job performance and assess how these barriers could be overcome with an accommodation.~~

C. ~~In consultation with the individual, the District will identify potential accommodations and assess how effective each would be in enabling the individual to perform essential job functions.~~

D. ~~If the parties still are not able to identify an appropriate accommodation, the District will seek technical assistance.~~

E. ~~If there are several effective accommodations that would provide an equal employment opportunity, the District will select the accommodation that best serves the needs of the individual and the District. While the District will give the individual with a disability's preference first consideration, the District may choose among effective accommodations and select the accommodation that is less expensive or easier to provide. The District may consider the cost, efficiency and availability of the alternative accommodations in selecting an effective accommodation. The District does not have the obligation to provide the "best" accommodation possible, so long as it provides an accommodation that is sufficient to meet the job-related needs of the individual being accommodated.~~

~~The District will not provide an accommodation without first checking with the employee since the employee may not need or want an accommodation, or the unrequested accommodation may not meet the employee's functional limitations. The District will respect an individual with a disability's right not to accept an accommodation if the individual has not requested it and does not feel one is necessary. However, if this results in the individual failing to perform essential functions, the individual may be considered unqualified and either may be refused employment or discharged.~~

~~The District may decline to provide desired accommodations if it determines such accommodations will result in an undue hardship. An undue hardship entails a significant difficulty or expense in, or resulting from, the provision of the accommodation.~~

~~Such hardship is not limited to financial difficulty but rather encompasses any accommodation that would be unduly costly, extensive, substantial or disruptive, or that would fundamentally alter the nature or operation of the program. If the cost of an accommodation would impose an undue hardship, the District will give the individual with the disability the option of paying that portion of the cost which would constitute an undue hardship or providing the accommodation. Further, the District will not consider employee morale or the attitudes of others when determining undue hardship.~~

~~Decisions not to provide a reasonable accommodation will be in writing and accompanied by an explanation of the decision.~~

~~Reasonable accommodations may include:~~

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B. ~~job restructuring, part-time or modified work schedule, acquisition or modification of equipment or devices, the provision of readers or interpreters, and other similar actions;~~

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D. ~~reassignment to a new job because the disability prevents the employee from performing one (1) or more essential functions of the current job, even with a reasonable accommodation, or because any accommodation in the current job would result in undue hardship. If reassignment is required, the Board will place the employee in a vacant position for which s/he is qualified, without requiring the employee to compete with other applicants for open positions, except reassignment does not include promotion, and generally does not involve placing an employee in a vacant position when another employee is entitled to the position under a uniformly-applied seniority system, if any.~~

~~Factors to be considered when determining whether an accommodation would impose an undue hardship on the operation of the District's program or activity include:~~

A. ~~the overall size of the District's program or activity with respect to number of employees, number and type of facilities, and size of budget;~~

B. ~~the type of the District's operation, including the composition and structure of the District's workforce; and~~

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~~Pre-employment Inquiries~~

~~Except as authorized by law, the District will not conduct a pre-employment medical examination or make pre-employment inquiry of an applicant as to whether the applicant is an individual with a disability or as to the nature or severity of a disability. The District will, however, make pre-employment inquiry into an applicant's ability to perform job-~~

~~related functions; this includes requesting the applicant to describe or demonstrate how the applicant would perform the functions.~~

~~The District may give a physical agility test at any point in the application or employment process, since such tests are not medical exams. When the District decides to give such a test it must give the test to all similarly situated applicants or employees regardless of disability.~~

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A. ~~subject all entering employees in the same job classification to such an examination regardless of disability; and~~

B. ~~use the results of the examination only as authorized by law.~~

~~The successful candidate who is required to submit to a medical examination, as well as the medical provider that is designated by the District to conduct the examination, will be directed not to collect or provide any genetic information, including the candidate's medical history, in the report of the medical examination.~~

~~Information obtained as to the medical condition of the applicant, including any inadvertently provided genetic information, will be collected and maintained on separate forms that shall be accorded confidentiality as medical records, except that:~~

A. ~~supervisors and managers may be informed regarding restrictions on the work or duties of individuals with disabilities and necessary accommodations;~~

B. ~~first aid and safety personnel may be informed when appropriate, if the condition might require emergency treatment; and~~

C. ~~government officials investigating compliance with Section 504, the ADA and/or the Genetic Information Nondiscrimination Act ("GINA") shall be provided relevant information upon request.~~

~~Interviews~~

~~All of the topics labeled off-limits with respect to job applications likewise are prohibited as subjects of inquiry during job interviews. The District, however, may ask questions that relate to an applicant's ability to perform job-related functions so long as they do not phrase the questions in terms of disability. The interviewer may ask about an applicant's ability to perform both essential and marginal job functions. In addition, the interviewer may describe or demonstrate job function(s) and inquire whether the applicant can perform that function(s) with or without reasonable accommodation. Along the same lines, the interviewer may ask the applicant to describe or demonstrate how, with or without reasonable accommodation, the applicant will perform the job-related functions. Any questions concerning the need for reasonable accommodation always should be linked with performance of a specific job function. The interviewer never should ask an open-ended question such as, "Will you need a reasonable accommodation?"~~

~~Interviews should thus concentrate on how applicants will complete tasks that are essential functions, rather than on eliciting information about the applicant's physical or mental condition. Similarly, the District may inquire as to an applicant's ability to perform a job effectively and safely.~~

~~According to the EEOC, the following are examples of questions that cannot be asked on a job application or during an interview:~~

A. ~~Have you ever had or been treated for any of the following conditions or diseases?~~

B. ~~Please list any conditions or diseases for which you have been treated in the past three (3) years.~~

C. ~~Have you ever been hospitalized? If so, for what condition?~~

D. ~~Have you ever been treated by a psychiatrist or psychologist? If so, for what condition?~~

E. ~~Have you ever been treated for any mental condition?~~

F. ~~Is there any health-related reason you may not be able to perform the job for which you are applying?~~

G. ~~Have you had a major illness in the last five (5) years?~~

H. ~~How many days were you absent from work because of illness last year?~~

I. ~~Do you have any physical defects that preclude you from performing certain kinds of work? If yes, describe such defects and specific work limitations?~~

J. ~~Do you have any disabilities or impairments that may affect your performance in the position for which you are applying?~~

K. ~~Are you taking prescribed drugs?~~

L. ~~Have you ever been treated for drug addiction or alcoholism?~~

M. ~~Have you ever filed for workers' compensation insurance?~~

~~Interviewers should not ask a Reference question about an applicant that they could not ask the applicant directly (i.e., previous employers cannot be asked about a former employee's disabilities, illness or workers' compensation history/claims).~~

~~The following are pre-employment questions that can be asked:~~

A. ~~Can you meet the requirements of our attendance policy?~~

B. ~~Can you perform the tasks of this position with or without an accommodation?~~

C. ~~Describe or demonstrate how you would perform this function, with or without an accommodation? Such a question can be asked of applicants who have a known disability that might prevent them from performing a job function. If the disability would not interfere with a job function, however, the person could be asked to demonstrate job performance only if all other candidates must do so.~~

   ~~If an applicant indicates the applicant has performed a particular function with an accommodation, the potential employer may inquire about it.~~

~~Investigation and Complaint Procedure~~

~~Any employee or applicant who believes that s/he has been subjected to discrimination, retaliation, or denied reasonable accommodation may seek resolution of his/her complaint through the procedures described in Policy 4123 – Section 504/ADA Prohibition Against Disability Discrimination In Employment. The complaint procedure involves an investigation of the individual's claims and a process for rendering a decision regarding whether the charges are substantiated.~~

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~~The District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants will be advised that their identities may become known to the Respondent(s) through the investigation process.~~

~~During the course of an investigation, the CO will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to third parties any information that s/he learns and/or provides during the course of the investigation.~~

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Last Modified by Ryan Peterson on May 29, 2024

Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of Criminal Background Check Procedure
Code	ag3141
Status	Proposed to Policy & Human Resources Committee
Adopted	September 16, 2019

3141- **CRIMINAL BACKGROUND CHECK PROCEDURE**

The School District of Manawa's priority is the safety and security of all staff, students and community members. A secure and safe environment in the District promotes the physical, social, and psychological well-being of its students. To that end, the District will seek a criminal history background check and conduct other pre-employment and employment screenings as necessary for all staff including coaches, student/clinical teachers, substitute teachers, volunteers, field trip chaperones, STEP volunteers, and any others, as determined by the District Administrator, who come in contact with students. Individuals, as listed above, shall undergo a background check prior to contact with students.

Procedure

A. **Pre-Employment**
   1. Pre-employment criminal history background checks shall be conducted for all persons recommended for employment in the District, regardless of the category or type of position.
   2. When required by state and/or federal law, applicants for employment must provide fingerprints to assist in a criminal history background check.
   3. A driving record check shall be conducted for all positions which require driving District vehicles or students. A person must be free of any disqualifying driving violations in order to be authorized to transport students. Driving record checks shall be conducted for employees as required by state and/or federal law.

B. **Employment**
   1. Criminal history background checks shall be conducted for all positions as required by state and/or federal law at the frequency as required by state and/or federal law.
   2. Driving record checks shall be conducted for all positions which require driving District vehicles or students as required by state and/or federal law at the frequency as required by state and/or federal law.
   3. When required by state and/or federal law, employees must provide fingerprints to assist in a criminal history background check.

C. **Contracted Services**
   1. Any contracts with outsourced services, employment agencies or temporary services must require such providers to conduct and retain a criminal history record check of individuals providing service to the District.

2. The District may also conduct criminal background checks on individuals who are contracted to provide services to the District and who may have District- approved access to students or staff in supervised or unsupervised settings.

3. When required by state and/or federal law, individuals who are contracted to provide services to the District who may have District-approved access to students or staff in supervised or unsupervised settings must provide fingerprints to assist in a criminal history background check.

4. The District may use the results of a criminal background check conducted by the contracted entity of its employees or agents if:

    a. The results of the criminal background check are on file with the contracted entity hiring or otherwise accessible;

    b. The contractor verifies in writing that the individual has satisfied the District's criminal history background check requirements; and

    c. There is no reason to believe that the contractor has committed an act subsequent to the check that would disqualify the contractor for providing services to the District.

D. **IMPLEMENTATION**

1. All offers of employment or contracts to provide services are contingent upon the results of the criminal background check that is deemed satisfactory to the District.

2. No individual may begin employment with or provide services to the District until the criminal background check is completed where required and verified by the District Administrator and Administrative Assistant as identified on the District "Background Check Report".

3. If the District learns through a criminal background check or any other means that an applicant, employee or person contracted to provide services to the District has a past conviction or has or had a pending charge which the individual failed to disclose as required on the District's employment application, contractor's background check application, or under any other applicable District policy or directive, the District may take adverse action against the applicant, employee or contracted individual, including but not limited to refusing to employ or contract with the person, revoking an offer of employment or contract for services, or terminating the individual's employment or contract.

4. Adherence to this policy by the District shall in no way limit the District's right to require additional information, or to use procedures currently in place or other procedures to gain additional background information concerning applicants or potential contractors.

5. The District Administrator shall establish the procedures necessary to obtain the required criminal background checks, fingerprint checks, and driving record checks and carry out the other provisions of this policy.

Parameters

The background check can be approved, denied, or approved with restrictions.

The parameters used for determining restrictions are as follows:

A. No handling of money or school equipment is applied when the applicant owes $100 or more.

B. Group setting only; no one-on-one with students if the applicant has any misdemeanor or felony convictions within the last ten (10) years involving acts of aggression.

C. No driving of school vehicle or transporting other than own children if the applicant has more than one minor violation (speeding, seatbelt, no insurance, etc.) in the most recent five (5) year period.

All information and records obtained from such inquiries are to be considered confidential and shall not be released or disseminated to those not directly involved in evaluating the applicant's qualifications.

Last Modified by Ryan Peterson on May 29, 2024

Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of CRIMINAL BACKGROUND CHECK PROCEDURE - RESCIND
Code	ag4141
Status	Proposed to Policy & Human Resources Committee
Adopted	April 27, 2020

~~3141 **CRIMINAL BACKGROUND CHECK PROCEDURE**~~

~~The School District of Manawa's priority is the safety and security of all staff, students and community members. A secure and safe environment in the District promotes the physical, social, and psychological well-being of its students. To that end, the District will seek a criminal history background check and conduct other pre-employment and employment screenings as necessary for all staff including coaches, student/clinical teachers, substitute teachers, volunteers, field trip chaperones, STEP volunteers, and any others, as determined by the District Administrator, who come in contact with students. Individuals, as listed above, shall undergo a background check prior to contact with students.~~

~~**Procedure**~~

A. ~~**Pre-Employment**~~
   1. ~~Pre-employment criminal history background checks shall be conducted for all persons recommended for employment in the District, regardless of the category or type of position.~~
   2. ~~When required by state and/or federal law, applicants for employment must provide fingerprints to assist in a criminal history background check.~~
   3. ~~A driving record check shall be conducted for all positions which require driving District vehicles or students. A person must be free of any disqualifying driving violations in order to be authorized to transport students. Driving record checks shall be conducted for employees as required by state and/or federal law.~~
B. ~~**Employment**~~
   1. ~~Criminal history background checks shall be conducted for all positions as required by state and/or federal law at the frequency as required by state and/or federal law.~~
   2. ~~Driving record checks shall be conducted for all positions which require driving District vehicles or students as required by state and/or federal law at the frequency as required by state and/or federal law.~~
   3. ~~When required by state and/or federal law, employees must provide fingerprints to assist in a criminal history background check.~~
C. ~~**Contracted Services**~~
   1. ~~Any contracts with outsourced services, employment agencies or temporary services must require such providers to conduct and retain a criminal history record check of individuals providing service to the District.~~

2. ~~The District may also conduct criminal background checks on individuals who are contracted to provide services to the District and who may have District-approved access to students or staff in supervised or unsupervised settings.~~

3. ~~When required by state and/or federal law, individuals who are contracted to provide services to the District who may have District-approved access to students or staff in supervised or unsupervised settings must provide fingerprints to assist in a criminal history background check.~~

4. ~~The District may use the results of a criminal background check conducted by the contracted entity of its employees or agents if:~~

   a. ~~The results of the criminal background check are on file with the contracted entity hiring or otherwise accessible;~~

   b. ~~The contractor verifies in writing that the individual has satisfied the District's criminal history background check requirements; and~~

   c. ~~There is no reason to believe that the contractor has committed an act subsequent to the check that would disqualify the contractor for providing services to the District.~~

D. ~~**IMPLEMENTATION**~~

1. ~~All offers of employment or contracts to provide services are contingent upon the results of the criminal background check that is deemed satisfactory to the District.~~

2. ~~No individual may begin employment with or provide services to the District until the criminal background check is completed where required and verified by the District Administrator and Administrative Assistant as identified on the District "Background Check Report".~~

3. ~~If the District learns through a criminal background check or any other means that an applicant, employee or person contracted to provide services to the District has a past conviction or has or had a pending charge which the individual failed to disclose as required on the District's employment application, contractor's background check application, or under any other applicable District policy or directive, the District may take adverse action against the applicant, employee or contracted individual, including but not limited to refusing to employ or contract with the person, revoking an offer of employment or contract for services, or terminating the individual's employment or contract.~~

4. ~~Adherence to this policy by the District shall in no way limit the District's right to require additional information, or to use procedures currently in place or other procedures to gain additional background information concerning applicants or potential contractors.~~

5. ~~The District Administrator shall establish the procedures necessary to obtain the required criminal background checks, fingerprint checks, and driving record checks and carry out the other provisions of this policy.~~

~~**Parameters**~~

~~The background check can be approved, denied, or approved with restrictions.~~

~~The parameters used for determining restrictions are as follows:~~

A. ~~No handling of money or school equipment is applied when the applicant owes $100 or more.~~

B. ~~Group setting only; no one-on-one with students if the applicant has any misdemeanor or felony convictions within the last ten years involving acts of aggression.~~

C. ~~No driving of school vehicle or transporting other than own children if the applicant has more than one minor violation (speeding, seatbelt, no insurance, etc.) in the most recent five-year period.~~

~~All information and records obtained from such inquiries are to be considered confidential and shall not be released or disseminated to those not directly involved in evaluating the applicant's qualifications.~~

Last Modified by Ryan Peterson on May 29, 2024

Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of PHYSICAL EXAMINATION
Code	ag3160A
Status	Proposed to Policy & Human Resources Committee
Adopted	May 21, 2018
Last Revised	February 28, 2022

3160A - **PHYSICAL EXAMINATION**

After the District makes a conditional offer of employment, each ~~professional~~ staff member shall be asked to take a physical examination from a physician designated by the Board.

The District will pay for the cost of this required, post-offer examination, when performed by a District-assigned physician.

In the event the District Administrator is concerned that a ~~professional~~ staff member is unable to perform the duties of their position, the District Administrator may require that the ~~professional~~ staff member submit to an appropriate examination by a healthcare provider of the ~~professional~~ staff member's choice, a healthcare provider designated and compensated by the District, or both. The sole purpose of the examination shall be to determine whether the ~~professional~~ staff member can perform the duties of their position with or without reasonable accommodation.

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Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of PHYSICAL EXAMINATION - RESCIND
Code	ag4160A
Status	Proposed to Policy & Human Resources Committee
Adopted	June 18, 2018
Last Revised	February 28, 2022

~~4160A - **PHYSICAL EXAMINATION**~~

~~After the District makes a conditional offer of employment, each support staff member shall be asked to take a physical examination from a physician designated by the Board.~~

~~The District will pay for the cost of this required, post-offer examination, when performed by a District-assigned physician.~~

~~In the event the District Administrator is concerned that the support staff member is unable to perform the duties of their position, the District Administrator may require that the support staff member submit to an appropriate examination by a healthcare provider of the support staff member's choice, a healthcare provider designated and compensated by the District, or both. The sole purpose of the examination shall be to determine whether the support staff member can perform the duties of their position with or without reasonable accommodation.~~

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Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of BOARD-ORDERED POST-OFFER PHYSICAL EXAMINATIONS
Code	ag3160C
Status	Proposed to Policy & Human Resources Committee
Adopted	May 21, 2018

3160C - **BOARD-ORDERED POST-OFFER PHYSICAL EXAMINATIONS**

A. ThedaCare at Work is hereby designated as the official location for physical examinations required by the Board of Education of the District.

B. Appointments are needed.

C. The results of all required medical examinations shall be made known to the District Administrator on a confidential basis, discussed with the candidate, and made a part of a separate confidential medical file in accordance with the Americans with Disabilities Act ("ADA") and the Genetic Information Nondiscrimination Act ("GINA"). In the event of an unsatisfactory report, the District Administrator shall base any recommendation for non-employment upon a conference with the physician and/or upon applicable Federal and State guidelines regarding the employment and accommodation of those with disabilities.

Information from examinations required of any employee will be handled in the same manner.

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Legal	42 U.S.C. 12131, et seq. (The Americans with Disabilities Act of 1990)
	42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
	29 C.F.R. Part 1635

Last Modified by Ryan Peterson on May 29, 2024

Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of EMERGENCY TREATMENT AND BOARD-ORDERED PHYSICAL EXAMINATIONS - RESCIND
Code	ag4160C
Status	Proposed to Policy & Human Resources Committee
Adopted	June 18, 2018

~~4160C **EMERGENCY TREATMENT AND BOARD-ORDERED PHYSICAL EXAMINATIONS**~~

A. ~~ThedaCare at Work is hereby designated as the official location for emergency treatment and for physical examinations required by the Board of Education of the District.~~

B. ~~Appointments are needed.~~

C. ~~The results of all required medical examinations shall be made known to the District Administrator on a confidential basis, discussed with the candidate, and made a part of a separate confidential medical file in accordance with the Americans with Disabilities Act ("ADA") and the Genetic Information Nondiscrimination Act ("GINA"). In the event of an unsatisfactory report, the District Administrator shall base any recommendation for non-employment upon a conference with the physician and/or upon applicable Federal and State guidelines regarding the employment and accommodation of those with disabilities.~~
~~Information from examinations required of any employee will be handled in the same manner.~~

~~© **Neola 2010**~~

Legal	42 U.S.C. 12131, et seq. (The Americans with Disabilities Act of 1990)
	42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
	29 C.F.R. Part 1635

Last Modified by Ryan Peterson on May 29, 2024

Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of LIABILITY OF STAFF FOR STUDENT WELFARE
Code	ag3213
Status	Proposed to Policy & Human Resources Committee
Adopted	May 21, 2018

3213 - **LIABILITY OF STAFF FOR STUDENT WELFARE**

~~Professional s~~ Staff members are responsible for the safety of students on the grounds and within District facilities. In addition to requirements specified in Policy 3213, the following guidelines are provided to minimize the occurrence of situations in which staff members may incur liability for actions related to students:

A. Each ~~professional~~ staff member:

1. should not leave students unattended;
2. should not leave an unqualified person in charge of students;
3. should accompany students wherever they are assigned and remain with them until supervision is assumed by another responsible person;
4. should ensure students do not use nondistrict-owned and/or maintained equipment or other equipment which may be potentially dangerous or use facilities or equipment except for the intended purpose;
5. should organize classroom materials and equipment so as to minimize danger of injury to students and to self.

B. Each ~~professional~~ staff member is to enforce the following rules established for student activity in high-risk areas:

1. Students should not work in a shop, kitchen, or laboratory at other than the regularly scheduled period, and then only under qualified supervision and in accordance with the prescribed safety procedures.
2. Only students enrolled in shop classes or laboratory classes, are to use power tools or other dangerous equipment.

C. With the ever-increasing demand for the use of gyms and other such facilities, it is imperative that ~~the professional~~ staff ensure the safety of District students.

1. If permission is granted for a student or group of students to use a facility, a professional staff member or authorized adult must be present in the facility throughout the time it is in use.
2. Under no circumstances are students to be left in charge.
3. If for any reason an area is unlocked for anyone, the ~~professional~~ staff member or authorized adult is responsible for ensuring the area is locked up after its use.

4. Under no circumstances are custodians authorized to open a facility for unsupervised students to use.

D. Each ~~professional~~ staff member or authorized adult must immediately report to the principal any accident or a safety hazard ~~s/he~~they detect~~s~~ and any accident ~~one (1) or more of his/her~~ students experience using the District's online injury report form.

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Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of LIABILITY OF STAFF FOR STUDENT WELFARE - RESCIND
Code	ag4213
Status	Proposed to Policy & Human Resources Committee
Adopted	June 18, 2018

~~4213 **LIABILITY OF STAFF FOR STUDENT WELFARE**~~

~~Support staff members are responsible for the safety of students on the grounds and within District facilities. In addition to requirements specified in Policy 4213, the following guidelines are provided to minimize the occurrence of situations in which staff members may incur liability for actions related to students:~~

A. ~~Each support staff member:~~

1. ~~should not leave students unattended;~~
2. ~~should not leave an unqualified person in charge of students;~~
3. ~~should accompany students wherever they are assigned and remain with them until supervision is assumed by another responsible person;~~
4. ~~should ensure students do not use nondistrict-owned and/or maintained equipment or other equipment which may be potentially dangerous or use facilities or equipment except for the intended purpose;~~
5. ~~should organize classroom materials and equipment so as to minimize danger of injury to students and to self.~~

B. ~~Each support staff member is to enforce the following rules established for student activity in high-risk areas:~~

1. ~~Students should not work in a shop, kitchen, or laboratory at other than the regularly scheduled period, and then only under qualified supervision and in accordance with the prescribed safety procedures.~~
2. ~~Only students enrolled in shop classes or laboratory classes, are to use power tools or other dangerous equipment.~~

C. ~~With the ever-increasing demand for the use of gyms and other such facilities, it is imperative that the support staff ensure the safety of District students.~~

1. ~~If permission is granted for a student or group of students to use a facility, a support staff member or authorized adult must be present in the facility throughout the time it is in use.~~
2. ~~Under no circumstances are students to be left in charge.~~
3. ~~If for any reason an area is unlocked for anyone, the support staff member or authorized adult is responsible for ensuring the area is locked up after its use.~~

4. ~~Under no circumstances are custodians authorized to open a facility for unsupervised students to use.~~

D. ~~Each support staff member or authorized adult must immediately report to the principal any accident or a safety hazard s/he detects and any accident one (1) or more of his/her students experience using the district's online injury report form.~~

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Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of EVALUATION OF STAFF
Code	ag3220A
Status	Proposed to Policy & Human Resources Committee
Adopted	May 21, 2018

3220A - **EVALUATION OF STAFF**

PROFFESIONAL STAFF:
Evaluations of the professional staff members shall be conducted on a regular basis, but no less than as required by law. Staff member evaluation should be used as a constructive tool to objectively identify both strengths and weaknesses of the professional for the purpose of providing assistance in improvement and for evaluating staff members for retention, promotion, and where applicable, compensation.

Professional staff evaluations shall be conducted using the Educator Effectiveness model adopted in the District. Additional evaluative measures may also be used by administration as described further in this guideline.

Job objectives are clearly stated, are complete and accurate in content, are agreed upon by the evaluator and evaluatee, and are divided into the following categories:

A. expected/desired results (what is to be accomplished)

B. expected/desired attitudes (willingness to act in a particular manner)

Factors hindering achievement of job objectives are clearly defined and agreed upon by the evaluator and evaluatee.

Evaluation procedures are established to provide that the same process is used for similar positions and to protect the confidentiality of the staff member.

SUPPORT STAFF:

Evaluations of the support staff members shall meet the following conditions:

A. Evaluations are conducted annually.

The evaluation will identify areas of strength as well as areas for improvement.

The employee's performance with regard to District expectations, as outlined in the job description, will be reviewed and used as the basis for whether the administrator or supervisor will recommend the support staff employee for a Board-approved wage increase.

The employee's performance with regard to District expectations, as outlined in the job description, will be reviewed and used as the basis for whether the administrator or supervisor will recommend to the Board of Education continued employment.

All support staff are considered at-will employees.

B. Factors hindering achievement of job objectives are clearly defined and agreed upon by the evaluator and evaluatee.

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Legal Wis. Stats. 121.02(q); 118.225; 118.30

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Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of EVALUATION - RESCIND
Code	ag4220
Status	Proposed to Policy & Human Resources Committee
Adopted	June 18, 2018

~~4220 **EVALUATION**~~

~~Evaluations of the support staff members shall meet the following conditions:~~

A. ~~Evaluations are conducted annually.~~

   ~~The evaluation will identify areas of strength as well as areas for improvement.~~

   ~~The employee's performance with regard to District expectations, as outlined in the job description, will be reviewed and used as the basis for whether the administrator or supervisor will recommend the support staff employee for a Board-approved wage increase.~~

   ~~The employee's performance with regard to District expectations, as outlined in the job description, will be reviewed and used as the basis for whether the administrator or supervisor will recommend to the Board of Education continued employment.~~

   ~~All support staff are considered at-will employees.~~

B. ~~Factors hindering achievement of job objectives are clearly defined and agreed upon by the evaluator and evaluatee.~~

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Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of PARTICIPATION IN POLITICAL ACTIVITIES
Code	ag3231A
Status	Proposed to Policy & Human Resources Committee
Adopted	May 21, 2018
Last Revised	April 25, 2022

3231A - **PARTICIPATION IN POLITICAL ACTIVITIES**

One of the primary purposes of the school is to create an environment that will permit students to grow and develop. To be of maximum effect, this environment must extend to both the formal academic program as well as to the many extra-curricular activities sponsored by the school. Because of the ages of the students and the significance of the task, it is important that this environment be protected from interference by external, sometimes coercive or disruptive, forces and influences that do not substantially contribute to the learning process.

Nonschool-related activities, including political activities, do not contribute to a positive learning climate and may be disruptive, divisive and distracting. Therefore, such activities are not appropriate within the school setting. It is the intention of the Board to regulate such activities on all Board-owned or used property, within all school buildings, and at all school-sponsored activities.

Specifically:

A. Literature supporting or opposing one or more candidates, issues, or a particular point of view; commercial literature, and other non-school related literature shall not be distributed on or in Board-owned or occupied buildings or grounds, inside of school buildings or on school buses immediately before or after school or while school is in session. (The distribution of materials to students by other students is governed by the regulations contained in Board of Education Policy).

B. Literature supporting or opposing one or more candidates, issues, or a particular point of view; commercial literature, and other nonschool-related literature shall not be distributed at school-sponsored extra-curricular activities or athletic events wherever they may occur. This regulation shall not prohibit the distribution of literature outside of the entrances and exits of athletic events providing that any such distribution does not interfere with the ability of individuals to freely enter or leave the facility, is not disruptive, and does not take place when school is in session.

C. Nonschool-related, political, and/or commercial literature, or campaign posters supporting one or more candidates, issues or a particular point of view shall not be displayed within the schools or on school-owned or occupied property, unless done as part of any approved teaching unit.

D. For purposes of this guideline, distribution of materials described includes the use of electronic communications, such as District-provided e-mail or District-sponsored social media outlets, and includes such activities on personal accounts done during work hours.

E. When the school facilities are used as a polling place, State regulations will be followed with respect to political activities, the display of political posters, and distribution of political literature on school property.

F. Employees of the School District shall not engage, during the course of their employment, in any activities that support or oppose one or more candidates, issues, or a particular point of view during working hours. The right to express political or other opinions and exercise their constitutional rights as citizens is naturally reserved for all employees.

G. Nothing in this guideline or related policy shall be construed or enforced in any way that impairs any staff member's rights to engage in protected concerted activity.

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Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of PARTICIPATION IN POLITICAL ACTIVITIES - RESCIND
Code	ag4231A
Status	Proposed to Policy & Human Resources Committee
Adopted	April 25, 2022

~~4231A - **PARTICIPATION IN POLITICAL ACTIVITIES**~~

~~One of the primary purposes of the school is to create an environment that will permit students to grow and develop. To be of maximum effect, this environment must extend to both the formal academic program as well as to the many extra-curricular activities sponsored by the school. Because of the ages of the students and the significance of the task, it is important that this environment be protected from interference by external, sometimes coercive or disruptive, forces and influences that do not substantially contribute to the learning process.~~

~~Non-school-related activities, including political activities, do not contribute to a positive learning climate and may be disruptive, divisive, and distracting. Therefore, such activities are not appropriate within the school setting. It is the intention of the Board of Education to regulate such activities on all Board-owned or used property, within all school buildings, and at all school-sponsored activities.~~

~~Specifically:~~

A. ~~Literature supporting or opposing one or more candidates, issues, or a particular point of view; commercial literature, and other non-school-related literature shall not be distributed on or in Board-owned or occupied buildings or grounds, inside of school buildings or on school buses immediately before or after school or while school is in session. (The distribution of materials to students by other students is governed by the regulations contained in Board of Education Policy).~~

B. ~~Literature supporting or opposing one or more candidates, issues, or a particular point of view; commercial literature, and other non-school-related literature shall not be distributed at school-sponsored extra-curricular activities or athletic events wherever they may occur. This regulation shall not prohibit the distribution of literature outside of the entrances and exits of athletic events providing that any such distribution does not interfere with the ability of individuals to freely enter or leave the facility, is not disruptive, and does not take place when school is in session.~~

C. ~~Non-school-related, political, and/or commercial literature, or campaign posters supporting one or more candidates, issues or a particular point of view shall not be displayed within the schools or on school-owned or occupied property, unless done as part of any approved teaching unit.~~

D. ~~For purposes of this guideline, distribution of materials described includes through the use of electronic communications, such as through District-provided e-mail or District-sponsored social media outlets, and includes such activities on personal accounts done during work hours.~~

E. ~~When the school facilities are used as a polling place, State regulations will be followed with respect to political activities, the display of political posters, and distribution of political literature on school property.~~

F. ~~Employees of the School District shall not engage, during the course of their employment, in any activities that support or oppose one or more candidates, issues, or a particular point of view during working hours. The right to express political or other opinions and exercise their constitutional rights as citizens is naturally reserved for all employees.~~

G. ~~Nothing in this guideline or related policy shall be construed or enforced in any way that impairs any staff member's rights to engage in protected concerted activity.~~

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Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of EXTRA DUTY - RESCIND
Code	ag4251
Status	Proposed to Policy & Human Resources Committee
Adopted	June 18, 2018

~~4251 **EXTRA DUTY**~~

A. ~~Support staff shall not work hours beyond their regular schedule until the procedure outlined below has been met.~~

B. ~~When additional work time is necessary, the immediate supervisor of the staff member shall secure written approval from the District Administrator.~~

C. ~~At no time shall compensatory time, time off during regular working hours, be used to provide for overtime pay.~~

D. ~~Compensatory time, as a rule, shall be used within the week it was earned unless circumstances make that impossible in which case the compensatory time shall be used within the pay period.~~

E. ~~Extra duty pay, at time and one-half the regular pay rate, shall be paid only for hours actually worked in excess of forty (40) hour week and shall not be paid if the employee has used time off with pay provisions of other policies such as emergency leave, sick leave, holiday pay, vacation pay, etc.~~

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Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of REPORTING THREATENING BEHAVIORS
Code	ag3362A
Status	Proposed to Policy & Human Resources Committee
Adopted	May 21, 2018

3362A - **REPORTING THREATENING BEHAVIORS**

Threatening behavior may take different forms including, but not limited to the following:

A. face-to-face encounters in which words are used that indicate to the staff member that ~~his/her~~their safety and well-being are in jeopardy

B. any conduct or written/oral communications that include comments toward the staff member or ~~his/her~~their family which would imply or state explicitly that the staff member and/or ~~his/her~~their family may be subject to some form of physical or psychological abuse or violence

C. written or spoken comments to a staff member which could subject ~~him/her~~them to blackmail or extortion

D. written or spoken communication that would imply or explicitly state that some form of damage may be done to the staff member's property or that of ~~his/her~~their family

Any staff member who believes that ~~s/he is~~they are the victim of any of the above actions or has observed such actions taken by a student, parent, fellow staff member, supervisor, co-worker, or other person associated with the District such as a vendor, contractor, volunteer, or school official should take promptly the following steps:

A. If the alleged threatener is the staff member's supervisor, the affected employee should, as soon as possible after the incident, contact the District Administrator.

B. If the alleged threatener is not the staff member's supervisor, the affected staff member should, as soon as possible after the incident, contact ~~his/her~~their supervisor.

C. If the threatener is a student of the District, the supervisor, if not the student's principal, should immediately inform the student's principal of the alleged threat.

The staff member may make contact either by a written report or by telephone or personal visit. During this contact, the reporting staff member should provide the name of the person(s) whom ~~s/he~~they believe~~s~~ to be responsible for the harassment and the nature of the harassing incident(s). A written summary of each such report is to be prepared promptly by the staff member receiving the report and forwarded to one of the Compliance Officers (i.e. ~~Business Manager or~~ High School Principal or Dean of Students)~~-~~or District Administrator.

Each report received by the supervisor or Compliance Officer or District Administrator as provided above, shall be investigated in a timely and confidential manner. While a charge is under investigation, no information is to be released to anyone who is not involved with the investigation, except as may be required by law or in the context of a legal or administrative proceeding. No one involved is to discuss the subject outside of the investigation.

The purpose of this provision is to:

A. protect the confidentiality of the staff member who files a complaint;

B. encourage the reporting of any incidents of threat;

C. protect the reputation of any party wrongfully charged with threatening conduct.

Investigation of a complaint will normally include conferring with the parties involved and any named or apparent witnesses. All staff members and others involved are to be protected from coercion, intimidation, retaliation, or discrimination for filing a complaint or assisting in an investigation.

If the investigation reveals that the complaint is valid, then prompt, appropriate, remedial and/or disciplinary action will be taken immediately to prevent the continuance of the threat or its recurrence.

The District recognizes that determining whether a particular action or incident is a threat must be based on all of the facts in the matter. Given the nature of this type of intimidation, the District recognizes that false accusations of a threat can have serious effects on innocent individuals. Accordingly, all staff members are expected to act responsibly, honestly, and with the utmost candor whenever they present threat allegations or charges against fellow staff members, students, or others associated with the District.

Last Modified by Ryan Peterson on May 30, 2024

Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of REPORTING THREATENING BEHAVIORS
Code	ag4362A
Status	Proposed to Policy & Human Resources Committee
Adopted	June 18, 2018

~~4362A - **REPORTING THREATENING BEHAVIORS**~~

~~Threatening behavior may take different forms, including but not limited to the following:~~

A. ~~face-to-face encounters in which words are used that indicate to the staff member that his/her safety and well-being are in jeopardy~~

B. ~~any conduct or written/oral communications that include comments toward the staff member or his/her family which would imply or state explicitly that the staff member and/or his/her family may be subject to some form of physical or psychological abuse or violence~~

C. ~~written or spoken comments to a staff member which could subject him/her to blackmail or extortion~~

D. ~~written or spoken communication that would imply or explicitly state that some form of damage may be done to the staff member's property or that of his/her family~~

~~Any staff member who believes that s/he is the victim of any of the above actions or has observed such actions taken by a student, parent, fellow staff member, supervisor, co-worker, or other person associated with the District such as a vendor, contractor, volunteer, or school official should take promptly the following steps:~~

A. ~~If the alleged threatener is the staff member's supervisor, the affected employee should, as soon as possible after the incident, contact the District Administrator.~~

B. ~~If the alleged threatener is not the staff member's supervisor, the affected staff member should, as soon as possible after the incident, contact his/her supervisor.~~

C. ~~If the alleged threatener is a student of the District, the supervisor, if not the student's director, should immediately inform the student's director of the alleged threat.~~

~~The staff member may make contact either by a written report or by telephone or personal visit. During this contact, the reporting staff member should provide the name of the person(s) whom s/he believes to be responsible for the harassment and the nature of the harassing incident(s). A written summary of each such report is to be prepared promptly by the staff member receiving the report and forwarded to one of the Compliance Officers (i.e. Business Manager or High School Principal) or District Administrator.~~

~~Each report received by the supervisor or Compliance Officer or District Administrator as provided above, shall be investigated in a timely and confidential manner. While a charge is under investigation, no information is to be released to anyone who is not involved with the investigation, except as may be required by law or in the context of a legal or administrative proceeding. No one involved is to discuss the matter outside of the investigation.~~

~~The purpose of this provision is to:~~

A. ~~protect the confidentiality of the staff member who files a complaint;~~

B. ~~encourage the reporting of any incidents of threat;~~

C. ~~protect the reputation of any party wrongfully charged with threatening conduct.~~

~~Investigation of a complaint will normally include conferring with the parties involved and any named or apparent witnesses. All staff members and others involved are to be protected from coercion, intimidation, retaliation, or discrimination for filing a complaint or assisting in an investigation.~~

~~If the investigation reveals that the complaint is valid, then appropriate, remedial, and/or disciplinary action will be taken immediately to prevent the continuance of the threat or its recurrence.~~

~~The District recognizes that determining whether a particular action or incident is a threat must be based on all of the facts in the matter. Given the nature of this type of intimidation, the District recognizes that false accusations of threat can have serious effects on innocent individuals. Accordingly, all staff members are expected to act responsibly, honestly, and with the utmost candor whenever they present threat allegations or charges against fellow staff members, students, or others associated with the District.~~

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Last Modified by Ryan Peterson on May 30, 2024

Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of REPORTING THREATENING BEHAVIORS
Code	ag3362.01
Status	Proposed to Policy & Human Resources Committee
Adopted	February 28, 2022
Last Revised	January 3, 2023

3362.01 - **REPORTING THREATENING BEHAVIORS**

Threatening behavior may take different forms including, but not limited to the following:

A. face-to-face encounters in which words are used that indicate to the staff member that the staff member's safety and well-being are in jeopardy

B. any conduct or written/oral communications that include comments toward the staff member or the staff member's family which would imply or state explicitly that the staff member and/or the staff member's family may be subject to some form of physical or psychological abuse or violence

C. written or spoken comments to a staff member which could subject the staff member to blackmail or extortion

D. written or spoken communication that would imply or explicitly state that some form of damage may be done to the staff member's property or that of the staff member's family

E. written or spoken communication that causes a dwelling, a building, another structure, or a vehicle to be evacuated

Definitions

Words used in this guideline shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

Complainant is the individual who alleges, or is alleged, to have been subjected to harassing, threatening, and/or intimidating behavior, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

Respondent is the individual who is alleged to have engaged in harassing, threatening, and/or intimidating behavior, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged harassment.

District community means students, District employees (i.e., administrators, and professional and support staff), and Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties include but are not limited to guests and/or visitors on 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 District community at school-related events/activities (whether on or off District property).

Day(s): Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the District office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

Any staff member who believes that the staff member is the victim of any of the above actions or has observed such actions taken by a student, parent, fellow staff member, supervisor, co-worker, other member of the District community, or Third Parties, promptly should take the following steps:

A. If the Respondent would be the staff member's supervisor or a member of the District Office staff, as soon as possible after the incident, the Complainant should contact the District's Compliance Officer (see Policy 3362 - Anti-Harassment).

B. If the Respondent is not the staff member's supervisor or member of the District Office staff, as soon as possible after the incident, the Complainant should contact ~~his/her~~their supervisor or the District Compliance Officer.

C. If the Respondent is a student of the District, the supervisor, if not the student's principal, should immediately inform the student's principal of the alleged threat.

The staff member may make contact either by a written report or by telephone or personal visit. During this contact, the reporting staff member should provide the name of the person(s) whom the staff member believes to be responsible for the threatening behavior and the nature of the threatening behavior incident(s). A written summary of each report is to be prepared promptly by the staff member receiving the report and forwarded to the immediate supervisor. In the event that a staff member hears or receives a threat of violence in, or targeted at, any school, the staff member shall immediately refer to Policy 8462.01 - Threats of Violence and proceed accordingly.

Each report received by the supervisor as provided above shall be investigated in a timely and confidential manner. While a charge is under investigation, no information is to be released to anyone who is not involved with the investigation, except as may be required by law or in the context of a legal or administrative proceeding. No one involved is to discuss the subject outside of the investigation.

The purpose of this provision is to:

A. protect the confidentiality of the staff member who files a complaint, except that a Respondent must be informed of the Complainant's identity;

B. encourage the reporting of any incidents of threat;

C. protect the reputation of any party wrongfully charged with threatening conduct.

Investigation of a complaint normally will include conferring with the parties involved and any named or apparent witnesses. All staff members and others involved are to be protected from coercion, intimidation, retaliation, or discrimination for filing a complaint or assisting in an investigation.

If the investigation reveals that the complaint is valid, then prompt, appropriate, remedial and/or disciplinary action will be taken immediately to prevent the continuance of the threat or its recurrence.

The District recognizes that determining whether a particular action or incident is a threat must be based on all of the facts in the matter. Given the nature of this type of intimidation, the District recognizes that false accusations of a threat can have serious effects on innocent individuals. Accordingly, all staff members are expected to act responsibly, honestly, and with the utmost candor whenever they present threat allegations or charges against fellow staff members, students, or others associated with the District.

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Last Modified by Ryan Peterson on May 30, 2024

Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of REPORTING THREATENING BEHAVIORS - RESCIND
Code	ag4362.01
Status	Proposed to Policy & Human Resources Committee
Adopted	February 28, 2022
Last Revised	January 3, 2023

~~4362.01 **REPORTING THREATENING BEHAVIORS**~~

~~Threatening behavior may take different forms including, but not limited to the following:~~

A. ~~face-to-face encounters in which words are used that indicate to the staff member that the staff member's safety and well-being are in jeopardy~~

B. ~~any conduct or written/oral communications that include comments toward the staff member or the staff member's family which would imply or state explicitly that the staff member and/or the staff member's family may be subject to some form of physical or psychological abuse or violence~~

C. ~~written or spoken comments to a staff member which could subject the staff member to blackmail or extortion~~

D. ~~written or spoken communication that would imply or explicitly state that some form of damage may be done to the staff member's property or that of the staff member's family~~

E. ~~written or spoken communication that causes a dwelling, a building, another structure, or a vehicle to be evacuated~~

~~**Definitions**~~

~~Words used in this guideline shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.~~

~~**Complainant** is the individual who alleges, or is alleged, to have been subjected to harassing, threatening, and/or intimidating behavior, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.~~

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~~**District community** means students, District employees (i.e., administrators, and professional and support staff), and Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.~~

~~**Third Parties** include but are not limited to guests and/or visitors on 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 District community at school-related events/activities (whether on or off District property).~~

~~**Day(s):** Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the District office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).~~

~~Any staff member who believes that the staff member is the victim of any of the above actions or has observed such actions taken by a student, parent, fellow staff member, supervisor, co-worker, other member of the District community, or Third Parties, promptly should take the following steps:~~

A. ~~If the Respondent would be the staff member's supervisor or a member of the District Office staff, as soon as possible after the incident, the Complainant should contact the District's Compliance Officer (see Policy 3362 – Anti-Harassment).~~

B. ~~If the Respondent is not the staff member's supervisor or member of the District Office staff, as soon as possible after the incident, the Complainant should contact his/her supervisor or the District Compliance Officer.~~

C. ~~If the Respondent is a student of the District, the supervisor, if not the student's principal, should immediately inform the student's principal of the alleged threat.~~

~~The staff member may make contact either by a written report or by telephone or personal visit. During this contact, the reporting staff member should provide the name of the person(s) whom the staff member believes to be responsible for the threatening behavior and the nature of the threatening behavior incident(s). A written summary of each report is to be prepared promptly by the staff member receiving the report and forwarded to the immediate supervisor. In the event that a staff member hears or receives a threat of violence in, or targeted at, any school, the staff member shall immediately refer to Policy 8462.01 – Threats of Violence and proceed accordingly.~~

~~Each report received by the supervisor as provided above shall be investigated in a timely and confidential manner. While a charge is under investigation, no information is to be released to anyone who is not involved with the investigation, except as may be required by law or in the context of a legal or administrative proceeding. No one involved is to discuss the subject outside of the investigation.~~

~~The purpose of this provision is to:~~

A. ~~protect the confidentiality of the staff member who files a complaint, except that a Respondent must be informed of the Complainant's identity;~~

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C. ~~protect the reputation of any party wrongfully charged with threatening conduct.~~

~~Investigation of a complaint normally will include conferring with the parties involved and any named or apparent witnesses. All staff members and others involved are to be protected from coercion, intimidation, retaliation, or discrimination for filing a complaint or assisting in an investigation.~~

~~If the investigation reveals that the complaint is valid, then prompt, appropriate, remedial and/or disciplinary action will be taken immediately to prevent the continuance of the threat or its recurrence.~~

~~The District recognizes that determining whether a particular action or incident is a threat must be based on all of the facts in the matter. Given the nature of this type of intimidation, the District recognizes that false accusations of a threat can have serious effects on innocent individuals. Accordingly, all staff members are expected to act responsibly, honestly, and with the utmost candor whenever they present threat allegations or charges against fellow staff members, students, or others associated with the District.~~

~~T.C. 1/3/23~~

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Last Modified by Ryan Peterson on May 30, 2024

Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of FMLA LEAVE
Code	ag3430.01
Status	Proposed to Policy & Human Resources Committee
Adopted	April 25, 2022

3430.01 - **FMLA LEAVE**

Definitions Applicable to FMLA Leave

The term child (i.e., son or daughter) means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age eighteen (18), or age eighteen (18) or older and incapable of self-care because of a mental or physical disability (as defined by the Americans with Disabilities Act (ADA), as amended) at the time the FMLA leave is to commence.

The term spouse means all individuals in legal marriages, regardless of where they live. More specifically, the definition of spouse is a husband or wife as defined or recognized in the State where the individual was married (place of celebration), and specifically includes individuals in lawfully recognized same-sex and common law marriages. The definition further includes an individual in a marriage that was validly entered into outside the United States if it could have been entered into in at least one (1) State. Civil unions are not considered marriages under the FMLA.

The term incapable of self-care means that the individual requires active assistance or supervision to provide daily self-care in three (3) or more of the activities of daily living (ADLs) (e.g., caring appropriately for one's grooming and hygiene, bathing, dressing, eating) or instrumental activities of daily living (IADLs) (e.g., cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.).

An employee is unable to perform the functions of the position where the health care provider finds that the employee is unable to work at all or is unable to perform any one of the essential functions of the employee's position. Additionally, an employee who must be absent from work to receive medical treatment for a serious health condition is considered to be unable to perform the essential functions of the position during the absence for treatment.

Leave for Adoption or Foster Care

Eligible employees may take FMLA leave before the actual placement or adoption of a child if an absence from work is required for the placement or foster care to proceed. Permissible absences include, but are not limited to, the employee attending a required counseling session, appearing in court, consulting with the attorney or the doctor(s) representing the birth parent, submitting to physical examinations, or traveling to another country to complete an adoption.

Military Family Leave Entitlements

A. **Military Caregiver Leave**

Eligible employees may take up to twenty-six (26) weeks of unpaid FMLA leave, in a single twelve (12) month period, to care for a covered service member with a serious injury or illness. The single twelve (12) month period begins on the first day the eligible employee takes Military Caregiver Leave and ends twelve (12) months after that date. If the employee does not use the entire twenty-six (26) work weeks leave entitlement during the single

twelve (12) month period of leave, the remaining work weeks of leave are forfeited.

For purposes of Military Caregiver Leave, the covered service member may be a 1) current member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness, or 2) a veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) and was discharged or released under conditions other than dishonorable at any time during the period of five (5) years prior to the first date the eligible employee takes FMLA leave to care for the covered veteran. For an individual who was a member of the Armed Forces and who was discharged or released under conditions other than dishonorable prior to March 8, 2013, the period between October 28, 2009, and March 8, 2013, shall not count towards the determination of the five-year period for covered veteran status.

Serious injury or illness for purposes of Military Caregiver Leave is defined as an injury or illness incurred by a covered service member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the covered service member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that may render the service member medically unfit to perform the duties of the service member's office, grade, rank, or rating.

In the case of a veteran, a serious injury or illness means an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by the service in the line of duty on active duty in the Armed Forces) and manifested itself before or after the member became a veteran and is 1) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating; 2) a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; 3) a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or 4) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

The term son or daughter of a covered service member means a covered service member's biological, adopted, or foster child, stepchild, legal ward, or child for whom the service member stood in loco parentis, and who is of any age. Similarly, the term parent of a covered service member means a covered service member's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered service member. (The term does not include parents-in-law.)

The term next of kin means the service member's nearest blood relative, other than the covered service member's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the service member by court decree or statutory provisions; brothers and sisters; grandparents; aunts and uncles; and first cousins; unless the covered service member has specifically designated in writing another blood relative as their nearest blood relative for purposes of Military Caregiver Leave under the FMLA, in which case the designated individual shall be deemed to be the covered service member's next of kin. All family members sharing the closest level of familial relationship to the covered service member are considered the covered service member's next of kin, unless the covered service member has specifically designated an individual as their next of kin for Military Caregiver Leave purposes. While an eligible employee may care for more than one (1) seriously injured or ill covered service member at the same time, the employee may not take more than twenty-six (26) work weeks of leave during each single twelve (12) month period.

Military Caregiver Leave is a per-service member, per-injury entitlement. Therefore, an eligible employee may take twenty-six (26) work weeks of leave to care for one (1) covered service member in a single twelve (12) month period, and then take another twenty-six (26) work weeks of leave in a different single twelve (12)month period to care for another covered service member or to care for the same service member with a subsequent serious injury or illness (e.g., if the service member is returned to active duty and suffers another injury). Additionally, an eligible employee could take FMLA leave, after the end of the single twelve (12) month period for Military Caregiver Leave, to care for a covered service member if the member is a qualifying family member under non-military FMLA and the eligible employee has a serious health condition.

B. **Qualifying Exigency Leave**

Eligible employees may take up to twelve (12) weeks of unpaid FMLA leave for any of the following qualifying

exigencies that are related to the fact that the employee's spouse, son, daughter or parent is on covered active duty or call to covered active duty status, or has been notified of an impending call or order to covered active duty in the Armed Forces:

1. Issues arising from a qualifying family member's short-notice deployment (i.e., deployment on seven (7) or less calendar days of notice) for a period of seven (7) days from the date of notification.

2. Military events and related activities, such as official ceremonies, programs, or events sponsored by the military, or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to a qualifying family member's covered active duty or call to covered active duty status.

3. Certain childcare and related activities arising from a qualifying family member's covered active duty or call to covered active duty status, such as arranging for alternative childcare, providing childcare on an urgent, immediate need basis (but not on a routine, regular, or everyday basis), enrolling or transferring a child in a new school or day care facility, and attending certain meetings at a school or a day care facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member (this does not include providing child care on a routine, regular or everyday basis).

4. Making or updating financial and legal arrangements to address a qualifying family member's absence (e.g., preparing and executing financial and healthcare power of attorney, transferring bank account signature authority, enrolling in the Defense Enrollment Eligibility Reporting System, obtaining military identification cards, or preparing or updating a will or living trust) and acting as the military member's representative before a Federal, State, or local agency for purposes of obtaining, arranging, or appealing military service benefits while the military member is on covered active duty or call to covered active duty status, and for a period of ninety (90) days following the termination of the military member's covered active duty status.

5. Attending counseling provided by someone other than a healthcare provider for oneself, the qualifying family member, or the child of the qualifying family member, the need for which arises from the qualifying family member's covered active duty or call to covered active duty status. The child must be the military member's biological, adopted, or foster child, stepchild, legal ward or child for whom the military member stands in loco parentis, who is either under eighteen (18) years of age or eighteen (18) years of age or older and incapable of self-care because of a mental or physical disability at the time that FMLA leave is to commence.

6. Taking up to fifteen (15) days of leave to spend time with a qualifying family member who is on short-term, temporary, rest and recuperation leave during the deployment.

7. Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of ninety (90) days following the termination of the qualifying family member's covered active duty status, and addressing issues arising from the death of a qualifying family member.

8. Providing parental care for a parent of a military member who is incapable of self-care and is the military member's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered service member when the member was under eighteen (18) years of age. Incapable of self-care means the parent requires active assistance or supervision to provide daily self-care in three or more of the activities of daily living (includes adaptive activities such as caring appropriately for one's grooming and hygiene, bathing, dressing and eating) or instrumental activities of daily living (includes cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.). Parental care includes 1) arranging for alternate care when the parent is incapable of self-care and the covered active duty or call to covered active duty status necessitates a change in the existing care arrangement for the parent; 2) providing care on an urgent, immediate need basis (but not on a routine, regular or everyday basis) when the parent is incapable of self-care and the need to provide such care arises from covered active duty or call to covered active duty status; 3) admitting or transferring to a care facility a parent when admittance or transfer is necessitated by the covered active duty or call to covered active duty status; and 4) attending meetings with staff at a care facility, such as meetings with hospice or social service providers for a parent when such meetings are necessary due to circumstances arising from the covered active duty or call to covered active duty status but not for regular or routine meetings.

9. Any other event that the employee and the Board agree is a qualifying exigency.

The term qualifying family member for purposes of Qualified Exigency Leave means a staff member's spouse, son, daughter or parent.

The term covered active duty or call to covered active duty status for purposes of Qualified Exigency Leave means duty for a member of the Regular Armed Forces during deployment of the member with the Armed Forces to a foreign country, and, in the case of a member of the Reserve components of the Armed Forces, duty during deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation pursuant to Sections 688, 12301(a), 12302, 12304, 12305, 12406, or Chapter 15 of Title 10 of the United States Code or any other provision of law during a war or during a national emergency declared by the President or Congress as long as it is in support of a contingency operation.

The term son or daughter means the employee's biological, adopted, or foster child, stepchild, legal ward, or child for whom the employee stood in loco parentis, who is on covered active duty or call to covered active duty status, and who is of any age. Similarly, the term parent means a biological, adoptive, step, or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a son or daughter. (The term does not include parents in-law.)

Employee Request for FMLA Leave

While eligible employees are not required to expressly request unpaid FMLA leave, it is requested that eligible employees who seek an unpaid FMLA leave for any of the approved reasons complete and submit to the District Administrator a written request for FMLA leave.

Employee Certifications

Eligible employees who apply for FMLA leave to care for an immediate family member must submit DOL Form (WH-380-F; Certification of Health Care Provider for Family Member's Serious Health Condition).

Eligible employees who apply for FMLA leave for the employee's own serious health condition must submit DOL Form (WH-380-E; Certification of Health Care Provider for Employee's Serious Health Condition).

The District Administrator shall attach a statement of the essential functions of the employee's position for the health care provider to review. In order for the Certification Form to be considered sufficient, the health care provider must specify what function of the employee's position the employee is unable to perform so that the District can then determine whether the employee is unable to perform one (1) or more essential functions of the employee's position.

Eligible employees who apply for Military Caregiver Leave must submit DOL Form (WH-385; Certification for Serious Injury or Illness of Covered Service Member - for Military Family Leave or WH-385-V, Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave). The form may be completed by a Department of Defense (DOD) health care provider, Veterans Affairs health care provider, a DOD TRICARE network authorized private health care provider, a DOD non-network TRICARE authorized private health care provider, or any health care provider as defined by 29 C.F.R. 825.125.

Additionally, with respect to Military Caregiver Leave, the District will accept the submission of an Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA), in lieu of the DOL Form, for the time period specified in the ITO or ITA. The ITO or ITA submitted by the employee need not list the employee as the named recipient of the ITO/ITA, provided the employee is the spouse, parent, son, daughter or next of kin of the covered service member. If the covered service member's need for care extends beyond the expiration date specified in the ITO or ITA, the employee is responsible for submitting the DOL Form for the remainder of the employee's leave period. The District will also accept, with respect to Military Caregiver Leave, documentation indicating the service member's enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers, regardless of whether the employee is the named caregiver in the documentation. Employees are advised that the District Administrator may seek authentication and clarification of such documentation, and may require an employee to provide confirmation of covered family relationship to the seriously injured or ill service member and documentation showing that the discharge was other than dishonorable and the date of the veteran's discharge.

It is the employee's responsibility either to furnish a complete and sufficient certification or to furnish the health care provider providing the certification with any necessary authorization from the employee or the employee's family member in order for the health care provider to release a complete and sufficient certification to the Board to support the employee's FMLA request.

In all instances in which certification is requested, it is the employee's responsibility to provide the Board with complete and sufficient certification, and failure to do so may result in denial of FMLA leave.

Eligible employees who apply for any of the three (3) preceding types of FMLA leave must also execute and provide to the eligible employees health care provider a HIPAA-compliant release form.

If the District Administrator deems a medical certification to be incomplete or insufficient, the District Administrator shall notify the employee, in writing, what information is lacking, and the employee will have seven (7) calendar days to cure the deficiency. The District Administrator (i.e., the Board's health care provider, human resource professional, leave administrator, or other management official, but not the employee's direct supervisor) may contact the certifying health care provider for clarification concerning or to authenticate the content of a medical certification. The representative, however, shall not ask the health care provider for additional information beyond that required by the certification form.

Employees who take leave for the employee's own serious health condition, prior to returning to work, must submit to the District Administrator a Fitness-for-Duty Certification. Again, the employee will need to have executed and provided to their Health Care Provider a HIPAA-compliant form.

Eligible employees who apply for FMLA leave for Qualifying Exigency Leave must submit DOL Form WH-384; Certification of Qualifying Exigency for Military Family Leave. Specifically, the first time the employee requests Qualifying Exigency Leave, the employee must provide a copy of the qualifying family member's covered active duty orders or other documentation issued by the military that indicates that the qualifying family member is on covered active duty or call to covered active duty status, and the dates of the qualifying family member's covered active duty service. Additionally, each time that the employee requests leave for one of the above-listed qualifying exigencies, the employee must certify the exigency necessitating leave. Such certification supporting leave for a qualifying exigency includes:

A. appropriate facts supporting the need for leave, including any available written documentation supporting the request and the type of qualifying exigency;

B. the appropriate date on which the qualifying exigency commenced or will commence, and, if requested for a single, continuous period of time, the beginning and end dates for such absence;

C. where leave will be needed on an intermittent basis, an estimate of the frequency and duration of the qualifying exigency;

D. appropriate contact information if the exigency involves meeting with a third party and a brief description of the purpose of the meeting; and if the qualifying exigency involves Rest and Recuperation leave, a copy of the military member's Rest and Recuperation orders or other documentation issued by the military that indicates the military member has been granted Rest and Recuperation leave and the dates of such leave.

Employees are advised that if the qualifying exigency involves a meeting with a third party, the District Administrator may verify the schedule and purpose of the meeting with the third party. Also, the District Administrator may contact the appropriate unit of the Department of Defense to confirm that the qualifying family member is on covered active duty or call to covered active duty status.

All of the certifications identified above must be submitted by the employee within fifteen (15) calendar days after the District provides the employee with the applicable DOL Form unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts. An employee may not be held liable for administrative delays in the issuance of military documents, despite the employee's diligent, good faith efforts to obtain such documents.

Light Duty

Time spent performing light duty work does not count against an employee's FMLA leave entitlement.

District Notices to Employees (Forms are available on the U.S. Department of Labor Website: www.dol.gov)

If the information included in the Employee Rights and Responsibilities Notice changes, the District Administrator will inform the employee of such changes within five (5) business days of receipt of the employee's first notice of the need for FMLA leave subsequent to any change. The Business Manager is charged with responsively answering questions from employees concerning their rights and responsibilities.

If it is not possible to provide the number of hours, days or weeks that will be counted as FMLA leave (e.g., where the leave will be unscheduled), the District Administrator will provide this information upon request by the employee, but no more often than every thirty (30) days and only if leave was taken during the period. The notice of the amount of leave

counted against the employee's FMLA entitlement may be oral or in writing. If such notice is oral, it shall be confirmed in writing, no later than the following payday that is at least one (1) week after the oral notice. Such notice may be in any form, including a notation on the employee's pay stub.

FMLA Leave and Mandatory Overtime

Employees with proper medical certification may use FMLA leave in lieu of working required overtime hours. Thus, hours that an employee would have been required to work but for the taking of FMLA leave will be counted against the employee's FMLA entitlement.

Calculating the Amount of FMLA Leave Used by an Employee

For purposes of determining the amount of FMLA leave used by an employee, the fact that a holiday may occur within the work week taken as FMLA has no effect; the week is counted as a week of FMLA leave. If, however, the employee is using FMLA leave in increments of less than one (1) week, the holiday will not count against the employee's FMLA leave entitlement unless the employee was otherwise scheduled and expected to work during the holiday. Similarly, when an employee is not scheduled to work during winter, spring or summer vacation (i.e., during a period when some or all employees are not expected to work for one (1) or more weeks), the days the employee is not scheduled to work shall not count against the employee's FMLA leave entitlement.

When an employee takes FMLA leave on an intermittent or reduced leave schedule basis, the leave shall be accounted for by using an increment no greater than the shortest period of time that the District uses to account for use of other forms of leave provided that it is not greater than one (1) hour and provided that the employee's FMLA leave entitlement is not reduced by more than the amount of leave actually taken.

Maintenance of Employee Benefits

The same group health plan benefits provided to an employee prior to taking FMLA leave shall be maintained during the FMLA leave (e.g., if family member coverage is provided to an employee, family member coverage shall be maintained during the FMLA leave). Similarly, benefit coverage during FMLA leave for medical care, surgical care, hospital care, dental care, eye care, mental health counseling, substance abuse treatment, etc., shall be maintained during leave if provided in the District's group health plan, including a supplement to a group plan.

If an employee chooses not to retain group health plan coverage during FMLA leave, the employee will be reinstated, upon return from leave, on the same terms as prior to taking the leave, without any qualifying period, physical examination, exclusion of pre-existing conditions, etc. All other employee benefits will be maintained during leave subject to applicable policy requirements and consistent with maintaining employee eligibility to receive the same benefits following leave that the employee had prior to leave in the same manner as provided to other similarly situated employees.

Costs Associated with Medical Certification and Recertification

The employee is responsible for any costs associated with obtaining the original medical certification required to qualify for the use of unpaid FMLA leave. Likewise, if the Board requires an employee to submit recertification for any of the reasons specified in Policy 1630.01, the employee is responsible for any costs associated with the recertification. Finally, the employee is responsible for the cost of a new medical certification each leave year for medical conditions that last longer than one (1) year.

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Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of FMLA LEAVE - RESCIND
Code	ag4430.01
Status	Proposed to Policy & Human Resources Committee
Adopted	April 25, 2022

~~4430.01 **FMLA LEAVE**~~

~~**Definitions Applicable to FMLA Leave**~~

~~The term child (i.e., son or daughter) means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age eighteen (18), or age eighteen (18) or older and incapable of self-care because of a mental or physical disability (as defined by the Americans with Disabilities Act (ADA), as amended) at the time the FMLA leave is to commence.~~

~~The term spouse means all individuals in legal marriages, regardless of where they live. More specifically, the definition of spouse is a husband or wife as defined or recognized in the State where the individual was married (place of celebration), and specifically includes individuals in lawfully recognized same-sex and common law marriages. The definition further includes an individual in a marriage that was validly entered into outside the United States if it could have been entered into in at least one (1) State. Civil unions are not considered marriages under the FMLA.~~

~~The term incapable of self-care means that the individual requires active assistance or supervision to provide daily self-care in three (3) or more of the activities of daily living (ADLs) (e.g., caring appropriately for one's grooming and hygiene, bathing, dressing, eating) or instrumental activities of daily living (IADLs) (e.g., cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.).~~

~~An employee is unable to perform the functions of the position where the health care provider finds that the employee is unable to work at all or is unable to perform any one of the essential functions of the employee's position. Additionally, an employee who must be absent from work to receive medical treatment for a serious health condition is considered to be unable to perform the essential functions of the position during the absence for treatment.~~

~~**Leave for Adoption or Foster Care**~~

~~Eligible employees may take FMLA leave before the actual placement or adoption of a child if an absence from work is required for the placement or foster care to proceed. Permissible absences include, but are not limited to, the employee attending a required counseling session, appearing in court, consulting with the attorney or the doctor(s) representing the birth parent, submitting to physical examinations, or traveling to another country to complete an adoption.~~

~~**Military Family Leave Entitlements**~~

A. ~~**Military Caregiver Leave**~~

~~Eligible employees may take up to twenty-six (26) weeks of unpaid FMLA leave, in a single twelve (12) month period, to care for a covered service member with a serious injury or illness. The single twelve (12) month period begins on the first day the eligible employee takes Military Caregiver Leave and ends twelve (12) months after that date. If the employee does not use the entire twenty-six (26) work weeks leave entitlement during the single~~

~~twelve (12) month period of leave, the remaining work weeks of leave are forfeited.~~

~~For purposes of Military Caregiver Leave, the covered service member may be a 1) current member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness, or 2) a veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) and was discharged or released under conditions other than dishonorable at any time during the period of five (5) years prior to the first date the eligible employee takes FMLA leave to care for the covered veteran. For an individual who was a member of the Armed Forces and who was discharged or released under conditions other than dishonorable prior to March 8, 2013, the period between October 28, 2009, and March 8, 2013, shall not count towards the determination of the five-year period for covered veteran status.~~

~~Serious injury or illness for purposes of Military Caregiver Leave is defined as an injury or illness incurred by a covered service member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the covered service member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that may render the service member medically unfit to perform the duties of the service member's office, grade, rank, or rating.~~

~~In the case of a veteran, a serious injury or illness means an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by the service in the line of duty on active duty in the Armed Forces) and manifested itself before or after the member became a veteran and is 1) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating; 2) a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; 3) a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or 4) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.~~

~~The term son or daughter of a covered service member means a covered service member's biological, adopted, or foster child, stepchild, legal ward, or child for whom the service member stood in loco parentis, and who is of any age. Similarly, the term parent of a covered service member means a covered service member's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered service member. (The term does not include parents-in-law.)~~

~~The term next of kin means the service member's nearest blood relative, other than the covered service member's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the service member by court decree or statutory provisions; brothers and sisters; grandparents; aunts and uncles; and first cousins; unless the covered service member has specifically designated in writing another blood relative as their nearest blood relative for purposes of Military Caregiver Leave under the FMLA, in which case the designated individual shall be deemed to be the covered service member's next of kin. All family members sharing the closest level of familial relationship to the covered service member are considered the covered service member's next of kin, unless the covered service member has specifically designated an individual as their next of kin for Military Caregiver Leave purposes. While an eligible employee may care for more than one (1) seriously injured or ill covered service member at the same time, the employee may not take more than twenty-six (26) work weeks of leave during each single twelve (12) month period.~~

~~Military Caregiver Leave is a per service member, per injury entitlement. Therefore, an eligible employee may take twenty-six (26) work weeks of leave to care for one (1) covered service member in a single twelve (12) month period, and then take another twenty-six (26) work weeks of leave in a different single twelve (12)month period to care for another covered service member or to care for the same service member with a subsequent serious injury or illness (e.g., if the service member is returned to active duty and suffers another injury). Additionally, an eligible employee could take FMLA leave, after the end of the single twelve (12) month period for Military Caregiver Leave, to care for a covered service member if the member is a qualifying family member under non-military FMLA and the eligible employee has a serious health condition.~~

B. ~~**Qualifying Exigency Leave**~~

~~Eligible employees may take up to twelve (12) weeks of unpaid FMLA leave for any of the following qualifying~~

~~exigencies that are related to the fact that the employee's spouse, son, daughter or parent is on covered active duty or call to covered active duty status, or has been notified of an impending call or order to covered active duty in the Armed Forces:~~

1. ~~Issues arising from a qualifying family member's short-notice deployment (i.e., deployment on seven (7) or less calendar days of notice) for a period of seven (7) days from the date of notification.~~

2. ~~Military events and related activities, such as official ceremonies, programs, or events sponsored by the military, or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to a qualifying family member's covered active duty or call to covered active duty status.~~

3. ~~Certain childcare and related activities arising from a qualifying family member's covered active duty or call to covered active duty status, such as arranging for alternative childcare, providing childcare on an urgent, immediate need basis (but not on a routine, regular, or everyday basis), enrolling or transferring a child in a new school or day care facility, and attending certain meetings at a school or a day care facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member (this does not include providing child care on a routine, regular or everyday basis).~~

4. ~~Making or updating financial and legal arrangements to address a qualifying family member's absence (e.g., preparing and executing financial and healthcare power of attorney, transferring bank account signature authority, enrolling in the Defense Enrollment Eligibility Reporting System, obtaining military identification cards, or preparing or updating a will or living trust) and acting as the military member's representative before a Federal, State, or local agency for purposes of obtaining, arranging, or appealing military service benefits while the military member is on covered active duty or call to covered active duty status, and for a period of ninety (90) days following the termination of the military member's covered active duty status.~~

5. ~~Attending counseling provided by someone other than a healthcare provider for oneself, the qualifying family member, or the child of the qualifying family member, the need for which arises from the qualifying family member's covered active duty or call to covered active duty status. The child must be the military member's biological, adopted, or foster child, stepchild, legal ward or child for whom the military member stands in loco parentis, who is either under eighteen (18) years of age or eighteen (18) years of age or older and incapable of self-care because of a mental or physical disability at the time that FMLA leave is to commence.~~

6. ~~Taking up to fifteen (15) days of leave to spend time with a qualifying family member who is on short-term, temporary, rest and recuperation leave during the deployment.~~

7. ~~Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of ninety (90) days following the termination of the qualifying family member's covered active duty status, and addressing issues arising from the death of a qualifying family member.~~

8. ~~Providing parental care for a parent of a military member who is incapable of self-care and is the military member's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered service member when the member was under eighteen (18) years of age. Incapable of self-care means the parent requires active assistance or supervision to provide daily self-care in three or more of the activities of daily living (includes adaptive activities such as caring appropriately for one's grooming and hygiene, bathing, dressing and eating) or instrumental activities of daily living (includes cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.). Parental care includes 1) arranging for alternate care when the parent is incapable of self-care and the covered active duty or call to covered active duty status necessitates a change in the existing care arrangement for the parent; 2) providing care on an urgent, immediate need basis (but not on a routine, regular or everyday basis) when the parent is incapable of self-care and the need to provide such care arises from covered active duty or call to covered active duty status; 3) admitting or transferring to a care facility a parent when admittance or transfer is necessitated by the covered active duty or call to covered active duty status; and 4) attending meetings with staff at a care facility, such as meetings with hospice or social service providers for a parent when such meetings are necessary due to circumstances arising from the covered active duty or call to covered active duty status but not for regular or routine meetings.~~

9. ~~Any other event that the employee and the Board agree is a qualifying exigency.~~

~~The term qualifying family member for purposes of Qualified Exigency Leave means a staff member's spouse, son, daughter or parent.~~

~~The term covered active duty or call to covered active duty status for purposes of Qualified Exigency Leave means duty for a member of the Regular Armed Forces during deployment of the member with the Armed Forces to a foreign country, and, in the case of a member of the Reserve components of the Armed Forces, duty during deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation pursuant to Sections 688, 12301(a), 12302, 12304, 12305, 12406, or Chapter 15 of Title 10 of the United States Code or any other provision of law during a war or during a national emergency declared by the President or Congress as long as it is in support of a contingency operation.~~

~~The term son or daughter means the employee's biological, adopted, or foster child, stepchild, legal ward, or child for whom the employee stood in loco parentis, who is on covered active duty or call to covered active duty status, and who is of any age. Similarly, the term parent means a biological, adoptive, step, or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a son or daughter. (The term does not include parents in law.)~~

~~Employee Request for FMLA Leave~~

~~While eligible employees are not required to expressly request unpaid FMLA leave, it is requested that eligible employees who seek an unpaid FMLA leave for any of the approved reasons complete and submit to the District Administrator a written request for FMLA leave.~~

~~Employee Certifications~~

~~Eligible employees who apply for FMLA leave to care for an immediate family member must submit DOL Form (WH-380-F; Certification of Health Care Provider for Family Member's Serious Health Condition).~~

~~Eligible employees who apply for FMLA leave for the employee's own serious health condition must submit DOL Form (WH-380-E; Certification of Health Care Provider for Employee's Serious Health Condition).~~

~~The District Administrator shall attach a statement of the essential functions of the employee's position for the health care provider to review. In order for the Certification Form to be considered sufficient, the health care provider must specify what function of the employee's position the employee is unable to perform so that the District can then determine whether the employee is unable to perform one (1) or more essential functions of the employee's position.~~

~~Eligible employees who apply for Military Caregiver Leave must submit DOL Form (WH-385; Certification for Serious Injury or Illness of Covered Service Member - for Military Family Leave or WH-385-V, Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave). The form may be completed by a Department of Defense (DOD) health care provider, Veterans Affairs health care provider, a DOD TRICARE network authorized private health care provider, a DOD non-network TRICARE authorized private health care provider, or any health care provider as defined by 29 C.F.R. 825.125.~~

~~Additionally, with respect to Military Caregiver Leave, the District will accept the submission of an Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA), in lieu of the DOL Form, for the time period specified in the ITO or ITA. The ITO or ITA submitted by the employee need not list the employee as the named recipient of the ITO/ITA, provided the employee is the spouse, parent, son, daughter or next of kin of the covered service member. If the covered service member's need for care extends beyond the expiration date specified in the ITO or ITA, the employee is responsible for submitting the DOL Form for the remainder of the employee's leave period. The District will also accept, with respect to Military Caregiver Leave, documentation indicating the service member's enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers, regardless of whether the employee is the named caregiver in the documentation. Employees are advised that the District Administrator may seek authentication and clarification of such documentation, and may require an employee to provide confirmation of covered family relationship to the seriously injured or ill service member and documentation showing that the discharge was other than dishonorable and the date of the veteran's discharge.~~

~~It is the employee's responsibility either to furnish a complete and sufficient certification or to furnish the health care provider providing the certification with any necessary authorization from the employee or the employee's family member in order for the health care provider to release a complete and sufficient certification to the Board to support the employee's FMLA request.~~

~~In all instances in which certification is requested, it is the employee's responsibility to provide the Board with complete and sufficient certification, and failure to do so may result in denial of FMLA leave.~~

~~Eligible employees who apply for any of the three (3) preceding types of FMLA leave must also execute and provide to the eligible employees health care provider a HIPAA compliant release form.~~

~~If the District Administrator deems a medical certification to be incomplete or insufficient, the District Administrator shall notify the employee, in writing, what information is lacking, and the employee will have seven (7) calendar days to cure the deficiency. The District Administrator (i.e., the Board's health care provider, human resource professional, leave administrator, or other management official, but not the employee's direct supervisor) may contact the certifying health care provider for clarification concerning or to authenticate the content of a medical certification. The representative, however, shall not ask the health care provider for additional information beyond that required by the certification form.~~

~~Employees who take leave for the employee's own serious health condition, prior to returning to work, must submit to the District Administrator a Fitness-for-Duty Certification. Again, the employee will need to have executed and provided to their Health Care Provider a HIPAA compliant form.~~

~~Eligible employees who apply for FMLA leave for Qualifying Exigency Leave must submit DOL Form WH-384; Certification of Qualifying Exigency for Military Family Leave. Specifically, the first time the employee requests Qualifying Exigency Leave, the employee must provide a copy of the qualifying family member's covered active duty orders or other documentation issued by the military that indicates that the qualifying family member is on covered active duty or call to covered active duty status, and the dates of the qualifying family member's covered active duty service. Additionally, each time that the employee requests leave for one of the above-listed qualifying exigencies, the employee must certify the exigency necessitating leave. Such certification supporting leave for a qualifying exigency includes:~~

A. ~~appropriate facts supporting the need for leave, including any available written documentation supporting the request and the type of qualifying exigency;~~

B. ~~the appropriate date on which the qualifying exigency commenced or will commence, and, if requested for a single, continuous period of time, the beginning and end dates for such absence;~~

C. ~~where leave will be needed on an intermittent basis, an estimate of the frequency and duration of the qualifying exigency;~~

D. ~~appropriate contact information if the exigency involves meeting with a third party and a brief description of the purpose of the meeting; and if the qualifying exigency involves Rest and Recuperation leave, a copy of the military member's Rest and Recuperation orders or other documentation issued by the military that indicates the military member has been granted Rest and Recuperation leave and the dates of such leave.~~

~~Employees are advised that if the qualifying exigency involves a meeting with a third party, the District Administrator may verify the schedule and purpose of the meeting with the third party. Also, the District Administrator may contact the appropriate unit of the Department of Defense to confirm that the qualifying family member is on covered active duty or call to covered active duty status.~~

~~All of the certifications identified above must be submitted by the employee within fifteen (15) calendar days after the District provides the employee with the applicable DOL Form unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts. An employee may not be held liable for administrative delays in the issuance of military documents, despite the employee's diligent, good faith efforts to obtain such documents.~~

~~Light Duty~~

~~Time spent performing light duty work does not count against an employee's FMLA leave entitlement.~~

~~District Notices to Employees~~ ~~(Forms are available on the U.S. Department of Labor Website: www.dol.gov)~~

~~If the information included in the Employee Rights and Responsibilities Notice changes, the District Administrator will inform the employee of such changes within five (5) business days of receipt of the employee's first notice of the need for FMLA leave subsequent to any change. The Business Manager is charged with responsively answering questions from employees concerning their rights and responsibilities.~~

~~If it is not possible to provide the number of hours, days or weeks that will be counted as FMLA leave (e.g., where the leave will be unscheduled), the District Administrator will provide this information upon request by the employee, but no more often than every thirty (30) days and only if leave was taken during the period. The notice of the amount of leave~~

~~counted against the employee's FMLA entitlement may be oral or in writing. If such notice is oral, it shall be confirmed in writing, no later than the following payday that is at least one (1) week after the oral notice. Such notice may be in any form, including a notation on the employee's pay stub.~~

~~FMLA Leave and Mandatory Overtime~~

~~Employees with proper medical certification may use FMLA leave in lieu of working required overtime hours. Thus, hours that an employee would have been required to work but for the taking of FMLA leave will be counted against the employee's FMLA entitlement.~~

~~Calculating the Amount of FMLA Leave Used by an Employee~~

~~For purposes of determining the amount of FMLA leave used by an employee, the fact that a holiday may occur within the work week taken as FMLA has no effect; the week is counted as a week of FMLA leave. If, however, the employee is using FMLA leave in increments of less than one (1) week, the holiday will not count against the employee's FMLA leave entitlement unless the employee was otherwise scheduled and expected to work during the holiday. Similarly, when an employee is not scheduled to work during winter, spring or summer vacation (i.e., during a period when some or all employees are not expected to work for one (1) or more weeks), the days the employee is not scheduled to work shall not count against the employee's FMLA leave entitlement.~~

~~When an employee takes FMLA leave on an intermittent or reduced leave schedule basis, the leave shall be accounted for by using an increment no greater than the shortest period of time that the District uses to account for use of other forms of leave provided that it is not greater than one (1) hour and provided that the employee's FMLA leave entitlement is not reduced by more than the amount of leave actually taken.~~

~~Maintenance of Employee Benefits~~

~~The same group health plan benefits provided to an employee prior to taking FMLA leave shall be maintained during the FMLA leave (e.g., if family member coverage is provided to an employee, family member coverage shall be maintained during the FMLA leave). Similarly, benefit coverage during FMLA leave for medical care, surgical care, hospital care, dental care, eye care, mental health counseling, substance abuse treatment, etc., shall be maintained during leave if provided in the District's group health plan, including a supplement to a group plan.~~

~~If an employee chooses not to retain group health plan coverage during FMLA leave, the employee will be reinstated, upon return from leave, on the same terms as prior to taking the leave, without any qualifying period, physical examination, exclusion of pre-existing conditions, etc. All other employee benefits will be maintained during leave subject to applicable policy requirements and consistent with maintaining employee eligibility to receive the same benefits following leave that the employee had prior to leave in the same manner as provided to other similarly situated employees.~~

~~Costs Associated with Medical Certification and Recertification~~

~~The employee is responsible for any costs associated with obtaining the original medical certification required to qualify for the use of unpaid FMLA leave. Likewise, if the Board requires an employee to submit recertification for any of the reasons specified in Policy 1630.01, the employee is responsible for any costs associated with the recertification. Finally, the employee is responsible for the cost of a new medical certification each leave year for medical conditions that last longer than one (1) year.~~

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Last Modified by Ryan Peterson on May 30, 2024

Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of FMLA RECORDKEEPING REQUIREMENTS
Code	ag3430.01B
Status	Proposed to Policy & Human Resources Committee
Adopted	May 21, 2018
Last Revised	February 28, 2022

3430.01B - **FMLA RECORDKEEPING REQUIREMENTS**

~~The Business Manager~~ District Office staff are ~~is~~ responsible for making, keeping, and preserving all relevant records pertaining to the Board of Education's obligations under the FMLA in accordance with the recordkeeping requirements of Section 11(c) of the Fair Labor Standards Act (FLSA) and in accordance with the final regulations applicable to the FMLA. Specifically, the ~~Business Manager~~ District Administrator is charged with keeping/preserving the records identified below in accordance with the District's Records Retention Schedule (see Policy 8310), and under no circumstances shall said records be kept for less than three (3) years. The records shall be available for inspection, copying, and transcription by representatives of the Department of Labor upon request.

The ~~Business Manager~~ District Administrator shall maintain records that disclose the following:

A. Basic payroll and identifying employee data, including name, address, and occupation; rate or basis of pay and terms of compensation; daily and weekly hours worked per pay period; additions to or deductions from wages; and total compensation paid.

B. Dates FMLA leave is taken by FMLA eligible employees (e.g., available from time records, requests for leave, etc., if so designated). Leave must be designated in records as FMLA leave; leave so designated may not include leave required under State law or a Board plan which is not also covered by FMLA.

C. If FMLA leave is taken by eligible employees in increments of less than one (1) full day, the hours of the leave.

D. Copies of employee notices of leave furnished to the District under FMLA, if in writing, and copies of all written notices given to employees as required under the FMLA and its implementing regulations (see 29 C.F.R. Section 825.300(b) through (c)). Copies may be maintained in employee personnel files.

E. Any documents (including written and electronic records) describing employee benefits or employer policies and practices regarding the taking of paid and unpaid leaves.

F. Premium payments of employee benefits.

G. Records of any dispute between the District and an eligible employee regarding designation of leave as FMLA leave, including any written statement from the Superintendent or designee or employee of the reasons for the designation and for the disagreement.

Records and documents relating to certifications, re-certifications or medical histories of employees or employees' family members, created for purposes of FMLA, shall be maintained as confidential medical records in separate files/records from the usual personnel files. If the Genetic Information Nondiscrimination Act of 2008 (GINA) is applicable, records and

documents created for purposes of FMLA leave containing family medical history or genetic information as defined by GINA shall be maintained in accordance with the confidentiality requirements of Title II of GINA (29 C.F.R. 1635.9), which allow for disclosure consistent with FMLA requirements. If the ADA, as amended, is also applicable, such records shall be maintained in conformance with ADA confidentiality requirements (see 29 C.F.R. 1630.14(c)(1)), except that:

A. supervisors and managers may be informed regarding necessary restrictions on the work or duties of an employee and necessary accommodations;

B. first aid and safety personnel may be informed (when appropriate) if the employee's physical or medical condition might require emergency treatment; and

C. government officials investigating compliance with FMLA (or other pertinent laws) shall be provided relevant information upon request.

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Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of FMLA RECORDKEEPING REQUIREMENTS - RESCIND
Code	ag4430.01B
Status	Proposed to Policy & Human Resources Committee
Adopted	June 18, 2018
Last Revised	February 28, 2022

~~4430.01B - **FMLA RECORDKEEPING REQUIREMENTS**~~

~~The business manager is responsible for making, keeping, and preserving all relevant records pertaining to the Board of Education's obligations under the FMLA in accordance with the recordkeeping requirements of Section 11(c) of the Fair Labor Standards Act (FLSA) and in accordance with the final regulations applicable to the FMLA. Specifically, the business manager is charged with keeping/preserving the records identified below in accordance with the District's Records Retention Schedule (see Policy 8310), and under no circumstances shall said records be kept for less than three (3) years. The records shall be available for inspection, copying, and transcription by representatives of the Department of Labor upon request.~~

~~The business manager shall maintain records that disclose the following:~~

A. ~~Basic payroll and identifying employee data, including name, address, and occupation; rate or basis of pay and terms of compensation; daily and weekly hours worked per pay period; additions to or deductions from wages; and total compensation paid.~~

B. ~~Dates FMLA leave is taken by FMLA eligible employees (e.g., available from time records, requests for leave, etc., if so designated). Leave must be designated in records as FMLA leave; leave so designated may not include leave required under State law or a Board plan which is not also covered by FMLA.~~

C. ~~If FMLA leave is taken by eligible employees in increments of less than one (1) full day, the hours of the leave.~~

D. ~~Copies of employee notices of leave furnished to the District under FMLA, if in writing, and copies of all written notices given to employees as required under the FMLA and its implementing regulations (see 29 C.F.R. Section 825.300(b) through (c)). Copies may be maintained in employee personnel files.~~

E. ~~Any documents (including written and electronic records) describing employee benefits or employer policies and practices regarding the taking of paid and unpaid leaves.~~

F. ~~Premium payments of employee benefits.~~

G. ~~Records of any dispute between the District and an eligible employee regarding designation of leave as FMLA leave, including any written statement from the District Administrator or designee or employee of the reasons for the designation and for the disagreement.~~

~~Records and documents relating to certifications, recertifications or medical histories of employees or employees' family members, created for purposes of FMLA, shall be maintained as confidential medical records in separate files/records from the usual personnel files. If the Genetic Information Nondiscrimination Act of 2008 (GINA) is applicable, records and~~

~~documents created for purposes of FMLA leave containing family medical history or genetic information as defined by GINA shall be maintained in accordance with the confidentiality requirements of Title II of GINA (29 C.F.R. 1635.9), which allow for disclosure consistent with FMLA requirements. If the ADA, as amended, is also applicable, such records shall be maintained in conformance with ADA confidentiality requirements (see 29 C.F.R. 1630.14(c)(1)), except that:~~

A. ~~supervisors and managers may be informed regarding necessary restrictions on the work or duties of an employee and necessary accommodations;~~

B. ~~first aid and safety personnel may be informed (when appropriate) if the employee's physical or medical condition might require emergency treatment; and~~

C. ~~government officials investigating compliance with FMLA (or other pertinent laws) shall be provided relevant information upon request.~~

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Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of JOB-RELATED EXPENSES
Code	ag3440A
Status	Proposed to Policy & Human Resources Committee
Adopted	May 21, 2018

3440A - **JOB-RELATED EXPENSES**

Expenses which are incurred by professional staff members as a result of authorized travel in and outside of the District will be reimbursed to the extent provided for in these guidelines. Reimbursement is intended to provide for transportation, lodging, and food of reasonable and adequate quality. When traveling on school business, a professional staff member is expected to use the same care in incurring expenses that a prudent person would exercise if traveling on personal business.

Authorization

A. Travel within or outside the District is to be authorized by the Building Principal and District Administrator.

B. Travel to conventions or conferences away from the District which involve overnight stay will be authorized by the Building Principal for approval by the District Administrator. All such requests must be received in the ~~Central~~District Office at least two (2) weeks prior to the date a decision is needed. Forms are available in each school office or on the district website.

Procedure

A. Each request for travel or conference funds should detail the reasons for the expenditures .

B. Travel should be by the most direct and economical route.

C. All persons authorized to travel on official business should keep a memorandum and receipts of expenditures properly chargeable to the Board of Education. Professional staff members might find it advantageous to charge as many expenditures as possible on credit cards. The itemized statement may serve as a receipt, with reimbursement available to pay the charges.

D. For official travel other than by automobile, tickets may be purchased by the District in advance, upon request of the individual involved.

E. In all instances of travel reimbursement, full itemization of expenditures is required.

F. Those doing such traveling should be expected to exercise the same care in incurring expenses that they would in travel on personal business of their own. Excessive and unnecessary travel will not be approved or reimbursed.

Reimbursement

A. Reimbursement will be at the current rates approved by the Board. Requests for reimbursement will be submitted on the district form for this purpose.

B. Travel outside the School District will be reimbursed at the regular fare rate charged the general public by common carrier, unless travel by private conveyance is more economical, in which case mileage will be reimbursed at Internal Revenue Service the rate. Taxi fare from home and conference destination to terminal and return is allowable with receipt.

C. Lodging and meals will be reimbursed at a reasonable per diem rate. All claims must be supported by original receipted bills.

D. Reimbursement for reasonable charges for tolls, lodging, parking, taxis, official telephone calls, and tips will be made upon presentation of supporting receipts.

E. Registration fees are reimbursable.

Claim Forms

All claims for reimbursement and expenditures must be substantiated by receipted bills.

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Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of JOB-RELATED EXPENSES
Code	ag4440A
Status	Proposed to Policy & Human Resources Committee
Adopted	June 18, 2018

~~4440A – **JOB-RELATED EXPENSES**~~

~~Expenses which are incurred by support staff members as a result of authorized travel in and outside of the District will be reimbursed to the extent provided for in these guidelines. Reimbursement is intended to provide for transportation, lodging, and food of reasonable and adequate quality. When traveling on school business, a support staff member is expected to use the same care in incurring expenses that a prudent person would exercise if traveling on personal business.~~

~~**Authorization**~~

A. ~~Travel within or outside the District is to be authorized by the Building Principal or District Administrator.~~

B. ~~Travel to conventions or conferences away from the District which involve overnight stay will be authorized by the Building Principal for approval by the District Administrator. All such requests must be received in the Central Office at least two (2) weeks prior to the date a decision is needed. Forms are available in each school office or on the District website.~~

~~**Procedure**~~

A. ~~Each request for travel or conference funds should detail the reasons for the expenditures.~~

B. ~~Travel should be by the most direct and economical route.~~

C. ~~All persons authorized to travel on official business should keep a memorandum and receipts of expenditures properly chargeable to the Board. Support staff members might find it advantageous to charge as many expenditures as possible on credit cards. The itemized statement may serve as a receipt, with reimbursement available to pay the charges.~~

D. ~~For official travel other than by automobile, tickets may be purchased by the District in advance, upon request of the individual involved.~~

E. ~~In all instances of travel reimbursement, full itemization of expenditures is required.~~

F. ~~Those doing such traveling should be expected to exercise the same care in incurring expenses that they would in travel on personal business of their own. Excessive and unnecessary travel will not be approved or reimbursed.~~

~~**Reimbursement**~~

A. ~~Reimbursement will be at the current rates approved by the Board. Requests for reimbursement will be submitted on the District form provided for that purpose.~~

B. ~~Travel outside the School District will be reimbursed at the regular fare rate charged the general public by common carrier, unless travel by private conveyance is more economical, in which case mileage will be reimbursed at the IRS rate. Taxi fare from home and conference destination to terminal and return is allowable with receipt.~~

C. ~~Lodging and meals will be reimbursed at a reasonable per diem rate. All claims must be supported by original receipted bills.~~

D. ~~Reimbursement for reasonable charges for tolls, lodging, parking, taxis, official telephone calls, and tips will be made upon presentation of supporting receipts.~~

E. ~~Registration fees are reimbursable.~~

~~**Claim Forms**~~

~~All claims for reimbursement and expenditures must be substantiated by receipted bills.~~

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Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of USE OF PRIVATELY OWNED CAR FOR SCHOOL BUSINESS
Code	ag3440B
Status	Proposed to Policy & Human Resources Committee
Adopted	May 21, 2018

3440B - **USE OF PRIVATELY OWNED CAR FOR SCHOOL BUSINESS**

The District has established the following means for providing reimbursement for the use of "privately-owned" vehicles used in the performance of assigned duties.

A. When an individual's duties require ~~his/her~~their presence at other schools within or out of the District, reimbursement for travel may be requested. Such requests will be approved when the travel is scheduled or authorized by the District Administrator.

B. Regularly scheduled travel will be authorized when requisitioned in compliance with a printed schedule; e.g.: special professional staff members are required to go from school to school on a regular schedule.

C. Sporadic or emergency travel will be authorized when made in connection with an assignment.

D. Payments for authorized travel will be made provided itemized daily records are submitted on the proper forms. Persons who travel are advised to keep a daily log of their required business trips.

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Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of USE OF PRIVATE CAR FOR SCHOOL BUSINESS - RESCIND
Code	ag4440B
Status	Proposed to Policy & Human Resources Committee
Adopted	June 18, 2018

~~4440B **USE OF PRIVATELY OWNED CAR FOR SCHOOL BUSINESS**~~

~~The District has established the following means for providing reimbursement for the use of "privately owned" vehicles used in the performance of assigned duties.~~

A. ~~When an individual's duties require his/her presence at other schools within or out of the District, reimbursement for travel may be requested. Such requests will be approved when the travel is scheduled or authorized by the District Administrator.~~

B. ~~Regularly scheduled travel will be authorized when requisitioned in compliance with a printed schedule; e.g., special support staff members are required to go from school to school on a regular schedule.~~

C. ~~Sporadic or emergency travel will be authorized when made in connection with an assignment.~~

D. ~~Payments for authorized travel will be made provided itemized daily records are submitted on the proper forms. Persons who travel are advised to keep a daily log of their required business trips.~~

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Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of USE OF SCHOOL VEHICLE FOR SCHOOL BUSINESS
Code	ag3440C
Status	Proposed to Policy & Human Resources Committee
Adopted	May 21, 2018

3440C - **USE OF SCHOOL VEHICLE FOR SCHOOL BUSINESS**

The District has established the following guidelines for the use of school-owned vehicles in the performance of assigned duties.

A. Regularly scheduled use will be authorized by the building principal and scheduled by the high school administrative assistant.

B. Staff must have a copy of their driver's license on file with the District office.

C. A background check will be conducted to review the person's driving record.

D. All accidents must be reported to the District Administrator.

E. All accidents must be reported to the law enforcement agency where the accident takes place at the time of the accident.

F. A Vehicle Usage Form must be submitted to the high school administrative assistant when returning the vehicle, gas receipts, and keys.

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Book	Administrative Guideline Manual
Section	AGs Ready for the BOE 33-1 (and extras)
Title	Copy of USE OF SCHOOL VEHICLE FOR SCHOOL BUSINESS - RESCIND
Code	ag4440C
Status	Proposed to Policy & Human Resources Committee
Adopted	June 18, 2018

~~4440C – **USE OF SCHOOL VEHICLE FOR SCHOOL BUSINESS**~~

~~The District has established the following guidelines for the use of school-owned vehicles in the performance of assigned duties.~~

A. ~~Regularly scheduled use will be authorized by the building principal and scheduled by the high school administrative assistant.~~

B. ~~Staff must have a copy of their driver's license on file with the District office.~~

C. ~~A background check will be conducted to review the person's driving record.~~

D. ~~All accidents must be reported to the District Administrator.~~

E. ~~All accidents must be reported to the law enforcement agency where the accident takes place at the time of the accident.~~

F. ~~A Vehicle Usage Form must be submitted to the high school administrative assistant when returning the vehicle, gas receipts, and keys.~~

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