



Central Elementary  
301 Big Spring Drive  
Neosho, MO 64850  
417\*451\*8620 Fax: 417\*451\*8624

---

Dottie Smith, Principal  
Tracy Clements, Counselor

**The Mission of the Neosho R-5 School District is to:**

Inspire high academic achievement and maximize personal potential in all students.

**Core Values**

Excellence

Integrity

Quality Relationships

Respect

Accountability

**Central Elementary Mission Statement**

Parents and teachers working together to educate children to become successful, productive, and independent citizens.

Central Elementary  
2013-2014 Staff

<b>Principal</b>	Dottie Smith	<b>Nurse</b>	Renee Whitley
<b>Secretary</b>	Missy Thomas	<b>Counselor</b>	Tracy Clements
<b>Library</b>	Leah Isenhower Debbie Fearnow	<b>Computer</b>	Amy Sims
		<b>ESL</b>	Jaime Taghi
<b>Music</b>	Jenny Davis	<b>Art</b>	Sherri Madill
<b>PE</b>	Ethan Hobbs	<b>Reading</b>	Jill Riley Phyllis Collinsworth
<b>Spec. Ed.</b>	LeaAnn Findley Amy Bellairs Becky Loveland Ryan Fry Amber Qualls Debbie Brown Misty Moon	<b>Kindergarten</b>	Vondra Miller Sarah Sarley Kelly VanSickle
<b>First Grade</b>	Jennifer Depoe Amanda Goodwin Angela Rothwell	<b>Second Grade</b>	Audrey Brooks Renee Moore Barbi Trevarrow
<b>Third Grade</b>	Larry Dowell Brittani Stephens	<b>Fourth Grade</b>	Mindy Bartley Christin Rawlins
<b>Behavior</b>	RoiAnn Gardner Chad Galbraith Josh Sonis Nikki Elliot Stacia Hobbs	<b>Autism</b>	Jessica Hertwig Karen Marion Julia Williams Sara Russow Kassandra Yarrington Tracey Covey Johnna Jamie Emery
<b>Speech</b>	Sherrye Rodgers		
<b>Janitors</b>	Chris Myers	<b>Food Services</b>	Amy Dickson

Central Elementary Committees  
2013-2014

**PLC**

Vondra Miller  
Jennifer Depoe  
Audrey Brooks  
Mindy Bartley

**CSIP/BIP**

Jill Riley  
Amy Bellairs  
Vondra Miller  
Jennifer Depoe  
Audrey Brooks  
Larry Dowell  
Mindy Bartley

**PBIS**

Tracy Clements  
Kelly VanSickle  
Amy Sims  
Christin Rawlins

**IPI**

Angela Rothwell  
Kelly VanSickle  
Jaime Taghi  
Mindy Bartley

**Safety**

Ethan Hobbs  
Amanda Goodwin  
Barbi Trevarrow  
Chad Galbraith

**Character**

Vondra Miller  
Angela Rothwell  
Kelly VanSickle  
Larry Dowell  
Tracy Clements

**Drop Out**

Tracy Clements  
Mindy Bartley  
Jaime Taghi  
LeaAnn Findley  
RoiAnn Gardner

**PRIDE**

Renee Moore  
Kelly VanSickle

**Family Nights**

Jill Riley  
Angela Rothwell  
Brittani Stephens  
Christin Dumas  
Renee Moore  
Sarah Sarley  
Amy Bellairs

**PDC**

Jennifer Depoe

**Employee Recog.**

Audrey Brooks

## Arrival and Dismissal

### Staff Arrival

- \*Teachers will need to pick up students at 7:45.
- \*First bell 8:00 am.
- \*Tardy bell 8:10 am.
- \*If you are running late, please call the office to let us know.
- \*Please do not come in the kitchen door.

### Student Arrival

- \*Front doors will unlock for students at 7:30.
- \*All students will meet in cafeteria/hallway.
- \*Breakfast will be served from 7:30-7:55.
- \*First Bell 8 am.
- \*Tardy Bell 8:10 am.
- \* Students will be counted tardy after 8:10 except for students finishing breakfast. If a student arrives after 8:10, please make sure they have a tardy slip from the office.

**Attendance and lunch count needs to be entered by 8:30.**

### Student Dismissal

- \*Autism and Behavior Center will dismiss at 2:30.
- \*3:15 Bell will dismiss 3<sup>rd</sup> and 4<sup>th</sup> grade parent pick up siblings.
- \*3:20 Bell will dismiss all parent pick-ups.
- \*Day care will dismiss at 3:15.
- \*Walkers will dismiss when parent pickups are finished.
- \*Do not allow a student to go home with a different person unless cleared by office. Any doubt; call the office immediately.
- \*If students are going home in a different manner, they **must** have a note.

## **Teacher Dismissal**

\*Teachers may leave at 3:45.

\*If you are leaving early, please speak with office prior to leaving.

## **Morning and Lunch Duty Schedule**

### **Morning Duty is 7:30-8:00**

Phyllis, Becky, Ryan, Amber, and Debbie

### **Lunch and Recess**

**Autism Center** Lunch 10:30-11:00

**Kindergarten** Lunch 11:00-11:20 Recess 11:20-11:40

Vondra, Kelly, Sarah, Amy S., Amy B., and Dee

**First/Second** Lunch 11:25-11:45 Recess 11:45-12:05

Jennifer, Amanda, Angela, Audrey, Renee, and Barbi

**Third/Fourth** Lunch 11:50-12:10 Recess 12:10-12:30

Brittani, Larry, Mindy, Christin, LeaAnn, and Jaime

## **Daily Schedule**

Doors Open	7:30
Breakfast	7:30-7:55
Dismissed to Class	7:45
Tardy Bell	8:10

### **Dismissal Times**

Autism and Behavior Center 2:30

Daycare	Abundant Life 3:00 ABC and Country Care 3:20
Car Riders	3:20
Walkers	When parent pickup is finished.

**Neosho R-5 School District  
Food Service Program for Elementary Schools**

**Meal Benefits Information**

Free and Reduced Price School Meals Family Applications are sent home with all students on the first day of school. Fill in the application and return it to school as soon as possible. Only one application per household is necessary. List all household members and the school attended by each child. You will be notified if your household qualifies. Parents are responsible for all school meals at full price until notified that their children qualify for the free or reduced meal program. If a student qualified for free or reduced meals at the end of the previous school year, the student still qualifies for the first thirty days of the new school year. If you have not filled out a new application, and been approved for benefits for this school year by September 28th, your child(ren) will no longer receive free or reduced meals for the current school year and will be charged full price for meals immediately. There is no grace period. An application for meal benefits may be filled out any time during the school year.

**Breakfast**

Breakfast will start the first Monday of the school year and is available to all students. Students may not charge breakfast. Students who qualify for free or reduced lunch also qualify for free or reduced breakfast.

**Milk**

Milk is served with all school meals. Students who qualify for free meals do not receive milk free with a meal brought from home. Milk is free only with a school meal. Students may buy milk to drink with a meal brought from home. Milk may not be charged.

**School Meals Accounting Procedures**

School meals should be paid in advance. All schools use the Nutrikids POS system, a computer system for collecting and recording breakfast and lunch money. All student accounts use student ID numbers, including those receiving

free or reduced meals (this will assure the confidentiality of all students). Parents may make payments to the school by check or cash, or make payments online.

Instructions for making payments to the school by check or cash:

1. Place money in an envelope and seal the envelope.
2. Write student's first and last name, grade, and name of the student's teacher on the envelope.
3. Write the word "MEALS" on the envelope if the money is for meals.
4. Instruct student to place the completed envelope in a payment box located in the school hallway.

Instructions for making payments online:

1. You need to know your student's ID number. You may get this number by contacting the school or the food service office at 451-8603.
2. Go to the district website at [www.neosho.k12.mo.us](http://www.neosho.k12.mo.us), then click on the special link to MyNutrikids.com OR go to [www.MyNutrikids.com](http://www.MyNutrikids.com).
3. Click **Sign Up** and enter the required information.  
Things to know about making payments online:
  1. Be sure to use the same name that the school uses for your student when setting up the account.
  2. If you have more than one child in the district, you can handle all online prepayments from the same online account.
  3. Payments may be made through an existing PayPal account or with a major credit or debit card.
  4. In order to use the online prepayment service, a small convenience fee of \$1.75 will be assessed to cover the bank fees. Parents placing money into multiple accounts will only be assessed the \$1.75 fee once per deposit transaction. The Neosho R-5 School District will not profit from the use of this site.

Meal prices are:	Breakfast		Lunch	
	Full Price	Reduced	Full-paid	Reduced
Elementary	\$1.25	\$ .30	\$1.85	\$ .40
Middle	\$1.25	\$ .30	\$1.95	\$ .40
Secondary	\$1.25	\$ .30	\$2.15	\$ .40
Adults	\$1.50		\$2.70	Milk--\$ .35

Only lunches may be charged, and only three lunch charges may be accumulated. After three charges, students will be given an alternative lunch until charges are paid. It is the parent's responsibility to know how many lunches they are paying for and when more money needs to be sent. Your cooperation is appreciated in keeping your child's meal payments up to date.

Good nutrition is an important part of learning. Healthy meals provide fuel for the brain and will help your student have a successful school year. Thank you for your support of the food service program. If there are any questions, or if help is needed, please contact the food service department directly at 451-8603.

Money for breakfast, lunch, and/or milk will be taken to the Food Service cashier at the beginning of each day or placed in an envelope which has the teacher's name and student's grade level written on it. The cashier will credit the student's account. Milk money may be paid as the student goes through the line.

All classroom teachers will report their student lunch count through Power School. Please let the cafeteria know of any students who arrive late and will be eating lunch.

**Breakfast will begin Monday, August 19th.**

### **Cafeteria Discipline**

Students who are disruptive or uncooperative in the cafeteria will receive consequences as determined by the staff. PBIS procedures are to be followed.

### **Inclement Weather**

If the temperature or heat index is over 100 degrees or below 32 degrees, the students will not be allowed outside. Lunch duty teachers will supervise students in their classrooms. Classroom teachers will need to have procedures in place for the alternate recess.

### **Permission to Stay Indoors**

Parents must send a doctor's note if a student is to stay inside. The teacher must make arrangements for supervision. **Students can not be left unattended at any time or sit by the office.**

### **Loss of Recess**

Due to the consequence of poor choices, students can lose recess time if they have at least two recesses during the day. Lunch recess is NOT to be taken.

### **School Wide Behavioral Expectations**

The Central faculty and staff have a set of school wide behavioral expectations in place. Students will be given the opportunity to tell his/her side of the incident. Parents will be called if necessary. Documentation will be kept on all discipline referrals.

### **Grades**



Grades will be entered by the **end of day on each Friday**. Parents have access to grades online.

### **Report to Parents**

Progress reports will be sent out the 4<sup>th</sup> week of each quarter. Parents will be asked to sign and return reports to the classroom teacher. Report cards will go out once a quarter. Parent/Teacher conferences will be the end of October.

### **Parent Contact**

A copy of all documentation sent home will be kept in the teacher's own file. All phone calls and emails will be documented as well. Please CC me on all email conversations with parents.

**Please send at least one positive postcard home per quarter for each student.**

### **Behavior Reports**

Please keep parents notified of any persistent behavior concerns. Also keep administrator up to date.

### **Discipline Referral Form**

Students sent to the office must have a discipline referral form completed by the adult who witnessed the incident.

### **Discipline Procedures**

1. Make every effort to correct the problem yourself.
2. Document your efforts.
- 3. Contact and discuss with parents before sending to the office.**
4. Ask colleagues for advice/ideas and try them.
5. Refer to Behavior Committee
6. Talk with Principal
7. Send to office with referral form.

**Most discipline problems should be handled within the classroom. Below are a list of offenses that the teacher should take care of:**

Pushing/Hitting      Calling Names      Cutting in Line      Not Completing Work  
Stealing      Dishonesty      Throwing Things      All Other General Behaviors

Not Turing in Homework    Poor Attitude            Backtalking

**Below is a list of offenses that should be immediately sent to the office:**

Any Safe School Violation such as bringing a weapon to school.

Threatening someone's life.

Serious bodily harm.

Extreme Repeated Disrespect/Defiance

### **Bullying**

Any bullying or harassment incidents must be documented and reported to principal and counselor. Counselor will be teaching students bullying prevention and reporting lessons.

### **Teacher's Meetings**

Building faculty meetings will be held the **3<sup>rd</sup> Wednesday** of every month. All faculty are expected to attend. The district will also hold grade level/departmental meetings that teacher will be expected to attend.

### **Lesson Plans**

Lesson plans are due every Monday. Please send plans through the "L" drive. Please include the Common Core Standard you will be teaching in each subject. Also include academic vocabulary for each subject.

### **Substitute Lesson Plans**

Please have a set of substitute lesson plans ready at all times. Please include buddy teacher name, emergency drill procedures, daily schedule, health concerns, going home plans for each student, and extra work for the day. Missy will keep this folders to give to the subs when they arrive. Please make them VERY detailed.

### **Cell Phones**

Cell phones should be used responsibly. Please do not have them out or on during classroom time or during recess duty. Personal calls can be made during lunch and preparation times. **Cell phones are not to be used in the presence of students.**

## **Use of District Property**

Employees may be provided access to and use of District property including, but not limited to, desks, file cabinets, closets, storage areas and computers for classroom use. These items remain property of the District and are subject to inspection by District administration.

Every employee with access to a district computer is required to read and sign the District Acceptable use Policy, which states the district requirements for computer use. The employee signature indicates understanding and agreement to follow the policy.

## **Telephone**

Students will not be able to use the school telephone without the teacher approval and for emergency situations only!

All long distance calls must be cleared through the office. Charge any personal calls to your credit card.

## **Student Withdrawal**

The office will notify you as soon as a student officially withdraws. Please contact the office if you have a student who has been gone an unusual amount of time.

## **Substitute Calling**

Please notify the administrator as soon as you know will be missing a day. The administrator will take care of finding you a substitute. If you become ill or have an emergency, please call my home number, 417\*845\*3970, first and then my cell if you cannot reach me. My cell is 417\*669\*0330. It is always best to call the house number first. Please call before 6:30 am or the night before. **Do NOT text me that you will be absent.**

## **Copies**

Each teacher will have copy number for building use of the copier. Each teacher is allowed 350 copies at the building level. Para's will have 100 copies. Anything over 10 copies, (except newsletters) will need to be sent to the district print room. Copies must be cleared by Missy first who will then initial and put in the mail. There will be a turn around of 3 days for print room orders. A copy count will be kept by Missy.

Any color copies will need to be approved before printing to the office printer.

Central Elementary  
Emergency Drill Schedule  
2013-2014

Fire Drills

Aug. 16, 2013  
October 21, 2013  
January 16, 2014  
March 20, 2014

Tornado Drills

September 5, 2013  
November 21, 2013  
March 4, 2014  
April 10, 2014

Earthquake Drill

February 2014

I.O.C Drills

August 28, 2013  
November 7, 2013  
January 30, 2014  
April 3, 2014

**Dress Code**

School personnel should be attired each day, at least, to the level of dress casual:

- \*No jeans of any kind (except Spirit Days)
- \*No athletic shoes (unless with Dr. note)
- \*No T-Shirts
- \*No wind-suits
- \***No Flip-Flops**
- \***Piercings must be covered except for ears.**
- \***Tattoos must be covered if possible.**

See district policy for more information.

**Staff Absences**

If you know ahead of time you are going to be gone, please fill out the blue form and turn it in to the administrator **prior** to your absence. If it is an unplanned absence, please turn it in as soon as you return. The blue forms will be located in the teacher's lounge.

**Please use your personal day(s) prior to May.**

## **Neosho R-5 School District Employee Handbook Receipt**

Pursuant to Missouri and Federal regulations, employees must sign that certain information has been provided to

them. In order for Neosho R-5 to document this, we have prepared this form. By signing below you are acknowledging that you have received the following in your employee handbook:

District Policy AC – Prohibition against Illegal Discrimination and Harassment

District Policy EBAB –Hazardous Materials

District Policy GBCB – Staff Conduct

District Policy GBCC – Cell Phone Use

District Policy GBEBA – Drug Free Workplace

District Policy GBEBB – Employee Alcohol & Drug Testing

District Policy GBEBB – AP2 – Employee Alcohol and Drug Testing; Testing Procedures for Drivers

District Policy GBH – Staff/Student Relations

District Policy GBL – Personnel Records

District Policy GBLB – References

District Policy GBM – Staff Grievances

District Policy GCBC - & GDBC – Fringe Benefits

District Policy GCBDA (certified) and GDBDA (classified) – Leaves and Absences

District Policy GCN and GCN-AP - Evaluations

District Policy GDBB – Nonexempt Employee Supplementary Pay Plans (classified handbooks only)

District Policy KL and KL-AP – Public Complaints

Employee Rights and Responsibilities under the Family and Medical Leave Act

Your Rights under the Uniformed Services Employment and Re-employment Rights Act

Job Safety & Health; It's the Law! OSHA

Employee Polygraph Protection Act  
MO Discrimination in Public Accommodations  
MO Discrimination in Employment  
MO Notice to Workers concerning Unemployment Benefits  
MO Division of Workers' Compensation Notice  
MO Minimum Wage Notice  
Employee Rights under the Fair Labor Standards Act – Minimum Wage  
EEOC – Equal Employment Opportunity is the Law  
Employee's Signature: \_\_\_\_\_  
Employee's printed name: \_\_\_\_\_

## **Policies for Employee Handbooks**

**FILE: AC**

**CRITICAL**

### **PROHIBITION AGAINST DISCRIMINATION, HARASSMENT AND RETALIATION**

#### **General Rule**

The Neosho R-5 School District Board of Education is committed to maintaining a workplace and educational environment that is free from discrimination and harassment in admission or access to, or treatment or employment in, its programs, services, activities and facilities. In accordance with law, the district strictly prohibits discrimination and harassment against employees, students or others on the basis of race, color, religion, sex, national origin, ancestry, disability, age, genetic information or any other characteristic protected by law. The Neosho R-5 School District is an equal opportunity employer.

The Board also prohibits:

1. Retaliatory actions including, but not limited to, acts of intimidation, threats, coercion or discrimination against those who:
  - a) Make complaints of prohibited discrimination or harassment.
  - b) Report prohibited discrimination or harassment.
  - c) Participate in an investigation, formal proceeding or informal resolution, whether conducted internally or outside the district, concerning prohibited discrimination or harassment.
2. Aiding, abetting, inciting, compelling or coercing discrimination, harassment or retaliatory actions.
3. Discrimination, harassment or retaliation against any person because of such person's association with a person protected from discrimination or harassment in accordance with this policy.

All employees, students and visitors must immediately report to the district for investigation any incident or behavior that could constitute discrimination, harassment or retaliation in accordance with this policy. If discrimination, harassment or retaliation that occurs off district property and that is unrelated to the district's activities negatively impacts the school environment, the district will investigate and address the behavior in accordance with this policy, as allowed by law.

#### **Additional Prohibited Behavior**

Behavior that is not unlawful or does not rise to the level of illegal discrimination, harassment or retaliation might still be unacceptable for the workplace or the educational environment. Demeaning or otherwise harmful actions are prohibited, particularly if directed at personal characteristics including, but not limited to, socioeconomic level, sexual orientation or perceived sexual orientation.

#### **Boy Scouts of America Equal Access Act**

As required by law, the district will provide equal access to district facilities and related benefits and services and will not discriminate against any group officially affiliated with the Boy Scouts of America, the Girl Scouts of the United States of America or any other youth group designated in applicable federal law.

#### **Interim Measures**

When a report is made or the district otherwise learns of potential discrimination, harassment or retaliation, the district will take immediate action to protect the alleged victim, including implementing interim measures. For example, the district may alter a class seating arrangement, provide additional supervision for a student or suspend an employee pending an investigation. The district will take immediate

steps to prevent retaliation against the alleged victim, any person associated with the alleged victim, or any witnesses or participants in the investigation. These steps may include, but are not limited to, notifying students, employees and others that they are protected from retaliation, ensuring that they know how to report future complaints, and initiating follow-up contact with the complainant to determine if any additional acts of discrimination, harassment or retaliation have occurred.

#### **Consequences and Remedies**

If the district determines that discrimination, harassment or retaliation have occurred, the district will take prompt, effective and appropriate action to address the behavior, prevent its recurrence and remedy its effects.

Employees who violate this policy will be disciplined, up to and including employment termination. Students who violate this policy will be disciplined, which may include suspension or expulsion. Patrons, contractors, visitors or others who violate this policy may be prohibited from school grounds or otherwise restricted while on school grounds. The superintendent or designee will contact law enforcement or seek a court order to enforce this policy when necessary or when actions may constitute criminal behavior.

Students, employees and others will not be disciplined for speech in circumstances where it is protected by law.

In accordance with law and district policy, any person suspected of abusing or neglecting a child will be reported to the Children's Division (CD) of the Department of Social Services.

Remedies provided by the district will attempt to minimize the burden on the victim. Such remedies may include, but are not limited to: providing additional resources such as counseling, providing access to community services, assisting the victim in filing criminal charges when applicable, moving the perpetrator to a different class or school, providing an escort between classes, or allowing the victim to retake or withdraw from a class. The district may provide additional training to students and employees, make periodic assessments to make sure behavior complies with district policy, or perform a climate check to assess the environment in the district.

#### **Definitions**

*Compliance Officer* – The individual responsible for implementing this policy, including the acting compliance officer when he or she is performing duties of the compliance officer.

*Discrimination* – Conferring benefits upon, refusing or denying benefits to, or providing differential treatment to a person or class of persons in violation of law based on race, color, religion, sex, national origin, ancestry, disability, age, genetic information or any other characteristic protected by law, or based on a belief that such a characteristic exists.

*Grievance* – A verbal or written report (also known as a complaint) of discrimination, harassment or retaliation made to the compliance officer.

*Harassment* – A form of discrimination, as defined above, that occurs when the school or work environment becomes permeated with intimidation, ridicule or insult that is sufficiently severe or pervasive enough that it unreasonably alters the employment or educational environment.

Behaviors that could constitute illegal harassment include, but are not limited to, the following acts if based on race, color, religion, sex, national origin, ancestry, disability, age, genetic information or any other characteristic protected by law or based on a belief that such a characteristic exists: graffiti; display of written material, pictures or electronic images; name calling, teasing or taunting; insults, derogatory remarks or slurs; jokes; gestures; threatening, intimidating or hostile acts; physical acts of aggression, assault or violence; theft; or damage to property.

*Sexual Harassment* – A form of discrimination, as defined above, on the basis of sex. Sexual harassment is unwelcome conduct that occurs when a) benefits or decisions are implicitly or explicitly conditioned upon submission to, or punishment is applied for refusing to comply with, unwelcome sexual advances, requests for sexual favors or conduct of a sexual nature; or b) the school or work environment becomes permeated with intimidation, ridicule or insult that is based on sex or is sexual in nature and that is sufficiently severe or pervasive enough to alter the conditions of participation in the district's programs and activities or the conditions of employment. Sexual harassment may occur between members of the same or

opposite sex. The district presumes a student cannot consent to behavior of a sexual nature with an adult regardless of the circumstance.

Behaviors that could constitute sexual harassment include, but are not limited to:

1. Sexual advances and requests or pressure of any kind for sexual favors, activities or contact.
2. Conditioning grades, promotions, rewards or privileges on submission to sexual favors, activities or contact.
3. Punishing or reprimanding persons who refuse to comply with sexual requests, activities or contact.
4. Graffiti, name calling, slurs, jokes, gestures or communications of a sexual nature or based on sex.
5. Physical contact or touching of a sexual nature, including touching of intimate parts and sexually motivated or inappropriate patting, pinching or rubbing.
6. Comments about an individual's body, sexual activity or sexual attractiveness.
7. Physical sexual acts of aggression, assault or violence, including criminal offenses (such as rape, sexual assault or battery, and sexually motivated stalking) against a person's will or when a person is not capable of giving consent due to the person's age, intellectual disability or use of drugs or alcohol.
8. Gender-based harassment and acts of verbal, nonverbal, written, graphic or physical conduct based on sex or sex stereotyping, but not involving conduct of a sexual nature.

*Working Days* – Days on which the district's business offices are open.

**Compliance Officer**

The Board designates the following individual to act as the district's compliance officer:

Special Services Director  
418 Fairground Road, Neosho, MO 64850  
Phone: 417-451-8682/Fax: 417-451-8604

In the event the compliance officer is unavailable or is the subject of a report that would otherwise be made to the compliance officer, reports should instead be directed to the acting compliance officer:

Superintendent  
418 Fairground Road, Neosho, MO 64850  
Phone: 417-451-8600/Fax: 417-451-8604

The compliance officer or acting compliance officer will:

1. Coordinate district compliance with this policy and the law.
2. Receive all grievances regarding discrimination, harassment and retaliation in the Neosho R-5 School District.
3. Serve as the district's designated Title IX, Section 504 and Americans with Disabilities Act (ADA) coordinator, as well as the contact person for compliance with other discrimination laws.
4. Investigate or assign persons to investigate grievances; monitor the status of grievances to ensure that additional discrimination, harassment and retaliation do not occur; and recommend consequences.
5. Review all evidence brought in disciplinary matters to determine whether additional remedies are available, such as separating students in the school environment.
6. Determine whether district employees with knowledge of discrimination, harassment or retaliation failed to carry out their reporting duties and recommend disciplinary action, if necessary.
7. Communicate regularly with the district's law enforcement unit to determine whether any reported crimes constitute potential discrimination, harassment or retaliation.
8. Oversee discrimination, harassment or retaliation grievances, including identifying and addressing any patterns or systemic problems and reporting such problems and patterns to the superintendent or the Board.
9. Seek legal advice when necessary to enforce this policy.
10. Report to the superintendent and the Board aggregate information regarding the number and frequency of grievances and compliance with this policy.
11. Make recommendations regarding changing this policy or the implementation of this policy.



12. Coordinate and institute training programs for district staff and supervisors as necessary to meet the goals of this policy, including instruction in recognizing behavior that constitutes discrimination, harassment and retaliation.

13. Perform other duties as assigned by the superintendent.

**Public Notice**

The superintendent or designee will continuously publicize the district's policy prohibiting discrimination, harassment and retaliation and disseminate information on how to report discrimination, harassment and retaliation. Notification of the district's policy will be posted in a public area of each building used for instruction or employment or open to the public. Information will also be distributed annually to employees, parents/guardians and students as well as to newly enrolled students and newly hired employees. District bulletins, catalogs, application forms, recruitment material and the district's website will include a statement that the Neosho R-5 School District does not discriminate in its programs, services, activities, facilities or with regard to employment. The district will provide information in alternative formats when necessary to accommodate persons with disabilities.

**Reporting**

Students, employees and others may attempt to resolve minor issues by addressing concerns directly to the person alleged to have violated this policy, but they are not expected or required to do so. Any attempts to voluntarily resolve a grievance will not delay the investigation once a report has been made to the district.

Unless the concern is otherwise voluntarily resolved, all persons must report incidents that might constitute discrimination, harassment or retaliation directly to the compliance officer or acting compliance officer. All district employees will instruct all persons seeking to make a grievance to communicate directly with the compliance officer. Even if the potential victim of discrimination, harassment or retaliation does not file a grievance, district employees are required to report to the compliance officer any observations, rumors or other information regarding actions prohibited by this policy. If a verbal grievance is made, the person will be asked to submit a written complaint to the compliance officer or acting compliance officer. If a person refuses or is unable to submit a written complaint, the compliance officer will summarize the verbal complaint in writing. A grievance is not needed for the district to take action upon finding a violation of law, district policy or district expectations.

Even if a grievance is not directly filed, if the compliance officer otherwise learns about possible discrimination, harassment or retaliation, including violence, the district will conduct a prompt, impartial, adequate, reliable and thorough investigation to determine whether unlawful conduct occurred and will implement the appropriate interim measures if necessary.

**Student-on-Student Harassment**

Building-level administrators are in a unique position to identify and address discrimination, harassment and retaliation between students, particularly when behaviors are reported through the normal disciplinary process and not through a grievance. The administrator has the ability to immediately discipline a student for prohibited behavior in accordance with the district's discipline policy. The administrator will report all incidents of discrimination, harassment and retaliation to the compliance officer and will direct the parent/guardian and student to the compliance officer for further assistance. The compliance officer may determine that the incident has been appropriately addressed or recommend additional action. When a grievance is filed, the investigation and complaint process detailed below will be used.

**Investigation**

The district will immediately investigate all grievances. All persons are required to cooperate fully in the investigation. The district compliance officer or other designated investigator may utilize an attorney or other professionals to conduct the investigation.

In determining whether alleged conduct constitutes discrimination, harassment or retaliation, the district will consider the surrounding circumstances, the nature of the behavior, the relationships between the parties involved, past incidents, the context in which the alleged incidents occurred and all other relevant information.

Whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances. If, after investigation, school officials determine that it is more likely than not (the preponderance of the evidence standard) that discrimination, harassment or other prohibited behavior has occurred, the district will take immediate corrective action.

#### **Grievance Process Overview**

1. If a person designated to hear a grievance or appeal is the subject of the grievance, the compliance officer may designate an alternative person to hear the grievance, or the next highest step in the grievance process will be used. For example, if the grievance involves the superintendent, the compliance officer may designate someone outside the district to hear the grievance in lieu of the superintendent, or the grievance may be heard directly by the Board.
2. An extension of the investigation and reporting deadlines may be warranted if extenuating circumstances exist as determined by the district's compliance officer. The person filing the complaint will be notified when deadlines are extended. If more than twice the allotted time has expired without a response, the appeal may be taken to the next level.
3. Failure of the person filing the grievance to appeal within the timelines given will be considered acceptance of the findings and remedial action taken.
4. The district will investigate all grievances, even if an outside enforcing agency such as the Office for Civil Rights, law enforcement or the CD is also investigating a complaint arising from the same circumstances.
5. The district will only share information regarding an individually identifiable student or employee with the person filing the grievance or other persons if allowed by law and in accordance with Board policy.
6. Upon receiving a grievance, district administrators or supervisors, after consultation with the compliance officer, will implement interim measures as described in this policy if necessary to prevent further potential discrimination, harassment or retaliation during the pending investigation.

#### **Grievance Process**

1. Level I – A grievance is filed with the district's compliance officer. The compliance officer may, at his or her discretion, assign a school principal or other appropriate supervisor to conduct the investigation when appropriate. Regardless of who investigates the grievance, an investigation will commence immediately, but no later than five working days after the compliance officer receives the grievance. The compliance officer or designee shall conduct a prompt, impartial, adequate, reliable and thorough investigation, including the opportunity for the person filing the grievance and other parties involved to identify witnesses and provide information and other evidence. The compliance officer or designee will evaluate all relevant information and documentation relating to the grievance. Within 30 working days of receiving the grievance, the compliance officer will complete a written report that summarizes the facts and makes conclusions on whether the facts constitute a violation of this policy based on the appropriate legal standards. If a violation of this policy is found, the compliance officer will recommend corrective action to the superintendent to address the discrimination, harassment or retaliation; prevent recurrence; and remedy its effects. If someone other than the compliance officer conducts the investigation, the compliance officer or acting compliance officer will review and sign the report. The person who filed the grievance, the victim if someone other than the victim filed the grievance, and any alleged perpetrator will be notified in writing, within five working days of the completion of the report, in accordance with law and district policy, regarding whether the district's compliance officer or designee determined that district policy was violated.
2. Level II – Within five working days after receiving the Level I decision, the person filing the grievance, the victim if someone other than the victim filed the grievance, or any alleged perpetrator may appeal the compliance officer's decision to the superintendent by notifying the superintendent in writing. The superintendent may, at his or her discretion, designate another person (other than the compliance officer) to review the matter when appropriate.

Within ten working days, the superintendent will complete a written decision on the appeal, stating whether a violation of this policy is found and, if so, stating what corrective actions will be implemented. If someone other than the superintendent conducts the appeal, the superintendent will review and sign the report before it is given to the person appealing. A copy of the appeal and decision will be given to the compliance officer or acting compliance officer. The person who initially filed the grievance, the victim if someone other than the victim filed the grievance, and any alleged perpetrator will be notified in writing, within five working days of the superintendent's decision, regarding whether the superintendent or designee determined that district policy was violated.

3. Level III – Within five working days after receiving the Level II decision, the person filing the grievance, the victim if someone other than the victim filed the grievance, or any alleged perpetrator may appeal the superintendent's decision to the Board by notifying the Board secretary in writing. The person filing the grievance and the alleged perpetrator will be allowed to address the Board, and the Board may call for the presence of such other persons deemed necessary. The Board will issue a decision within 30 working days for implementation by the administration. The Board secretary will give the compliance officer or acting compliance officer a copy of the appeal and decision. The person who filed the grievance, the victim if someone other than the victim filed the grievance, and the alleged perpetrator will be notified in writing, within five working days of the Board's decision, in accordance with law and district policy, regarding whether the Board determined that district policy was violated. The decision of the Board is final.

#### **Confidentiality and Records**

To the extent permitted by law and in accordance with Board policy, the district will keep confidential the identity of the person filing a grievance and any grievance or other document that is generated or received pertaining to grievances. Information may be disclosed if necessary to further the investigation, appeal or resolution of a grievance, or if necessary to carry out disciplinary measures. The district will disclose information to the district's attorney, law enforcement, the CD and others when necessary to enforce this policy or when required by law. In implementing this policy, the district will comply with state and federal laws regarding the confidentiality of student and employee records. Information regarding any resulting employee or student disciplinary action will be maintained and released in the same manner as any other disciplinary record. The district will keep any documentation created in investigating the complaint including, but not limited to, documentation considered when making any conclusions, in accordance with the Missouri Secretary of State's retention manuals and as advised by the district's attorney.

#### **Training**

The district will provide training to employees on identifying and reporting acts that may constitute discrimination, harassment or retaliation. The district will instruct employees to make all complaints to the district's compliance officer or acting compliance officer and will provide current contact information for these persons. The district will inform employees of the consequences of violating this policy and the remedies the district may use to rectify policy violations. All employees will have access to the district's current policy, required notices and complaint forms. The district will provide additional training to any person responsible for investigating potential discrimination, harassment or retaliation. The district will provide information to parents/guardians and students regarding this policy and will provide age-appropriate instruction to students.

\* \* \* \* \*

#### **FILE: EBAB CRITICAL HAZARDOUS MATERIALS**

To promote the health and safety of the students, staff and patrons of the district, and to ensure the environment is reasonably protected from hazardous materials, the Board of Education of the Neosho R-5 School District directs the administration under the guidance of the superintendent to develop procedures which address the purchase, storage, handling, transportation and disposal of hazardous

materials for all school facilities and operations of the district. Emergency response actions and evacuation plans will also be coordinated with the procedures.

Hazardous materials shall be defined as any substance specifically designated as such by state or federal law, or any other substance or mixture of substances which may be explosive, ignitable, corrosive, reactive and/or toxic.

The procedures developed by the administration shall comply with all local, state and federal laws and regulations which pertain to the proper management of hazardous materials. The superintendent or designee is responsible for identifying any substances which may be hazardous, and ensuring such substances are properly disposed in a state-approved facility or landfill.

When necessary, the district shall contact the U.S. Environmental Protection Agency (EPA) and/or the Waste Management Program of the Missouri Department of Natural Resources in order to obtain relevant information regarding hazardous waste management.

District personnel will be encouraged to make less dangerous substitutions for hazardous substances to the extent possible and to minimize quantities of such substances generated by the school district. In addition, district employees shall follow the procedures developed by the administration and shall take the necessary precautions recommended by manufacturers' warnings when handling or transporting hazardous materials.

#### **Asbestos**

The district shall survey and assess the exposure of friable asbestos in all buildings. This report shall be filed with appropriate state agencies, and will be available for public review in the superintendent's office. The district shall take all steps necessary to comply with the Asbestos Hazard Emergency Response Act, as described in regulations of the EPA.

#### **Lead Contamination Inspection**

The district shall monitor the periodic collection of drinking water samples from all sources in the district by the Missouri Department of Health, and shall review the results from the EPA-certified laboratory that performs the tests, when the results become available.

The Board shall assist the Department of Health in any way necessary to assure that any testing program mandated by law is completed within the time frame allowed, and will act immediately to secure funding for the repair of drinking water sources that do not meet federal standards, or for the disconnection of the sources. Pipes that contain lead soldering shall be repaired using a non-lead solder, and water coolers that are found to contain lead in the lining of their tanks will be repaired or replaced. The Board shall encourage continued periodic inspections of district drinking water sources constructed before 1987. \* \* \* \*

**FILE: GBCB**

**CRITICAL**

#### **STAFF CONDUCT**

The Board of Education expects that each professional and support staff member shall put forth every effort to promote a quality instructional program in the school district. In building a quality program, employees must meet certain expectations that include, but are not limited to, the following:

1. Become familiar with, enforce and follow all Board policies, regulations, administrative procedures, other directions given by district administrators and state and federal laws as they affect the performance of job duties.
2. Maintain courteous and professional relationships with pupils, parents/guardians, other employees of the district and all patrons of the district.
3. Keep current on developments affecting the employee's area of expertise or position.
4. Transact all official business with the appropriate designated authority in the district in a timely manner.
5. Transmit constructive criticism of other staff members or of any department of the school district to the particular school administrator who has the administrative responsibility for improving the situation.
6. Care for, properly use and protect school property.
7. Attend all required staff meetings called by district administration, unless excused.
8. Keep all student records, medical information and other sensitive information

confidential as directed by law, Board policy, district procedures and the employee's supervisor.

9. Immediately report all dangerous building conditions or situations to the building supervisor and take action to rectify the situation and protect the safety of students and others if necessary.

10. Properly supervise all students. The Board expects all students to be under assigned adult supervision at all times during school and during any school activity. Except in an emergency, no employee will leave an assigned group unsupervised.

11. Obey all safety rules, including rules protecting the safety and welfare of students.

12. Submit all required reports or paperwork at the time requested. Employees will not falsify records maintained by the school district.

13. Refrain from using profanity.

14. Dress professionally and in a manner that will not interfere with the educational environment.

15. Come to work and leave work at the time specified by the employee handbook or by the employee's supervisor. Employees who are late to work, stop working before the scheduled time or work beyond the scheduled time without permission may be subject to discipline, including termination.

16. School employees, other than commissioned law enforcement officers, shall not strip search students, as defined in state law, except in situations where an employee reasonably believes that the student possesses a weapon, explosive or substance that poses an imminent threat of physical harm to the student or others and a commissioned law enforcement officer is not immediately available.

17. School employees shall not direct a student to remove an emblem, insignia or garment, including a religious emblem, insignia or garment, as long as such emblem, insignia or garment is worn in a manner that does not promote disruptive behavior.

18. State law prohibits teachers from participating in the management of a campaign for the election or defeat of a member of the Board of Education that employs such teacher.

19. Employees will not use district funds or resources to advocate, support or oppose any ballot measure or candidate for public office.

20. Employees will not use any time during the working day for campaigning purposes, unless allowed by law.

\*\*\*\*\*

**FILE: GBCC**

**CRITICAL**

**STAFF CELL PHONE USE**

The Neosho R-5 School District encourages district employees to use technology, including cell phones, to improve efficiency and safety. The district expects all employees to use such devices in a responsible manner that does not interfere with the employee's job duties. Employees who violate district policy and procedures regarding cell phone use may be disciplined, up to and including termination, and may be prohibited from possessing or using a cell phone while at work. Cell phones may not be used in any manner that would violate the district's policy on student-staff relations.

**Definitions**

*Cell Phone* – All portable devices except laptops that send or receive calls or text messages, allow the retrieval of e-mail or provide access to the Internet.

**General Cell Phone Use**

The district prohibits any employee cell phone use that interrupts or disrupts the performance of duties by the employee or otherwise interferes with district operations, as determined by the employee's supervisor. This prohibition applies regardless of whether the cell phone used is owned by the employee or provided by the district.

Supervision of students is a priority in the district, and employees who are responsible for supervising students must concentrate on that task at all times. Employees shall not use a cell phone when they are responsible for supervising students unless any of the following conditions occurs:

1. There is an emergency.
2. The use is necessary to the performance of an employment-related duty at that particular time and cannot be avoided.
3. The employee has received specific and direct permission from a supervisor. Supervisors shall limit such permission to unusual circumstances such as communication regarding a family birth or surgery. Even when these conditions exist, the employee is responsible for obtaining assistance in adequately supervising students during the approved use so that students are supervised at all times.

#### **Use in Vehicles**

Regardless of other provisions of this policy, unless there is an emergency, employees shall not use cell phones when:

1. Driving district-provided vehicles.
2. Operating a vehicle in which a student is being transported on district property.
3. Supervising students who are entering or exiting a vehicle, crossing thoroughfares or otherwise safely reaching their destinations.

Even in emergency situations, employees should first take all possible safety precautions before using cell phones.

#### **Technology Safety**

To protect district technology, the district does not allow personal cell phones to be synchronized with the district's network. Employees should contact the district's technology director for alternative methods of synchronization, if feasible.

#### **Use of District-Provided Cell Phones**

The district may provide cell phones and service to some employees to assist them in carrying out their employment-related duties on and off district property. Use of a district-provided cell phone is a privilege. The superintendent or designee has sole discretion as to which employees will be provided cell phones and may recall any previously issued cell phone. Employees do not have any expectation of privacy in district-provided cell phones or any information stored on them, and such phones may be confiscated and searched at any time.

Employees are expected to exercise reasonable care to protect district-provided cell phones from damage or theft and must report any such incidents immediately. The district may require employees to reimburse the district for any damage or theft that was the result of the employee's negligence. Users of district-provided cell phones must abide by any use limitations included in the district's service contract.

#### **Personal Use of District-Provided Cell Phones**

Personal use of district-provided cell phones is permissible as long as the use does not exceed the limits of the applicable plan. However, personal use of a cell phone is not permitted if the phone or service is paid for under E-Rate. An employee whose use exceeds plan limitations will be required to reimburse the district for all expenses beyond those covered by the plan and may have privileges suspended or revoked unless the employee can show that all use was for employment-related duties and the phone was not used for personal reasons.

\*\*\*\*\*

**FILE: GBEBB**

**CRITICAL**

#### **DRUG-FREE WORKPLACE**

Student and employee safety is of paramount concern to the Board of Education. In recognition of the threat to safety posed by employee use or possession of drugs or alcohol, the Board of Education commits itself to a continuing good-faith effort to maintain a drug-free workplace. The Board of Education shall not tolerate the manufacture, use, possession, sale, distribution or being under the influence of controlled substances, alcoholic beverages or unauthorized prescription medications by district employees on any district property; on any district-approved vehicle used to transport students to and from school or district activities; off district property at any district-sponsored or district-approved activity, event or function, such as a field trip or athletic event, where students are under the supervision of the school district; or during any period of time such employee is supervising students on behalf of the school district or is otherwise engaged in school district business.

When it is evident that an employee has consumed alcoholic beverages or

controlled substances off school property before or during a district activity, the staff member will not be allowed on school property or to participate in the activity and will be subject to the same disciplinary measures as for possession or consumption on district property.

Staff members will be tested for alcohol and controlled substances if the district has reasonable suspicion that the staff member has violated this policy. In addition, staff members who operate district transportation must submit to alcohol and drug testing as otherwise required by law. All testing will be conducted in accordance with Board policy, administrative procedures and law.

Any employee who violates this policy will be subject to disciplinary action, which may include suspension, termination and referral for prosecution. Employees may be required to satisfactorily participate in rehabilitation programs.

Each employee of this school district is hereby notified that, as a condition of employment, the employee must abide by the terms of this policy and notify the superintendent or designee of any criminal drug statute conviction for a violation occurring in or on the premises of this school district, or while engaged in regular employment. Such notification must be made by the employee to the superintendent or designee in writing no later than five (5) calendar days after conviction. The superintendent or designee will provide notice in writing of such violation to the United States Department of Education or other appropriate federal agency within ten (10) calendar days after the superintendent or designee receives such notification if the district receives any federal grants directly from such agency, as opposed to federal grants received through the Department of Elementary and Secondary Education (DESE).

The district will take appropriate disciplinary action within 30 days.

The district will institute a drug-free awareness program to inform employees of the dangerous and harmful nature of drug and alcohol abuse in the workplace, of this policy of maintaining a drug-free workplace, of available counseling and rehabilitation, and of the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

The Board of Education recognizes that employees who have a drug abuse problem should be encouraged to seek professional assistance. Although the district will not assume financial responsibility, an employee who requests assistance shall be referred to a treatment facility or agency in the community if such facility or agency is available.

Upon the request of DESE or an agency of the United States, the district shall certify that it has adopted and implemented the drug prevention program described in this policy. The district shall conduct a biennial review of this policy to determine its effectiveness, implement necessary changes and ensure that the disciplinary sanctions are consistently enforced.

This policy shall be communicated in writing to all present and future employees. Compliance with this policy is mandatory.

**FILE: GBEBB**

**CRITICAL**

### **EMPLOYEE ALCOHOL AND DRUG TESTING**

*(District Provides Transportation Services)*

#### **Provisions Applicable to All Employees**

##### ***Alcohol and Drug Prohibitions***

No employee may manufacture, use, possess, sell, distribute or be under the influence of alcohol or drugs in violation of the district's Drug-Free Workplace policy. All employees may be tested for alcohol and drugs if the district has reasonable suspicion that the employee has consumed alcohol or drugs in violation of Board policy.

##### ***Program Coordinator***

The superintendent or designee will serve as the program coordinator to implement the alcohol and drug testing program of the district within the guidelines of this policy.

##### ***Training***

All staff who have supervisory duties over other staff members will be provided training on the effects of drug and alcohol use. The training will include physical, behavioral, speech and performance indicators of drug and alcohol use.

Supervisors of employees who operate district transportation will be trained in accordance with federal law.

**Testing Program**

The district will use testing facilities with appropriately trained personnel for alcohol and drug testing. The district's drug and alcohol testing program shall provide individual privacy in the collection of specimen samples to the maximum extent possible. The specimen collection procedures and chain of custody shall ensure that specimen security, proper identification and integrity are not compromised.

**Refusal to Submit to Tests**

Drug or alcohol tests administered pursuant to this policy are mandatory. An employee refuses to submit when he or she fails to provide adequate breath or urine for testing when notified of the need to do so or engages in conduct that clearly obstructs the testing process.

**Consequences**

Employees who refuse to submit to a test, who test positive for prohibited substances or who take deliberate action with the intent to falsify test results will be subject to discipline, including termination, in accordance with Board policy and law.

**Treatment**

In addition to any disciplinary action taken, the district will provide employees a list containing the names, addresses and telephone numbers of substance abuse professionals and counseling and treatment programs when employees have a positive drug or alcohol test, refuse to take a test or otherwise request information about substance abuse treatment.

**District Records and Reports**

Alcohol and drug test results and records shall be maintained under strict confidentiality and released only in accordance with law. Upon written request, an employee shall receive copies of any records pertaining to his or her use of alcohol or drugs, including any records pertaining to his or her tests. Test records shall be maintained with the separate medical files of each employee. The district shall maintain records and reports of its alcohol and drug prevention program as required by law.

**Notification to Employees**

The program coordinator shall ensure that all employees receive written materials explaining the district's drug and alcohol misuse prevention program, including copies of or access to applicable policies, procedures or handbooks.

Employees shall sign statements certifying that they have received the materials.

**Provisions Applicable to Drivers**

In addition to the drug testing provisions applicable to all employees, the Neosho R-5 School District, which employs operators of commercial motor vehicles ("drivers"), is required to implement a drug and alcohol testing program that fulfills federal requirements. The district will use laboratories certified by the U.S.

Department of Health and Human Services to conduct drug specimen analysis.

This comprehensive program shall include conducting pre-employment drug testing and reasonable suspicion, random and post-accident testing for use of alcohol or drugs by drivers; notifying drivers of the requirements and consequences of the program; maintaining appropriate records; and complying with Missouri Department of Revenue's reporting requirements.

As required by law, no driver shall report for duty within four (4) hours of using alcohol. No driver required to take a post-accident test shall use alcohol for eight (8) hours following the accident or until he or she undergoes a post-accident alcohol test, whichever comes first.

Records of drug and alcohol tests and other related records shall be made available to a subsequent employer only as expressly requested in writing by the employee.

\*\*\*\*\*

**FILE: GBEBB-AP2**

**CRITICAL**

**EMPLOYEE ALCOHOL AND DRUG TESTING**

*(Testing Procedures for Drivers)*

In accordance with Board policy, the following procedures apply to drug and alcohol testing of drivers.

**Definitions**

For the purposes of this procedure, the following terms are defined:

*Driver* -- Any person who operates a commercial motor vehicle. This includes fulltime,



regularly employed drivers; casual, intermittent or occasional drivers; leased drivers; and independent, owner-operated contractors.

*Safety-Sensitive Function* -- Includes responsibilities such as time on duty waiting to be dispatched; driving time; assisting or supervising loading or unloading; and repairing, obtaining assistance for or remaining in attendance upon a disabled vehicle. All time spent providing drug and alcohol samples, including travel time to and from the collection or testing site as needed to comply with random, reasonable suspicion, post-accident or follow-up testing will also be considered safety-sensitive functions.

*Alcohol* -- Intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols including methyl and isopropyl alcohol.

*Drug* -- Any controlled substance listed under section 102(6) of the Controlled Substances Act as specified by the administrator of the federal department of transportation.

*Substance Abuse Professional* -- A licensed physician or certified psychologist, social worker, employee assistance professional or certified addiction counselor with knowledge of and clinical experience in the diagnosis and treatment of alcohol- and drug-related disorders.

*Reasonable Suspicion* -- Specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odor of an individual.

*Qualified Supervisor* -- An employee or driver supervisor who has completed at least 60 minutes of training on alcohol misuse and at least 60 minutes of additional training on controlled substance use.

#### **Program Coordinator**

The resource officer shall serve as the program coordinator to implement the alcohol and drug testing program of the district.

#### **Pre-Employment Tests**

The district will not allow a driver to perform a safety-sensitive function for the district unless the district has a verified negative test result for the driver. The district will not consider for employment any applicant who refuses to submit to drug testing and/or refuses to release information as required by the district. The district may not require a new test if the driver has participated in a drug testing program required for operators of commercial vehicles within the previous 30 days or has participated in a random selection program for the previous 12 months, provided that the district has been able to make all verifications required by law.

#### **Post-Accident Tests**

Alcohol and drug tests shall be conducted on a driver as soon as practical after any accident involving a district vehicle if such driver:

- ▶ Was performing safety-sensitive functions with respect to the vehicle and the accident involved loss of human life.
- ▶ Receives a citation under state or local law for a moving traffic violation arising from the accident if the accident involved bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident.
- ▶ Receives a citation under state or local law for a moving traffic violation arising from the accident if one (1) or more motor vehicles incurs disabling damage as a result of the accident, requiring the motor vehicle(s) to be transported away from the scene by a tow truck or other motor vehicle.

All post-accident alcohol and drug testing shall be conducted within the required time periods. If a test is not conducted within the appropriate period then the test will not be given, and the program coordinator shall prepare and maintain a file documenting the reasons the test was not promptly administered. Tests for drugs must be administered within 32 hours following the accident and tests for alcohol should be administered within two (2) hours and must be administered within eight (8) hours following the accident.

A properly administered post-accident test conducted by federal, state and/or local law enforcement officials meets post-accident testing requirements as long as the results of those tests are provided to the district.

#### **Random Testing**

Alcohol and drug testing shall be conducted on a random basis at unannounced times throughout the year in accordance with federal regulations. Tests for alcohol shall be conducted just before, during or just after the performance of safety-sensitive

functions. Drivers shall be selected by a scientifically valid random process, and each driver shall have an equal chance of being tested each time selections are made.

#### **Reasonable Suspicion Tests**

Any qualified supervisor who has reasonable suspicion to believe that a driver has violated the alcohol or drug prohibitions of the district shall require the driver to submit to the appropriate testing.

Alcohol testing is authorized for reasonable suspicion only if the required observations are made just before, during or just after the period of the work day when the driver must comply with alcohol prohibitions. The person who determines reasonable suspicion exists to conduct a drug or alcohol test will not administer the actual test. If an alcohol test is not administered within two (2) hours of a determination of reasonable suspicion, the qualified supervisor shall prepare and maintain a record explaining why this was not done. Attempts to conduct alcohol tests shall terminate after eight (8) hours, and the qualified supervisor will state in the record the reasons for not administering the test.

Drug and alcohol testing shall include documentation by a qualified supervisor who makes a finding of reasonable suspicion. He or she shall create and sign a written record of his or her observations leading to a reasonable suspicion test within 24 hours of the observed behavior or before the results of the test are released, whichever is earlier.

#### **Consequences**

Employment actions up to and including termination may be instigated in accordance with Board policy and law for any driver who tests positive for prohibited substances.

The program coordinator shall notify the director of the Missouri Department of Revenue (DOR) of any driver who has failed to pass any drug, alcohol or chemical test administered pursuant to Board policy and these procedures. Notification shall consist of the driver's name and any other relevant information required by the director of the Missouri DOR. Such notification shall be made within ten (10) days of discovering that the driver failed to pass such tests.

#### **Return-to-Duty Tests**

Any driver who is not terminated as a result of a positive test must receive an evaluation from a substance abuse professional at the employee's expense and successfully pass an alcohol or drug test before the driver will be permitted to perform safety-sensitive duties. The substance abuse evaluation must be conducted in accordance with federal law and by a properly credentialed substance abuse professional.

#### **Follow-up Tests**

A driver who violates the district's alcohol or drug prohibition and is subsequently identified by a substance abuse professional as needing assistance in resolving an alcohol or drug problem shall be subject to unannounced follow-up testing as directed by the substance abuse professional in accordance with law. Follow-up alcohol testing shall be conducted just before, during or just after the time when the driver is performing safety-sensitive functions.

#### **Testing**

All testing will be conducted in accordance with federal law. The district will use only qualified collectors and testing facilities certified or approved by the U.S. Department of Health and Human Services. Drivers will be drug-tested for marijuana metabolites, cocaine metabolites, amphetamines, opiate metabolites and phencyclidine (PCP). Alcohol testing will be conducted by qualified collectors at facilities that meet federal standards.

#### **Notification**

The program coordinator shall ensure that all drivers receive written materials explaining the district's drug and alcohol misuse prevention program, including copies of or access to applicable policies, procedures, handbooks or other resources that include:

1. The identity of the program coordinator, who will have knowledge of the materials, policy, administrative procedures and the Omnibus Act.
2. Categories of employees covered.
3. Information about the safety-sensitive functions and what period of the work day the employee is required to be in compliance.
4. Specific information concerning prohibited conduct.

5. Circumstances under which drivers will be tested.
  6. Procedures used in the testing process.
  7. Requirements that drivers submit to alcohol and drug tests administered in accordance with federal law.
  8. Explanation of what constitutes a refusal to submit to a drug and/or alcohol test.
  9. Consequences of violations (e.g. discipline up to and including dismissal, removal from safety-sensitive functions as required by the Omnibus Act, referral to substance abuse professional for evaluation, treatment and follow-up testing as required).
  10. Information on the effects of drug use and alcohol misuse on personal life, health and safety in the workplace.
- Drivers shall sign statements certifying that they have received the materials.

\*\*\*\*\*

**FILE: GBH**

**CRITICAL**

**STAFF/STUDENT RELATIONS**

**Definitions**

*Educational Purpose* – A reason associated with the staff member's duties in the district including, but not limited to: counseling, the treatment of a student's physical injury, or coordination of an extracurricular activity, depending on the staff member's job description.

*Staff Member* – For the purposes of this policy, a staff member is any individual employed by the district, including part-time and substitute employees and student teachers.

*Student* – Individuals currently enrolled in the Neosho R-5 School District.

**General**

Staff members are expected to maintain courteous and professional relationships with students. All staff members have a responsibility to provide an atmosphere conducive to learning through consistently and fairly applied discipline and the maintenance of physical and emotional boundaries with students. These boundaries must be maintained regardless of the student's age, the location of the activity, whether the student allegedly consents to the relationship or whether the staff member directly supervises the student. Maintaining these boundaries is an essential requirement for employment in the district.

Although this policy applies to the relationships between staff members and district students, staff members who inappropriately interact with any child may be disciplined or terminated when the district determines such action is necessary to protect students.

The goal of this policy is to protect students from harm and staff members from allegations of misconduct by requiring staff members to maintain professional boundaries with students. The district does not intend to interfere with or impede interactions between staff members and students.

**Absolute Prohibitions**

There are some interactions between staff members and students that are never acceptable and are absolutely prohibited including, but not limited to:

1. Touching, caressing, fondling or kissing students in a sexual or sexually intimate manner.
2. Dating a student or discussing or planning a future romantic or sexual relationship with a student. The district may presume that this provision has been violated if a staff member begins a dating or sexual relationship with a student immediately after graduation or immediately after a student has left the district.
3. Making sexual advances toward a student or engaging in a sexual relationship with a student.
4. Engaging in any conduct that constitutes illegal harassment or discrimination as defined in policy AC or that could constitute a violation of that policy if pervasive.
5. Engaging in any conduct that violates Board policies, regulations or procedures or constitutes criminal behavior.
6. Associating with students in any setting where students are provided, are consuming or are encouraged to use or consume alcohol, tobacco, drugs or any other product or service prohibited to minors.

7. Taking any action toward any student for the purpose of initiating or developing a sexual or romantically intimate relationship.

#### **Electronic Communication**

Staff members are encouraged to communicate with students and parents/guardians for educational purposes using a variety of effective methods, including electronic communication. As with other forms of communication, staff members must maintain professional boundaries with students while using electronic communication regardless of whether the communication methods are provided by the district or the staff member uses his or her own personal electronic communication devices, accounts, webpages or other forms of electronic communication.

The district's policies, regulations, procedures and expectations regarding inperson communications at school and during the school day also apply to electronic communications for educational purposes, regardless of when those communications occur. Staff communications must be professional, and student communications must be appropriate.

1. When communicating electronically with students, staff members must use district-provided devices, accounts and forms of communication (such as computers, phones, telephone numbers, e-mail addresses and district-sponsored webpages or social networking sites), when available. If district-provided devices, accounts and forms of communication are unavailable, staff members communicating electronically with students must do so in accordance with number two below. Staff members may communicate with students using district-provided forms of communication without first obtaining supervisor approval. These communications may be monitored. With district permission, staff members may establish websites or other accounts on behalf of the district that enable communications between staff members and students or parents/guardians. Any such website or account is considered district sponsored and must be professional and conform to all district policies, regulations and procedures.

2. A staff member's supervisor may authorize a staff member to communicate with students using the staff member's personal phone to organize or facilitate a district-sponsored class or activity. The district will provide notification to the parents/guardians of students participating in classes or activities for which personal electronic communications have been approved. Staff members may be required to send the communications simultaneously to the supervisor if directed to do so. Staff members are required to provide their supervisors with all education-related communications with district students upon request.

3. Staff use of any electronic communication is subject to the district's policies, regulations and procedures including, but not limited to, policies, regulations, procedures and legal requirements governing the confidentiality and release of information about identifiable students. Employees who obtain pictures or other information about identifiable students through their connections with the district are prohibited from posting such pictures or information on personal websites or personal social networking websites without permission from a supervisor.

4. This policy does not limit staff members from communicating with their children, stepchildren, other relatives or other persons living within the staff member's home who happen to be students of the district.

#### **Consequences**

Staff members who violate this policy will be disciplined, up to and including termination of employment. Depending on the circumstances, the district may report staff members to law enforcement and the Children's Division (CD) of the Department of Social Services for further investigation, and the district may seek revocation of a staff member's license(s) with the Department of Elementary and Secondary Education (DESE).

#### **Reporting**

Any person, including a student, who has concerns about or is uncomfortable with a relationship or activities between a staff member and a student should bring this concern immediately to the attention of the principal, counselor or staff member's supervisor. If illegal discrimination or harassment is suspected, the process in policy AC will be followed.

Any staff member who possesses knowledge or evidence of possible violations of this policy must immediately make a report to the district's administration. All staff members who know or have reasonable cause to suspect child abuse shall immediately report the suspected abuse in accordance with Board policy. Staff members must also immediately report a violation or perceived violation of the district's discrimination and harassment policy (AC) to the district's nondiscrimination compliance officer. Staff members may be disciplined for failing to make such reports.

The district will not discipline, terminate or otherwise discriminate or retaliate against a staff member for reporting in good faith any action that may be a violation of this policy.

**Training**

The district will provide training to district staff that includes current and reliable information on identifying signs of sexual abuse in children and potentially abusive relationships between children and adults. The training will emphasize legal reporting requirements and cover how to establish an atmosphere where students feel comfortable discussing matters related to abuse.

\*\*\*\*\*

**FILE: GBL  
CRITICAL  
PERSONNEL RECORDS**

It is the intent of the Board of Education to maintain complete and current personnel files, including all information necessary to comply with the Fair Labor Standards Act, for all district employees.

The file of an individual employee will be considered confidential information and a closed record, to the extent allowed by the law, and will only be available to authorized administrative personnel and to the employee. Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment are closed records under the Missouri Sunshine Law to the extent allowed by law. Pursuant to state law, the names, positions, salaries and lengths of service of all employees are public information and must be released upon request. In accordance with federal law, the district shall release to parents, upon request, information regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals who are employed by a school receiving Title I funds and who provide instruction to their child at that school.

Files containing immigration records and files containing medical information regarding an employee will be kept separate from other personnel files.

Upon request to and in the presence of the appropriate administrative official, any employee may inspect his or her own personnel file during regular working hours, with the exception of the ratings, reports and records obtained prior to the employment of the individual, including confidential placement papers.

\*\*\*\*\*

**FILE: GBLB  
CRITICAL  
REFERENCES**

**Definitions**

*Employee* – Any staff member or student teacher of the Neosho R-5 School District.

*Former Employee* – An employee who was terminated or resigned or whose contract was nonrenewed; an employee who has been notified that his or her contract with the district will not be renewed or that the district is pursuing termination, even if the process has not been completed.

*Potential Employer* – Another school district, business or person seeking to hire a current or former employee or screening the current or former employee for a volunteer position, internship or other activity.

*Reference* – Information regarding the employment of, or services provided by, a current or former employee including, but not limited to, specific information regarding dates of employment or service, salary, job duties, performance or character.

*Sexual Misconduct* – Engaging in any conduct with a student, on or off district property, that constitutes the crime of sexual misconduct; illegal sexual harassment as defined in policy AC, as determined by the district; or child abuse

involving sexual behavior, as determined by the Children's Division (CD) of the Department of Social Services.

#### **General**

The district will maintain information regarding current and former employees as confidential within the limits of the law. Only the superintendent or a person or persons specifically designated by the superintendent may respond on behalf of the district to a reference request for a current or former employee. District employees must direct reference requests to the superintendent or designee. Upon request, employees will assist the superintendent or designee with the preparation of accurate reference information.

Employees other than the superintendent or designee may provide personal references at the request of a current or former employee, but by doing so, they are acting outside of the scope of their employment. Employees may not use district letterhead or otherwise indicate that the reference is sponsored by the district. The district will not endorse any reference provided outside the directives of this policy and is not responsible for providing legal advice or protection for unauthorized employees who provide references.

#### **Content**

In accordance with law, the following information about employees will be provided to any member of the public upon request:

1. Names
2. Positions
3. Salary
4. Length of service

Unless otherwise required under this policy or by law, before providing a reference for a current or former employee, the superintendent or designee will verify that the employee consents to the release of further information. The district may obtain a blanket consent from the employee when the employee leaves the district.

Unless otherwise authorized by the Board or the district's attorney, the superintendent or designee may only provide the following factual information when requested, without offering opinions or commentary on job performance:

1. A description of the employee's job duties when employed.
2. Additional district-sponsored committees, activities or duties the employee volunteered for or was designated to perform.
3. Honors and awards received by the employee.
4. Documented, factual information on work performance.
5. Whether the employee resigned or was nonrenewed or terminated. Based on documentation in the personnel file, potential employers will be notified if the employment was ended due to the financial condition of the district, a decrease in enrollment or reorganization of the department, school or district.
6. When requested, a "yes" or "no" answer to a question about whether the district would re-employ the current or former employee if an appropriate position existed or whether the superintendent would recommend reemployment.
7. Allegations of sexual misconduct with a student as required below.

#### **Disclosing Allegations of Sexual Misconduct to Other Public Schools**

If a potential public school employer requests a reference regarding a former employee whose job involved contact with children, the district will, in accordance with state law, notify the potential public school employer if the employee was terminated, nonrenewed or allowed to resign in lieu of termination as a result of allegations of sexual misconduct with a student or as a result of such allegations being substantiated by the CD's child abuse and neglect review board.

If a potential public school employer contacts the district for a reference for any former employee about whom the CD has investigated allegations of sexual misconduct with a student and reached a finding of substantiated, the district will provide the results of the CD investigation to the potential public school employer, regardless of whether the employee's job involved contact with children.

The district must provide these notifications regardless of whether the former employee has authorized the release of information. The district will provide due process as required by law prior to releasing information in accordance with this section, if feasible. The superintendent or designee is authorized to contact the district's attorney for advice on implementing this policy in accordance with law.

#### **Recordkeeping**

When the district is contacted for a reference for a current or former employee, the superintendent or designee will document the date, the name of the person and entity requesting the information, the person responding to the request, the method of disclosure, the information provided and, when applicable, the consent received.

In accordance with law, if the district responds to any requests by letter, the district will forward a copy of the reference letter to the current or former employee at the employee's last known address.

**Notice**

The district will notify all current employees of this policy. The superintendent or designee will provide notification of the existence of this policy to all potential employers who contact the district for a reference. The notification must also include a statement that the district's responses are limited to the scope of this policy. The district will also provide copies of the policy to former employees upon request.

**Immunity**

Any district employee who is permitted under this policy to respond to requests for references regarding former employees and who communicates only the information authorized by this policy in good faith and without malice is entitled to immunity against any civil action for damages brought by the former employee arising out of the communication of such information, in accordance with law. District employees responding to requests for references in accordance with this policy may request the attorney general to defend them if sued.

\*\*\*\*\*

**FILE: GBM**

**BASIC**

**STAFF GRIEVANCES**

The Neosho R-5 School District is interested in employee concerns and ideas for improving the district. District employees are encouraged to discuss concerns with supervisors and the administrative staff so that issues may be addressed in a timely fashion.

**Grievance**

Because violations of Board policies, regulations and collective bargaining agreements are particularly problematic, the Board has developed this formal process for addressing these grievances.

Grievance processing should be viewed as a positive and constructive effort to establish the facts upon which the grievance is based and to accurately implement Board policies, regulations or collective bargaining agreements. The Board strictly prohibits discrimination or retaliation against an employee for filing a grievance and directs all district employees to cooperate in the grievance process.

If more than one (1) district grievance process might apply to a particular concern, the superintendent or designee will decide which process will govern. If any part of a grievance includes allegations of illegal discrimination or harassment, or if the grievance is factually similar to a complaint filed by the same employee regarding illegal discrimination or harassment, the entire grievance will be resolved in accordance with policy AC.

**Definitions**

*Days* – Calendar days, whether occurring during the regular school year or during the summer, but excluding: weekends; district-designated holidays (whether on the original school calendar or designated thereafter); winter and spring breaks and other Board-designated breaks; and closings due to inclement weather, illness, natural disaster, or other emergencies.

*Grievance* – An allegation by an individual employee that a collective bargaining agreement or a specific, written, Board-adopted policy or regulation has been violated or misinterpreted. A grievance does not include concerns regarding performance evaluations or remedial documents, nonrenewal of contracts, employee discipline, reduction in force or termination. This policy does not apply if another Board policy or regulation or state or federal law provides due process, a hearing or a different method for addressing the issue.

*Grievant* – A district employee who has filed a grievance.

*Performance Evaluations or Remedial Documents* – Any assessment of employee performance including, but not limited to, notice of deficiencies, job targets, professional development plans and professional improvement plans.

## **Grievance Process**

1. Grievances must be filed within ten (10) days of the occurrence that is the basis of the grievance. The grievance must be in writing, on the forms provided by the district, and include a copy of the provision of the collective bargaining agreement, policy or regulation alleged to be violated or misinterpreted, as well as a statement of the relief requested.
2. Grievances will be processed according to the step-by-step process outlined below, with the following exceptions. If a person designated to hear a grievance is the subject of the grievance, the grievance process will begin at the next highest step. If a grievance is directly based on official Board action, the grievance shall be directed to the Board secretary. The grievance may be heard by the Board at the sole discretion of the Board.
3. No new information may be added and no new claims may be made after Step 1. Each subsequent appeal will address only the facts and issues presented at Step 1.
4. The deadlines established under this policy may be extended upon the written request of the grievant or the supervisor, but the final decision regarding any extension shall be made by the superintendent at his or her sole discretion. Investigation and reporting deadlines will be extended when more time is necessary to adequately conduct an investigation and to render a decision. The grievant will be notified when deadlines are extended.
5. Failure of the grievant to appeal within the timelines given will be considered acceptance of the findings and remedial action taken. The district will not consider late appeals.
6. Once a decision is rendered under this grievance process, the decision is final. Grievance decisions cannot be the subject of a new grievance.
7. Because the point of a grievance is to provide resolution outside the court system, an employee is not entitled to bring an attorney to grievance proceedings. Once an attorney becomes involved in the process, the superintendent or designee will refer the matter to the district's private attorney and the grievance process will end.

### ***Immediate Supervisor (Step 1)***

1. Employees are encouraged to informally notify their immediate supervisor of a grievance. If the issue is not resolved, the employee should submit a written grievance, on forms provided by the district, to the immediate supervisor. The written grievance must clearly indicate that it is a grievance and specify which provision(s) of policy, regulation or collective bargaining agreement were allegedly violated.
2. Within ten (10) days of receiving the written grievance, the immediate supervisor will investigate the matter and render a decision in writing. A copy of the decision will be provided to the grievant.

### ***Principal or Designee (Step 2)***

This step may be omitted if the principal or designee serves as the immediate supervisor at Step 1 or if the employee's supervisor is not under the direct supervision of a principal.

1. Within five (5) days after receiving the decision at Step 1, the grievant may appeal the decision in writing, using forms provided by the district, to the principal or designee. The appeal must clearly state why the previous decision is erroneous.
2. The principal or designee will, within ten (10) days of receipt of the appeal, review the investigation and render a decision in writing to the grievant and the grievant's immediate supervisor.

### ***Superintendent or Designee (Step 3)***

1. Within five (5) days after receiving the decision at Step 2, the grievant may appeal the decision in writing, using forms provided by the district, to the superintendent or designee. The appeal must clearly state why the previous decision is erroneous.
2. The superintendent or designee will, within ten (10) days of receipt of the appeal, review the investigation and render a decision in writing to the grievant, the principal or designee and the grievant's immediate supervisor.

### ***School Board or Board Committee (Step 4)***

Within five (5) days after receiving the decision at Step 3, the grievant may appeal



the decision in writing, using forms provided by the district, to the Board of Education. The Board of Education, at its sole discretion, may decide to hear the grievance.

**Documentation**

A grievant will receive a written response or report regarding his or her grievance, but the grievant and persons investigated in the course of the grievance are not entitled to view or receive copies of the investigation file or notes taken during the investigation, unless required by law. If an employee is disciplined as a result of the grievance, the discipline may be recorded in the employee's personnel file and discussed with the employee. Information recorded in an employee's personnel file will not be shared except as provided in Board policy or required by law.

\*\*\*\*\*

**FILE: GCBC**

**Critical**

**PROFESSIONAL STAFF FRINGE BENEFITS**

The Board recognizes that fringe benefits, such as insurance opportunities, are an integral part of the total compensation plan for full-time professional staff members. The superintendent or designee will research and present to the Board fringe benefit opportunities that will assist the district in attracting and retaining quality employees.

Unless otherwise indicated in this policy, a professional staff member is considered to be a full-time employee if he or she holds a position designated as full time in the relevant job description.

**Benefits Fully or Partially Paid by the District**

The district will provide access to and contribute toward the cost of the following benefit options for full-time professional staff members:

1. Health insurance or a group health plan
2. Life insurance
3. Vision insurance
4. Dental insurance
5. Other benefits as approved by the Board

In accordance with law, any contract for an insurance policy provided for the benefit of employees will be submitted to competitive bidding at least every three years.

**Health Insurance or Group Health Plan**

The Board will provide eligible full-time employees access to district-sponsored health insurance or a group health plan, in accordance with federal law. For health insurance or health plan purposes, an eligible employee is defined as a staff member the district reasonably expects to work an average of 30 hours or more per week as determined by law.

Any district health insurance contract or plan shall include a provision allowing persons who retire from the district to remain or become members of the plan if they are eligible to receive benefits under the Public School Retirement System of Missouri (PSRS) or the Public Education Employee Retirement System of Missouri (PEERS) by paying premiums. In addition, the retiree's spouse and children must be allowed to become members of the plan if they are receiving or are eligible to receive benefits under the PSRS or PEERS. Retirees and their spouses and children will have one year from the date of retirement to qualify and enroll in the coverage. Once that date has passed, if a retiree or his or her spouse or children discontinue district coverage, they are not eligible to re-enroll.

**Benefits Provided by the District at Employee Expense**

In accordance with law, the district is required to establish a premium-only cafeteria plan unless the district provides health insurance through a self-insured or self-funded group health plan. Even if the district provides health insurance through a self-insured or self-funded plan, the district may choose to offer employees access to a cafeteria plan or other benefits at the employee's expense.

**403(b) Annuity Program**

The district offers participation in a 403(b) annuity program in accordance with law. The Neosho R-5 School District has selected and contracted with a third-party company to administer this program. A copy of the district's written plan is available in the central office. Selection and removal of vendors and funding vehicles shall be in accordance with the policy recommended by the third-party administrator, which is incorporated by reference into this policy.

**Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA)**

## **Requirements**

In accordance with law, the district-sponsored health insurance or group health plan will allow for continuing coverage of employees and their spouses, former spouses or dependent children after certain qualifying events upon payment of the applicable premium. This obligation applies to both district-paid and employee-paid options. Qualifying events include, but are not limited to, employee resignation from the district, most situations involving employee termination and situations where an employee's hours have been reduced so that he or she no longer qualifies for district-paid health insurance or the group health plan. The district will provide notices as required by law.

\* \* \* \* \*

## **FILE: GDBC**

### **Critical**

#### **SUPPORT STAFF FRINGE BENEFITS**

The Board recognizes that fringe benefits, such as insurance opportunities, can be an important part of the total compensation plan. The superintendent or designee will research and present to the Board fringe benefit opportunities that will assist the district in attracting and retaining quality employees.

Unless otherwise indicated in this policy, a support staff member is considered to be a full-time employee if he or she holds a position designated as full time in the relevant job description.

#### **Benefits Fully or Partially Paid by the District**

The district has a wide variety of support staff members with varying schedules and compensation expectations. The district will notify employees in writing of the benefits associated with their positions. The district may provide access to and contribute toward the cost of the following benefit options, depending on the position:

1. Health insurance or a group health plan
2. Life insurance
3. Vision insurance
4. Dental insurance
5. Other benefits as approved by the Board

In accordance with law, any contract for an insurance policy provided for the benefit of employees will be submitted to competitive bidding at least every three years.

#### **Health Insurance or Group Health Plan**

The Board will provide eligible full-time employees access to district-sponsored health insurance or a group health plan, in accordance with federal law. For health insurance or health plan purposes, an eligible employee is defined as a staff member the district reasonably expects to work an average of 30 hours or more per week as determined by law.

Any district health insurance contract or plan shall include a provision allowing persons who retire from the district to remain or become members of the plan if they are eligible to receive benefits under the Public School Retirement System of Missouri (PSRS) or the Public Education Employee Retirement System of Missouri (PEERS) by paying premiums. In addition, the retiree's spouse and children must be allowed to become members of the plan if they are receiving or are eligible to receive benefits under the PSRS or PEERS. Retirees and their spouses and children will have one year from the date of retirement to qualify and enroll in the coverage. Once that date has passed, if a retiree or his or her spouse or children discontinue district coverage, they are not eligible to re-enroll.

#### **Benefits Provided by the District at Employee Expense**

In accordance with law, the district is required to establish a premium-only cafeteria plan unless the district provides health insurance through a self-insured or self-funded group health plan. Even if the district provides health insurance through a self-insured or self-funded plan, the district may choose to offer employees access to a cafeteria plan or other benefits at the employee's expense.

#### **403(b) Annuity Program**

The district offers participation in a 403(b) annuity program in accordance with law. The Neosho R-5 School District has selected and contracted with a third-party company to administer this program. A copy of the district's written plan is available in the central office. Selection and removal of vendors and funding vehicles shall be in accordance with the policy recommended by the third-party administrator, which is incorporated by reference into this policy.

**Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) Requirements**

In accordance with law, the district-sponsored health insurance or group health plan will allow for continuing coverage of employees and their spouses, former spouses or dependent children after certain qualifying events upon payment of the applicable premium. This obligation applies to both district-paid and employee-paid options. Qualifying events include, but are not limited to, employee resignation from the district, most situations involving employee termination and situations where an employee's hours have been reduced so that he or she no longer qualifies for district-paid health insurance or the group health plan. The district will provide notices as required by law.

\*\*\*\*\*

**FILE: GDBC  
CRITICAL  
SUPPORT STAFF FRINGE BENEFITS**

The Board recognizes that fringe benefits are an integral part of the total compensation plan for support staff members. The Board of Education shall provide fringe benefits to all full-time support staff employees by offering participation in a group insurance plan. The contract for insurance will be submitted to competitive bidding at least every three years. Any plan of group health insurance shall include a provision allowing persons who retire, or who have retired, to become members of the plan if they are eligible to receive benefits under the Public Education Employee Retirement System (PEERS), by paying premiums at the same rate as other members of the group, pursuant to the limitations set forth in § 169.590, RSMo. In addition, the Board shall establish a premium-only cafeteria plan, as permitted under federal law, accessible by employees of the school district.

**COBRA**

At the time of commencement of coverage under the plan, an employee shall be given his or her first notification of rights under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Further notification is contingent upon the occurrence of a qualifying event and, in applicable situations, notification to the district that a qualifying event has occurred, as required by law.

**403(b) Annuity Program**

The district offers participation in a 403(b) annuity program in accordance with law. The Neosho R-5 School District has selected AccuFlex Services, Inc. to administer this program. A copy of the district's written plan is available in the central office. Selection and deselection of vendors and funding vehicles shall be in accordance with the policy recommended by AccuFlex Services, Inc., which is incorporated by reference into this policy.

\*\*\*\*\*

**FILE: GCBDA  
CRITICAL  
PROFESSIONAL STAFF SHORT-TERM LEAVES AND ABSENCES**

Consistent contact with students and staff is important to the learning environment and district operation and therefore is an essential duty of a professional staff member's position. When a professional staff member is routinely tardy, frequently absent or is absent for an extended period of time, the learning environment and district operations deteriorate, and the students suffer.

Professional staff employees may be terminated for excessive absences or tardiness. Unless authorized by the Board or the superintendent or otherwise authorized by law, an employee's absence or tardiness is considered excessive if it:

- 1. Is for a reason not granted as paid or protected leave under Board policy.
- 2. Exceeds the number of days allotted by the Board for that particular leave.
- 3. Is for a reason authorized by Board policy but exceeds 5 days a month, 10 days in a semester or 20 days per school year.

Even if the absence or tardiness is authorized by the Board or the superintendent, if the absence or tardiness occurs for a reason not granted as paid leave under Board policy or if it exceeds the number of days the employee has been granted under a designated leave, the employee's salary will be docked.

No employee will be disciplined or terminated for absences qualifying for protection under the Family and Medical Leave Act (FMLA) or other applicable law

(see Board policy GBBDA).

The district may require an employee to provide the district a doctor's note or other verification of illness before the district applies sick leave or other applicable paid leave to the absence. In accordance with law, the district may require an employee to present a certification of fitness to return to work whenever the employee is absent from work due to the employee's health.

This policy does not apply to temporary or substitute staff members unless otherwise noted.

The following leaves with pay will be provided to full-time professional staff employees. Regular part-time professional staff employees will receive these leaves on a pro rata basis.

1. **Sick Leave** – Professional staff employees whose assignments call for 10, 11 and 12 months of employment will be entitled to 10, 11 and 12 days of sick leave, respectively, per school year. Professional staff employees whose assignments call for full-time employment only during the regular school term will be entitled to 9 days of sick leave. Unused sick leave will be cumulative to 180 sick leave days. An absence of over one through four hours shall be counted as a half-day of sick leave.

Absences may be charged against sick leave for the following reasons:

a. Illness, injury or incapacity of the employee. The Board reserves the right to require a physician's certification attesting to the illness or incapacity of the claimant and/or inclusive dates of the employee's incapacitation. FMLA health certification procedures apply to FMLA-qualifying absences, even if such absences are paid sick leave.

b. Illness, injury or incapacity of a member of the immediate family. The Board defines "immediate family" to include:

- ▶ The employee's spouse.
- ▶ The following relatives of the employee or the employee's spouse: parents, children, children's spouses, grandparents, grandchildren, siblings and any other family member residing with the employee.
- ▶ Any other person over whom the employee has legal guardianship or for whom the employee has power of attorney and is the primary caregiver.

(Note: "Family" for FMLA purposes is more limited.)

c. Illness, injury or incapacity of other relatives, with permission granted by the superintendent.

d. Pregnancy, childbirth and adoption leave in accordance with this policy.

Staff members who are ill are encouraged to stay home to promote healing and reduce the risk of infecting others, especially during a pandemic or other significant health event. In the event of a pandemic or other significant health event, schools may be closed to all staff and students or just students. If schools are closed only to students, staff members are expected to work regular schedules or use appropriate leave.

A district employee may not use sick leave during the period the employee receives Workers' Compensation for time lost to work-related incidents.

Any certificated employee who is a member of a retirement system shall remain a member during any period of leave under sick leave provisions of the district or under Workers' Compensation. The employee shall also receive creditable service credit for such leave time if the employee makes contributions to the system equal to the amount of contributions that he or she would have made had he or she been on active service status.

When a certificated employee leaves the district via resignation or retirement with a minimum of 10 years of service in the district, he or she shall be paid at a rate of \$15 for each day of accumulated sick leave up to a maximum of 100 days (\$1,500), provided the certificated employee does not resign or submit a request to be released from his or her contract after April 1. Employees who are terminated will not receive payment for any unused sick leave.

2. **Personal Leave** – A maximum of two days of personal leave will be available per school year. One day of unused personal leave per school

year will accumulate as sick leave. Personal leave will not be deducted from sick leave. An employee may only take personal leave in conjunction with a holiday or scheduled day(s) off if the employee has the prior approval of the superintendent.

Absences may be charged against personal leave for the following reasons:

- a. Tax investigation.
- b. Court appearances, unless applicable law requires no leave be charged to the employee.
- c. Wedding, graduation or funeral (see "Bereavement Leave" below).
- d. Observance of a religious holiday.
- e. Conducting personal business of such a nature that it cannot be performed on a Saturday, Sunday or before or after school hours, including parent-teacher conferences.
- f. Leave under the FMLA.
- g. Leave connected with duty as a volunteer firefighter, member of Missouri-1 Disaster Medical Assistance Team, Missouri Task Force One, Urban Search and Rescue Team or activation by the Federal Emergency Management Agency (FEMA) in times of national disaster.
- h. Leave for other purposes as approved by the superintendent.

Whenever possible, it is expected that requests for leave will be made in writing to the designated administrator at least 48 hours in advance of the time leave is requested. However, 30 days' notice is required by law if the leave qualifies as FMLA leave and such notice is practical. The administrator will respond promptly to the employee's written request. A district employee may not use personal leave days during the period the employee receives Workers' Compensation for time lost to work-related incidents.

**3. Bereavement Leave** – An employee may have the need to be absent from his or her assignment due to a death in an employee's immediate family. The Board defines "immediate family" to include:

- ▶ The employee's spouse.
- ▶ The following relatives of the employee or the employee's spouse: parents, children, children's spouses, grandparents, grandchildren, siblings and any other family member residing with the employee.
- ▶ Any other person over whom the employee has legal guardianship or for whom the employee has power of attorney and is the primary caregiver.

The district may require verification of the need for the leave. A total of five days may be taken in any school year for bereavement purposes. Use of bereavement leave will be charged against the employee's sick leave. After the five days of bereavement leave are used up, any additional bereavement leave must be approved by the superintendent.

**4. Vacation** – All professional staff employed on a 12-month basis will receive 2 weeks of vacation per year; after 5 complete years of service, employees will receive 3 weeks of vacation. An employee must submit a written request for vacation to the superintendent or designee and receive written authorization before taking vacation days. If the employee's absence may disrupt district operations, the superintendent or designee has the discretion to deny a request for vacation or to limit the time of year the employee may take his or her vacation.

A district employee may not use vacation days during the period the employee receives Workers' Compensation for time lost to work-related incidents.

Unless otherwise provided, the following leaves will be provided to full-time and part-time professional employees.

**1. Holidays** – Independence Day, Labor Day, Thanksgiving Day, Christmas Eve, Christmas Day, New Year's Day, Memorial Day.

The district will grant paid and unpaid holidays in accordance with the academic calendar adopted by the Board. Holidays may be modified or eliminated as needed when the academic calendar is changed due to inclement weather or for other reasons. Holidays may change from year to

year.

2. **Professional Leave** – Employees may be granted professional leave to attend classes or conferences, meet with mentors or participate in other approved professional growth activities. Professional leave must be approved by the superintendent or designee, arranged well in advance and is not considered personal leave.

3. **Military Leave** – The Board shall grant military leave as required by law. Members of the National Guard or any reserve component of the U.S. Armed Forces who are engaged in the performance of duty or training will be entitled to a leave of absence of 120 hours in any federal fiscal year (October 1 – September 30) without impairment of efficiency rating or loss of time, pay, regular leave or any other rights or benefits. Employees shall provide the district an official order verifying that they are required to report to duty.

4. **Election Leave** – Any employee who is appointed as an election judge pursuant to state law may be absent on any election day for the period of time required by the election authority. The employee must notify the district at least seven days prior to any election in which the employee will serve as an election judge. No employee will be terminated, disciplined, threatened or otherwise subjected to adverse action based on the employee's service as an election judge.

5. **Leave to Vote** – Employees who do not have three successive hours free from work while the polls are open will be granted a leave period of up to three hours to permit the employees three successive hours while the polls are open for the purpose of voting. Requests for such leave must be made prior to election day, and the employee's supervisors will designate when during the workday the leave should be taken. Any employee who properly requests leave to vote and uses the leave for that purpose will not be subject to discipline, termination or loss of wages or salary.

6. **Jury Duty Leave** – An employee will be granted paid leave for time spent responding to a summons for jury duty, time spent participating in the jury selection process or time spent actually serving on a jury. An employee will not be terminated, disciplined, threatened or otherwise subjected to adverse action because of the employee's receipt of or response to a jury summons.

7. **Leave for Court Subpoena** – If the subpoena is directly related to the employee's school duties, the employee will be released for court appearance without loss of leave. Other court appearances will be deducted from personal leave.

8. **Firefighter Leave** – Employees will be allowed to use personal, vacation and/or unpaid leave for any time taken to respond to an emergency in the course of performing duties as a volunteer firefighter. For the purposes of this section, "volunteer firefighter" includes members of Missouri-1 Disaster Medical Assistance Team, Missouri Task Force One, Urban Search and Rescue Team or those activated by FEMA in times of national disaster. Employees covered under this section shall not be terminated from employment for joining a volunteer fire department or for being absent from or late to work in order to respond to an emergency. Employees shall make every reasonable effort to notify the principal or supervisor if the employee may be absent from or late to work under this section. Employees are required to provide their supervisors with a written statement from the supervisor or acting supervisor of the volunteer fire department stating that the employee responded to an emergency along with the time and date of the emergency.

9. **Crime Victim Leave** – Any employee who is a crime victim, who witnesses a crime or who has an immediate family member who is a crime victim will not be required to use vacation, personal or sick leave in order to honor a subpoena to testify in a criminal proceeding, attend a criminal proceeding or participate in the preparation of the criminal proceeding.

10. **Civil Air Patrol Leave** – Any employee who is a member of Civil Air Patrol and has qualified for a Civil Air Patrol emergency service specialty or who is certified to fly counternarcotics missions shall be granted unpaid leave to perform Civil Air Patrol emergency service duty or counternarcotics

missions without loss of time, regular leave or any other rights or benefits in accordance with law. The leave is limited to 15 working days in any calendar year, but is unlimited when responding to a state- or nationally declared emergency in Missouri. The district may request that the employee be exempted from responding to a specific mission.

#### **Pregnancy, Childbirth and Adoption Leave**

This section creates no rights extending beyond the contracted period of employment. FMLA certification and recertification procedures apply to FMLA-eligible employees. An employee must notify the district of the need for and anticipated duration of the leave at least 30 days before leave is to begin, if foreseeable. If 30 days' notice is not practical, the employee must give as much notice as possible. A pregnant employee shall continue in the performance of her duties as long as she is able to do so and as long as her ability to perform her duties is not impaired, based on medical opinion.

Employees eligible for FMLA leave for the birth, first-year care, adoption or foster care of a child will have such leave applied in accordance with the FMLA. The district shall only apply up to six weeks of accrued paid leave to such absences. Employees who are ineligible for FMLA leave may take up to six weeks of leave for the birth, first-year care, adoption or foster care of a child and may use any combination of accrued sick leave, personal leave, vacation leave or unpaid leave. Pregnant employees who need more than six weeks of paid or unpaid leave for a pregnancy-related incapacity must provide certification of the medical necessity for such leave.

**FILE: GBBDA**

#### **CRITICAL**

#### **SUPPORT STAFF LEAVES AND ABSENCES**

Consistent staffing is important to the learning environment and district operation and therefore is an essential duty of all employees. When an employee is routinely tardy, frequently absent or is absent for an extended period of time, the learning environment and district operations deteriorate, and the students suffer.

Employees may be terminated for excessive absences or tardiness. Unless authorized by the Board or superintendent, or otherwise authorized by law, an employee's absence or tardiness is considered excessive if it:

1. Is for a reason not granted as paid or protected leave under Board policy.
2. Exceeds the number of days allotted by the Board for that particular leave.
3. Is for a reason authorized by Board policy but exceeds 5 days a month, 20 days in a semester or 40 days per school year.

The employee's salary will be docked if the absence or tardiness occurs for a reason not granted as paid leave under Board policy or if it exceeds the number of days the employee has been granted under a designated leave, even if the absence or tardiness is authorized by the Board or the superintendent.

No employee will be disciplined or terminated for absences qualifying for protection under the Family and Medical Leave Act (FMLA) or other applicable law (see Board policy GBBDA).

The district may require an employee to provide the district a doctor's note or other verification of illness before the district applies sick leave or other applicable paid leave to the absence. In accordance with law, the district may require an employee to present a certification of fitness to return to work whenever the employee is absent from work due to the employee's health.

This policy does not apply to temporary or substitute staff members unless otherwise noted.

The following leaves with pay will be provided to full-time support staff employees. Regular part-time support staff employees will receive these leaves on a pro rata basis.

1. **Sick Leave** – Any support staff employees whose assignments call for 12 months of full-time employment will be entitled to 12 days of sick leave.

Support staff employees whose assignments call for full-time employment only during the regular school term will be entitled to 9 days of sick leave.

Unused sick leave will be cumulative to 180 sick leave days. An absence of over one through four hours shall be counted as a half-day of sick leave.

Absences may be charged against sick leave for the following reasons:

- a. Illness, injury or incapacity of the employee. The Board reserves the right to require a physician's certification attesting to the illness or

incapacity of the claimant and/or inclusive dates of the employee's incapacitation. The FMLA health certification procedures apply to FMLA-qualifying absences, even if such absences are paid sick leave.

b. Illness, injury or incapacity of a member of the immediate family. The Board defines "immediate family" to include:

- ▶ The employee's spouse.
- ▶ The following relatives of the employee or the employee's spouse: parents, children, children's spouses, grandparents, grandchildren, siblings and any other family member residing with the employee.
- ▶ Any other person over whom the employee has legal guardianship or for whom the employee has power of attorney and is the primary caregiver.

(Note: "Family" for FMLA purposes is more limited.)

c. Illness, injury or incapacity of other relatives, with permission granted by the superintendent.

d. Pregnancy, childbirth and adoption leave in accordance with this policy.

Staff members who are ill are encouraged to stay home to promote healing and reduce the risk of infecting others, especially during a pandemic or other significant health event. In the event of a pandemic or other significant health event, schools may be closed to all staff and students or just students. If schools are closed only to students, staff members are expected to work regular schedules or use appropriate leave.

A district employee may not use sick leave during the period the employee receives Workers' Compensation for time lost to work-related incidents.

Any support staff employee who is a member of a retirement system shall remain a member during any period of leave under sick leave provisions of the district or under Workers' Compensation. The employee shall also receive creditable service credit for such leave time if the employee makes contributions to the system equal to the amount of contributions that he or she would have made had he or she been on active service status.

2. **Personal Leave** – A maximum of two days of personal leave will be available per school year. One day of unused personal leave per school year will accumulate as sick leave. Personal leave will not be deducted from sick leave.

Absences may be charged against personal leave for the following reasons:

- a. Tax investigation.
- b. Court appearances, unless applicable law requires no leave be charged to the employee.
- c. Wedding, graduation or funeral (see "Bereavement Leave" below).
- d. Observance of a religious holiday.
- e. Conducting personal business of such a nature that it cannot be performed on Saturday, Sunday or before or after school hours, including parent-teacher conferences.
- f. Leave under the FMLA.
- g. Leave connected with duty as a volunteer firefighter, member of Missouri-1 Disaster Medical Assistance Team, Missouri Task Force One, Urban Search and Rescue Team or activation by the Federal Emergency Management Agency (FEMA) in times of national disaster.
- h. Leave for other purposes as approved by the principal.

Whenever possible, it is expected that requests for leave will be made in writing to the designated administrator at least 48 hours in advance of the time leave is requested. However, 30 days' notice is required by law if the leave qualifies as FMLA leave and such notice is practical. The administrator will respond promptly to the employee's written request.

A district employee may not use personal leave days during the period the employee receives Workers' Compensation for time lost to work-related incidents.

3. **Bereavement Leave** – An employee may have the need to be absent from



his or her assignment due to a death in an employee's immediate family. The Board defines "immediate family" to include:

- ▶ The employee's spouse.
- ▶ The following relatives of the employee or the employee's spouse: parents, children, children's spouses, grandparents, grandchildren, siblings and any other family member residing with the employee.
- ▶ Any other person over whom the employee has legal guardianship or for whom the employee has power of attorney and is the primary caregiver.

The district may require verification of the need for the leave. A total of five days may be taken in any school year for bereavement purposes. Use of bereavement leave will be charged against the employee's sick leave. After the five days of bereavement leave are used up, any additional bereavement leave must be approved by the superintendent.

**4. Vacation** – All support staff employed on a 12-month basis will receive 2 weeks of vacation per year. An employee must submit a written request for vacation to his or her supervisor and receive written authorization before taking vacation days. If the employee's absence may disrupt district operations, the supervisor has the discretion to deny a request for vacation or to limit the time of year the employee may take his or her vacation. A district employee may not use vacation days during the period the employee receives Workers' Compensation for time lost to work-related incidents.

**4. Bereavement Leave** – When a death occurs in an employee's immediate family, employees may take up to five days off with pay to attend the funeral or make funeral arrangements. The district may require verification of the need for the leave. The Board defines "immediate family" to include spouse, parents, children, children's spouses, grandparents, grandchildren and siblings of an employee or employee's spouse, and any other family member residing with the employee. After the exhaustion of the five days of bereavement leave, the employee may use personal leave.

Unless otherwise provided, the following leaves will be provided to full-time and part-time support staff employees.

**1. Holidays** – Independence Day, Labor Day, Thanksgiving, Christmas Eve, Christmas Day, New Year's Day, Memorial Day.

The district will grant paid and unpaid holidays in accordance with the academic calendar adopted by the Board. Holidays may be modified or eliminated as needed when the academic calendar is changed due to inclement weather or for other reasons. Holidays may change from year to year.

**2. Professional Leave** – Employees may be granted professional leave to attend classes or conferences, meet with mentors or participate in other approved professional growth activities. Professional leave must be approved by the immediate supervisor, arranged well in advance and is not considered personal leave.

**3. Military Leave** – The Board shall grant military leave as required by law. Members of the National Guard or any reserve component of the U.S. Armed Forces who are engaged in the performance of duty or training will be entitled to a leave of absence of 120 hours in any federal fiscal year (October 1 – September 30) without impairment of efficiency rating or loss of time, pay, regular leave or any other rights or benefits. Employees shall provide the district an official order verifying that they are required to report to duty.

**4. Election Leave** – Any employee who is appointed as an election judge pursuant to state law may be absent on any election day for the period of time required by the election authority. The employee must notify the district at least seven days prior to any election in which the employee will serve as an election judge. No employee will be terminated, disciplined, threatened or otherwise subjected to adverse action based on the employee's service as an election judge.

**5. Leave to Vote** – Employees who do not have three successive hours free from work while the polls are open will be granted a leave period of up to three hours to permit employees three successive hours while the polls are

open for the purpose of voting. Requests for such leave must be made prior to election day, and the employee's supervisors will designate when during the workday the leave should be taken. Any employee who properly requests leave to vote and uses the leave for that purpose will not be subject to discipline, termination or loss of wages or salary.

6. **Jury Duty Leave** – An employee will be granted paid leave for time spent responding to a summons for jury duty, time spent participating in the jury selection process or time spent actually serving on a jury. An employee will not be terminated, disciplined, threatened or otherwise subjected to adverse action because of the employee's receipt of or response to a jury summons.

7. **Leave for Court Subpoena** – If the subpoena is directly related to the employee's school duties, the employee will be released for court appearance without loss of leave. Other court appearances will be deducted from personal leave.

8. **Firefighter Leave** – Employees will be allowed to use personal, vacation and/or unpaid leave for any time taken to respond to an emergency in the course of performing duties as a volunteer firefighter. For the purposes of this section, "volunteer firefighter" includes members of Missouri-1 Disaster Medical Assistance Team, Missouri Task Force One, Urban Search and Rescue Team or those activated by FEMA in times of national disaster.

Employees covered under this section shall not be terminated from employment for joining a volunteer fire department or for being absent from or late to work in order to respond to an emergency. Employees shall make every reasonable effort to notify the principal or supervisor if the employee may be absent from or late to work under this section. Employees are required to provide their supervisors with a written statement from the supervisor or acting supervisor of the volunteer fire department stating that the employee responded to an emergency along with the time and date of the emergency.

9. **Crime Victim Leave** – Any employee who is a crime victim, who witnesses a crime or who has an immediate family member who is a crime victim will not be required to use vacation, personal or sick leave in order to honor a subpoena to testify in a criminal proceeding, attend a criminal proceeding or participate in the preparation of the criminal proceeding.

10. **Civil Air Patrol Leave** – Any employee who is a member of Civil Air Patrol and has qualified for a Civil Air Patrol emergency service specialty or who is certified to fly counternarcotics missions shall be granted unpaid leave to perform Civil Air Patrol emergency service duty or counternarcotics missions without loss of time, regular leave or any other rights or benefits in accordance with law. The leave is limited to 15 working days in any calendar year, but is unlimited when responding to a state- or nationally declared emergency in Missouri. The district may request that the employee be exempted from responding to a specific mission.

#### **Pregnancy, Childbirth and Adoption Leave**

This section creates no rights extending beyond the contracted period of employment. FMLA certification and recertification procedures apply to FMLAeligible employees. An employee must notify the district of the need for and anticipated duration of the leave at least 30 days before leave is to begin, if foreseeable. If 30 days' notice is not practical, the employee must give as much notice as possible. A pregnant employee shall continue in the performance of her duties as long as she is able to do so and as long as her ability to perform her duties is not impaired, based on medical opinion.

Employees eligible for FMLA leave for the birth, first-year care, adoption or foster care of a child will have such leave applied in accordance with the FMLA. The district shall only apply up to six weeks of accrued paid leave to such absences. Employees who are ineligible for FMLA leave may take up to six weeks of leave for the birth, first-year care, adoption or foster care of a child and may use any combination of accrued sick leave, personal leave, vacation leave or unpaid leave. Pregnant employees who need more than six weeks of paid or unpaid leave for a pregnancy-related incapacity must provide certification of the medical necessity for such leave.

\*\*\*\*\*

**FILE: GCN  
CRITICAL  
EVALUATION OF PROFESSIONAL STAFF**

**Purpose**

To outline guidelines for evaluating Neosho R-5 School District educators in order to:

1. Improve instruction;
2. Provide ongoing feedback for professional growth;
3. Facilitate communication between the professional employee and his or her immediate supervisor;
4. Promote teaching excellence and high standards of effectiveness for educators;
5. Identify areas in educators' practices to strengthen and the relevant supports available through the district and other resources; and
6. Provide for adherence to the evaluation policies adopted in accordance with state law.

**Scope**

This policy applies to all Neosho R-5 School District classroom teachers and the following nonclassroom teachers: library media specialists; guidance counselors; caseload educators (social workers, psychologists, special education supervisors); and academic interventionists/coaches (instructional facilitators, math, literacy, etc.). Principals and assistant principals are not included under this policy.

**Definitions**

*Accuracy of the Data* – Means only that the data identified with a particular educator is correct.

*Minor Procedural Errors* – Errors that do not materially affect or compromise the integrity of the evaluation results.

*Artifact* – A physical document or product presented by the educator to provide evidence of work completed.

*Evidence* – That which proves or disproves something; ground for belief; proof of existence.

*System* – The protocols and processes required to properly use the scoring guides and accurately enter the data.

**Educator Evaluation and Development**

Neosho R-5 School District believes that an educator development process that promotes the achievement and sustainment of high quality instruction is essential for student academic success, growth, and achievement. Accordingly, evaluation of educators will be conducted regularly and will reflect a fair, meaningful and accurate depiction of an educator's development, growth and performance in the teaching profession.

The district is also committed to supporting educators in their professional practices and believes that meaningful educator evaluations allow the district to identify instructional areas that need strengthening and prescribe appropriate available support and professional development opportunities. Therefore, educators may seek available district support to improve their professional practices. Additionally, educator evaluation provides the district with a useful tool to inform personnel decisions. Evaluations factor into employment decisions, including, but not necessarily limited to, promotion, retention, termination, compensation and the attainment of tenure status.

From a districtwide perspective, the results of regular and consistent evaluations are useful in informing systemic decisions designed to: (1) improve and optimize student achievement; (2) improve overall educator performance within the district; and (3) improve efficiency in the educational service delivery of the school system (e.g., align district professional development and educator support programs with districtwide educator needs identified through aggregate evaluation results).

**Evaluation Model and Process**

Neosho R-5 School District believes that in order for evaluation results to accurately reflect the performance level of an educator, the model of evaluation will be multidimensional and include components that are valid indicators of performance. Additionally, the evaluation process will be conducted with fidelity by competent evaluators and those certified in observation, in accordance with state law and regulations.

To that end, the district shall evaluate all educators in accordance with standards

approved by the Neosho R-5 School District Board of Education. The evaluation process shall be defined and implemented uniformly throughout the district. The educator evaluation measure for the district shall include the following components:

1. Observation of Teaching/Classroom Instruction;
2. Unit of Instruction Analysis;
3. Analysis of Professional Development Plan;
4. Student Growth and/or Achievement Data; and
5. Stakeholder (including student) Perceptions.

The inputs for each evaluation component for an individual educator shall be included as part of the formal results of the evaluation. Inputs may include items such as an educator's relevant Missouri Assessment Program (MAP)/End of Course (EOC) and other standardized assessment scores, an evaluator's observation ratings and notes and responses to student perception surveys. The inputs for each evaluation component for an individual educator shall be available to the educator or designee, those allowed access by district policy, and those required access by state or federal law.

The results of the evaluation of an individual educator including the inputs shall constitute the official evaluation for the educator and shall be included in the educator's personnel file. Personnel files shall only be made available in accordance with applicable law and Board policy. Evaluation results are not grievable pursuant to district policy. However, any misapplication of this policy during the evaluation process is subject to the established grievance process.

#### **Monitoring**

The superintendent or designee shall monitor implementation of this policy and shall review the methods and definitions for conducting evaluations and measuring educator effectiveness with appropriate stakeholders. The superintendent or designee shall also review the components of the Network for Educator Effectiveness (NEE) Model to ensure the Neosho R-5 School District is in compliance with guidelines and requirements set forth by the Missouri Department of Elementary and Secondary Education (DESE). Moreover, the superintendent or designee shall provide to the Board every year a report on the district's aggregate educator evaluation results and their impact on student achievement.

#### **Responsibility**

1. The Neosho R-5 School District Board of Education is responsible for ensuring that guidelines and requirements set forth by DESE and federal law are properly effectuated for the district schools.
2. The district is responsible for providing professional development opportunities and support in accordance with policy and the district's professional development plan.
3. The district is responsible for overseeing the district-wide educator evaluation process.
4. The superintendent or designee is responsible for ensuring adherence to state evaluation compliance guidelines and grievances based on the application of this policy.
5. Principals are responsible for adhering to this policy, adhering to protocol guidelines set forth in the state evaluation model, and directing educators to available support and professional development.
6. Educators are responsible for adhering to this policy and seeking professional development and support as needed.
7. The superintendent is responsible for ensuring that all educators, principals and administrators are aware of the provisions and guidelines of the Elementary and Secondary Education Act (ESEA) waiver, including the general processes involved in the system.
8. The superintendent is responsible for ensuring that this policy is implemented.

\*\*\*\*\*

**FILE: GCN-AP**

**CRITICAL**

**EVALUATION OF PROFESSIONAL STAFF**

**Evaluation of Educators**

The Neosho R-5 School District shall evaluate all educators in accordance with applicable district policy, state laws and regulatory guidelines. The district educator

evaluation process shall be aligned with the seven essential components of the Elementary and Secondary Education Act (ESEA) waiver requirements. The Network for Educator Effectiveness (NEE) system exceeds the seven essential components requirement set forth in the ESEA waiver.

***Observation of Teaching/Classroom Instruction***

The observation component is intended to gauge the effectiveness of each educator's instructional and pedagogical strategies; curriculum implementation; ability to teach critical thinking, maintain a positive classroom learning environment and demonstrate effective communication; and use of assessment data to improve student learning. All educators shall be observed by their principals, or when necessary, the principal's designated assistant principal and/or other observers. The purpose of an individual observation is to provide an opportunity for the evaluator to observe the educator as he or she engages in classroom instruction and then to evaluate the instructional practices demonstrated by the educator against the observation scoring guides. During the observation event the observer will typically be focused on a few specific indicator scoring guides. The observer may gather data on other indicators while in the classroom setting.

***Unit of Instruction Analysis***

The unit of instruction analysis component is intended to determine the level of instructional planning and organization each educator has in his or her area of responsibility. The rating inputs for educator unit of instruction analysis include items submitted to the evaluator or designee based on a list of artifacts provided during the evaluator training.

Inputs for the teacher unit of instruction analysis component for the evaluation shall be educator-selected. However, the educator may only select a unit of instruction for analysis that is aligned to his or her primary responsibility, and the educator must justify his or her selection by showing how the input accurately measures his or her instructional planning and organization of curriculum-related materials for use in the classroom. The educator must select the input (the specific unit of instruction) no later than the end of the first semester of each school year.

***Analysis of Professional Development Plan (PDP)***

The professional development analysis component is intended to determine the level of planning and organization of the educator's professional development plan (PDP), the level of implementation of the PDP, and the level of impact the growth plan had on the educator's students' learning. The blank template and sample exemplar PDP will be provided during evaluator training and are available at <http://nee.missouri.edu/> in the resources section.

***Student Growth and Achievement Data***

The student performance data source will not be immediately used. When the process has been more extensively vetted and the data provided is uniform and consistent, it will be offered to the district for upload into the NEE database.

***Stakeholder (Student) Perceptions***

The stakeholder perception component is intended to gather information from students and/or other stakeholders on the educator's demonstration of teaching, instructional and/or classroom engagement practices that have been shown by research to positively affect student achievement. The inputs for the student perception component will include information from validated and reliable surveys of students in grades 4-12. Surveys used for the student component of the evaluation shall be validated to ensure that the items included in the survey directly address research-based best practices of teaching and student and classroom engagement. Educators of the students to be surveyed will be provided with information on the purpose of the surveys used to measure student perceptions.

***Evaluation Process***

The evaluation process shall address the five areas of the state model of educator evaluation:

1. Model Data Measures;
2. Required Training and Certification;
3. Providing Evaluation Information to Teachers;
4. Improving Practice/Seeking Professional Growth Support; and
5. Use of System Data for Improvement of Educators, Programs, Schools and Districts.

***Model Data Measures***

As described above, the evaluation data collected include measures of these five components:

1. Observation of Teaching/Classroom Instruction;
2. Unit of Instruction Analysis;
3. Analysis of Planned Learning;
4. Student Growth and Achievement Data; and
5. Student Perceptions of Instruction.

**Training**

All users of the NEE system must be trained to ensure accurate and reliable data is entered. Training is also required to make sure all evaluators follow standardized protocols in all aspects of the evaluation process, from collaboratively setting building level goals to conducting end of year (EOY) conferences. To make the system effective and meaningful in respect to all stakeholders, the system training must address several perspectives.

**Providing Evaluation Information to Educators**

Pertinent education-related and organizational management research indicates timely and consistent supervisor feedback has the maximum impact on changing adult behaviors. Consequently, observations will be frequent and focused on a small number of indicators and follow-up will be timely. The supervisor should meet with the educator within 24 hours to conduct a structured dialogue session where specific factual and evidence-based feedback can be provided.

The evaluator will meet and conference with each of the educators they are assigned to evaluate at least three times during the school year:

1. A beginning of year (BOY) conference where the evaluator and the educator review specific documents to make sure both are clear on the expectations for the year and content-related measurable instructional goals are in writing. For returning educators in the district, the evaluator will review the previous year's evaluation report with the educator and clearly define areas of improvement based on the report. This BOY conference will also include a review and discussion regarding the educator's PDP and establish clear expectations of the impact of the plan on the educator's classroom.
2. The middle of year (MOY) conference shall involve a review of student formative assessment data focused on areas related to the measurable instructional goals by the educator and evaluator. The educator will also review his or her progress toward completing the PDP and show the evaluator evidence of how the plan has made a positive impact on a majority of his or her students. If needed, the evaluator may prescribe new and more intense professional growth supports to assist the educator in improving his or her effectiveness. A formative data report from the NEE system will be reviewed by the educator and evaluator, and a copy will be provided to the evaluator for their records.
3. The EOY conference will be conducted just prior to the contract renewal period. During this session, the educator and evaluator will review student formative assessment data and determine whether the instructional goals were met and what impact the educator's PDP had on the majority of students in the educator's class. A summative report based on data in the educator professional growth evaluation system and other data sources available to the educator will be reviewed with the educator during the EOY conference.

\*\*\*\*\*

**FILE: GDBB**

**CRITICAL**

**NONEXEMPT EMPLOYEE SUPPLEMENTARY PAY PLANS**

*(District Does NOT Use Compensatory Time)*

**Definitions**

*Exempt Employees* – Those employees whose duties and compensation meet the requirements to be an exempt executive, administrative, professional or computer employee as defined in federal law.

*Hours Worked* – For the purposes of this policy, hours worked means all hours during which the individual is required to be on duty—generally from the required starting time to normal quitting time—and all hours an employee is permitted to work, in accordance with law. Meal periods of 30 minutes or longer and break periods of 20 minutes or longer do not count as hours worked as long as the

employee is relieved of all duties and is free to leave his or her duty post. Breaks for nursing mothers to express breast milk are also not considered as hours worked.

*Nonexempt Employees* – This includes all district employees not specifically identified as exempt under federal law. This generally includes noncertificated staff; however, in some circumstances noncertificated staff members may qualify for exempt status. The Board directs the superintendent to ensure that job positions are classified as exempt or nonexempt and that employees are made aware of these classifications. Employees in doubt about their status should contact their immediate supervisor.

**Overtime Compensation**

The following provisions apply to nonexempt staff who work more than 40 hours during any workweek:

1. Since the district does not use compensatory time, employees will be paid one and one-half (1½) times their regular rate of pay for each hour of overtime.

2. The Board discourages overtime work by nonexempt employees. A nonexempt employee shall not work overtime without the express approval of his or her supervisor. Nonexempt employees who begin work earlier or work later than their assigned hours without prior authorization from their immediate supervisor(s) are subject to discipline including termination.

Individuals covered by this policy are required to complete a daily time record showing actual hours worked. Failure to maintain or falsification of such records may be grounds for disciplinary action.

**Required Breaks**

In accordance with law, the district will provide a reasonable break time for an employee to express milk for her nursing child each time the employee has a need to express for one (1) year after the child's birth. The district will provide a location, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public that employees may use to express milk.

\*\*\*\*\*

**FILE: KL**

**CRITICAL**

**PUBLIC COMPLAINTS**

The Board recognizes that situations of concern to parents/guardians or the public may arise in the operation of the district. Such concerns are best resolved by addressing them at the level where the concern originated through communication with the appropriate staff members. The administration has developed procedures for addressing those issues, copies of which are available at each building. Any concern regarding federal programs administered by the Missouri Department of Elementary and Secondary Education (DESE) may also be appealed to DESE or the United States Department of Education as permitted or required by law.

If a complaint has been made and appealed in accordance with administrative procedures, the parent/guardian or member of the public may appeal the issue to the Board by submitting a written request to the superintendent or the secretary of the Board. The Board will address the complaint in an appropriate and timely manner.

\*\*\*\*\*

**FILE: KL-AP**

**CRITICAL**

**PUBLIC COMPLAINTS**

The following steps are to be followed by parents/guardians or the public when questions or complaints arise regarding the operation of the school district or federal programs administered by the Department of Elementary and Secondary Education (DESE) that cannot be addressed through other established procedures.

1. Complaints on behalf of individual students should first be addressed to the teacher or employee involved.

2. Unsettled matters from (1) above or problems and questions concerning individual schools should be presented in writing to the principal of the school. The principal will provide a written response to the individual raising the concern within five (5) business days of receiving the complaint or concern.

3. Unsettled matters from (2) above or problems and questions concerning the school district should be presented in writing to the superintendent. The superintendent will provide a written response to the individual voicing the concern within five (5) business days of receiving the complaint or concern.

4. If the matter cannot be settled satisfactorily by the superintendent, it may be brought to the Board of Education. Written comments submitted to the superintendent or the secretary of the Board will be brought to the attention of the entire Board. The Board will address each concern or complaint in an appropriate and timely manner.

The decision of the Board shall be final except in the case of complaints concerning the administration of federal programs. In that case the complainant may go to the appropriate section of DESE and from there on to the United States Secretary of Education.

The Board considers it the obligation of the professional and support staff of the district to field the questions of parents/guardians or the public. Accordingly, the district will inform patrons of this complaint procedure and its availability.

Complaints regarding district compliance with nondiscrimination laws will be processed according to policy AC. Employee grievances will be processed in accordance with the established employee grievance procedure or as otherwise required by law. All other grievances for which there is a specific policy or procedure will be addressed pursuant to that policy or procedure.

\*\*\*\*\*

## **EMPLOYEE RIGHTS AND RESPONSIBILITIES**

### **UNDER THE FAMILY AND MEDICAL LEAVE ACT**

#### **Basic Leave Entitlement**

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- for incapacity due to pregnancy, prenatal medical care or child birth;
- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son, daughter or parent, who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

#### **Military Family Leave Entitlements**

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is:

- (1) a current member of the Armed Forces, including a member of the



National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness\*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.\*

**\*The FMLA definitions of “serious injury or illness” for current servicemembers and veterans are distinct from the FMLA definition of “serious health condition”.**

### **Benefits and Protections**

During FMLA leave, the employer must maintain the employee’s health coverage under any “group health plan” on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee’s leave.

### **Eligibility Requirements**

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months\*, and if at least 50 employees are employed by the employer within 75 miles.

**\*Special hours of service eligibility requirements apply to airline flight crew employees.**

### **Definition of Serious Health Condition**

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

### **Use of Leave**

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer’s operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

## **Substitution of Paid Leave for Unpaid Leave**

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

## **Employee Responsibilities**

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures. Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

## **Employer Responsibilities**

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

## **Unlawful Acts by Employers**

FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA; and
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

## **Enforcement**

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

**FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulation 29 C.F.R. § 825.300(a) may require additional disclosures.**

**For additional information:**

1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627

**[WWW.WAGEHOUR.DOL.GOV](http://WWW.WAGEHOUR.DOL.GOV)**

U.S. Department of Labor Wage and Hour Division

WHD Publication 1420 · Revised February 2013