

BOARD OF EDUCATION POLICIES

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BOARD OF EDUCATION POLICIES

400.1 GENERAL STAFF ETHICS

*Adopted: June 14, 1990
Reviewed: December, 2007
June, 2011*

An effective educational program requires the services of people of integrity, high ideals, and human understanding. To maintain and promote these essentials, all employees of School District 140 are expected to maintain high standards in their school relationships with students, parents and legal guardians, members of the public, and each other. Employees shall always strive to:

- A. Maintain just and courteous professional relationships with pupils, parents and legal guardians, staff members, and others.
- B. Maintain their own efficiency and knowledge of the developments in their fields of work.
- C. Transact any and all official business with the properly designated authorities of the school system.
- D. Establish friendly and intelligent cooperation between the community and the school system.
- E. Avoid and guard against improperly using school contacts and privileges to promote partisan politics, sectarian religious views, or selfish propaganda of any kind.
- F. Avoid malicious or unproductive criticism of other staff members and to make constructive criticism in a mannerly fashion directly to the appropriate administrator and, if necessary, to the Superintendent.
- G. Protect all school properties, equipment, and materials from misuse or damage.

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400.2 COMMUNICATION WITH THE BOARD OF EDUCATION

*Adopted: June 14, 1990
Reviewed: December, 2007
June, 2011*

The Board of Education desires to maintain open channels of communication between itself and staff. The basic line of communication is through the Office of the Superintendent, as hereinafter described.

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400.2 COMMUNICATION WITH THE BOARD OF EDUCATION

400.2.1 FORMAL COMMENTS AND REPORTS FROM STAFF

*Adopted: June 14, 1990
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June, 2011*

Formal communications or reports to the Board of Education or any Board of Education committee from Building Principals, supervisors, teachers, or other staff members shall be submitted to the appropriate administrator as shown on the Organizational Chart for transmittal to the Office of the Superintendent.

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400.2 COMMUNICATION WITH THE BOARD OF EDUCATION

400.2.2 APPEALS

*Adopted: June 14, 1990
Reviewed: December, 2007
June, 2011*

Any appeal from an administrative decision or practice which an employee desires to bring to the Board of Education shall be made known to the Superintendent and processed through the appropriate grievance procedure. The Superintendent shall establish administrative procedures for appeals which shall apply to those situations not covered by collective bargaining agreements or other specific policies of the Board of Education.

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400.2 COMMUNICATION WITH THE BOARD OF EDUCATION

400.2.3 BOARD OF EDUCATION COMMUNICATIONS TO STAFF

*Adopted: June 14, 1990
Reviewed: December, 2007
June, 2011*

Official communications, policies, and directives from the Board of Education to employees will normally be communicated through the Superintendent. The Superintendent may employ all such media as are reasonable and appropriate to keep staff fully informed of the Board of Education's problems, concerns, and actions.

BOARD OF EDUCATION POLICIES

400.3 CERTIFICATED PERSONNEL

400.3.1 QUALIFICATION AND CERTIFICATION

*Adopted: June 14, 1990
Reviewed: December, 2007
June, 2011*

All employees regularly required to be certified under the laws relating to certification shall be responsible for securing and maintaining valid Illinois certificates which legally qualify them for the duties for which they are assigned. Certificates must be placed on file in the Superintendent's office and must be accompanied by official transcript(s) of college credits. They shall possess such other qualifications as may be established for their respective positions by the Board of Education.

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400.3 CERTIFICATED PERSONNEL

400.3.2 HIRING

*Adopted: June 14, 1990
Reviewed: December, 2007
June, 2011*

The Board of Education employs all certified staff members. The employment of any certificated employee is not official until the contract is approved by the Board of Education and signed by the candidate. The Superintendent shall develop a recruitment administrative procedure. Candidates shall be evaluated and interviewed by appropriate School District administrators. The Superintendent and Building Principal shall recommend the best overall qualified candidates to the Board of Education for employment. The Board of Education believes that the quality of instruction is enhanced by a staff with a wide variation in educational preparation, background, and previous experience. Accordingly, effort will be made to maintain this variation in the staff and among other relevant factors the administration's recommendations for employment should reflect this belief. The Board of Education is an Equal Opportunity Employer.

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400.3 CERTIFICATED PERSONNEL

400.3.3 SALARY AND BENEFITS

*Adopted: June 14, 1990
Reviewed: December, 2007
June, 2011*

The salary and benefits for those certified employees covered by the collective bargaining agreement between the Board of Education and the Teachers' Association shall be as set forth and provided for in the current agreement. The salary and benefits provided to all other certified employees shall be as provided from time to time by the Board of Education.

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400.3 CERTIFICATED PERSONNEL

400.3.4 ASSIGNMENTS AND TRANSFERS

*Adopted: June 14, 1990
Reviewed: December, 2007
June, 2011*

Whereas, the basic consideration in the assignment of certificated personnel in School District 140 is the well-being of the program of instruction, the Superintendent shall assign and transfer staff as deemed appropriate to best serve the instructional needs of the School District.

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400.3 CERTIFICATED PERSONNEL

400.3.5 TIME SCHEDULES

*Adopted: June 14, 1990
Revised: December 6, 2007
Reviewed: June, 2011*

Instructional personnel, librarians, guidance counselors, and other certificated personnel are required to be on duty in the school a minimum of seven hours each day, including lunch. The duty time for certified employees is delegated by the Building Principal of each school. Consequently, hours of certified employees in the building may vary, but all certified personnel work the same minimum number of hours each day. The Building Principal is charged with the responsibility of seeing that the minimum standard is met. Deviation from established hours can be approved only by the Superintendent or the Assistant Superintendent.

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400.3.6 WORK LOAD

*Adopted: June 14, 1990
Reviewed: December, 2007
June, 2011*

The Board of Education reserves to itself the determination of class size and work loads. However, the Board of Education recognizes that a teacher's primary duty is to teach, and reasonable effort shall be made to confine teachers' activities to this primary responsibility. Therefore, the Superintendent shall strive to equalize the teaching load.

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400.3.7 VISITATIONS AND CONFERENCES

*Adopted: June 14, 1990
Reviewed: December, 2007
June, 2011*

Certified employees authorized by the Superintendent to represent the school system at educational meetings and conferences and on Illinois State Department of Education committees will be allowed expenses and salary in conformance with administrative procedures approved by the Board of Education. Certified employees other than those selected as official representatives may be allowed by the Superintendent to attend recognized educational meetings and conferences with no loss of salary, but without allowance for expense.

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400.3 CERTIFICATED PERSONNEL

400.3.8 PERSONNEL FILES

*Adopted: June 14, 1990
Reviewed: December, 2007
June, 2011*

Only one official personnel file will be kept for each certified employee. This official personnel file shall be located in the administrative offices of the School District.

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400.3 CERTIFICATED PERSONNEL

400.3.9 STAFF INVOLVEMENT IN DECISION-MAKING

*Adopted: June 14, 1990
Reviewed: December, 2007
June, 2011*

The Board of Education encourages certified employees to participate in decisionmaking for the School District. To this end, the Superintendent is authorized to establish such committees, as necessary, to recommend policies and rules for the proper functioning of the School District. All certified employees are encouraged to assist in the formulation of recommended educational programs for the School District.

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400.3 CERTIFICATED PERSONNEL

400.3.10 STUDENT RELATIONS

*Adopted: June 14, 1990
Reviewed: December, 2007
June, 2011*

Certified employees are expected to regard each student as an individual and to accord each the rights and respect due any individual. The role of a certified employees shall be seen, not solely as directors or controllers, but also as resource persons, aides, and guides in the learning processes. Certified employees shall provide for the fullest self-determination by each student in regard to his or her learning program, consistent with School District goals and proper discipline. Students are to be treated with courtesy and consideration. Neither insults nor sarcasm shall be used as a way of forcing compliance with requirements or expectations.

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400.3 CERTIFICATED PERSONNEL

400.3.11 EVALUATION

*Adopted: June 14, 1990
Reviewed: December, 2007
June, 2011*

Certified employees shall be evaluated in accordance with the procedures of the School District's evaluation plan in effect from time to time in the School District. This plan is maintained in accordance with the requirements and provisions of Article 24A of The Illinois School Code.

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400.3 CERTIFICATED PERSONNEL

400.3.12 SUSPENSION

*Adopted: June 14, 1990
Reviewed: December, 2007
June, 2011*

I. INTRODUCTION

This policy is intended to clarify the Board of Education's and the Superintendent's power to discipline teachers or other certificated employees and protect the best interests of the School District through a means other than immediate discharge. Many authorities in the field of employer-employee relations have written that employers should have the authority to administer a range of discipline short of discharge. A 1980 decision by the Illinois Supreme Court, however, suggests that if a School District wishes to have the option of suspending teachers or other certificated employees as opposed to discharging them, a written suspension policy must be adopted by the Board of Education. In the absence of a written suspension policy, a Board of Education faced with poor work performance or misconduct by a teacher or other certificated employee often has few options, and often only one -- to discharge the teacher or other certificated employee.

This Board of Education feels that it is in the best interests of the School District, the students, and other employees for it to have methods other than dismissal to discipline teachers or other certificated employees for poor performance or acts of misconduct. The policy below was developed after a review of numerous case decisions, statutes, civil service codes, and municipal ordinances. It is designed both to alert teachers or other certificated employees as to the types of action which can lead to discipline and to afford teachers or other certificated employees with an opportunity to challenge suspensions.

Nothing contained in the policy limits the right of the Board of Education to dismiss or otherwise discipline, rather than first suspend, a teacher or other certificated employee for any act of misconduct or circumstance set forth below or to suspend a teacher or other certificated employee pending dismissal.

II. SHORT TERM SUSPENSION

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*Adopted: June 14, 1990
Reviewed: December, 2007
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by school officers.

4. Unexcused absence from duties relating to the school program, including absence from required meetings.

5. Misrepresentation or withholding of information relevant to the conduct of the schools or the performance or discipline of students, teachers or other certificated employees, or other employees.

6. Action or failure to act when such results in endangering the physical safety of other persons or which endangers the property of the School District or others.

7. Verbal or physical abuse of employees, students, or parents or legal guardians of students, or verbal or physical abuse of other persons.

8. Failure to protect or account for school property.

9. Disruption of the orderly conduct of the schools.

10. Failure to supervise adequately students or activities.

11. Conduct or activities which are unbecoming a teacher or other certificated employee.

12. Willful failure to report an instance of suspected child abuse and/or neglect as required by the "Abused and Neglected Child Reporting Act".

13. Any ground or cause for dismissal stated in Section 10-22.4 of The Illinois School Code.

B. The behavior set forth in this sub-section constitutes misconduct without reference to where it occurs:

1. Use, possession, sale, delivery or being under the influence of narcotics or drugs not medically prescribed and otherwise prohibited by law.

2. Conduct or activity which is unbecoming a teacher or other

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*Adopted: June 14, 1990
Reviewed: December, 2007
June, 2011*

certificated employee or has a substantial adverse effect on any school program or on any student or employee of the school or which substantially diminishes the effectiveness of the teacher or other certificated employee in the performance of his or her duties.

IV. PRE-SUSPENSION PROCEDURES

Prior to the Board of Education (or the Superintendent in case of emergencies) suspending any teacher or other certificated employee, the Superintendent or his or her designee of the Board of Education, shall meet with the teacher or other certificated employee, explain the nature of the alleged misconduct, allow the employee to admit, deny, or explain the incident or conduct in question, and advise of the employee's right to appear in person before the Board of Education for review of any suspension. A written report of this meeting shall be prepared and forwarded to the Board of Education by the Superintendent or his or her designee. Upon review of the report, the Board of Education may suspend the teacher or other certificated employee or take whatever other disciplinary action it deems appropriate. If the employee is suspended by the Superintendent or the Board of Education, the employee, within a reasonable time of the suspension, shall be given a written notice advising of the suspension, setting the reasons therefore, the duration thereof, and the employee's right to appear in person before the Board of Education for review of the suspension.

V. POST-SUSPENSION PROCEDURES

Suspended teachers or other certificated employees may request a review of their suspension before the Board of Education. Requests for a review must be made in writing by personal service or by certified mail, return receipt requested, to the Superintendent, Secretary of the Board of Education, or President of the Board of Education, no later than five (5) school days after the beginning of the suspension.

If the teacher or other certificated employee requests a hearing before the Board

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*Adopted: June 14, 1990
Reviewed: December, 2007
June, 2011*

of Education, the procedures which will usually be followed are set forth below. Departure from the procedures set forth below shall not, however, invalidate the suspension or the hearing.

The employee will be required first either to admit or deny the conduct charged.

- A. The employee may be represented by counsel.
- B. The hearing shall be informal and technical rules of evidence shall not be applicable.
- C. An employee shall have the right to cross-examine witnesses and to introduce evidence.
- D. A reasonable number of witnesses, as determined by the Board of Education, may be called by either the Superintendent or by the employee.
- E. Either party may record the proceedings at his or her own expense.
- F. The hearing shall be held in executive session.
- G. Absent good cause shown, the failure of an employee to request a review or to appear at a review, once requested, shall constitute a waiver of the right to a review.
- H. The Board of Education's decision shall be final.
- I. If the suspension is reversed, the employee shall be reimbursed for lost salary and any reference to the suspension shall be expunged from the employee's personnel file.

VI. SUSPENSION IN EXCEPTIONAL CIRCUMSTANCES

Circumstances involving a teacher or other certificated employee may arise on rare occasions which are largely indefinable, unforeseeable and unpredictable, but which substantially interfere with or reflect adversely on the educational process or place the certificated employee in a position that such employee is not an acceptable presence or influence within the educational system on a temporary basis. Such

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*Adopted: June 14, 1990
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circumstances may include, but are not limited to, arrest or indictment for a felony, an infamous crime, a crime involving moral turpitude or other alleged misconduct so truly gross as to be infamous in nature.

In such event, the Board of Education may suspend such a teacher or other certificated employee with or without pay as the best interests of the School District may require for a period as may be required in the judgment of the Board of Education. Provided, however, the employee shall be restored to duty with the School District, shall receive all pay withheld as a result of the suspension, and shall have any references to the suspension expunged from the employee's personnel file, if:

- A. The employee, if indicted or arrested, is not convicted;
- B. It is determined by the Board of Education that the conduct of the teacher or other certificated employee does not warrant dismissal or suspension; and
- C. It is determined by the Board of Education that the employee was not at fault in the circumstances.

In addition, no such suspension or other proceedings shall be taken without extending all required due process rights to the teacher or other certificated employee in a timely manner.

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400.3 CERTIFICATED PERSONNEL

400.3.13 STUDENT TEACHERS

*Adopted: June 14, 1990
Revised: December 6, 2007
Reviewed: June, 2011*

Contractual arrangements may be made with colleges or universities who supply student teachers and student teachers may be utilized as provided by the provision of The Illinois School Code. In this regard:

- A. The responsibilities of the school system shall be as follows:
 - 1. To assure that the cooperating teacher is qualified scholastically, educationally, and of proper character;
 - 2. To select the cooperating teachers from those who are genuinely interested and willing to cooperate with the program;
 - 3. To reserve the right to interview and otherwise screen applicants for practice teaching opportunities and to control the duration of the assignments agreed upon;
 - 4. To encourage student teacher visits in different levels of instruction early in his or her student teaching assignment;
 - 5. To assure that the cooperating teacher is responsible for all areas of instruction, grades, and communication. The cooperating teacher is responsible for classroom instruction and management; and
 - 6. To see that the student teacher is not used as a substitute teacher.
- B. The responsibilities of the college shall be as follows:
 - 1. To arrange placement procedures for each student teacher to the satisfaction of the school system; and
 - 2. To provide proper collegiate supervision for student teachers.
- C. The responsibilities of the student teacher shall be as follows:
 - 1. To maintain the same standards as the employed faculty; and
 - 2. To attend all professional meetings at the direction of the cooperating teachers and administrators.

All student teachers must be interviewed and accepted by the Building Principal

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400.3 CERTIFICATED PERSONNEL

400.3.13 STUDENT TEACHERS

Adopted: June 14, 1990
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and cooperating teacher prior to beginning student teaching. The Superintendent or his or her designee will have final authorization regarding assignments of student teachers.

All student teachers must submit to a Criminal Background Investigation and execute any necessary forms for the Illinois Department of State Police to conduct the investigation in accordance with the general requirements applicable to all employees. The Superintendent may establish such further or additional administrative procedures as he or she may deem appropriate related to obtaining or using student teachers.

BOARD OF EDUCATION POLICIES

400.4 EDUCATIONAL SUPPORT PERSONNEL

400.4.1 GENERAL AND EMPLOYMENT AT WILL

Adopted: June 14, 1990

Revised: June 15, 2000

December 6, 2007

Reviewed: June, 2011

The School District will provide in its budget sufficient monies to maintain adequate educational support personnel to efficiently operate the School District. The Board of Education shall maintain a list of the job categories of educational support personnel. The Superintendent will annually make recommendations to the Board of Education concerning the needs in these categories. The employment of all educational support personnel is subject to Board of Education approval. All educational support personnel are responsible to the Office of the Superintendent for the fulfillment of their responsibilities, as outlined in the Job Description Manual prepared by the Superintendent.

The Superintendent will bring to the Board of Education the names and salaries of all regularly employed educational support personnel for approval and ratification. Unless specifically provided to the contrary in an applicable collective bargaining agreement, all educational support personnel are employed at the will of the Board of Education. Nothing in these policies is intended to change that relationship or create any contractual rights for educational support personnel. Rather, the Board of Education reserves to itself the sole discretion to alter or eliminate benefits or procedures at any time. Upon employment, educational support personnel will serve a probationary period.

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400.4 EDUCATIONAL SUPPORT PERSONNEL

400.4.2 QUALIFICATIONS AND DUTIES

*Adopted: June 14, 1990
Revised: December 6, 2007
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Persons employed must have sufficient skills to perform the duties outlined in the respective job descriptions. They must be capable of performing the job duties of the position, be dependable, and be able to follow directions.

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400.4 EDUCATIONAL SUPPORT PERSONNEL

400.4.3 RECRUITMENT AND HIRING

*Adopted: June 14, 1990
Revised: December 6, 2007
Reviewed: June, 2011*

The Superintendent or his or her designee shall take appropriate action to advertise for needed educational support personnel. The Board of Education is an equal opportunity employer. Applicants will be screened and interviewed in accordance with administrative procedures established by the Superintendent. Recommendations for employment will be made to the Board of Education by the Superintendent and Building Principal. The employment of any educational support employee is not official until approved by the Board of Education.

BOARD OF EDUCATION POLICIES

400.4 EDUCATIONAL SUPPORT PERSONNEL

400.4.4 DISMISSAL

*Adopted: June 14, 1990
Revised: December 6, 2007
Reviewed: June, 2011*

The Superintendent shall recommend dismissal to the Board of Education of any educational support employee whose job performance is, after reasonable warning, unsatisfactory. If, in the judgment of the Superintendent, the continued employment of any educational support employee is detrimental to the School District, the Superintendent may immediately recommend dismissal to the Board of Education. Nothing herein shall abrogate any procedural rights the employee may have, if any, under any applicable collective bargaining agreement.

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400.4 EDUCATIONAL SUPPORT PERSONNEL

400.4.5 WORKLOAD AND SCHEDULE

*Adopted: June 14, 1990
Revised: December 6, 2007
Reviewed: June, 2011*

Except as may otherwise be provided in any collective bargaining agreement applicable to the employee, the Superintendent or his or her designee shall determine the work assignments, hours, and duties of all educational support personnel.

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400.4 EDUCATIONAL SUPPORT PERSONNEL

400.4.6 SALARY AND BENEFITS

*Adopted: June 14, 1990
Revised: December 6, 2007
Reviewed: June, 2011*

Except as may be otherwise provided in any collective bargaining agreement applicable to the employee, the salaries and benefits of educational support personnel shall be as from time to time determined by the Board of Education.

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400.4 EDUCATIONAL SUPPORT PERSONNEL

400.4.7 SUSPENSION

*Adopted: June 14, 1990
Revised: December 6, 2007
Reviewed: June, 2011*

I. INTRODUCTION

This policy is intended to clarify the Board of Education's and the Superintendent's power to discipline educational support personnel (hereinafter referred to as employees) and protect the best interests of the School District through a means other than immediate discharge. Many authorities in the field of employer-employee relations have written that employers should have the authority to administer a range of discipline short of discharge. In the absence of a written suspension policy, a Board of Education faced with poor work performance or misconduct by an employee often has few options, and often only one -- to discharge the employee.

This Board of Education feels that it is in the best interests of the School District and the employees for it to have methods other than dismissal to discipline employees for poor performance or acts of misconduct. The policy below was developed after a review of numerous case decisions, statutes, civil service codes, and municipal ordinances. It is designed both to alert employees as to the types of action which can lead to discipline and, except as otherwise provided below in this Section, to afford them the opportunity to challenge suspensions.

Nothing contained in the policy limits the rights of the School District to dismiss or otherwise discipline, rather than first suspend, an employee for any act of misconduct or circumstance set forth below or to suspend an employee pending dismissal.

II. SHORT TERM SUSPENSION

An employee guilty of misconduct (as defined below) may be suspended with or without pay by the Board of Education or the Superintendent for a period of up to ten (10) school days for each incident of misconduct.

In addition, in cases of emergency, the Superintendent, or his or her designee, may suspend the employee pending a review of the matter by either the Board of Education or the Superintendent. Emergency suspension, however, cannot exceed

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three (3) school days. Emergencies are defined as situations where the continuing presence of an employee endangers the physical safety of other employees (certified or non-certified), students, or other persons at school or at school-sponsored activities, endangers school property, or interferes with the educational process.

The total number of days an employee can be suspended, including emergency suspensions by the Superintendent, or his or her designee, is ten (10) school days for each incident of misconduct.

III. **GROUNDS**

Misconduct which can result in either dismissal, suspension, or other disciplinary action, includes, but is not limited to, the behavior described below.

The behavior set forth in this section constitutes misconduct without reference to where it occurs or when it occurs, on or off duty, unless specifically designated otherwise, provided, however, that any such off duty conduct subject to discipline hereunder must have an adverse effect on the School District or its programs, or on any other person employed by the School District, or must diminish the effectiveness of the employee in the performance of his or her duties:

- A. Fraud in securing employment.
- B. Incompetence in the performance of the duties of the position. The term "incompetence" shall mean a lack of ability, knowledge, or fitness to perform duties which are reasonable within the scope of employment.
- C. Inefficiency in the performance of the duties of the position. The term "inefficiency" shall mean performance of the duties of the position at a level lower than ordinarily expected of other employees in similar positions essentially as a consequence of either a lack of effort or improper motivation.
- D. Involvement in the sale, delivery, receipt, possession or use of any drug or narcotic substance not medically prescribed and otherwise prohibited by law.

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Adopted: June 14, 1990
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- E. Intoxication or being under the influence of, or the consumption of, alcohol while on duty.
- F. Insubordinate acts such as failing to follow directions from supervisors or failing to comply with School District, state or federal rules and regulations, or statutory provisions governing the conduct of schools.
- G. Neglect of duties, in whole or in part, such as the failure to perform or tardiness in reporting to or performing assigned duties.
- H. Fraudulent misrepresentation with regard to the request for or utilization of sick leave, personal business leave, or any other leaves of absence.
- I. Misrepresentation or withholding of information relevant to the conduct of the schools or the performance of other employees.
- J. Action or failure to act which endangers the physical safety of other persons or the property of the School District or others.
- K. Negligent or willful acts which cause damage to School District property or waste of School District supplies.
- L. Improper use of School District property or equipment.
- M. Use of offensive language, offensive conduct, or discourteous treatment to other School District employees (certified and non-certified employees) or members of the public where such person can reasonably believe that the employee is acting within the scope of his or her employment.
- N. Disruption of the orderly conduct of the schools.
- O. Such other conduct or activities which are unbecoming an employee.

III. PRE-SUSPENSION PROCEDURES

The Superintendent or the Board of Education may suspend the employee:

- A. Except as otherwise provided herein, if the Superintendent acts to suspend the employee, the Superintendent shall meet with the employee prior to

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Adopted: June 14, 1990
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the suspension (except in the case of emergency suspensions), explain the nature of the alleged misconduct, allow the employee to admit, deny, or explain the incident or conduct in question, and advise of the employee's right to appear in person before the Board of Education for review of any suspension. A written report of this meeting shall be prepared and forwarded to the Board of Education by the Superintendent or his or her designee. Upon review, the Board of Education may confirm, reverse, increase, or reduce the suspension by the Superintendent, or take whatever other disciplinary action it deems appropriate.

B. Except as otherwise provided herein, if the Board of Education acts to suspend the employee, the Superintendent or his or her designee of the Board of Education shall meet with the employee prior to the suspension for the purpose of discussing the alleged misconduct. A written report of this meeting shall be prepared and forwarded to the Board of Education by the Superintendent or his or her designee. Upon receipt of the report, the Board of Education shall hold a hearing to determine whether a suspension or other appropriate disciplinary action shall be taken. The employee will be notified of the time and place of this meeting and the reasons therefore. The employee may, at his or her option, appear at this hearing to respond to the charges. The procedure set forth in Paragraph IV-A, 1 through 7, below, shall usually be followed. Departure from the procedures set forth below shall not, however, invalidate the suspension or the hearing. The failure of an employee to appear at this hearing shall constitute a waiver of the right to a hearing. The Board of Education's decision in this matter shall be final.

IV. **POST-SUSPENSION PROCEDURES**

Except as otherwise provided hereinbelow, if the employee is suspended by the Superintendent, the employee, within a reasonable time of the suspension, shall be

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given a written notice advising of the suspension, stating the reasons therefore, the duration thereof, and the employee's right to appear in person before the Board of Education for review of the suspension.

Requests for such a review of any suspension must be made in writing by personal service or by certified mail, return receipt requested, to the Superintendent, Secretary of the Board of Education, or President of the Board of Education, no later than five (5) school days after the beginning of the suspension.

A. If the employee requests a hearing to review the suspension before the Board of Education, the procedures which will usually be followed are set forth below. Departure from the procedure set forth below shall not, however, invalidate the suspension or the hearing.

1. The employee will be required first either to admit or deny the conduct charged.
2. The employee may be represented by counsel.
3. The hearing shall be informal and technical rules of evidence shall not be applicable.
4. An employee shall have the right to cross-examine witnesses and to introduce evidence.
5. A reasonable number of witnesses, as determined by the Board of Education, may be called by either the Superintendent or by the employee.
6. Either party may record the proceedings at his or her own expense.
7. The hearing shall be held in executive session.
8. Absent good cause shown, the failure of an employee to request a review or to appear at a review, once requested, shall constitute a waiver of the right to a review.

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9. The Board of Education's decision shall be final.

10. If the suspension is reversed, the employee shall be reimbursed for lost salary and any reference to the suspension shall be expunged from the employee's personnel file.

V. SUSPENSION IN EXCEPTIONAL CIRCUMSTANCES

Circumstances involving an employee may arise on rare occasions which are largely indefinable, unforeseeable and unpredictable, but which substantially interfere with or reflect adversely on the educational process or place the employee in a position that such employee is not an acceptable presence or influence within the educational system on a temporary basis. Such circumstances may include, but are not limited to, arrest or indictment for a felony, an infamous crime, a crime involving moral turpitude or other alleged misconduct so truly gross as to be infamous in nature.

In such event, the Board of Education may suspend such an employee with or without pay as the best interests of the School District may require for a period as may be required in the judgment of the Board of Education. Provided, however, the employee shall be restored to duty with the School District, shall receive all pay withheld as a result of the suspension, and shall have any reference to the suspension expunged from the employee's personnel file, if:

- A. The employee, if indicted or arrested, is not convicted;
- B. It is determined by the Board of Education that the conduct of the employee does not warrant dismissal or suspension; and
- C. It is determined by the Board of Education that the employee was not at fault in the circumstances.

In addition, no suspension or other proceeding under this section shall be taken without extending all required due process rights to the employee in a timely manner.

VI. AT-WILL EMPLOYEES

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*Adopted: June 14, 1990
Revised: December 6, 2007
Reviewed: June, 2011*

For all educational support personnel employees of this School District who are hired on an "at-will" basis and who receive a salary at an hourly (not monthly or annual) rate, the Superintendent may suspend such employee. The Superintendent or his or her designee shall meet with the employee prior to the suspension (except in the case of emergency suspension), explain the nature of the alleged misconduct, allow the employee to admit, deny, or explain the incident or conduct in question and advise the employee as to when the suspension decision will be made. Once such suspension decision is made, it will be communicated in writing to the employee. Such decision will be final. The Superintendent will inform the Board of Education of all suspensions of employees.

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400.5.1 CRIMINAL BACKGROUND INVESTIGATION

Adopted: June 14, 1990

Revised: June 18, 1998

September 16, 2004

December 6, 2007

October 20, 2011

All applicants for employment with the School District are required as a condition of employment to authorize a fingerprint-based criminal history records check to determine if they have ever been convicted of any of certain offenses set forth in The Illinois School Code. Each applicant for employment shall furnish the School District a signed authorization to allow for such an investigation. Upon receipt of the authorization, the School District shall submit the applicant's name, sex, race, date of birth, social security number, fingerprint images, and other identifiers as prescribed to the Illinois Department of State Police on the form prescribed by the Illinois Department of State Police. Additionally, a check of the Statewide Sex Offender Database and the Statewide Child Murderer and Violent Offender Against Youth Database will be performed.

Any information concerning the record of convictions obtained by the School District shall be confidential and may be made known only to the President of the Board of Education, the Superintendent of Schools or designee. A copy of any record of conviction obtained by the School District shall be given to the applicant. The School District shall not knowingly employ any person for whom a criminal history records check has not been initiated nor shall the School District knowingly employ a person who has been convicted for committing or attempting to commit any one or more of the offenses as described and set forth in Section 5/10-21.9 of The Illinois School Code. The School District shall not knowingly employ any person who has been convicted for committing or attempt to commit any offense in any other state or against the laws of the United States, which if committed or attempted in this state, would have been punishable as one or more of the offenses set forth in Section 5/10-21.9 of The Illinois School Code.

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400.5.1 CRIMINAL BACKGROUND INVESTIGATION

Adopted: June 14, 1990

Revised: June 18, 1998

September 16, 2004

December 6, 2007

October 20, 2011

The provisions of this policy apply to all employees of firms holding contracts with the School District who have direct daily contact with the pupils of any school in the School District. In addition, this policy shall apply to any person who performs services for the School District and who is to have any recurring direct contact with the pupils of any school in the School District.

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400.5.1.1 EVIDENCE OF PHYSICAL FITNESS

*Adopted: June 14, 1990
Reviewed: December, 2007
Revised: 2011*

Subsequent to a conditional offer of employment, all new employees of the District must present evidence of physical fitness to perform the essential functions of the job, with or without reasonable accommodations, and freedom from communicable disease. This evidence shall consist of a physical examination and tuberculin skin test and, if appropriate, an x-ray, made by a physician licensed to practice medicine and surgery in all its branches. Employment shall be conditioned upon the presentation of such evidence and the cost of examination shall rest with the employee.

The Superintendent may establish such administrative procedures as may from time to time be deemed appropriate to implement the provisions of this policy including the required components of physical examinations necessary for particular job classifications.

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400.5.2 HOSPITALIZATION INSURANCE

*Adopted: June 14, 1990
Reviewed: December, 2007
June, 2011*

I. PRESENT EMPLOYEES

The Board of Education will make available a hospitalization insurance plan for all full-time employees. The amount contributed by the Board of Education and the coverage shall be established periodically by the Board of Education.

II. ON-LEAVE EMPLOYEES

Employees on approved leaves may, at their expense, continue in the Group Hospitalization Plan, so long as the insurance company writing such coverage or the plan rules and regulations continues to allow their participation. Participation in the Group Hospitalization Plan will be for the duration of approved leave. Checks from on-leave employees for their monthly coverage must be received in the School District administrative office no later than the fifth day of the month. Failure of the on-leave employee to forward payment by the due date shall result in that employee being dropped from the Group Hospitalization Plan.

III. RETIRING EMPLOYEES

A. Full-time employees who have been in continuous employment for ten (10) or more years may continue their existing coverage in the Group Hospitalization Plan, in accordance with the above established procedures for on-leave employees stated within this policy.

B. The Board of Education will, however, pay for the health insurance plan for those retired employees who have been employed in School District 140 for twenty (20) years or more, and have accumulated a minimum of one hundred eighty (180) sick leave days, on the same basis (up to a maximum of the same dollar amount) as paid immediately before retirement, but in no event shall the Board of Education contribute a sum greater than the amount contributed from time to time for current employees in the same category. Upon the death of the retiree, their spouse may continue in the Group Hospitalization Plan, as an

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individual, only if they were previously covered in the retiree's Hospitalization Plan and in accordance with the above established procedures for on-leave employees. This item III-B shall only apply to personnel employed by the School District on or before the date on which this policy was adopted.

IV. TERMINATED EMPLOYEES

Terminated employees may, at their expense, and to the extent mandated by law, continue to participate in the School District's Group Hospitalization Plan in accordance with the provisions and requirements of law.

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400.5.3 JURY DUTY

*Adopted: June 14, 1990
Revised: June 15, 2000
Reviewed: December, 2007
June, 2011*

Persons called for jury duty will provide the School District administrative office with a copy of the notice of jury summons and will incur no loss of pay during the period of duty.

Upon completion of jury duty services, a copy of the check (stipend) the employee receives must be sent to the School District administrative office as verification.

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400.5.4 SOLICITATION RULES

*Adopted: June 14, 1990
Reviewed: December, 2007
June, 2011*

To better provide and assure an appropriate educational environment without undue interruption, the following rules apply to solicitation of employees or solicitation by employees:

- A. During working time, employees may not solicit participation in, or contributions to, activities not sponsored by the School District.
- B. During non-working time, employees may solicit participation in, or contributions to, activities not sponsored by the School District.
- C. Persons who are not employees of the School District may not solicit employees on school property during the work day, except for authorized agents of an exclusive bargaining representative who may, after notifying the office of the attendance center, meet with employees in the bargaining unit during the employees' non-duty time.
- D. For purposes of these rules, solicitation includes, but is not necessarily limited to, distribution of literature.
- E. Solicitation of any type may not take place in the presence of students.
- F. Failure to comply with these rules may result in disciplinary action.

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400.5.5 REPORTING CHILD ABUSE/NEGLECT

*Adopted: June 14, 1990
Reviewed: December, 2007
Revised: 2011*

All employees of the School District who have reasonable cause to believe that a child known to them in their professional or official capacity may be an abused and/or neglected child shall immediately report or cause a report of such to be made to the Department of Children and Family Services (the Department) as required by law. Any employee who has reasonable cause to suspect that a child known to him or her in his or her professional capacity has died as a result of abuse and/or neglect shall immediately report his or her suspicion to the appropriate medical examiner or coroner.

The Superintendent shall establish administrative procedures for the reporting of suspected child abuse and/or neglect, which administrative procedures shall be made known to all School District employees who are required to report child abuse and/or neglect. The Superintendent shall also establish administrative procedures to ensure that employees who are required to report child abuse or neglect and who were hired after July 1, 1986, sign the necessary statement indicating their awareness of reporting requirements.

If an allegation is raised to a school board member during the course of an open or closed school board meeting, that a child who is enrolled in the school district of which he or she is a board member is an abused child, the member shall direct the Superintendent or designee to comply with the requirements of the act and follow established administrative procedures for reporting.

Notwithstanding any other provision of the Act, if an employee of a school district has made a report or caused a report to be made to the Department, involving the conduct of a current or former employee of the school district, and a request is made by another school district for the provision of information concerning the job performance or qualifications of the current or former employee because he or she is an applicant for employment with the requesting school district, the Superintendent of the school district to which the request is being made, must disclose to the requesting

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school district the fact that an employee of the school district has made a report involving the conduct of the applicant or caused a report to be made, may be disclosed by the Superintendent of the district to which the request for information concerning the applicant has been made, and this fact may be disclosed only in cases where the employee and the Superintendent have not been informed by the Department that the allegations were unfounded. An employee of a school district who is or has been the subject of a report made pursuant to this Act during his or her employment with the school district, must be informed by the district, that if he or she applies for employment with another school district, the Superintendent of the former school district, upon the request of the school district to which the employee applies, shall notify that requesting district that the employee is or was the subject of such a report.

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400.5.6 EMPLOYEE INVOLVEMENT IN ANY NON-SCHOOL-SPONSORED STUDENT ACTIVITIES

*Adopted: June 14, 1990
Reviewed: December, 2007
June, 2011*

Of those activities and programs which occur outside of the School District's regular academic curriculum, only those specifically designated or approved by the Board of Education or by the Superintendent of Schools as school-sponsored activities shall be considered to be school-sponsored. Any School District employee who supervises, organizes, or in any way participates in an activity involving School District students which has not been designated or approved as a school-sponsored activity shall give notice to the participants that the employee's involvement in no way makes the activity a school-sponsored one. The employee shall also send a written notice to the parents and legal guardians of those students participating in an activity which is not school-sponsored, advising the parents and legal guardians that such activity is not sponsored or approved by the School District. A copy of such notice must be delivered to the Superintendent.

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400.5.7 COMMUNICABLE DISEASES

*Adopted: June 14, 1990
Reviewed: December, 2007
June, 2011*

The purpose of this policy is to address potentially severe community health problems and to balance the interest of an employee with a communicable disease in continuing to attend work and the interests of students and other employees not to be subjected to an unreasonable risk of contracting a communicable disease from the afflicted employee. For purposes of this policy, communicable diseases are Acquired Immune Deficiency Syndrome (AIDS), Human Immunodeficiency Virus (HIV), Hepatitis and other diseases designated as communicable by the Illinois Department of Public Health in its Rules and Regulations for the Control of Communicable Diseases, as amended from time to time.

It is the general intention of the Board to handle each case of a communicable disease on a individualized basis. If the Superintendent has reason to believe that an employee has a communicable disease or if the employee reports his/her diagnosis to the building principal, the following steps shall be taken as soon as reasonably possible:

1. The Superintendent shall discuss the basis of that belief with the employee;
2. If the Superintendent believes that the employee may have a communicable disease after the conference with the employee, the Superintendent may remove the employee from work, or require a restricted work environment, without loss of pay or other benefits pending completion of a full medical review if such an exclusion has a medical basis. The review shall determine whether the employee has a communicable disease and, if so, whether the employee will be permitted to return to work and whether any modifications to the employee's job duties need to be made. The Superintendent's decision may be appealed to the School Board within ten (10) days. The appeal shall be processed as quickly as reasonably possible. The Superintendent's decision shall remain in effect during any appeal;

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3. The medical review shall be conducted in cooperation with the employee's physician, the school nurse and a physician selected, and paid for, by the District. It may include appropriate blood tests. The medical review shall be completed as quickly as reasonably possible;
4. Upon completion of the medical review, the Superintendent shall consult with the employee and his/her doctor to determine whether the employee may return to work and, if so, under what conditions.
5. If an employee with a communicable disease is permitted to return to work, the Superintendent shall take appropriate measures to minimize the risk of transmission of the virus to students and other staff;
6. The Superintendent shall regularly monitor the condition of any employee with a communicable disease to determine whether a change in his/her work setting is warranted;
7. The Superintendent may remove an employee with a communicable disease who has been permitted to return to work, after completion of a medical review, and if it is determined that the employee's condition poses a risk of transmission to student's or other staff;

The Superintendent may establish regulations to implement this policy, provide for the protection of the health of employees and students, and recognize any due process and special education interests of employees who may suffer from a communicable disease.

The use of sick leave and other benefits in connection with the communicable disease shall be permitted on the same basis as any other employee illness. The Superintendent will assure that an employee who reveals the fact that they have contracted a communicable disease will have his/her status safeguarded in accordance with federal and state statutes dealing with confidentiality and that the employee's civil

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rights will be protected. Information about an employee who has, or is suspected of having, a communicable disease shall be communicated only to those persons authorized by the Building Principal or Superintendent, unless an emergency involving a risk of transmission of the disease reasonably requires disclosure for the protection of the employee or others.

EDUCATIONAL ACTIVITIES

The Superintendent shall periodically provide educational activities and information for employees with respect to communicable diseases, including hygienic practices for handling body fluids, such as blood, mucus, semen, and waste products.

ESTABLISHMENT OF ADMINISTRATIVE PROCEDURES

The Superintendent shall establish administrative procedures to implement this policy, provide for the protection of the health of employees and students, and recognize any due process and special interests of employees who have, or are suspected of having, a communicable disease.

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400.5.8 ATTENDANCE AT PROFESSIONAL MEETINGS

*Adopted: June 14, 1990
Reviewed: December, 2007
June, 2011*

Employees shall be reimbursed for pre-approved attendance at conferences, workshops, or other professional activities related to their duties. The employee must submit an itemized verified expense voucher showing the amount of actual expenses with receipts attached where possible. The Superintendent shall establish administrative procedures for the approval of employee attendance and for the approval of requests for reimbursement.

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400.5.9 REQUIRED IN-DISTRICT TRAVEL

*Adopted: June 14, 1990
Reviewed: December, 2007
June, 2011*

Employees who are required to travel within the boundaries of the School District in order to perform their job duties shall, in accordance with administrative procedures established by the Superintendent, be reimbursed for each mile traveled at the Internal Revenue Service rate in effect from time to time during each school term.

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400.5.10 LEAVES OF ABSENCE AND TEMPORARY ILLNESS

*Adopted: June 14, 1990
Reviewed: December, 2007
June, 2011*

When unable to work due to any illness or injury, classified employees may be entitled to such leave or leaves of absence under the terms of Board of Education Policy No. 400.5.13, Parental Leave. In such cases, leaves will be provided as may be so required. The Board of Education may also grant additional leave time without pay or benefits under unusual circumstances and when such a leave is determined by the Board of Education to be in the best interests of the School District. No such leave shall be granted for more than ninety (90) calendar days beyond the exhaustion of all other available leave.

When a classified employee is absent and unable to work due to any physical or mental incapacity due to any illness or injury, the employee shall be deemed temporarily ill or incapacitated if the absence is for a period of not more than ninety (90) consecutive calendar days, or intermittently for more than sixty (60) work days in a fiscal year. An employee absent for more than ninety (90) consecutive calendar days or for sixty (60) work days in a fiscal year shall be deemed permanently ill or incapacitated. Any classified employee who has exhausted all of his or her available sick leave and any available FMLA leave pursuant to Board of Education Policy No. 400.5.13, Parental Leave, and who is unable to return to work after ninety (90) consecutive calendar days shall be granted an unpaid leave of absence for a period not to exceed ninety (90) calendar days from the date of exhaustion of available sick and FMLA leave. If the employee does not return to work within that ninety (90) day leave, his or her employment with the School District will be terminated, effective the next day.

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400.5.11 VACATION USE

*Adopted: June 14, 1990
Reviewed: December, 2007
June, 2011*

Employees who are entitled to vacation shall earn vacation on a yearly basis. Vacation time will, however, accrue pro rata on a monthly basis for twelve (12) months from the date of employment. Vacations are to be scheduled with the appropriate administrator. The administration may allow employees to use accrued vacation prior to expiration of the twelve (12) month period within which it is earned.

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400.5.12 ABSENCE

*Adopted: June 14, 1990
Reviewed: December, 2007
June, 2011*

It is required that there be submitted to the Superintendent's office, by the employee returning from an absence for any reason, a "Cause of Absence" form. This applies to absences of any duration (hour[s], day[s], etc.).

A Daily Building Absentee Report will be submitted by each Building Principal to the School District administrative office, listing all absent employees. These reports are to be forwarded at the close of each day so that they are received the following morning in the School District administrative office.

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400.5.13 PARENTAL LEAVE

*Adopted: June 14, 1990
Revised: August 26, 1993
June 18, 1998
December 6, 2007
October 20, 2011*

In accordance with the Family and Medical Leave Act of 1993 (FMLA), eligible employees are entitled to up to twelve (12) weeks of unpaid leave during any twelve (12) month period under certain circumstances as provided herein.

1.1 Definitions

- A. CHILD means a biological, adopted, or foster child; step child; legal ward or a child for which an employee has daily responsibility for care and financial support of the child, i.e. in loco parentis, who is under eighteen (18) years of age or older and incapable of self care because of a mental or physical disability.
- B. PARENT means the biological, adoptive, step or foster parent of an employee or individual who stood in loco parentis to an employee when the employee was a son or daughter. The term parent does not include grandparents or in-laws.
- C. SPOUSE means the legal spouse of an employee.
- D. SERIOUS HEALTH CONDITION means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility, or continuing treatment by a health care provider. Ordinarily, unless complications arise, the common cold, the flu, earaches, upset stomach, minor ulcers, headaches other than migraine, routine dental or orthodontia problems, periodontal disease or cosmetic treatment are examples of conditions that do not meet the definition of "serious health condition" and do not qualify for FMLA leave.
- E. CONTINUING TREATMENT means medical treatment by a health care provider under one or more of the following circumstances:
 - 1. A period of incapacity of more than three (3) consecutive calendar

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days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves (a) treatment two (2) or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services under orders of, or on referral by, a health care provider within thirty (30) days of the first date of incapacity, or (b) treatment by a health care provider on at least one (1) occasion which results in a regimen of treatment under the supervision of the health care provider;

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

3. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition requires at least two (2) visits per year for treatment by a health care provider, continues over an extended period of time and may cause episodic, rather than a continuing, period of incapacity;

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

5. Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or injury, or for a condition that would likely result in a period of incapacity of more than

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three (3) consecutive calendar days in the absence of treatment, such as cancer, severe arthritis, or kidney disease.

- F. ACTIVE DUTY means duty under a call or order to active duty by any branch of the Armed Forces or the National Guard or Reserves under federal law.
- G. CONTINGENCY OPERATION means a military operation as provided under 10 USC 101 (a)(13) that (a) is designated by the Secretary of Defense as an operation in which members of the Armed Forces are or may become involved in military actions, operations or hostilities against an enemy of the United States or against an opposing military force, or (b) results in the call or order to, or retention on, active duty of members of the Armed Forces under federal law during a war or during a national emergency declared by the President or Congress.
- H. COVERED SERVICEMEMBER means a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
- I. OUTPATIENT STATUS with respect to a covered servicemember means the status of a member of the Armed Forces assigned to (a) a military medical treatment facility as an outpatient, or (b) a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.
- J. NEXT OF KIN means the nearest blood relative of an individual.
- K. SERIOUS INJURY OR ILLNESS, in the case of a member of the Armed

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Forces, including the National Guard or Reserves, means an injury or illness incurred by the member in line of duty on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating.

L. QUALIFYING EXIGENCY, as defined by Federal regulations, means and includes (1) short-notice deployment; (2) qualifying military events and related activities; (3) childcare and school activities; (4) financial and legal arrangements; (5) counseling; (6) rest and recuperation; and (7) post-deployment activities.

1.2 Eligibility

To qualify for a FMLA leave, an employee must have accumulated twelve (12) months of employment (which need not be continuous) by the date the requested leave is to start and must have worked one thousand two hundred and fifty (1,250) hours during the twelve (12) months immediately preceding the commencement of the leave. In the event a husband and wife are both employees of the School District, they are entitled to an aggregate leave for the birth, adoption or placement of a child, which expires twelve (12) months from the birth, adoption or placement of the child.

1.3 FMLA Leave

FMLA leave is provided to eligible employees under the following circumstances:

A. The arrival of a new child by birth, adoption or foster care placement.

Family leave must be taken at one time for the birth, adoption or placement of a child.

B. The care of a child, parent or spouse who has a serious health condition, if it is medically determined that the care given by an employee is necessary. An employee's need for leave under this paragraph must be supported by medical

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certification of the family member's serious health condition as well as certification of the necessity of the employee to care for the family member.

C. An employee's serious health condition that makes the employee unable to perform the essential function(s) of his or her position. An employee's need for family leave must be supported by a medical certification that states the employee cannot perform the essential function(s) of the position.

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

E. An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember shall be entitled to a total of twenty-six (26) workweeks of leave during a single twelve (12) month period to care for the covered servicemember. However, the combined total of any leave taken pursuant to this paragraph and leave taken pursuant to paragraph D. herein may not exceed twenty-six (26) weeks. Spouses both employed by the School District shall be limited to an aggregate of twenty-six (26) weeks of leave in the single twelve (12) month period.

F. An employee may take intermittent or a reduced leave schedule if the leave is due to the employee's serious health condition, or the serious health condition of a child, spouse or parent of the employee when medically necessary. Medical certification shall be required for the intermittent leave schedule. If the intermittent or reduced leave schedule is foreseeable based upon planned medical treatment, the employee may be transferred to an available alternate

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position that better accommodates recurring periods of leave. The alternative position shall have equivalent pay and benefits but not necessarily equivalent duties.

G. The FMLA leave period starts on the date an employee's leave for an eligible reason commences. The twelve (12) month period, for which the 12 week entitlement period occurs, shall be a rolling twelve (12) month period measured backward from the date an employee uses any FMLA leave. Each time an employee utilizes FMLA leave, the remaining leave entitlement shall be the balance of the twelve (12) weeks, which has not been used during the immediately preceding twelve (12) months.

1.4 Notification Requirements

A. If the need for FMLA leave is foreseeable, the employee shall provide the School District with thirty (30) days' written notice, or if not possible due to unforeseen circumstances, the employee shall provide notice as soon as practicable.

B. The notice shall be made upon a form provided by the School District and shall set forth the reason(s) for the requested leave, duration of leave, anticipated start of leave and anticipated return to work. The notice shall be accompanied by a medical certification by a health care provider upon a form provided by the School District.

C. When planning medical treatment or taking covered servicemember leave, the employee shall make all reasonable efforts to schedule the leave so as not to unduly disrupt the regular operation of the School District, subject to the approval of the health care provider.

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1.5 Use of Paid Time

A. For an employee's illness or non-job related accident that is a serious health condition as defined by FMLA, the employee is required to use all paid sick days, personal days and vacation days toward the FMLA leave.

B. For an employee's job-related illness or accident that is a serious health condition as defined by FMLA, any benefits during this time will be according to Worker's Compensation requirements; however, the Worker's Compensation absence shall be designated as an FMLA leave which shall include any time off for required therapy or doctor visits.

C. For care of a child, parent or spouse with a serious health condition, the employee is required to use all paid sick days, personal days and vacation days toward the FMLA leave.

D. For leave based on the need to care for a covered servicemember, or for leave based on a qualifying exigency, except for a serious health condition, the employee is required to use all personal days and vacation days toward FMLA leave.

E. For leave requested for the arrival of a new child, the employee is required to use all paid personal days and vacation days toward the FMLA leave.

F. For the adoption or foster care placement of a child, the employee is required to use all paid personal days and vacation days toward the FMLA leave.

G. Any paid leave substituted for unpaid FMLA leave shall be designated as FMLA leave and counted towards the employee's FMLA entitlement.

1.6 Health Care and other Benefits

A. The School District will maintain coverage under its group health

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insurance plan for any employee on FMLA leave, at the same level and under the same conditions as if the employee were employed continuously for the duration of the leave. The employee will be required to pay the applicable employee contribution for such coverage, which shall be due each payroll period. Failure to make timely payments could result in the interruption of health benefits.

B. An employee shall not accrue any sick days, vacation days or other benefits during a period of unpaid FMLA leave.

C. Holiday pay will not be paid during the FMLA leave, except in those instances where the employee is on an intermittent or reduced schedule which makes the employee eligible for holiday pay where the employee is utilizing paid leave during the FMLA leave when the holiday occurs.

D. If while on FMLA leave, the employee is required to serve on a jury or in the military, no make up pay will be granted, nor will paid Funeral Leave or Emergency Leave benefits be paid.

E. During the period of FMLA leave the employee should verify with the representatives of the applicable pension system as to whether or not the employee will continue to be credited with service time without loss, for the purpose of calculating benefits.

F. If the employee is on an intermittent or leave, the effective hourly rate of pay will be continued for hours worked as if leave had not been taken. This is true of hourly and salaried employees. For the hours lost, paid leave time may be substituted as discussed in Section 1.5 of this policy.

1.7 Returning to Work

A. Upon return from a FMLA leave for the employee's own serious health

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condition, the employee shall furnish from the attending physician a certification that the employee is fit for duty and can perform each essential function(s) of the regular position (or to the position to which restored, if different).

B. Upon the expiration of the designated FMLA leave, the employee will be restored to the regular position or to an equivalent position in pay, benefits and other terms and conditions of employment, if the employee would not have been terminated during the period while the employee was on leave because of general economic conditions of employment or due to a restructuring of the department, division or the School District. That is, the designated FMLA leave does not guarantee a restoration of employment. The employee will be treated the same as any other employee similarly positioned and actively at work on the date of the reduction in force and/or restructuring.

C. Upon the expiration of the designated FMLA leave, all benefits, increases, general wage increases or other terms and conditions of employment generally applicable to the position will be restored to the employee as if the employee had not been on leave.

D. If the employee fails to return to work upon expiration of the designated FMLA leave, the employee may lose the right to restoration to the position. If the reasons for not returning from the FMLA leave are reasons within the employee's control, the School District shall recoup from the employee the School District's cost of health care premium(s) paid on the employee's behalf during the FMLA leave.

!.8 Failure to Comply

The failure of any employee to comply with any of the provisions of this policy

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shall be cause for the denial of FMLA leave and may subject the employee to disciplinary action.

1.9 Fraud

Any employee who fraudulently obtains FMLA leave is not protected by this policy's job restoration or maintenance of health benefits provisions and is subject to discharge, and the School District shall recoup from the employee the School District's cost of health care premiums paid on the employee's behalf during the FMLA leave.

LONG-TERM PARENTAL LEAVE

An employee who is unable to work due to a disability caused or contributed to by pregnancy, childbirth, or related medical conditions may utilize available sick leave for such absences in the same manner as it may be used for any other sickness or disability.

As an alternative to the use of any available paid sick leave or to the use of FMLA leave as provided in Part I above, an employee may, at the employee's option, request a long-term parental leave. A long-term parental leave of absence, without pay, may be granted to any employee. If long-term parental leave is granted, it shall run concurrently with any available family or medical leave granted pursuant to Part I of this Policy.

Conditions for Granting Long-Term Parental Leave. When granted, a long-term parental leave shall be subject to the following conditions and limitations:

1. All requests for long-term parental leaves must be submitted in writing to the Superintendent at least three (3) months prior to the date requested for commencement of the leave. The request is to include a statement as to the

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expected delivery date or placement for adoption date and the requested dates for both the commencement and termination of the leave.

2. The long-term parental leave shall begin on the date requested by the employee if approved by the Board of Education, provided, however, that a long-term parental leave must begin on a date not later than the date of delivery or the date of placement of the child with the employee for adoption.

3. A long-term parental leave may be granted for the remainder of the school year in which the leave begins and at the employee's request, for one (1) additional school term; return must be at the beginning of a school year, unless another return date is requested and approved by the Board of Education. The return date shall be requested and agreed upon prior to the granting of the leave. The Board of Education may in its sole discretion upon request by the employee grant a modification of the previously agreed return date.

4. An employee on long-term parental leave is subject to dismissal due to a reduction in force on the same terms as employees not on leave.

Benefit of the Leave. Long-term parental leaves are without pay. No benefits shall be available to employees on long-term parental leave, except those specifically stated herein below.

1. An employee on long-term parental leave may continue to participate in the School District's group insurance plans provided the employee pays the total cost of the premium for the period of leave, provided, however, that the School District shall maintain the employee's coverage under any applicable group health plan for a period of 12 work weeks from the commencement of the leave under the same terms and conditions that would have been provided if the

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employee continued to work.

2. An employee on long-term parental leave shall suffer no loss of accrued sick leave or accrued seniority, but substitution of paid leave may occur as set forth in Part I above during any period of concurrent FMLA leave. Neither sick leave nor seniority shall accrue during the leave. No paid sick leave may be used by an employee on long-term parental leave.

3. Upon returning from a long-term parental leave, the employee shall be assigned to an available position for which the employee is qualified.

APPLICABILITY

To the extent of any direct conflict between the provisions of the policy and the provisions of any collective bargaining agreement, such provisions of the collective bargaining agreement shall control to the extent of the contract.

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400.5.14 MINORITY RECRUITMENT

*Adopted: June 14, 1990
Reviewed: December, 2007
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The Board of Education is desirous of employing and maintaining a culturally and socially diverse staff. To that end, it is the goal of the Board of Education to employ qualified minority personnel in all employment positions, including certificated and non-certificated areas of employment, including but not limited to custodians and teacher aides.

It is the intent to have those minority applicants who, in the judgement of the Board of Education, are most qualified for the position for which they have applied.

The Superintendent shall take appropriate measures to implement this policy and direct other administrators to proceed in methods they deem necessary to meet the goals and objectives of the Board of Education.

This policy statement is not intended to constitute a contractual obligation or commitment.

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400.5.15 WEB PAGE POLICY

*Adopted: June 14, 1990
Reviewed: December, 2007
June, 2011*

I. APPLICATION

This policy applies to web pages published on the District server and to District Web Pages wherever published.

II. OWNERSHIP AND CONTROL

All Web Pages placed on the District server are the property of the District. The District reserves the absolute right to determine whether any page is published on the District server as well as the absolute right to delete any files that exist on the District server. Any District Web Page published on any server shall remain the property of the District and shall be subject to the provisions of this policy.

III. CONTENT STANDARDS

All subject matter and links on District Web Pages must relate to curriculum and instruction, school activities, or information about District 140 or its mission. Information about parent groups, other governmental entities, or non-profit organizations exclusively devoted to community interests or child welfare may also be included. No material shall be displayed on a District Web Page that is in violation of law or primarily for a commercial or political purpose.

IV. APPROVAL AND PUBLICATION

Only material prepared by District staff members, students or agents may be published on District Web Pages. No third person or entity shall be allowed to publish any material on a District Web Page. No Web Page may be published on the District server and no published page shall be modified without the prior written authorization of either: (1) the Superintendent; (2) an Assistant Superintendent; (3) a Building Principal; or (4) other person(s) specifically designated in writing by the Superintendent to approve the Web Pages.

V. ADMINISTRATIVE PROCEDURES AND GUIDELINES

The Superintendent shall establish and maintain administrative procedures and

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guidelines to implement this policy. The procedures and guidelines shall include but not necessarily be limited to: (1) student privacy safeguards; (2) Web Page development; and (3) the Web Page approval process.

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400.5.16 SICK LEAVE BANK

*Adopted: June 15, 2000
Reviewed: December, 2007
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I. PURPOSE

The purpose of this policy is to provide additional paid sick leave to employees, otherwise eligible for sick days, who have exhausted all of their available paid sick leave and who, due to unusual circumstances, are unable to work due to a major serious illness or a major serious illness, disability or serious illness or death in the immediate family. Immediate family is defined as parents, spouse, brothers, sisters, children, grandparents, grandchildren, parents-in-law, brothers-in-law, sisters-in-law, domestic partners, and legal guardians.

II. ELIGIBILITY

Employees who have worked for the District for no less than six months shall be eligible to join the sick leave bank program. In order to join the program, an employee must contribute one (1) day of his/her available unused sick leave into the sick leave bank. Current employees must join within 10 days of the distribution of the sign up forms to all eligible employees by the Committee. New hires who elect to join must do so within 10 days of eligibility.

III. CREATION OF THE BANK AND ITS ADMINISTRATION

A sick leave bank will be established provided that no less than two-hundred (200) District employees sign up for membership. The bank will continue to exist so long as there are no less than two-hundred (200) members. The sick leave bank will be administered by a Committee consisting of six (6) volunteer members who are members of the sick leave bank. Two (2) to be designated by the Teachers' Association, one (1) to be designated by the Custodians' Union, one (1) to be designated by the Paraeducators' Union, and two (2) employees to be designated by the Superintendent. Three members of the first Committee shall serve for a term of two (2) years and three members shall serve for a one (1) year term; thereafter the term of all Committee members shall be two (2) years. The terms of the first Committee members shall be

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determined by lot at the first Committee meeting. The Committee will prepare a sign-up form to be distributed to all eligible employees. It will prepare such other information or forms as it finds desirable to operate the bank. Employees who sign up shall be members. The Committee shall distribute sign-up forms to all eligible employees at the beginning of the 2006-07 school year.

IV. REQUESTS FOR WITHDRAWAL

Any member who has exhausted all of his/her available paid sick leave and has been absent without wages for two (2) consecutive work days due to a serious illness, disability, or a serious illness or death in the immediate family, may apply to the Committee for a withdrawal of days from the sick leave bank. Each withdrawal relating to the designated incident shall be a minimum of five (5) days and a maximum of thirty (30) days. The employee must have the intention of returning to work. Any unused sick days will be returned to the sick bank. No member shall be eligible for more than sixty (60) days in any school year and no member who has received sixty (60) days in any school year shall be eligible to request or receive another withdrawal until such time as the member has returned to work for a period of not less than one full school year.

V. STANDARDS FOR WITHDRAWAL AND SUPERINTENDENT'S APPROVAL

To be eligible for a withdrawal, the member must submit an application to the Committee accompanied by a doctor's certification. The application and certification form will be provided by the Committee. The employee or a member of his/her immediate family must have a major, serious illness, disability or there must have been a death in the immediate family, such that the employee is unable to work for a period of not less than five (5) days. Upon review of the application, appropriate employee records, and the doctor's certification, the Committee shall determine whether to recommend that a withdrawal of days be approved by the Superintendent and if so, the number of days to be approved. Upon receipt of the Committee's recommendation, the

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Superintendent may either approve or disapprove the withdrawal or modify the number of days. The Superintendent shall advise the Committee of his decision in writing.

VI. DEPLETION OF DAYS

Whenever the sick leave bank falls below eighty (80) days, the Committee shall require that all members contribute one (1) additional day of their unused accumulated sick leave to the bank. Any member who fails to make the additional donation within ten (10) days of receiving the sign-up form shall be deemed to have resigned from membership, may not rejoin, and shall no longer be eligible for a withdrawal.

VII. TERMINATION OF POLICY

The Board of Education reserves the sole and exclusive right to terminate this policy at any time. Upon any termination, the Committee shall determine a fair and equitable manner of returning days then in the bank to current members. A lottery method shall be deemed fair and equitable.

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400.5.17 DIRECT DEPOSIT OF PAYCHECKS

Adopted: January 17, 2008

Reviewed: June, 2011

The purpose of this policy is to encourage all employees to be paid by direct deposit in an account at a bank or financial institution of the employee's choice. Direct deposit is believed to be in the best interests of the District and the employee. New employees, who have a personal bank account, will be requested upon initial hire to authorize the direct deposit of their paychecks. Employees who are not paid by direct deposit, will be asked to authorize direct deposit of their paychecks.

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400.5.18 SEXUAL HARASSMENT

Adopted: October 20, 2011

"Sexual harassment" means any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. This policy is designed and intended to prevent and correct promptly any sexually harassing behavior.

Sexual harassment is illegal and will not be tolerated. It can include, for example unwelcome sexual advances, displaying materials that are sexual in nature, or engaging in sexually offensive jokes or comments. All employees are strictly prohibited from engaging in any type of sexual harassment.

Any employee who believes that he or she is being sexually harassed, or who believes he or she has witnessed sexual harassment, as defined above, should promptly follow the corresponding Administrative Procedures.

NOTE: False or frivolous complaints refer to cases in which the accuser is acting in bad faith and using a sexual harassment complaint to accomplish some end other than stopping sexual harassment. Given the seriousness of the consequences for the accused, a false or frivolous charge is a severe offense that can result in disciplinary action up to and including termination.