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4111            *Creating a Position* [see Policy language]

**AG 4120            *Employment of Support Staff*** (revised 4/17/15)

All support staff employees not covered by the terms of a negotiated agreement are “at-will” employees. Their employment can be terminated with or without cause at any time. Other than the Executive Director no other representative of SSSMC has the authority to enter into any agreement for employment for any specified period of time with a support staff employee.

All applications for employment shall be referred to the HR Manager. No candidate for employment as a support staff member shall receive recommendation for such employment without an acceptable background check.

The employment of support staff members prior to approval by the Board is authorized when their employment is required to maintain continuity in the educational program. Employment shall be recommended to the Board at the next regular meeting.

Relatives of Board members may be employed by the Board, provided the member of the Board involved does not participate in any way in the discussion or vote on the employment. Should the Board choose to employ a family member of a Board member, both the family member and the Board member must file a conflict of interest statement.

Relatives of staff members may be employed by the Board, provided the staff member being employed is not placed in a position in which s/he would be supervised directly by the relative staff member. *With the exception of prior Administrator approval, children of staff members are not allowed in the SSSMC/RLC building during business hours.*

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

- A. professional administrative staff (12 months),
- B. non-certified/classified school year support staff,
- C. building/grounds and maintenance personnel,
- D. technology manager (unless contracted from a private vendor),

SSSMC is a member of the Central Indiana Educational Service Center and joined its Applitrack Consortium in September 2012. Members may access such features as: (a)

management of job vacancies, (b) posting of vacancies to the SSSMC website and K12JobSpot.com, (c) customizable employment application, (d) management of candidate applications, (e) unlimited storage space for documents attached to candidate files, and (f) reference survey management.

If a staff member is a volunteer firefighter and has notified the SSSMC in writing of such status, the SSSMC may not discipline the staff member (voluntary firefighter) for:

A. being absent from duty by responding to a fire or emergency call received prior to or during duty; and/or

B. being absent from work because of an injury that occurred while the staff member was engaged in emergency firefighting or other emergency response providing the emergency related absence does not exceed six (6) months from the date of injury. The SSSMC may require that the staff member present a written statement from the officer in charge of the volunteer fire department at the time of the absence indicating the staff member was engaged in an emergency call at the time of his/her injury. The SSSMC may also require that the staff member, who was injured while engaged in emergency firefighting or other emergency response, provide evidence from a physician or other medical authority showing treatment for the injury at the time of his/her absence and a connection between the injury and the employee's emergency response activities. *Any such evidence shall be retained in a separate medical file created for the staff member and treated as a confidential medical record.*

AG 4120.01 *Private Duty Nurse* [revised 4/8/14]

Parentally Provided Private Nurses -- One circumstance that is occurring with greater frequency is that parents/caregivers are asking the school to permit a private duty nurse (PDN) to accompany their child to school, even if the Case Conference Committee's (CCC) undisputed determination is that the student does not need such services for educational benefit. If such a request were to arise, the decision and response would be made by the Executive Director after consulting with the local Director of Special Education.

If a private duty nurse (PDN) is permitted to accompany a student with a disability to school, several items must be addressed and documented in the Case Conference Committee (CCC) notes:

A. acknowledgement that a discussion about nursing services took place;

B. the essential components of that discussion; and

C. the recommendation by the CCC that nursing services are not necessary for the student to receive educational benefit.

If the parent/guardian request that the private duty nurse (PDN) accompany the student to school and the school agrees to the request, the parent/guardian and the PDN must enter into a written agreement with the school containing the following essential terms:

A. The PDN must be a licensed practical nurse or registered nurse with a license to practice nursing in the State of Indiana as well as a current CPR certification.

B. The PDN or employing agency must present a current criminal history background check; if not available the PDN will be required to pay for a background check through SSSMC as the host district.

- C. The PDN is expected to abide by all district policies, guidelines, and school procedures unless specifically stated otherwise in the student-patient's case conference committee notes.
- D. The PDN must maintain confidentiality in accordance with school Board policy and Indiana's Article 7 (state special education regulations) including confidentiality related to other students in the class/program/school.
- E. The PDN is to adhere to a job description for the private duty nurse regarding role, responsibilities, expectations, etc.
- F. Given the unique position in which the private duty nurse will find him/herself, the PDN, employing agency, and school principal are to mutually agree on how to address concerns that may arise, to whom the private duty nurse reports, and for what.
- G. The PDN is only responsible for medical services for his/her student-patient as documented in the case conference committee notes and shall not be asked to provide medical services of any type to any other students, staff members, or visitors.
- H. The PDN shall ensure that medical service provided for his/her student-patient is as non-disruptive and non-intrusive as possible for the student-patient, other students, and school staff.
- I. The PDN is expected to direct any questions or concerns about his/her assignment to the employing agency supervisor, who is encouraged to contact the building principal as needed.
- J. The PDN will function in accordance with the State of Indiana's Nursing Guidelines.

RISE Learning Center (RLC) procedures require that the private duty nurse and/or the employing agency adhere to the following requirements:

- A. present a current copy of his/her active Indiana nursing license and valid CPR card to be filed in the HR office;
- B. present a current criminal history background check to be filed in the HR office;
- C. present a current list of private employer information such as address, phone number, and e-mail address of one's immediate agency supervisor to both the building principal and school nurse to be filed in the HR office;
- D. wear a name badge listing both his/her name as well as the name of the employing agency;
- E. dress in scrubs or business casual consistent with the RLC dress code;
- F. immediately contact the school principal or school nurse if he/she must unexpectedly leave the assignment during the course of the school day;
- G. assume primary responsibility for the student's daily medical care while at school in coordination with the RLC school nurse and in collaboration with the parent/guardian;
- H. ensure that appropriate medical supplies and equipment are present in the school and are in good working order;
- I. immediately report any malfunctioning equipment to the parent/guardian, school nurse, and school principal;
- J. be thoroughly familiar with the implementation of the student's procedures for transportation procedures, emergency protocols, emergency evacuation

- and be prepared to carry out these procedures to be reviewed with the school principal as questions arise;
- K. collaborate with the classroom teacher to assess the student's needs, implement the individual care plan, and document all interventions;
  - L. ensure that school-related information obtained while attending to the student-patient in the school setting remains confidential at all times;
  - M. accompany the student at all times in the school and at school-sponsored events that have been determined to be medically safe and approved by the parent/guardian, the school principal, school nurse, and classroom teacher; and
  - N. absences due to illness, injury, etc. will require the employing agency to provide a PDN substitute or replacement for the student-patient's on-going school attendance.

**CHECKLIST EXAMPLE: PRIVATE AGENCY 1:1 NURSE WORKING IN A SCHOOL** When the Private

Duty Nurse Goes to School: Strategies for Success: NASN Special Needs School Nurses SIG presentation 6/2013 lminchella@isc.k12.in.us

**District Administrator:**

- Develop Policy and Procedure, Agency Contract, and Memorandum of Understanding (MOU) as needed
- Obtain signatures as needed (agency administrator, parent, agency nurses)

**School Nurse (with assistance of School Administrator)**

- Meet with IEP Team (including family); establish need for 1:1 nurse; review policy and procedure for 1:1 nurse
- Complete forms for Release of Information between family and agency
- Participate in IEP and develop IHP including the plan for inclusion of 1:1 Nurse
- Obtain parent and doctor orders for meds, procedures, treatments, equipment in school
- Provide training for 1:1 nurse about school health protocols & procedures, including:

Assessment of condition and equipment prior to coming to school and throughout the school day

Responsibility to care for student at all times

Health procedure protocols in school (e.g. where procedures will be done)

Emergency health procedures

School Nurse / 1:1 nurse communication system and health record system

Sharing of IHP and agency care plans

- Provide training of UAP back up care or assistance as needed
  - Arrange training of 1:1 nurse (by school administrator if needed) about protocols and responsibilities, including:
- Chain of command, communication system, responsibilities  
 Campus emergencies and disaster protocols  
 Transportation protocols (may need involvement of transportation staff)

Confidentiality in educational settings

Education information communicated to family only by teaching staff

Concept of team in school

Personnel rules (no smoking, no visitors, limit cell phone use (only professional & emergency reasons))

- Arrange meeting with teacher if needed to train about classroom role/ responsibilities /protocols / schedules
- Communicate regularly with 1:1 nurse and IEP team members to ensure that care is provided, IHP is followed

**Responsibilities of Private Nurse Agency:**

- Provide documentation (credentials, licensure, CPR cert, liability insurance, criminal check, picture ID, TB test)
- Provide contact information of agency supervisor
- Provide training and supervision for 1:1 nurse (care plan, medications, procedures / treatments, equipment)
- Provide plan for 1:1 nurse personal emergencies
- Provide agency plan of care with school nurse (every 60 days)
- Ensure that procedures and professionalism are followed by agency nurse, including:

Confidentiality

Personal emergencies

Procedures for absence (contact family who will then contact school)

**Responsibilities of 1:1 Nurse:**

- Ongoing assessment and care of student and health care equipment
- Provide all care tasks (agreed upon by parents and school nurse) to the student through the school day
- Dress, speak, and behave in a professional manner
- Wear ID, including name and nursing licensure
- Sign in and out at the school
- Keep records for meds, treatments, and procedures (for school and agency)
- Communicate condition updates and changes to school nurse
- Participate in IEP meetings if needed

Sharing of IHP and agency care plans

- Provide training of UAP back up care or assistance as needed
- Arrange training of 1:1 nurse (by school administrator if needed) about protocols and responsibilities, including; Chain of command, communication system, responsibilities

Campus emergencies and disaster protocols

Transportation protocols (may need involvement of transportation staff)

Confidentiality in educational settings

Education information communicated to family only by teaching staff

Concept of team in school

Personnel rules (no smoking, no visitors, limit cell phone use (only professional & emergency reasons))

- Arrange meeting with teacher if needed to train about classroom role/ responsibilities /protocols / schedules
- Communicate regularly with 1:1 nurse and IEP team members to ensure that care is provided, IHP is followed

**Responsibilities of Private Nurse Agency:**

- Provide documentation (credentials, licensure, CPR cert, liability insurance, criminal check, picture ID, TB test)
- Provide contact information of agency supervisor
- Provide training and supervision for 1:1 nurse (care plan, medications, procedures / treatments, equipment)
- Provide plan for 1:1 nurse personal emergencies
- Provide agency plan of care with school nurse (every 60 days)
- Ensure that procedures and professionalism are followed by agency nurse, including:

Confidentiality

Personal emergencies

Procedures for absence (contact family who will then contact school)

**Responsibilities of 1:1 Nurse:**

- Ongoing assessment and care of student and health care equipment
- Provide all care tasks (agreed upon by parents and school nurse) to the student through the school day
- Dress, speak, and behave in a professional manner
- Wear ID, including name and nursing licensure
- Sign in and out at the school
- Keep records for meds, treatments, and procedures (for school and agency)
- Communicate condition updates and changes to school nurse
- Participate in IEP meetings if needed

**AG 4120.02 School Nurse**

Numerous issues arise on the topic of nursing services for special education students. These guidelines are intended to inform case conference committee ("CCC") facilitators of the legal and practical framework to adequately address these issues. Whenever a nursing issue surfaces it is imperative that the local Director of Special Education and Executive Director are contacted immediately and certainly prior to any CCC meeting where there is a known potential for this to become a topic of discussion.

A. Related Service Standard -- Two questions need to be addressed by the CCC when nursing services for a student with a disability are being considered: (a) whether the nursing services are necessary for the student to be able to access the educational environment; and (b) whether the services *can* be provided by a person other than a medical physician. The school *is obligated* to provide the nursing services as a related service if a licensed nurse or a trained layperson is able to legally perform the procedures and the absence of the services would result in the student being unable to receive a free and appropriate public education ("FAPE").

1. Are the services necessary for a FAPE?

The fundamental core of this assessment is whether the services in question are necessary for the student to arrive and remain at the school facilities. Also involved in this inquiry, however, is whether the services will allow the student to participate in the educational environment. Therefore, the CCC should ask the following question: But for the provision of the nursing services, is the student capable of arriving at, remaining in, or participating in the educational environment? If the answer to this question is "NO" then the services are necessary for the student's FAPE. Although this issue may be addressed prior to the CCC meeting, the ultimate assessment must be made by the CCC on a case-by-case basis.

2. Can the services be provided by a non-physician?

This inquiry generally seems to be more disputed than the former; however, it also has the potential to be less challenging. Simply put, if *only* a medical physician (or the equivalent) is legally permitted to perform the procedure in question then the school is not obligated to provide the services. That said, if a licensed nurse or a layperson is legally permitted to perform the procedure if properly trained then the school is obligated to provide qualified nursing services (provided that the services are necessary for a FAPE). Note, however, that if a licensed nurse is not required to perform the procedure(s) in question then the school is not required to employ or contract with a nurse. Instead, the school can choose to provide the necessary training to a qualified layperson employee.

B. Surgical Implant Exception -- The school is not obligated to fund or reimburse payment for a surgical implant procedure *even if* that procedure is necessary for the student to remain in and benefit from the educational environment. The most commonly cited example of this is a cochlear implant. It is unclear, however, whether schools are obligated to provide maintenance and service for surgically implanted devices. Such issues should be addressed by legal counsel.

C. Diagnostic and Evaluative Purposes Exception -- The general rule states that the school does not need to provide services performed by a medical physician. The major exception, however, to that rule are those services rendered by a medical physician for purely *diagnostic and evaluative* purposes. If the CCC decides that a physician should perform a diagnostic or an evaluation then the school must provide this service.

D. References -- here are several federal court case decisions in our jurisdiction addressing this issue:

***Irving Independent School Dist. V. Tatro, 468 U.S. 883 (1984).*** U.S. Supreme Court decision finding that catheterizations can be a related service which the school is obligated to provide.

***Morton Community Unit School Dist. No. 709 v. J.M., 152 F.3d 583 (7th Cir. 1998).*** Seventh Circuit Court of Appeals case ruling that a school may need to provide full school-day nursing services if it is necessary for the student to remain healthy at school. As an aside, the court dismissed the argument that such a ruling is too high of a financial burden on the school.

***Cedar Rapids Community School District v. Garret F., 526 U.S. 66 (1999).*** U.S. Supreme Court decision finding full-time nursing services during the school day were required for a ventilator-dependent student.

***Butler v. Evans, 225 F.3d 887 (7th Cir. 2000).*** Seventh Circuit Court of Appeals decision finding that the school need not fund psychiatric hospitalizations even though the student received homework assignments while hospitalized.

E. Issues To Be Addressed -- In the event that services are determined necessary for the student to receive educational benefit, the CCC must address and document the following:

1. description of the services;
2. frequency of the services;
3. whether the service provider must be a licensed nurse;
4. the training, if any, which will be provided, and who will provide the training; and
5. how the provision of services will be monitored and recorded.

4120.04	<i>Employment of Substitutes</i> [see Policy language]
4121	<i>Personal Background Checks and Mandatory Reporting of Convictions and Arrests</i> [see Policy and AG1521]
4122	<i>Nondiscrimination and Equal Employment Opportunity</i> [see AGs 1422/2260/3122]
<b>4122.01</b>	<b><i>Drug-free Workplace</i></b> [see AG 3122.01]
<b>4122.02</b>	<b><i>Nondiscrimination Based on Genetic Information</i></b> [see AG 3122.02]
<b>4123</b>	<b><i>Section 504/ADA: Prohibition Against Disability Discrimination</i></b> [see AG 3123]
4130	<i>Disability Discrimination in Employment</i> [see Policy language]
4140	<i>Resignations</i> [see AG 3140]
4140.01	<i>Exit Procedures for Employees</i> [see AG 3140.01]
4141	<i>Layoffs of Support Staff</i> [see Policy language]



AG 4150            *Disciplinary Actions*

In the event of an infraction of SSSMC rules or State laws by a support staff member, it shall be the policy of the Governing Board to take appropriate disciplinary measures up to and including dismissal.

The main purpose of having a disciplinary procedure is to give a valued employee an opportunity to correct and improve improper conduct, poor job performance, or other similar deficiencies. In some instances, suspension or termination without prior warning may be imposed. SSSMC reserves the right to suspend or terminate any employee without prior notice, and without utilizing the procedure outlined below.

In the event that it is necessary to take disciplinary action, the immediate supervisor, or Executive Director, or director's designee may use the following procedure:

- Step 1: discussion with supervisor (verbal warning);
- Step 2: written warning;
- Step 3: final warning/suspension;
- Step 4: termination

Recommendation for dismissal may be made to the Executive Director or designee by the building principal and/or appropriate administrator. The notification of dismissal will be provided to the Governing Board by the Executive Director or designee.

**4160**            ***Fitness for Duty Examination*** [see AG 3160]

4161            *Unrequested Leaves of Absence* [see Policy language]

4170            *Substance Abuse* [see AG 3170]

4170.01        *Employee Assistance Program* [see AG 3170.01]

**4211**            ***Required Reports and Protection of Whistleblowers*** [see AG 3211]

4213            *Student Supervision and Welfare* [see Policy language]

4214            *Staff Gifts* [see Policy language]

4215            *Use of Tobacco by Support Staff* [see AG 1615]

4216            *Support Staff Dress and Grooming* [added 7/9/15]

The work dress and appearance of all employees make an impression on the community and reflects on SSSMC. All employees should, therefore, maintain their work dress and appearance in a business casual, professional manner that is consistent with SSSMC's goals, including providing a positive example for students. Examples of appropriate professional dress would include mid-length skirts, capris, slacks, khaki pants, collared shirts, blouses, or nondescript t-shirts. Jeans (without tears or holes) or track pants are only to be worn in support of social committee events. Yoga pants or tights may only be worn with other clothing, such as a tunic.

Examples of work dress and appearance that is not appropriate includes the following:

- Yoga pants or tights worn without other tops or clothing,
- Sweat pants,
- Rubber and beach flip-flops,
- Tank or spaghetti strap tops,
- Low cut tops,
- Cut-off shorts, and
- T-shirts with profanity, depictions of violence, alcohol, or drugs.

SSSMC officials reserves the right to determine in their professional judgment whether an employee's work dress and appearance, including body art and piercings, are appropriate.

AG 4217      *Possession of Firearms and Weapons by Support Staff* [see AG 1617]

4220      *Evaluation of Support Staff* [see Policy language]

AG 4231      *Outside Activities of Support Staff*

Consistent with Board policy, support staff members need to be cognizant of the potential conflict of offering or providing, for example, respite care, tutoring, or remedial services, etc., or any other special education and related services for students in their building after school hours or during any calendar breaks, including summer term.

- A. Support staff members are expected to provide written notification to the Executive Director or designee prior to engaging in any such activities for any students in their classroom or school building after school hours or during any calendar breaks including summer term.
- B. Support staff members shall not use school property or school time to solicit or accept customers for private enterprises without written administrative permission.
- C. Support staff members may not accept fees for any such activities conducted during the normal work day.

Support staff members are to avoid situations in which their personal interests, activities, and associations may conflict with the interests of the RLC or have an adverse or harmful effect upon SSSMC.

- A. Support staff members should not replace school time with outside activities when there is no valid reason to be excused from assigned duties.
- B. Support staff members shall not campaign on school property during school time on behalf of any political issue or candidate for local, State, or National office.
- C. Support staff members should refrain from expressions that would disrupt harmony among their co-workers or interfere with the maintenance of discipline.

If personal interests, activities, and associations threaten an employee's effectiveness within the SSSMC, the Executive Director or designee is expected to evaluate the impact of such activity upon the employee's responsibility to the SSSMC.

4311 Social Media [see AG 3311]

**4362** ***Anti-Harassment*** [see Policy language and AG 3362]

**4362.01** ***Threatening and/or Intimidating Behavior toward Staff Members***  
[see AG 3362.01]

4400 *Salary/Wages Schedules* [see Policy language]

**AG 4410.01** ***Compensation for Part-time Staff***

Part-time support or classified staff members are to be compensated in an amount equivalent to the portion of the time worked, whether it be a fraction of a day or a fraction of a year. Current practice is that part-time support staff also receive pro-rated leave days and are eligible for insurance benefits.

**AG 4413** ***Overtime***

Fair Labor Standards Act is a Federal statute of general application which establishes minimum wage, overtime pay, child labor, and equal pay requirements that apply as provided in the Act (see 29 C.F.R. Part 778 Overtime Compensation).

SSSMC designates the "Workweek" to mean the seven (7) day period of time beginning on SUNDAY at 12:00 AM and continuing to the following SATURDAY at 11:59 P.M. The SSSMC payroll cycle is designated for the 5<sup>th</sup> and 20<sup>th</sup> day of each month. Procedures applicable to overtime are as follows:

1. Professional support staff members are to be compensated for overtime work that is previously approved and properly performed.
2. No overtime shall be worked without the prior approval of the staff member's supervisor.
3. No overtime will be paid without the final approval of the Executive Director.

The general 40 hour work week is a maximum standard without receiving additional compensation at not less than the statutory rate for overtime. An employee's workweek is a fixed and regularly recurring period of 168 hours over seven (7) consecutive 24-hour periods.

The Act does not generally require that an employee be paid overtime compensation for hours in excess of eight (8), or for work on Saturdays, Sundays, holidays or regular days of rest as long as no more than the general 40 hours are not worked.

The Act takes a single workweek as its standard and does not permit averaging of hours over 2 or more weeks. The general rule is that overtime compensation earned in a particular workweek must be paid on the regular pay day for the period in which such workweek ends.

The general overtime pay standard requires that overtime must be compensated at a rate per hour, for those employed solely on the basis of a single hourly rate, and is not less than one and one-half times the regular rate at which the employee is actually employed.

**AG 4415            *Severance Pay***

Classified personnel who are employed for the term of a school year are not entitled to a pay-out for any accumulated sick leave upon separation of employment for any reason, whether voluntary resignation, involuntary termination, or otherwise.

All professional support staff members who present evidence of retirement from active service under the Indiana Public Retirement System (INPRS) to the Board are to be granted severance pay for their accrued but unused leave days.

**A. Severance Remuneration**

1. **Full-time, twelve month** professional support staff who have been credited with ten (10) or more years of service to the SSSMC upon reaching the age of fifty-five (55), and who are still active employees in the SSSMC, shall, upon retirement from SSSMC, receive the following severance benefits:

- a. One hundred dollars (\$100) for each year of service in the SSSMC.
- b. Twenty-five dollars (\$25) for each unused accumulated sick leave day.

2. In case of a retirement caused by personal disability, illness or accident, the Board will waive the age of fifty-five (55) requirement upon request from the retiring employee and certification of the disability from an attending physician.

3. Payment for this benefit will be made only if the employee is living at the time of retirement.

4. This benefit can be used only one time by an individual.

5. At the time of retirement severance payment eliminates all obligations of the Board from any further payment or restoration of unused sick leave.

**B. Early Retirement**

1. Any full time professional support staff members who have completed ten (10) or more years of service to the SSSMC may retire at or after age fifty-five (55) and remain on the annual health and term life insurance programs. The Superintendents' Governing Board will contribute \$1,000 to a health plan and contribute 85% toward the yearly life insurance premium, with the retiree contributing one half of the balance by October 1 of the year, the remaining balances due and owing by March 1 of the following year. This benefit ceases when the retiree becomes 65 or eligible for Medicare.

2. For a support staff employee to qualify for this benefit, the employee must be age fifty-five (55) by December 31 of his/her last full school year and must notify the personnel department in writing of his/her intent to exercise this benefit by July 1 of the year preceding the early retirement. If the employee fails to make this notification, then he/she will forfeit the opportunity for this benefit that particular year.

3. The employee will be eligible the following year provided he/she completes another year of service and a written request for the benefit is made to the personnel department by July 1 of the year preceding the early retirement. This early retirement provision as listed applies only to

non-certified employees in positions covered by this Handbook. [See Handbook for Non-Certified Professional Personnel (12 months)].

4419            *Group Health Plans* [see AG 3419]

**4419.01**        ***Privacy Protections of Self-Funded Group Health Plans*** [see AG 3419.01]

4419.02        *Privacy Protections of Fully Insured Group Plans* [see AG 3419.02]

**AG 4420**        ***Group Insurance Program*** [see AG 3420]

The Board pays an approved amount for each employee who may desire to participate in one (1) or more of the approved programs. Membership in each program shall be opened annually for a definite period of time to be specified by the Executive Director. Part-time personnel defined as working twenty (20) hours or more a week may be eligible for participation in the SSSMC approved group program.

4421            *Benefits* [see Policy language]

4421.01        *COBRA* [see AG 3421.1]

**4430**            ***Leaves of Absence*** [see AG 3430]

**AG 4430.01**    ***Family & Medical Leaves of Absence*** (refer to AG 3430.01)

The approval, denial and administration of leave under this policy will be governed by the Family Medical Leave Act of 1993, as amended, and its published regulations, as applied and interpreted by the Executive Director.

In accordance with Federal law, the Board shall provide up to twelve (12) weeks of unpaid leave in any twelve (12) month period to eligible support staff members who have worked for least 1,250 hours over the twelve (12) months prior to the leave request.

AG 4430.02    *Court Duty*

SSSMC encourages classified staff to fulfill their civic duty to serve on jury duty or when under court order to appear as a trial witness. Regular compensation will be paid for the days served on jury duty or as a trial witness. Staff will be allowed to keep any stipend and/or mileage payment from the court. It is the employee's responsibility to:

- A. notify his/her immediate supervisor of court duty as soon as practicable, and
- B. secure from the court and deliver to verification of the court duty to the Human Resources office.

[See Handbook for Non-Certified/Classified School Year Support Staff Personnel]

AG 4431        *Return to Work* [see AG 3431]

**AG 4433**        ***Vacation*** [see Handbooks]

Besides designated holidays and personal leave days, the Board believes that it is beneficial to SSSMC that professional support staff employed to work twelve (12)

months per year be given periodic relief from the responsibilities of their job without loss of compensation.

Non-certified Professional Personnel shall receive twenty (20) paid vacation days annually. All other full time (12 months) employees are entitled to paid vacation leave based on years of employment from one to ten years after which twenty (20) days are granted (see provisions in Policy 4433).

A. Vacation days are to be used in full or half day increments only.

B. Employees are to request vacation leave from their immediate supervisor **at least four (4) working days in advance**, and any granting of such leave request is within the immediate supervisor's discretion.

C. An eligible employee may not take new vacation time until the employee has worked at least one (1) day in the new work year, which begins on July 1 of each year.

D. Employees may carry over up to ten (10) days of unused vacation time to the following school year not to exceed 30 total days effective the 2013 -14 school year.

E. Except for first-year employees specified in the policy, employees who voluntarily resign are entitled to receive a payout for any unused vacation time. Employees who separate from employment for any other reason are not entitled to receive a payout for any unused vacation time. [see Handbook for Full Year Non-certified Professional Personnel]

4434 *Holidays* [see Policy language]

4436 *Personal Leave* [see Full Year and School Year Handbooks]

AG 4436.01 *Personal Business* (revised 7/23/15)

Full-time employees (30 hours or more per week) are entitled to three (3) personal business days per school year. Part time employees (29 hours or less per week) are entitled to half the Personal Business Leave Days. Personal business days will be used to conduct business that cannot be taken care of except during the workday and are **not** intended to be used to extend a break. In advance of using the day, employees who work directly with students are to submit a written request. Failure to secure prior approval may result in lost pay. Personal days are not cumulative. Unused days will be transferred to accumulated sick leave on July 1 of each year. Employees shall indicate the use of a personal business day on his/her timesheet. Custodians should report their personal business leave day on the Staff Leave form.

AG 4436.02 *Family Illness* (revised 7/23/15)

Non-certified/classified, full-time employees (30 hours or more per week) may take up to seven (7) family illness days per school year for an illness of an immediate family member. Part time employees (29 hours or less per week) are entitled to half the family illness leave days. Full Year (260 days) Non-certified Professional personnel may take up to ten (10) family illness days per school year for an illness of an immediate family member. These days will be subtracted from the employee's accumulated sick leave. Immediate family in this section includes any relative or dependent living within the household of the employee. Also included are the employee's spouse, child, father,

mother, daughter-in-law, son-in-law, and grandchild, whether or not such individual is living within or outside the household of the employee. Employees are to notify their supervisor as soon as possible of the absence but not later than 6:30 am on the day of the absence to allow for securing a substitute employee, where applicable. The employee shall indicate the use of a family illness day on his/her timesheet.

If an employee does not have any accumulated sick leave days and has exhausted FMLA leave (or FMLA leave is otherwise unavailable), the employee may make a written request to the Executive Director or designee for unpaid family illness leave days. The Executive Director or designee shall have the discretion to grant or deny such requests.

AG 4436.03 *Sick Leave* (revised 7/23/15)

Full time employees (30 hours or more per week) are entitled to sick leave as follows:

Terms of Employment	#Sick Days
• 182 – 190 days	7
• 210 days	8
• 12 months (Professional Staff)	10
• 12 months (Noncertified Administrators)	12

Part-time employees (29 hours or less) will receive half of the entitled sick leave days.

Employees are to notify their supervisor as soon as possible of the absence but not later than 90 minutes before the start of their work day to allow for securing a substitute employee, where applicable. The employee shall indicate the use of a sick day on his/her Leave Day sheet. Custodians should report their sick leave day on the Leave Day form.

All SSSMC non-certificated support employees claiming sick leave days for absences of more than three (3) consecutive days are required to present a doctor statement to return to work. Sick leave shall be granted each year on the first day after July 1 when an employee actually works. Sick leave must be taken in full or half-day increments and accumulates to a maximum of 180 days.

SSSMC allows its employees to accumulate 180 sick days in an effort to provide a bridge to long term disability in the case of a catastrophic event. For first-year employees, sick leave is prorated from the employee's date of hire. Upon reaching July 1, first-year employees are entitled to sick leave as provided above.

Except as provided in the Severance Remuneration for full-year, non-certified professional personnel, employees are not entitled to a payout for any accumulated sick leave upon separation of employment for any reason, whether voluntary resignation, involuntary termination, or otherwise.

AG 4436.04 *Funeral Leave* (revised 9/21/12)

Funeral leave shall be granted for death in the immediate family beginning on the day of death and for a period not to exceed five (5) work days to be taken within 30 days of the day of death. Immediate family in this section shall mean an employee's spouse, child, grandchild, parent, grandparent, brother, sister, father-in-law, mother-in-law, son-in-

law, daughter-in-law, brother-in-law, sister-in-law or any relative or legal dependent living with the employee.

Funeral leave for the death of any relative who is not listed above shall be granted for a period not to exceed two (2) days. Funeral leave for the death of any relative by marriage who is not listed above shall be granted for a period not to exceed one (1) day.

It is understood that in the event of a death during any vacation break, employees will be given days from day of the death not days when school is back in session.

Funeral leave will be granted without loss of compensation and will not be charged against sick leave. These days do not accumulate from year to year and employees shall have no right to receive payment for any such days upon separation of employment for any reason, whether voluntary resignation, involuntary termination, or otherwise.

Under extenuating circumstances, not classified personal, not classified personal business, arrangements for additional funeral leave days may be approved upon written request to the Executive Director or designee. If approved, these granted days will be deducted from available sick day balance.

AG 4436.05 *Reporting Absences*

Employees are required to report absences to their immediate supervisor by 6:30 AM on the morning of the absence for day shifts or two (2) hours before the scheduled start time for evening and night shifts. Failure to report absences, and absences taken beyond those authorized may result in discipline, up to and including termination.

AG 4436.06 *Attendance and Absences*

Regular, reliable attendance is an essential function of each employee's assignment in an SSSMC program or service because it promotes continuity in the educational program. This continuity is particularly important for students with disabilities. Staff absences due to illness are unavoidable and arrangements for a substitute staff may be scheduled when an absence is timely reported.

The Executive Director or designee will monitor leave days requested before holiday and school vacation periods and an excessive number of Sick Leave absences throughout the school year. There is no hard and fast rule to determine when leave use becomes inappropriate. Examples include use of leave immediately before or after a school vacation period (as suggested above), as well as using sick leave to attend to personal errands. Each instance of suspected inappropriate leave must be handled on a case-by-case basis according to the particular circumstances.

When leave abuse is suspected, the supervisor should conduct an informal discussion with the employee, determine the reason for the leave, and advise the employee of the supervisor's concerns. In many instances a legitimate expectation will emerge, and no further action need be taken. In other instances where the supervisor determines in his or her discretion that abuse has occurred, the employee should be so advised. If the problem persists, further disciplinary action may be warranted, up to and including termination of employment.



- 4431            *Return to Work* [see AG 3431]
- 4437            *Military Leave* [see Policy language]
- 4440**            ***Job-Related Expenses*** [see AG 3440]
- 4441            *Access Card and Fee for Replacements* [see AG 3441]
- 4531            *Work Stoppage* [see Policy language]