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**If conflicts exist between handbook rules and Board Policy/State Statutes, Board Policy/State Statutes will take precedence.**

Updated August 10, 2010



**ELBERT SCHOOL DISTRICT #200**  
**BOARD OF EDUCATION MISSION STATEMENT**

Elbert School District #200 has the responsibility to the community, our state and the nation to educate children, under the philosophy of education, to problem solve and to accept global responsibility in a safe, nurturing environment. Our future strength lies in a traditionally strong fundamental education and development of well-adjusted, socially responsible citizens who are able to secure employment, go to college, pursue careers, and communicate, as well as, compete in a technological and information based world.

**PHILOSOPHY OF EDUCATION**

It is the operating philosophy of Elbert School District #200 to provide the opportunity of academic excellence for every child in the District, to the best of the District's ability and available resources, so that their knowledge, wisdom, creativity, athleticism, and passion for learning will empower and reward their future.

**DISTRICT FOCUS**

- ➔ Increase academic performance
- ➔ Increase communication with key constituents
- ➔ Find, maintain and develop quality staff
- ➔ Enhance facility excellence
- ➔ Maintain financial excellence
- ➔ Increase governance team effectiveness

### **PAYDAY**

Payday is the 25th of each month as per Board policy.

### **WORK DAY**

The support staff contracted day shall be in accordance with their employment agreement. Faculty seeking permission to leave during the day should see the superintendent or, in his/her absence, the principal. Then the staff member must sign out in the main office.

### **SALARY SCHEDULE PLACEMENT**

The Board shall establish salary schedule for classifications of the classified staff, including the secretarial staff, aides, custodians, maintenance, cafeteria workers and other categories as established by the Board.

Such schedules shall take into account the qualifications required, the responsibilities of the position and the number of years the employee has been in service with the district.

Annual increments shall be dependent upon the employee's satisfactory performance in the position. Advancement from one step to another on the schedule shall require the Superintendent's recommendation and Board approval.

### **DUTIES AND RESPONSIBILITIES**

The duties and responsibilities of support staff shall be dictated by their job description and the needs of the District. Immediate supervisors and the administration have copies of job descriptions.

### **STAFF EVALUATION**

Support staff will be evaluated by their immediate supervisor/administration. Copies of the evaluation instrument are available upon request.

### **PERSONNEL RECORDS AND FILES**

The superintendent is authorized and directed to develop and implement comprehensive and efficient system of personnel records under the following guidelines:

1. A personnel folder for each employee, certificated and classified, shall be accurately maintained in the district administrative office. Personnel records shall include home address and telephone numbers, financial information, and other information maintained because of the employer-employee relationship.
2. All personnel records of individual employees shall be considered confidential except for the information listed below. They shall not be open for public inspection. The superintendent and his designees shall take the necessary steps to safeguard against unauthorized use of all confidential material. For this purpose files are never to leave the school office and the employee with the Superintendent's permission may inspect their file only.
3. Each employee shall have the right, upon request, to review the contents of his own personnel file, with the exception of references and recommendations provided to the district on a confidential basis by universities, colleges or persons not connected with the district.

4. The following information in personnel records and files shall be available for public inspection:
  - a. Applications of past or current employees
  - b. Employment agreements
  - c. Any amount paid or benefit provided incident to termination of employment
  - d. Performance ratings except for teacher evaluations as noted below
  - e. Any compensation including expense allowances and benefits
5. The evaluation report of certificated personnel, with the exception of the superintendent and all public records used in preparing the evaluation report, shall be confidential and available only to the evaluatee, to the administrators who supervise his work, and to a hearing officer conducting a dismissal hearing or a court reviewing a dismissal decision.
6. A written evaluation or any other personnel record shall not reflect any good faith actions of any employee, which were in compliance with the district's discipline code.
7. Lists of district employee's names and address shall not be released for general public use.
8. Personnel records shall be available upon the request to members of the Board of Education.

#### **PROFESSIONAL STAFF FRINGE BENEFITS**

**The district shall participate** in a program health, life, vision, and dental, insurance benefits to eligible employees under a group plan or plans.

**Meet needs:** Any plan in which the District participates shall benefit the majority of the eligible employees, as certified and recommended by the employees and other representatives, and be formally approved by the Board of Education.

**Participation:** To participate in the program, an employee must work at least half-time under a regular specified schedule of work. Intermittent employees are not eligible to participate.

**Cost:** The District shall pay the cost of the employee's health, life, vision, and dental insurance premium in an amount not to exceed \$425 of the insurance premium for a "self only" plan for full time employees.

**The district's share** of individual and family premiums shall be as follows:

**Certified and uncertified staff:** Full time – As determined by the board annually plus an optional \$150.00 per month for family or 401K plan.

**Participation by the employee is may or may not be voluntary.** All full time employees must take out the insurance plan if prescribed by our insurance plan.

**School district employees** must participate in PERA in which both the employee and the school district make monthly contributions.

**Workmen's compensation:** All district employees are covered under the Workmen's compensation Insurance Plan and will be entitled to all the prescribed benefits.

**LEAVE POLICIES**

**Vacation Leave**

Vacation leave is available to all twelve-month employees on a monthly basis based on the following years of service:

	<b>4-day employees</b>	<b>5-day employees</b>
Year 1-5	8 days	10 days
Year 6-10	12 days	15 days
Year 11-more		20 days

For the purpose of this regulation (vacation leave), a year is defined as a fiscal year (July 1 through June 30). Vacation granted through the current contract year must be used before December 31<sup>st</sup> of the following year unless specific approval of the employee’s supervisor grants otherwise. It is the philosophy of the district that time provided for vacations should be taken in the designated period allowed.

Vacation leave shall be scheduled at the convenience of the District and as nearly as possible at the convenience of the employee. All vacation schedules shall be reviewed and approved by the Superintendent or designee.

Prior to the employee’s scheduled absence, the employee shall complete and forward to the Superintendent the appropriate absentee form.

Upon resignation or termination employees will not be paid for any vacation days.

**Staff Leave**

All employees shall be granted leave days at the beginning of each fiscal year based on the number of months worked each year under their regular contract for certified employees or as set forth in salary schedules for classified employees, as follows:

- 9 month positions 9 days
- 10 month positions 10 days
- 11 month positions 11 days
- 12 month positions 12 days

The leave may be used for any purpose, subject to availability of substitutes.

Part-time employees and personnel employed after the beginning of the school year shall be granted leave credit for a number of days equal to one day for each 160 contract hours, or portion thereof, remaining in the school year at the time of employment, up to a maximum of 10, 11 or 12 leave days as appropriate.

A leave day may not be taken the day before or day following school holidays unless approved by the superintendent.

Elbert School District #200 will purchase personal leave of the employee that has accumulated in excess of twenty-five days. This transaction to be only in the month of December of each year and be for previous years of accumulated leave. This December payment not to exceed pay in

excess of five days, at the rate of pay substitute teachers are getting for the current year of the transaction.

Elbert employees may accumulate a maximum of 25 days. For those employees who had accumulated more than 25 days on the inception of this policy will retain those days for use. However, pay out for those days shall be in accordance with this policy. Upon re-adoption of this policy, the leave bank shall no longer be in existence. All fiscal responsibility and obligation of the District shall be eliminated.

### **Bereavement Leave**

Three (3) days per year will be allowed for bereavement leave. This leave will be allowed for "immediate" family. "Immediate" family is restricted to spouse, children, parents, siblings, grandparents, grandchildren and in-laws. Leave days may also be taken for bereavement days if additional days are needed.

### **Family Medical Leave**

This policy shall apply to all family and medical leaves of absence covered under the Family and Medical Leave Act of 1993 ("FMLA"). Terms used in this policy and its accompanying regulation, such as "serious health condition," "qualifying exigency," "contingency operation," and "serious injury or illness" shall be as defined by the FMLA and its implementing regulations.

### **Eligibility**

To be eligible for a family and medical leave of absence (FMLA leave) under this policy, an employee shall have been employed for at least 12 months and shall have worked at least 1,250 hours during the 12-month period preceding the commencement of the leave. A full-time classroom teacher shall be deemed to meet the hourly requirement but must also meet the 12-month requirement to be eligible for FMLA leave.

### **Permitted reasons for FMLA leave**

An eligible employee shall be entitled to a combined total of 12 weeks' leave per year for the following reasons:

1. The birth and care of the employee's newborn child;
2. The placement of a child with the employee for adoption or foster care;
3. To care for an employee's spouse, parent or child with a serious health condition;
4. When the employee is unable to perform the essential functions of his or her position because of the employee's own serious health condition; or
5. Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter or parent is a covered military member and is on active duty in support of a contingency operation or has been notified of an impending call or order to active duty.

Spouses who are both employed by the district shall be entitled to a total of 12 weeks of leave (rather than 12 weeks each) per year for reasons (1), (2), (3) and/or (5) specified in the immediately preceding paragraph.

Entitlement for child care leave shall end after the child reaches age one or 12 months after adoption or foster placement. Leave to care for a child shall include leave for a step-parent or person *in loco parentis*.

An eligible employee who is a spouse, son, daughter, parent or next of kin of a covered service member who is recovering from a serious injury or illness sustained in the line of duty on active duty shall be entitled to a total of 26 weeks of leave during a single 12-month period to care for the service member.

The single 12-month period shall begin on the first day the employee takes leave for this reason and shall end 12 months later. During that 12-month period, the eligible employee is entitled to a combined total of 26 weeks of leave under this policy. Only 12 weeks of the 26 week total may be for a FMLA-qualifying reason other than to care for a covered service member.

Spouses who are both employed by the district shall be entitled to a total of 26 weeks (rather than 26 weeks each) in a single 12-month period if the leave is to care for a covered service member with a serious injury or illness, or a combination of caring for a covered service member and reasons (1), (2), (3) and/or (5) above.

### **Intermittent or reduced FMLA leave**

Leave may be taken on an intermittent or reduced leave schedule. The district may require the employee to transfer temporarily to an alternative position which better accommodates recurring periods of absence or a part-time schedule provided that the position has equivalent pay and benefits. Teachers requesting intermittent or reduced leave involving greater than 20 percent of their working time during such period may, in the alternative, be required to take leave continuously for all or a specified part of the total period involved.

Intermittent leave or leave on a reduced schedule shall not be allowed because of the birth of an employee's child and to care for a newborn child, or because of the placement of a child with an employee for adoption or foster care.

### **Health insurance and benefits**

The district shall maintain coverage under any group health insurance plan for any employee who is granted an approved leave of absence under this policy for the duration of the leave. Such coverage shall be maintained at the same level and under the same conditions as coverage would have been provided if the employee were not on leave. The district reserves the right to seek reimbursement for this benefit in the event that an employee elects not to return to work, as allowed by law.

The use of FMLA leave shall not result in the loss of any employment benefit that accrued prior to the start of the FMLA leave.

### **Reinstatement after FMLA leave**

Reinstatement shall be determined in accordance with applicable law and Board policies and/or negotiated agreements. If the employee on leave is a salaried employee and is among the highest paid 10 percent of district employees and keeping the job open for the employee would result in substantial economic injury to the district, the employee may be denied reinstatement provided the district notifies the employee of its intent to deny reinstatement at the time economic hardship occurs and the employee elects not to return to work after receiving the notice.

### **Development of procedures**

The superintendent shall develop procedures to require appropriate medical certifications, notification and reporting which are consistent with law. The procedures shall describe how the district will post notices concerning the FMLA and other steps the district shall take to inform employees of the FMLA's requirements.

### **Compliance with governing law**

The district shall fully comply with the FMLA and shall be entitled to take all actions and exercise all options authorized under the FMLA consistent with this policy and its accompanying regulation. In the event that this policy or its accompanying regulation conflict or are otherwise inconsistent with mandatory provisions of the FMLA, the mandatory provisions of the FMLA shall control.

### **Professional Leave**

Two (2) days per year will be allowed for professional leave. This leave must be arranged in advanced with the superintendent of schools. A professional day may not be taken the day before or day following school holidays unless approved by the superintendent. This leave is non-accumulative.

The Board of Education believes that student achievement must drive all professional staff development efforts and that professional development is an indispensable part of overall school improvement. To support these beliefs, the Board is committed to allocating adequate resources, including people, time and facilities, to professional development that is effective.

The Superintendent shall develop a professional development program that:

- Is rigorous, results-based, data-driven and tied to student achievement
- Is ongoing and an integral part of each professional staff member's workday
- Uses a variety of approaches and professional development models
- Is collaborative, school-centered and involves teachers in its design
- Focuses on teachers as central to student learning, yet includes all other members of the school community
- Focuses on student learning

- Is rich in academic content, learning processes, current research, materials, and technologies
- Uses the systematic study of work to improve teaching and learning
- Occurs in environments of safety, trust and shared problem solving
- Promotes equity

The professional development program shall be designed to support achievement of the district's educational objectives, including that all students meet or exceed state and district content standards.

The Superintendent shall evaluate the effectiveness of the professional development program on an on-going basis and modify the program accordingly.

Participation in the professional development program is required of teachers and administrators.

**Military Leave**  
**Annual military leave**

An employee who as a member of a reserve or national guard unit or any other branch of the military organized under state or federal law who is required to take annual active duty during the school year shall be granted military leave with a right of reinstatement in accordance with state and federal law.

The employee shall receive full salary and benefits during such leave up to a maximum of 15 calendar days annually. All remaining leave to fulfill the annual military obligation shall be unpaid leave.

An employee who is required by the state or federal government to continue military service beyond the time for which leave with pay is allowed, shall be granted a leave of absence without pay for all such additional service.

**Emergency military leave**

Military leave of absence without pay shall be granted to any regular, full-time employee who enlists for military duty with any branch of the United States armed forces or who is called into active military service in time of war or other emergency declared by the proper authority of the state or United States. The employee shall be considered on a leave of absence during military service.

**Notice of military service**

An employee taking leave under this policy shall provide written or oral notice, as far in advance as possible, of pending military service. Employees on military leave resulting in absence of more than 30 days shall forward a copy of their military orders to the superintendent or designee.

**Using paid leave in lieu of unpaid military leave**

An employee taking leave under this policy may at his or her discretion, but is not required to, use accrued vacation or other paid leave during time of military service.

### **Hiring substitute**

Where necessary to protect the public interest, a substitute employee may be hired by the school district to perform the duties of the employee on military leave until such time as the employee returns to work.

### **Reinstatement after service**

Upon completion of military service, the employee shall be reinstated in the same or a similar position of like seniority, status and pay if such is available at the same salary and benefits which he or she would have received had leave not been taken, subject to the following conditions:

1. The school district's circumstances have not changed to such a degree that reinstatement would cause an undue hardship on the district or make reinstatement impossible or unreasonable, including that position having been abolished.
2. The employee is not physically or mentally disabled from performing the duties of the position except that the school district shall make reasonable accommodations required under federal and state law, including for any disability incurred or aggravated during military service.
3. The employee submits an honorable discharge or other form of release indicating that military service was satisfactory.
4. The employee notifies the district of intent to return to work and returns to work within the time period set out in law.

Upon reinstatement, the employee shall have the same rights with respect to accrued and future vacation, leave, public retirement benefits and other benefits as if he or she had actually been employed during the time of such leave. Because non-probationary status for teachers is not attained merely through continuous employment, a probationary teacher shall be reinstated at the actual year of service (year one, year two or year three) as when he or she began military leave.

### **Jury Duty Leave**

The District board recognizes the importance of the jury system in a democracy and the obligation of all citizens to serve on juries. Employees shall turn over their jury pay to the District for jury duty during the time for which they receive their regular District salary.

Employees shall notify the District office prior to 7:30 a.m. of each day of the employee's absence. Upon return of absence, the employee shall complete the appropriate absentee form.

### **Unauthorized Absences**

Unauthorized absences will be penalized at the individual employee's daily rate.

## **SUPPORT STAFF DEVELOPMENT**

Support Staff Members are an integral part of the district's total staff. Their training and development are essential to the efficient and economical operation of the schools.

Therefore, all support staff members shall be encouraged to grow in job skills and to take additional training that will improve their skills on the job. It shall be the responsibility of each principal to assist to the maximum degree in the training of custodians, clerks and other classified employees assigned to their buildings. The dates of all in-service programs shall be included in the district or individual school calendar.

Absences to attend meetings, conventions, conferences or workshops of local, state or national associations which serve to advance the welfare of the district through the upgrading and strengthening of the support staff may be granted by the superintendent without loss of pay to the employee.

#### **PURCHASE ORDER FOR SUPPLIES, MATERIALS, EQUIPMENT**

1. Check to make sure adequate funds are in the account.
2. Get permission from the superintendent to place an order.
3. Get a Purchase Order form from front office for elementary or secondary.
4. Fill out Purchase Order completely (PO MUST have cost or estimated cost and account number before they can be presented to superintendent).
5. The superintendent must sign completed purchase order.
6. Turn in completed purchase order to front office to be ordered.

#### **REQUEST FOR REIMBURSEMENT**

Follow this procedure when you have spent your own money to purchase items for the school and wish to be reimbursed:

1. DO NOT purchase anything and expect reimbursement unless you have FIRST received purchase approval from the superintendent.
2. Always use tax-exempt number when purchasing for the school, as you will not be reimbursed for tax you pay.
3. Get and complete a "Request for Payment" form from staff lounge or office.
4. ATTACH A RECEIPT TO THE FORM (NO receipt = NO reimbursement).
5. Give the completed form w/receipt to administration.

**\*IMPORTANT TO NOTE:** Reimbursements from general fund moneys will only be paid once a month (at the same time you get your paycheck). Therefore, DO NOT expect to be reimbursed immediately.

#### **USE OF SCHOOL VEHICLES AND PROCEDURES**

1. Any trip involving school transportation must have prior approval from Principal, Superintendent and Transportation Director 2 weeks prior to the event. If using a school van please sign-up for use in the main office.
2. The use of school vehicles will be encouraged and given preference over private transportation. At no time shall employees transport students in their personal vehicle.
3. When private transportation is used an expense sheet should be submitted to office for approval; transportation will be reimbursed at the approved rate.

## **NON-DISCRIMINATION**

The policy of Elbert School District #200 shall be to select employees as needed on the basis of merit, training, and experience. There shall be no discrimination against an applicant or employee because of race, religion, color, national origin, sex, marital status, disability, or age; except when it is necessary to meet a bona fide occupational requirement.

### **Staff Conduct (And Responsibilities)**

All staff members have a responsibility to make themselves familiar with and abide by federal and state laws as these affect their work, and the policies and regulations of the district.

#### **Rules of conduct**

Each staff member shall observe rules of conduct established in law which specify that a school employee shall not:

1. Disclose or use confidential information acquired in the course of employment to substantially further personal financial interests.
2. Accept a gift of substantial value or substantial economic benefit tantamount to a gift of substantial value which would tend to improperly influence a reasonable person in the position, or which the staff member knows or should know is primarily for the purpose of a reward for action taken in which the staff member exercised discretionary authority.
3. Engage in a substantial financial transaction for private business purposes with a person whom the staff member supervises.
4. Perform any action in which the staff member has discretionary authority which directly and substantially confers an economic benefit on a business or other undertaking in which the staff member has a substantial financial interest or is engaged as a counsel, consultant, representative or agent.

The phrase "economic benefit tantamount to a gift of substantial value" includes a loan at a rate of interest substantially lower than the prevailing commercial rate and compensation received for private services rendered at a rate substantially exceeding the fair market value.

It is permissible for an employee to receive:

1. An occasional non-pecuniary gift which is insignificant in value.
2. A non-pecuniary award publicly presented by a nonprofit organization in recognition of public service.
3. Payment or reimbursement for actual and necessary expenditures for travel and subsistence for attendance at a convention or other meeting at which he or she is scheduled to participate.
4. Reimbursement for or acceptance of an opportunity to participate in a social function or meeting which is not extraordinary when viewed in light of the position.
5. Items of perishable or nonpermanent value including but not limited to meals, lodging, travel expenses or tickets to sporting, recreational, educational or cultural events.
6. Payment for speeches, appearances or publications reported as honorariums.

All staff members shall be expected to carry out their assigned responsibilities with conscientious concern.

It shall not be considered a breach of conduct for a staff member to:

1. Use school facilities and equipment to communicate or correspond with constituents, family members or business associates on an occasional basis.
2. Accept or receive a benefit as an indirect consequence of transacting school district business.

Essential to the success of ongoing school operations and the instructional program are the following specific responsibilities which shall be required of all personnel:

1. Faithfulness and promptness in attendance at work.
2. Support and enforcement of policies of the Board and regulations of the school administration in regard to students.
3. Diligence in submitting required reports promptly at the times specified.
4. Care and protection of school property.
5. Concern and attention toward the safety and welfare of students, including the need to insure that students are appropriately supervised .

A staff member may request an advisory opinion from the secretary of state concerning issues relating to conduct that is proscribed by state law.

### **Child abuse**

All district employees who have reasonable cause to know or suspect that any child is subjected to abuse or to conditions that might result in abuse or neglect must immediately upon receiving such information report such fact in accordance with policy JLF.

The superintendent is authorized to conduct an internal investigation or to take any other necessary steps if information is received from a county department of social services or a law enforcement agency that a suspected child abuse perpetrator is a school district employee. Such information shall remain confidential except that the superintendent shall notify the Colorado Department of Education of the child abuse investigation.

### **Possession of deadly weapons**

The provisions of the policy regarding public possession of deadly weapons on school property or in school buildings also shall apply to employees of the district.

However, the restrictions shall not apply to employees who are required to carry or use deadly weapons in order to perform their necessary duties and functions.

### **Felony/misdemeanor convictions**

If, subsequent to beginning employment with the district, the district learns or has good cause to believe that any staff member has been convicted of any felony or misdemeanor other than a

misdemeanor traffic offense or infraction the district shall make inquiries to the Department of Education for purposes of screening the employee.

In addition, the district shall require the employee to submit a complete set of fingerprints taken by a qualified law enforcement agency. Fingerprints must be submitted within 20 days of receipt of written notification. The fingerprints shall be forwarded to the Colorado Bureau of Investigation for the purpose of conducting a state and national fingerprint-based criminal history record check utilizing the records of the Colorado Bureau of Investigation and the Federal Bureau of Investigation. Disciplinary action, which could include dismissal from employment, may be taken against personnel if the results of fingerprint processing provide relevant information.

Employees shall not be charged fees for processing fingerprints under these circumstances.

### **Unlawful behavior involving children**

The Board may make an inquiry with the Department of Education concerning whether any current employee of the school district has been convicted of, pled nolo contendere to, or received a deferred sentence for a felony or misdemeanor crime involving unlawful sexual behavior or unlawful behavior involving children. Disciplinary action, including termination, may be taken if the inquiry discloses information relevant to the employee's fitness for employment.

### **Personnel addressing health care treatment for behavior issues**

School personnel are prohibited under state law from recommending or requiring the use of psychotropic drugs for students. They are also prohibited from testing or requiring testing for a student's behavior without giving notice to the parent/guardian describing the recommended testing and how any test results will be used and obtaining prior written permission from the student or from the student's parent/guardian. See policy JLDAC. School personnel are encouraged to discuss concerns about a student's behavior with the parent/guardian and such discussions may include a suggestion that the parent/guardian speak with an appropriate health care professional regarding any behavior concerns school personnel may have.

### **STAFF DRESS CODE**

Teachers and other staff members project an image to the community and to students about the professionalism of the district. During the workday and at all work-related activities, employees shall adhere to a professional standard of dress and shall be neat and clean in appearance. Examples of professional attire include, but are not limited to, collared shirts, dress slacks, ties, dresses and coordinated separates.

### **Unacceptable Items**

The following items are deemed disruptive to the classroom environment or to the maintenance of a safe and orderly school and are not acceptable in school buildings, on school grounds, or at school activities:

1. Dresses, skirts or shorts shorter than length of fingertip extended down by side or having a slit shorter than that length.

2. Jeans unless worn with a dress shirt.
3. Sunglasses or hats inside the building.
4. Inappropriately sheer, tight, or low-cut clothing that expose undergarments or parts of the body including, but not limited to, the stomach, back or chest.
5. Any advertisement, symbol, word, slogan, or picture that:
  - a. Refers to drugs, tobacco, alcohol, or weapons
  - b. Are sexual in nature
  - c. Denote gang membership
6. Sleeveless shirts cannot expose undergarments and must cover the shoulder.

### Exceptions

Some jobs may require/recommend a uniform or jeans to be worn. Appropriate athletic clothing may be worn when teaching physical education classes, or coaching athletic activities.

Staff may dress casual on teacher workdays (student non-contact days), or designated dress down days, not including Parent-Teacher Conferences.

## **DRUG AND ALCOHOL TESTING**

### I. Purpose

The Elbert School District also seeks to foster a safe, healthy and productive work environment for the employees of the district. To further these goals the district has implemented an Alcohol and Drug Policy and provides information about services for employee assistance. Our goal is to provide help for our employees who have substance abuse problems while at the same time ensuring that our workplace is operating safely and efficiently. The Alcohol and Drug Policy provides the district with reasonable measures to ensure that an employee problem does not jeopardize the successful operation of the workplace or otherwise negatively affect the district, our employees, the students or general public.

Finally, the Elbert School District seeks to operate an alcohol and drug-free workplace that is in compliance with Federal Drug-Free Workplace Act as well as Alcohol and Drug Testing Rules.

### II. Coverage and Implementation

The Alcohol and Drug Policy covers all school employees.

### III. Education and Training

To assist employees in understanding the problems associated with substance abuse, and in an on-going effort to prevent and eliminate substance abuse in the workplace, the district provides its employees with substance abuse and treatment resource information. In addition, supervisors receive training in the identification of actions, appearance or conduct of an employee, which may indicate drug use and or alcohol misuse.

### IV. Support For Employees Who Voluntarily Seek Help

The Elbert School District supports early diagnosis and sound treatment efforts for substance abuse and encourages each employee to seek help voluntarily for him or herself.

To assist employees in obtaining treatment, the District offers a referral network to community based services that can be accessed by contacting the District Office.

Employees who undergo voluntary counseling or treatment and who continue to work are subject to the same job performance and behavior standards as other employees. As is the case with other employees, those employees seeking voluntary counseling or treatment who fail to meet performance standards will be subject to disciplinary action.

#### V. Prohibited Conduct

- A. An employee knowingly in the possession of or under the influence of alcohol or any controlled substance shall be suspended immediately by his principal or supervisor if such use or possession is:
  - 1. On school grounds, whether or not school is in session
  - 2. At any school-sponsored or sanctioned activity or event off school property or enroot thereto
  - 3. On the way to school
- B. An employee shall be suspended immediately after arrest for possession or for being under the influence of a controlled substance.

After investigation, the superintendent may reinstate the employee if it appears to be in the best interests of the individual and the district. The matter must be reported in full to the Board of Education.

If the investigation causes the superintendent to continue the suspension in excess of 10 school days, the employee may request a hearing by the superintendent or his designee to be conducted in a manner to insure that the individual suspended receives a fair, impartial hearing.

The superintendent shall establish an awareness program to inform employees about:

- 1. The dangers of drug and alcohol abuse
- 2. The Board's policy of maintaining a drug-free workplace
- 3. Available drug and alcohol counseling, rehabilitation and employee assistance programs
- 4. Penalties that may be imposed upon employees for drug and alcohol abuse violations occurring in the workplace

#### C. Prohibited Conduct Under the Elbert School Alcohol and Drug Policy

To ensure a safe, healthful and productive work environment for all employees, the Elbert School District has determined that the following employee conduct is also prohibited. An employee who engages in prohibited conduct will be disciplined up to and including termination, and may be subject to drug or alcohol testing under the Elbert School District's Alcohol and Drug Policy:

- 1. Use, possession, manufacture, distribution, dispensation, sale or storage (including in a desk, locker, motor vehicle or other repository) of a drug or controlled substance, illegally used drug or drug paraphernalia on district property, on district business, in

- district supplied vehicles, in vehicles being used for district purposed, or during working hours;
2. Consumption, possession, manufacture, distribution, dispensation, sale or storage (including in a desk, locker, motor vehicle or other repository) of alcohol on district property, on district business, in district supplied vehicles, in vehicles being used for district purpose, or during working hours is prohibited.

Note: On-Call Employees: If an on-call employee is contracted to report for duty and the employee believes that he/she may be under the influence, as defined below, the employee must notify his/her designated supervisor who shall determine if the employee shall report to work;

1. Being under the influence of a drug, illegally used drug or alcohol on district property, on district business, in district supplied vehicles or vehicles being used for district business or during work hours:
  - a. Being under the influence of alcohol is defined as a blood alcohol content (BAC) of .02% or higher;
  - b. Being under the influence of a drug or illegally used drug is defined as a verified positive drug test result.
2. Possession, use, manufacture, distribution, dispensation or sale of drugs or illegally used drugs off district premises that adversely affect the employee's work performance or his/her own or others
3. Switching, adulterating or committing any misconduct pertaining to any breath, urine or blood sample;
4. Refusing to consent to testing or refusing to submit a breath, urine, or blood sample for testing as required by Alcohol and Drug Policy;
5. Refusing to submit to an inspection when required under the Alcohol and Drug Policy;
6. Disclosure of information to individuals, other than on a need to know basis, pertaining to alcohol and or drug testing referrals, results of such testing, or treatment referrals;
7. For those employees referred to treatment by the district failing to adhere to any of the requirements of the rehabilitation agreement;
8. Conviction under any criminal drug or alcohol statute for a violation occurring in the workplace of occurring while conducting district business and failure to notify the district of such a conviction within five (5) days of the conviction for a violation;
9. Failure to notify a supervisor of the use of a prescription drug, which may adversely effect the employee's safe performance of a safety-sensitive function.
10. Refusing to sign the:
  - a. Certificate of Receipt -Alcohol and Drug Policy;
  - b. Certificate of Receipt -Post-Accident/Driver's Responsibility Information;
  - c. Substance Abuse Testing Consent Form;
  - d. Laboratory's Chain of Custody Form; or
  - e. Rehabilitation Agreement; or
  - f. Post-Accident Hospital Authorization Form

## VI. Testing

The methods used to determine the presence of alcohol and/or drugs in the system may include a urine and/or breath test. For the safety of our employees, the district is required to test for drugs and/or alcohol in the following circumstances.

Important: All urinalysis tests for drugs will use the split sample method of collection. The employee's urine sample will be split into two specimen bottles. One will contain the primary specimen and the other the specimen. The specimen will be preserved under stringent laboratory conditions. Whenever an employee receives notification of a positive drug test, the employee may request that the split sample be tested in a different certified laboratory. This request must be made within 72 hours after the employee received the notification of the positive drug test.

- A. Pre-employment Alcohol and Drug Testing: Pre-employment testing applies to individuals whom the district intends to hire or use, on a permanent or temporary basis. "Applicants" may be prospective employees or current employees who have served in other capacities.

All applicants shall be advised in connection with their application for employment that they will be required to submit to an alcohol and drug screen at any time prior to the first time the employee performs their duties.

An applicant's failure to consent to a screen or a verified positive drug test result will disqualify an applicant for employment.

- B. Reasonable Suspicion of Drug and/or Alcohol Use Testing: An employee shall be sent for an alcohol and/or drug test whenever a supervisor(s) has reasonable suspicion to believe the employee has:

1. violated the prohibitions of the policy, or
2. if the employee's behavior and appearance indicate drug use and/or alcohol misuse.

- C. Post-Accident Drug and/or Alcohol Testing: Employees who are involved in a reportable accident will be subject to an alcohol and or drug test following the accident whenever:

1. the accident involved a fatality; or
2. the employee received a citation under state and local law for a moving traffic violation arising from the accident; or
3. a bodily injury of an individual who immediately receives medical treatment away from the scene of the accident;

Although testing will never delay the necessary and immediate medical treatment, testing should be performed as immediately as possible following the accident, and the employee shall not consume any alcohol for 8 hours following the accident. Likewise, an employee must submit to a drug test within 32 hours following the accident.

- D. Return-to-Duty Alcohol Testing: An employee who has violated the alcohol misuse policy, has been evaluated and treated will be tested for alcohol before returning to their duties. An employee's refusal to submit to a return-to-duty alcohol test will be subject to district disciplinary action up to and including termination.
- E. Return-to-Duty Drug Testing: An employee who has violated the drug misuse policy, has been evaluated and treated will be tested for drugs and must have a negative test result before returning to their duties. An employee's refusal to submit to a return-to-duty drug test will be subject to district disciplinary action up to and including termination.
- F. Random Alcohol and Drug Testing: All employees may be subject to unannounced alcohol and drug testing. All employees will have equal probability of being selected for testing and will remain in the pool throughout the process. An employee's refusal to

submit to a random alcohol and/or drug test will be subject to district disciplinary action up to and including termination.

- G. Follow-up Drug and/or Alcohol Testing: All employees referred by the district to treatment, and who undergo a treatment program for drug or alcohol abuse, will be subject to unannounced alcohol and drug testing upon returning to duty. An employee's refusal to submit to an alcohol and/or drug test will be subject to district disciplinary action up to and including termination.

## VII. Consequences if testing indicates drug or alcohol misuse

If the testing confirms prohibited alcohol concentration levels or the presence of a controlled substance, the employee shall be immediately placed on leave. Before an employee is reinstated, if at all, the employee shall undergo an evaluation by a substance abuse professional, comply with any required rehabilitation and undergo a return-to-duty test with verified test results. The Board retains the authority, consistent with state and federal law, to discipline or discharge any employee who is an alcoholic or chemically dependent and whose current use of alcohol or drugs effects the employee's qualifications for and performance of his/her job.

The district is not required under federal law requiring drug and alcohol testing to provide rehabilitation, pay for substance abuse treatment or to reinstate the employee. All employment decisions involving reinstatement, termination or dismissal shall be made in accordance with applicable district policies.

## VIII. Inspections:

The district respects the privacy of individuals. However, in cases where the district has reasonable suspicion to believe that an employee may be in possession of alcohol in violation of district policy, drugs or drug paraphernalia on district property, the district reserves the option to inspect all district property (including individual offices, desks and lockers). In addition the district may request that the employee empty the contents of his/her personal effects on district property. Such an inspection may be performed by the Superintendent.

## IX. Reservation of Rights:

The district reserves the right to interpret, change, or rescind the Alcohol and Drug Policy in whole or in part with the district or without notice, subject to any state and federal laws. In addition, changes to applicable federal or state laws or regulations may require to modify or supplement the Alcohol and Drug Policy. The Alcohol and Drug Policy does not create a binding employment contract or modify an existing contract.

### **FACULTY SMOKING POLICY**

A state law, (1994 Legislature) states that there can be no smoking on the school grounds or in the buildings at any time.

## Staff Use of the Internet/Electronic Mail Acceptable Use Agreement

### Terms and Conditions

All computers belonging to Elbert School District #200 having Internet and electronic mail access will be used in a responsible, efficient, ethical and legal manner. Failure to adhere to this Agreement will result in the revocation of access privileges, possible disciplinary and/or legal action.

1. **Acceptable Use:** The use of the Internet or email must be consistent with the educational objectives of Elbert School District #200. The transmission or access of material in violation of any U.S. or state regulation is prohibited. Because technology is constantly evolving, every unacceptable use of the district computers and computer systems cannot be specifically described. Therefore, examples of unacceptable uses include, but are not limited to, the following: *{Note: The Board has the discretion to determine which uses are unacceptable. The following list provides examples the Board may wish to consider.}*
  - The use of your user account must be consistent with the educational objectives of Elbert School District #200. Transmission of any material in violation of any U.S. or state regulation is prohibited.
  - Violating copyright or intellectual property rights. Staff members should assume all materials on the Internet are subject to copyright protection unless the material expressly grants permission to copy or use them.
  - Threatening, harassing or insulting others.
  - Sending or displaying offensive messages or pictures.
  - Promoting violence or advocating destruction of property including access to information concerning the manufacture or purchase of destructive devices or weapons.
  - Inappropriate or profane language.
  - Commercial advertising, or other commercial purposes, such as purchasing products or services.
  - Gambling, access to social networking or chat rooms, instant messaging, other forms of direct electronic communication, streaming other than for educational purposes and online games.
  - Use of an electronic mail system for which the district could incur expenses or use of the Internet through a carrier not selected by the district.
  - Accessing email accounts on district computers that are not assigned to the staff member by the district or school when students are present.
  - Downloading software, programs, music files, ect.
  - Impersonating another or transmitting through an anonymous re-mailer.
  - Gaining or attempting to gain unauthorized access to district computers or computer systems, unauthorized access, including so-called hacking and other unlawful activities.
  - Damaging or using another's folder, work or files.
  
2. **Security:** Security on district computer systems is of high priority. Staff who identify a security problem while using the Internet or electronic communications must notify a system administrator. Staff should not demonstrate the problem to other users. Logging on to the computer network, Internet or email as a system administrator is prohibited. Any user identified

as a security risk, or as having a history of problems with the computer systems, may be denied access to the district computers.

3. **Vandalism:** Vandalism will result in cancellation of privileges and may result in disciplinary action and/or legal action. Vandalism is defined as any malicious or intentional attempt to harm, destroy, modify, abuse or disrupt operation of any net-work connected to the Internet, operation of any form of electronic communications, the data contained on any network, the data of another user, usage by another user, or district-owned software or hardware. This includes, but is not limited to, the uploading or creation of computer viruses and the use of encryption software.
4. **Privilege:** Staff use of the Internet and electronic communication is a privilege, not a right. Failure to follow the use procedures will result in the loss of privileges. The school district may deny, revoke or suspend access to district technology at any time.
5. **Privacy:** District computers and computer systems are owned by the district and are intended for educational purposes only. Staff shall have no expectation of privacy. The district reserves the right to monitor, inspect, copy, review and store all usage of district computers and computer systems at any time without prior notice.
6. **Safety and Confidentiality:** Staff shall not reveal personal information about themselves or a student, such as home address or phone number, while using the Internet or electronic communications. Staff members shall not access, receive, transmit or retransmit material regarding students, parents/guardians or district employees that is protected by confidentiality laws. If material is not legally protected but is of a confidential or sensitive nature, great care shall be taken to ensure that only those with a “need to know” are allowed access to the material.
7. **Warranty:** The Elbert School District #200 makes no warranties of any kind, whether expressed or implied, for the access it is providing. The school district will not be responsible for any damages you suffer in using the Internet and email system. This includes loss of data resulting from delays, non-deliveries, and mis-deliveries or service interruptions. Use of any information obtained through the Internet and electronic communications is at the staff member’s own risk. The school district does not imply endorsement of the content, nor does the district make any guarantee as to the accuracy or quality of the information received.
8. **Software:** The illegal use of copyrighted software is prohibited. Any data uploaded, downloaded, or copied from disk shall be subject to “fair use” guidelines.

### **STAFF USE OF THE INTERNET AND ELECTRONIC COMMUNICATIONS**

The Internet can provide sources of information and collaboration helpful to intellectual inquiry. The Internet is considered an extension of the school library with a purpose of promoting the sharing of resources, research and communication. The Board of Education supports the use of the Internet and electronic communications by staff to improve teaching and learning.

While it is impossible to control all of the materials on a worldwide network, the Board believes that the valuable information and interaction available on the Internet outweighs the possibility that users may procure information that is not consistent with the educational goals of the district. The use of this educational resource demands personal responsibility and an understanding of the acceptable use procedures. Staff members will be required to read and sign an Acceptable Use Contract annually that legally binds them to ethical procedures on the

Internet. In accordance with the Children's Internet Protection Act, the school district shall provide specific technology that filters inappropriate matter.

Staff use of the school district computer systems, the Internet and electronic communications is a privilege, not a right. The school district computer systems are the property of the district and are for district business and educational use only. Staff members shall not expect privacy when using the electronic mail or Internet. The school district reserves the right to monitor, inspect, copy, review and store all usage of district computers including all Internet and electronic communications access at any time and without prior notice. Failure to follow the use procedures contained in this policy will result in the loss of the privilege to use these tools and may result in school disciplinary action and/or legal action. The school district may deny, revoke or suspend access to the district's technology or close accounts at any time.

The school district makes no warranties related to the use of the district computers and computer systems. Providing access to these services does not imply endorsement by the district of content, nor does the district make any guarantee as to the accuracy or quality of information received. The school district shall not be responsible for any damages, losses or costs a staff member suffers in using the Internet and electronic communications. This includes loss of data and service interruptions. Use of any information obtained via the Internet and electronic communications is at the staff member's own risk.

### **KEYS AND SCHOOL SECURITY**

Keys are an important responsibility because they represent the security of our school.

1. Prior to receiving your key(s) every employee will be required to sign an authorization form.
2. Do not give your keys to a student or any person not employed by the District.
3. Do not leave your keys lying where someone may pick them up.
4. If your keys are lost (or may be lost) tell administration immediately!
5. You may be charged for the replacement of the key(s) and/or locks.
6. Do not duplicate a school key. They are each numbered and specifically checked out to you.
7. You will be required to check in your key(s) to the office prior to checking out at the end of the school year. Under pre-approved circumstances you may be allowed to keep your key(s) during the summer.

Your door main remain open during the day, however your classroom door is to remain locked in case a lock down may be required.

Close and lock your door at the end of the day. Do not leave your door open for the custodian to close and lock! If you are in the building at night or on the weekends, lock all doors and turn out the lights when you leave. Look around the building and see if there are other areas which might need taken care of.

### **CARE OF BUILDING AND EQUIPMENT**

- A. Staff members are responsible for the care of equipment in their work area(s). A frequent check will help assure that equipment will be in good working condition when someone is ready to use it. Please report any damage or malfunctioning of equipment immediately.
- B. Defacing of school property should be reported to the office.
- C. Lights are to be used when necessary, turned off when they are not needed.
- D. Staff members are responsible to keep rooms neat, safe, and clean at all times. Staff members are responsible to report to administration any irregularities.

### **SCHOOL CLOSURE**

In case of bad weather, or for some reason we need to close school, the following TV and Radio stations will be announcing Elbert School District closings:

KCNC-TV Channel 4      KRDO- TV Channel 13      KMGH-TV Channel 7  
KKTU-TV Channel 11      KWGN-TV Channel 2      KDVR-TV Channel 31  
KOA-Radio 850 AM      KUSA-TV Channel 9

Staff will be notified via Global Connect.

### **COMPLAINTS AND CONCERNS**

Constructive Criticism motivated by a sincere desire to improve the quality of the educational program or to equip the school to do its tasks more effectively is welcomed by the Board of Education.

Close to Origin: The Board believes that complaints and grievances are best handled and resolved as close to their origin as possible. Therefore, the proper channeling of complaints involving instruction, discipline or learning materials will be as follows:

1. Staff Members
2. Principal
3. Superintendent
4. Board of Education

Referred Back: Any complaint about school personnel shall always be referred back through proper administrative channels before it is presented to the Board for consideration and action.

Complaint to Board Member: When a complaint is made directly to an individual Board member, the procedure outlined below shall be followed:

1. Staff Member Involved: If a staff member is involved, the Board member shall refer the person making the complaint to the staff member involved. If the staff member involved has been contacted, then the complaint will be referred to the Principal.
2. Written and Signed: If the person will not personally present his complaint to the Principal, the Board member shall then ask that the complaint be written and signed. The Board member may then refer the complaint to the Superintendent for investigation.
3. Complaint Heard by Board: If at any time the person making a complaint feels that he/she has not been given a satisfactory reply from the Superintendent, he/she may request that the complaint be heard by the Board of Education.

4. Request to Board: The request that the complaint be heard by the Board of Education shall be written, signed and delivered to the Board president at least seven days before the next scheduled Board meeting.

## **REPORTING CHILD ABUSE**

### **Child Abuse**

The superintendent is authorized to conduct an internal investigation or to take any other necessary steps if he receives information from a county department of social services or a law enforcement agency that a suspected child abuse perpetrator is a school district employee. Such information shall remain confidential except that the superintendent shall notify the Colorado Department of Education of the child abuse investigation.

1. Any school employee who has reasonable cause to suspect that any child is subjected to abuse or to conditions that might result in abuse (for example, malnutrition, dangerous conditions, and neglect) should immediately report the situation to the principal and to the superintendent. This oral report should be followed at once by a written report sent by the employee through the principal to the superintendent.
2. The written report should include:
  - a. Name, age, address, sex and race of the child
  - b. Name and address of the child's parents, guardians and/or persons with whom he is living
  - c. Name and address of the person, if known, believed responsible for the suspected abuse or neglect
  - d. The nature and extent of the child's injury or condition as well as any evidence of previous instances of known or suspected abuse or neglect of the child or the child's siblings—all with date as appropriate
  - e. The family composition, if known
  - f. Any action taken by the person making the report
  - g. Any other information that might be helpful in establishing the cause of the injuries or the condition observed
3. The superintendent shall be responsible for immediately contacting the Elbert County Department of Social Services or Elbert County Sheriff, using such procedures and forms as may be required by that agency. The administrator shall promptly inform the staff person initiating the report that a written report has been made to the appropriate agency.
4. After the report is made to the agency, district and school staff members will make themselves available for meetings with the agency's representative to facilitate communication. The school will report any further incidents of abuse to the agency's representative.
5. As the case is being investigated, the school will provide supportive aid and counseling services for the child.
6. Once a report of child abuse is given to the agency, the responsibility for investigation and follow-up lies with the agency. It is not the responsibility of the school staff to investigate the case. Therefore, the school staff will not engage in the following activities:
  - a. Make home visits for investigative purposes.

- b. Take the child for medical treatment. (This does not preclude taking action in an emergency situation)
  - c. Convey messages between the agency and the parents/guardian.
7. Authorized school and district personnel may make available to agency personnel assigned to investigate instances of child abuse the health or other records of a student for such investigative purposes.

### **SAFETY/CRISIS DRILLS AND PROCEDURES**

See the Crisis Manual for requirements and procedures.

### **WORKERS' COMPENSATION**

An employee is eligible for workers' compensation leave from the district during the period of time he is temporarily disabled as the result of any injury arising out of and in the course of his employment which qualifies for an indemnity payment from the workers' compensation division of the Colorado Department of Labor and Employment.

Workers' compensation leave shall be available only to those persons who sustain a temporary total disability and are unable to perform services for the district while disabled.

It is the intent of the Board of Education that temporarily disabled full time employees receive a payment from the school district in addition to any temporary disability payment for which the employee is eligible under the Workers Compensation Act so that the employee does not suffer a financial hardship while disabled.

An employee shall be entitled to supplement the indemnity payment made by the workers' compensation insurance by district wages computed so that the combination of indemnity payment and district-paid wages equals 100 percent of the employee's weekly wage or equivalent.

Such payments by the district shall continue until the employee is no longer eligible for temporary total disability benefits, but in no event shall the district wage compensation exceed one month from the date of the application for benefits.

During this one month period of district wage compensation, the district shall not charge any earned vacation leave, accrued sick leave or other similar benefits to the employee nor shall such benefits be available to the employee during this one month period.

In the event temporary disability exceeds the one month for which district wage compensation payments are available from the district and the employee is still eligible for indemnity payments of workers' compensation, those payments shall be made to the employee from the workers' compensation division or insurance carrier only.

An employee shall be entitled to supplement the indemnity payment by using earned sick leave and vacation time computed so that the combination of indemnity payment and district-paid benefits equals no more than 100 percent of the employee's weekly wage or equivalent.

Employees shall continue to have school district insurance coverage while on workers compensation leave. The administration is directed to establish necessary procedures to implement this policy.

### **Safety Policy**

It is the policy of Elbert School District #200 that the safety of its employees and the public is of chief importance. The prevention of accidents and injuries takes precedence over expedience. In the conduct of our business, every attempt will be made to prevent accidents from occurring. Elbert School District #200 requires that its employees, as a condition of employment, comply with all applicable safety regulations as listed in the District policy manual.

The designated safety coordinator for Elbert School District #200 is the primary contact for safety-related matters. All employees will receive an orientation to the Elbert School District #200 safety rules and policy upon initial employment, and are encouraged to bring to the attention of their immediate supervisor any unsafe conditions or practices. Supervisors will communicate these concerns to the safety coordinator, who will respond to this concern within 24 hours.

### **Return-to-Work Policy**

Elbert School District #200 has elected to adopt a return-to-work policy with the intent to utilize eligible injured workers in a productive capacity while they are recovering from an injury. The goal of temporary modified duty is to provide a progression of job duties that will return the injured worker to their regular job.

The Business Manager will be responsible for coordinating the return-to-work program. The designated alternate/back coordinator will be Employers Unity.

The attached return-to-work program should be followed when a worker sustains a work-related injury or illness.

1. All injuries will be reported immediately to the worker's direct supervisor who will notify the designated coordinator. Injuries will be filed via the Internet, phone or fax to Pinnacol Assurance within 24 hours.

2. The injured worker will seek medical attention from the designated medical provider (see return to work action plan) Castle Rock Family Physicians.

In case of an emergency, the injured worker is to seek medical attention from the nearest facility. Follow-up care must be coordinated through the designated medical provider. Pinnacol Assurance may not pay for medical expenses incurred by the injured worker, if he or she seeks unauthorized treatment from a non-designated medical provider. When possible, follow-up medical appointments are to be made before or after work hours. Time off for medical appointments will be treated consistently with other personnel policies.

3. The designated coordinator will maintain regular contact with the medical provider and injured worker, be kept informed of recovery status and obtain updated work restrictions.

4. The designated coordinator will maintain a list of modified duty tasks.
5. The injured worker will be paid based on the value of the tasks performed, as determined by management. If the injured worker is being paid less than pre-injury wages during modified duty, Pinnacol Assurance may pay Temporary Partial Disability (TPD) benefits.
6. During the modified duty period, the designated coordinator will provide to Pinnacol Assurance records of wages paid to the injured worker. If the injured worker is receiving full wages during the modified duty period, the designated coordinator will provide Pinnacol Assurance a statement to that effect; no ongoing provision of pay records is then required.
7. Modified duty will be allowed as long as it is realistic for the job to continue, or until the injured worker receives a release to full duty or reaches maximum medical improvement (MMI).
8. The designated coordinator will monitor and document the injured worker's performance while on modified duty.

While on modified duty, the injured worker will be held to all existing personnel policies and will be responsible for maintaining acceptable performance standards as a condition of continued employment.

Modified duty assignments are designed to be temporary and transitional in nature. The supervisor, injured worker and relevant staff will review them jointly to address increasing work duties and overall performance. This will be completed at least once a month.

### **DISMISSAL**

Support staff employees, unless otherwise designated by contract, shall be considered “at will” employees who serve at the pleasure of the Board and shall have only those employment rights expressly established by Board policy. Support staff members shall be employed for such time as the district is in need of or desirous of the services of such employees.

The Board delegates to the superintendent the authority to dismiss classified personnel. The superintendent may delegate this authority to other appropriate personnel such as the director of personnel. All dismissals of classified employees shall be reported to the Board at its next regular meeting. The superintendent also may suspend employees from their assignments as a disciplinary measure, with or without pay.

If an employee is dismissed or resigns as a result of an allegation of unlawful behavior involving a child, including unlawful sexual behavior, which is supported by a preponderance of evidence, the superintendent is delegated the responsibility for immediately notifying the Colorado Department of Education (CDE) and for providing any information requested by the department concerning the circumstances of the dismissal or resignation. The district also shall notify the employee that information concerning the dismissal or resignation is being forwarded to CDE

unless such notice would conflict with the confidentiality requirements of the Child Protection Act.

If the district learns that a current employee has been convicted of, pled nolo contendere to, or received a deferred sentence or deferred prosecution for any felony or misdemeanor crime involving unlawful sexual behavior or unlawful behavior involving children, the superintendent shall immediately report this information to CDE.

The district shall not obtain consumer credit reports on a current employee unless the district is evaluating the employee for promotion, reassignment or retention. In all cases where credit reports are obtained and/or relied upon for purposes of reassigning, terminating or denying the promotion of an employee, the district shall comply with the Fair Credit Reporting Act.

### **BREAKS**

The rest breaks will be determined by the length of the day and the assigned starting time. An eight-hour day will have two (2) paid rest breaks of fifteen minutes duration, one in the first half of the work day, the other in the second half. As a general rule, a work day of six hours or more will have two rest periods daily; a four to six hour day will have one rest period and less than four hours will have no rest period if work hours are interrupted by a lunch period. If no lunch period is taken during a workday of less than four hours, then one rest period is allowed. The lunch period is not considered part of the scheduled workday, but the paid rest breaks are considered as a segment of the working day for employees. Rest breaks are not accumulative.

### **BACKGROUND CHECKS**

Prior to hiring any person, in accordance with state law the district shall conduct background checks with the Colorado Department of Education and previous employers regarding the applicant's fitness for employment. In all cases where credit reports are used in the hiring process the district shall comply with the Fair Credit Reporting Act.

All applicants recommended for a position in the district shall submit a set of fingerprints and a notarized form with information about felony or misdemeanor convictions as required by law. Applicants may be conditionally employed prior to receiving the fingerprint results. Upon the hiring of any employee, information required by federal and state child support laws will be timely forwarded by the district to the appropriate state agency.