

## **PERSONNEL SERVICES**

### **Policy 4120** **(Regulation 4120)** **(Form 4120)**

## **Employment**

### **Employment Procedures**

The Board of Education, upon recommendation of the Superintendent, votes on the employment of all certificated staff members. In approving applicants the Board will be guided by the desire to obtain individuals committed to providing the highest quality education for the District's students. For Title I staff qualifications and hiring, refer to Policy and Regulation 1621 – Title I.

### **Background Checks**

No person will be employed by the Board until the District obtains a clear criminal records check and a clear check of the DHSS Family Care Safety Registry. Additionally, and prior to offering employment to any teacher who had previously been employed by a Missouri school district or charter school, the Superintendent/designee shall obtain from the Department of Elementary and Secondary Education the identity of the school district or charter school that had previously employed the applicant. The District will contact the former employer to determine if such applicant had been terminated or resigned in lieu of termination; or against whom allegations of sexual misconduct had been substantiated by the Children's Division.

All persons employed by outside vendors/contractors who will have contact with students will be required to successfully undergo a criminal records and a clear check of the Child Abuse/Neglect Registry prior to contact with students. Such background checks will be performed at the vendors/contractors' expense and will, upon request, be shared with the District. All finalists for an employment position will be required to sign a release of liability authorizing prior employers, including school districts, to furnish any information about the applicant and the applicant's work performance, including but not limited to discipline records and performance evaluations. The Administration may also conduct random background checks after employment. Failure to check references and prior employment for new hires prior to their start date may result in disciplinary action up to and including suspension without pay.

As part of the criminal records check, any person employed after January 1, 2005, shall submit two sets of fingerprints to be used by the Missouri Highway Patrol and the Federal Bureau of Investigation. The fingerprints shall be collected pursuant to standards determined by the Missouri Highway Patrol. All District employees who are authorized to access the Missouri Automated Criminal History Site (MACHS) will only use such criminal history information for purposes of verifying qualifications for employment. The District will not create copies of the criminal record for employment record purposes and will not disseminate the record, except as permitted by law.

The District will designate a full-time employee, who will be fully trained in the Missouri Highway Patrol's automated criminal history site (MACHS), to serve as the District Local Agency Security Officer (LASO). The District's LASO Security Officer will be responsible for

implementation and oversight of the District's Use of MACHS for all applicants. Any employee who attempts to access MACHS without authorization, improperly disseminates an applicant's criminal history record or facilitates unauthorized access to MACHS, will be subject to disciplinary action up to and including termination. Such improper use of the MACHS system constitutes an "incident" requiring reporting. Immediately upon knowledge of an "incident," the District's Local Agency Security Officer (LASO) will be notified, in writing, describing the "incident." The LASO Officer will then notify the Missouri Highway Patrol with the details of the "incident."

### **Vacancies**

All vacancies should be posted for a minimum of ten (10) school days before the Superintendent may recommend a qualified applicant to the Board for employment. In an emergency situation the Superintendent may temporarily employ an applicant prior to the expiration of the posting. The temporary applicant may be considered along with other applicants for the position after the ten days. However, in order to hire a Board member's spouse, the position must have been posted for a minimum of ten (10) days. (Refer to Policy 0342 – Nepotism, Conflict of Interest and Financial Disclosure.)

### **Responding to Requests for Employee Information**

The Superintendent or designee is the person who shall respond to requests from potential employers for information regarding a former District employee. The information the District will provide is title, position, length of employment, whether the employee was terminated or resigned, and whether the District would re-hire the employee.

Additionally, when requests for information from any public school regarding a former employee against whom allegations of sexual misconduct involving a student have resulted in a determination by the Board of an actual violation of sexual misconduct pursuant to Board Policy; a resignation in lieu of termination; or allegations of sexual misconduct that have been substantiated by Children's Division, the Superintendent or designee shall disclose to the requesting school the allegations of sexual misconduct and the results of a Children's Division investigation.

Any school district employee who is permitted to respond to requests for information and acting in good faith reports authorized information as provided in this policy or in good faith reports alleged sexual misconduct on the part of a District employee will not be disciplined or discriminated against because of such report.

This foregoing policy is intended to comply with the Amy Hestir Student Protection Act, Senate Bill 54, including section 162.068 RSMo. The District shall provide notice of this policy to all current employees and to all potential employers who contact the District regarding the possible employment of a District employee.

**Public Service Loan Forgiveness**

In accordance with State law, the Board directs the Superintendent or designee to provide to new employees, with ten (10) days following the start of employment, and to current employees upon request, up-to-date, accurate, and complete information regarding eligibility for public service loan forgiveness.

**Medical Examinations**

Medical examinations and inquiries will not be required prior to an offer of employment. The District may make post offer, pre-employment inquiries, however, into the ability of the applicant to perform job related functions.

At the post-offer, pre-employment stage, medical inquiries and tests may be required of all applicants for a particular job category. In addition, physical medical examinations may be required of all applicants for certain safety-sensitive job categories, including: custodians, maintenance, and facilities personnel. Any such medical examinations, inquiries, and/or tests shall be performed at District expense. Once employed, employees may only be subjected to medical inquiries or medical tests if the inquiry or test is job related and consistent with business necessity as provided by law.

If an applicant fails a test, the applicant may retake the test one time, within seven (7) days of initial failure, at the applicant's expense. The District will provide accommodations during the hiring process as required by law.

Any medical records will be maintained on separate forms, in separate medical files, and shall be kept confidential.

**REV. 11/2019**  
**REV. 6/2021**  
**REV. 11/21**

**Employment****Notice of Arrest, Abuse Complaint, Traffic Citation**

Every employee and volunteer who is arrested for a criminal act, felony, or misdemeanor must notify their supervisor in writing within three (3) work days of the arrest. Similarly, every employee/volunteer must notify their supervisor within the same time period of notice of a child abuse complaint against them. Traffic violations related to Driving Under the Influence will be treated as a criminal arrest. In addition to the preceding, transportation employees must notify their supervisors of any moving traffic violations whether or not on work time.

## **PERSONNEL SERVICES**

**Policy 4130**  
**(Regulation 4130)**  
**(Form 4130)**

### **Employment**

#### **Certificated Staff Contracts**

Employment contracts will be in writing and will be signed by the employee, the Board president and the Board secretary. Contracts will include the amount of annual compensation and the days of service.

Certificated staff members under contract include probationary teachers, permanent teachers and administrative staff. The probationary period allows a teacher to demonstrate, and the District to assess the teacher's competence. Beginning after the initial one (1) year contract, teachers who have demonstrated their competence through performance may be offered additional contracts.

#### **Alternative Certification**

Applicants who have not successfully achieved a qualifying score on the teacher examination are issued two-year nonrenewable provisional certificates.

During the two-year provisional period, the affected teacher may gain full teacher certification by:

1. Achieving a qualifying score on the designated exam; or
2. Successfully achieving an acceptable score on the state-approved evaluation system from seven walk-through evaluations; two formative evaluations; and one summative evaluation for each of the two provisional years and being offered a third contract by the District; and
3. District recommendation to DESE that the teacher be given full teacher certification.

#### **Visiting Scholar Certificate**

The District may employ teachers with the Visiting Scholar Certification under the following provisions:

1. Verification from the District that such teacher will be employed as part of a business-education partnership designed to build career-pathways to teach in the ninth grade or higher for which the teacher's academic degree or professional experience qualifies the teacher or employed as part of an initiative designed to fill vacant positions in hard-to-staff public schools or hard-to-fill subject areas for students in a grade or grades not lower than the ninth grade for which the applicant's academic degree or professional experience qualifies the applicant.
2. Appropriate and relevant bachelor's degree or higher, occupational license or industry-related recognized credential.

3. Completion of the application for a one year visiting scholar certificate.
4. Completion of a background check as required by state law.

Under these circumstances, Department of Elementary and Secondary Education may issue a one year visiting scholar certificate. The visiting scholar may renew their certificate for a maximum of two (2) years based upon completion or completion of the requirements listed above; completion of professional development required by the District and attainment of a satisfactory performance-based teacher evaluation.

**Rev. 1/19**  
**REV. 12/22**

## **PERSONNEL SERVICES**

**Policy 4131**  
**(Form 4131)**

### **Employment**

#### **Extra Duty and Extended Contracts**

Certificated employees may be contracted to provide sponsorship and coaching duties as recommended by the Superintendent(/Designee) and approved by the Board. Compensation for such positions will be provided in accordance with a Board approved (compensation) extra duty salary schedule. (Such contracts will be reviewed annually and may be extended for an additional year upon recommendation of the Superintendent/Designee and at the discretion of the Board.)

Certificated employees (also) may be contracted for additional days (periods of time) beyond the (school year) regular contract period. Compensation for such extended duty will be calculated on the existing salary schedule. The Board may establish a separate salary schedule for summer school assignments.

Assignment to extra duty, extended duty and summer school is for one (1) year only and may be renewed or eliminated annually upon the recommendation of the Superintendent(/Designee) and at the discretion of the Board.

## **PERSONNEL SERVICES**

**Policy 4140**

### **Employment**

#### **Certificated Personnel Reemployment**

The reemployment of teachers shall be considered not later than the regular April meeting of the Board. All employees shall be recommended by the Superintendent/Designee and the appropriate principal.



## **PERSONNEL SERVICES**

## **Policy 4150**

### **Employment**

#### **Substitute Teacher Employment**

The Board of Education will employ qualified substitutes for all employee groups. The Superintendent/Designee will prepare and submit to the Board a procedure for reporting absences, assigning substitutes and developing a substitute compensation plan.

Substitute teachers shall meet all requirements as established by the State Board of Education. Rate of compensation shall be according to the annual school budget approved by the Board of Education.

Records shall be kept by the Superintendent/Designee concerning number of days taught by substitutes and the amount of funds expended. The Board shall be informed concerning this data at periodic intervals.

#### **Retired Certificated Employees**

Retired certificated employees may be employed to substitute teach in the District on a part-time or temporary substitute basis without a discontinuance of their retirement allowance. Such individuals may also be utilized by the District as a part-time or temporary substitute through a third-party or as an independent contractor. No deduction will be made for retirement purposes.

Retired certificated employees may be employed as a full-time substitute in the District. However, during any month of full-time employment, the individual's retirement payment will be discontinued. Such retirees may be required by the retirement system to provide documentation showing compliance with this provision.

#### **Substitute Teacher Certificates**

The State Board of Education may grant such certificate to an individual who has completed:

1. At least 36 semester hours at an accredited institution of higher education; or
2. The 24-hour online training program requirement required by the State and who possesses a high school diploma or the equivalent.

Such certificate may also be granted for a qualified individual with expertise in a technical field or with experience in the Armed Forces of the United States and who has completed a background check. No such substitute teacher certificate holder who is under 20 years of age may be a substitute in grades 9 to 12. Such certificate is valid for 4 years. A substitute certificate will expire at the end of any calendar year in which the substitute has failed to substitute teach for at least five (5) days for 40 hours of in-seat instruction.

**Substitute Teacher Survey**

Each substitute teacher will complete a DESE survey at the end of each day of teaching. The District will provide substitute teachers, by email, a weblink to the survey. If needed, the District will provide brief access to a computer or other device to allow completion of the survey or If preferred the substitute's personal device.

**Reporting**

The District will annually provide information to DESE regarding use of third-party employment agencies for substitute teachers; daily rate of substitute pay; employment of full-time or part-time substitute teachers; substitute teachers' recruitment efforts; interview process as well as use of current school staff as substitute teachers during unassigned time.

**REV. 12/22**

## **PERSONNEL SERVICES**

## **Policy 4210**

### **Certificated Staff**

### **Personnel Assignments and Transfer**

#### **Transfer Request and Vacancies**

- A. Right of District to Determine Assignment. An employee accepting employment with the district agrees to accept the building assignment of the Superintendent or designee.
  - 1. When making the decision about a transfer, the Superintendent or designee will consult with the affected building principals.
  - 2. An employee will not be placed under the direct supervision of a member of the employee's immediate family (father, mother, son, daughter, sister, brother, or spouse).
  - 3. Staff transfers may be initiated by administrative directive or by staff request.
- B. Voluntary Transfers: An employee may request a change in grade or subject assignment, or a transfer to a position in another building.
  - 1. The transfer request shall be made on the District Assignment and Transfer Request Form which will be available in the Human Resources Office.
  - 2. Requests shall be active for a given school year and must be renewed annually to receive proper consideration.
  - 3. An employee must accept the transfer requested unless the employee has notified the Superintendent or designee in writing of a desire to withdraw the request.
  - 4. A notice to withdraw a request for transfer must be received by the principal and the Superintendent or designee before the date on which notification of transfer is sent to the employee.
- C. Vacancies: The District will post notices of all vacancies on the District website and in all relevant district buildings.

## **PERSONNEL SERVICES**

**Policy 4220**  
**(Regulation 4220)**

### **Personnel Assignment and Transfer**

#### **Certificated Staff Duties Schedules, and Working Hours**

Certificated staff are required to be on duty during the teaching day. In addition to the teaching day, certificated staff are required to attend scheduled staff meetings, parent conference days, IEP meetings, and other meetings as may be determined by the administration and Board of Education.

## **PERSONNEL SERVICES**

**Policy 4221**  
**(Regulation 4221)**

### **Personnel Assignments and Transfer**

#### **Non-Certificated Staff Duties, Schedules and Working Hours**

The school year and work calendars will be set annually by the Board of Education. Work hours may be changed by the administration as needed.

Regular attendance is essential in order to maintain a high quality of instruction. Non-certificated staff employees, with reasonable notice, will be subject to disciplinary action when their absenteeism is deemed to be excessive.

#### **Overtime/Compensatory Time**

Employees who work overtime must receive prior authorization from their immediate supervisors.

## **PERSONNEL SERVICES**

## **Policy 4310**

### **Absences, Leave and Vacation**

#### **General Attendance**

Regular attendance is essential in providing District students with a high quality of instruction. Full-time employees are allowed sick leave to include nine (9) days per school year plus one (1) day for each additional full contract month beyond a regular nine month contract.

Regularly appointed part-time teachers are allowed the proportionate part of sick leave as determined by their assigned schedule.

When employees are absent more than ten (10) days in any semester or more than fifteen (15) days per school year, their absence is considered excessive. The Superintendent/Designee will review each incident of excessive absence and may require the employee to provide medical documentation or may consider disciplinary actions up to and including termination.

Appropriate documentation may also be requested for unusual patterns of absences, or absences of three or more consecutive days.

**Rev. 6/2019**

## **PERSONNEL SERVICES**

## **Policy 4320** **(Regulation 4320)**

### **Absences, Leave and Vacation**

#### **Personnel Leave**

The Board of Education shall adopt regulations for the following types of leave for District employees:

1. Sick Leave
2. Personal Leave
3. Authorized Leave
4. Authorized Leave of Absence Without Pay
5. Bereavement Leave
6. Emergency Leave
7. Leave for Jury Duty
8. Military Leave
9. Leave of Absence
10. Family and Medical Care Leave (See Policy and Regulation 4321)
11. Domestic/Sexual Violence Victim Leave

Specific provisions of the various types of District leave are set out in Regulation 4320.

#### **Paid Time Off (“PTO”)**

As a result of the public health emergency due to COVID-19, any sick, personal, or vacation leave accrued by an employee as of March 13, 2020 through June 30, 2020 is hereby converted to “Paid Time Off” or “PTO.” PTO may be used on or between March 13, 2020 through June 30, 2020, for any reason approved by District administration.

Should an employee retain any PTO after June 30, 2020, it will be restored to the appropriate leave designation (sick, personal, vacation, etc.) based on the amount(s) and type(s) of leave the employee had accrued, or did accrue, as of March 13, 2020 through June 30, 2020-, and any PTO used during that timeframe. When restoring PTO to the appropriate designation, PTO leave taken by the employee will be considered to have

been used from the employee's available accrued leave until depleted, in the following order: vacation, personal, and sick.

**Rev. 8/2020**  
**REV. 11/21**



## **PERSONNEL SERVICES**

## **Policy 4321** **(Regulation 4321)**

### **Absences, Leave and Vacation**

#### **Family and Medical Leave**

The Board of Education recognizes that leaves of absence are occasionally necessary due to family or medical reasons or in certain circumstances associated with service members' service in the Armed Forces. The District has adopted detailed procedures to ensure compliance with the Family and Medical Leave Act of 1993 (FMLA). As provided by District regulations, eligible employees are entitled to use up to twelve (12) workweeks of unpaid leave for family and medical reasons (up to 26 work weeks for covered events related to those serving in the Armed Forces). The Board of Education has designated a District administrator to act as FMLA Compliance Officer. As part of its compliance program, the District will notify each employee of the name, address and telephone number of the District's FMLA Compliance Officer and will provide a statement of commitment to adhere to FMLA regulations. The FMLA Compliance Officer will regularly evaluate the District's FMLA compliance to ensure fair and equitable opportunities for all eligible employees.

**Rev. 12/2013**

## **PERSONNEL SERVICES**

## **Policy 4322** **(Regulation 4322)**

### **Absences, Leave and Vacation**

#### **Domestic/Sexual Violence Victim Leave**

The District will provide unpaid leave for employees who become victims of domestic or sexual violence and for an employee whose family or household member becomes a victim of domestic or sexual violence. Eligible employees will receive up to two (2) weeks of unpaid leave during any twelve-month period. Such leave may be taken intermittently or on a reduced work schedule.

Employees seeking leave under this policy must provide their supervisor with at least forty-eight (48) hours' advance notice, if practicable, of their intent to take leave under this policy. When an unscheduled absence occurs, the employee must, within reasonable period after the absence, provide certification of the approved reason for the leave as provided in this policy. Employees returning from leave under this policy, will be restored to the position held prior to leave or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment.

**NEW 11/21**

## **PERSONNEL SERVICES**

**Policy 4330**

### **Absences, Leave and Vacation**

#### **Personnel Leave**

The Board will annually adopt a calendar which will provide for at least the following holidays:

1. 4th of July
2. Labor Day
3. Thanksgiving
4. Christmas
5. Memorial Day

Staff members will not receive compensation for holidays unless they are required to work on such holidays, or unless otherwise authorized by the Board of Education.

## **PERSONNEL SERVICES**

## **Policy 4331** **(Regulation 4331)**

### **Absences, Leave and Vacation**

#### **Vacation**

Employees working eleven or twelve months annually will earn vacation in accordance with the regulations.

#### **Paid Time Off (“PTO”)**

As a result of the public health emergency due to COVID-19, any sick, personal, or vacation leave accrued by an employee as of March 13, 2020 through June 30, 2020 is hereby converted to “Paid Time Off” or “PTO.” PTO may be used on or between March 13, 2020 through June 30, 2020, for any reason approved by District administration.

Should an employee retain any PTO after June 30, 2020, it will be restored to the appropriate leave designation (sick, personal, vacation, etc.) based on the amount(s) and type(s) of leave the employee had accrued, or did accrue, as of March 13, 2020 through June 30, 2020, and any PTO used during that timeframe. When restoring PTO to the appropriate designation, PTO leave taken by the employee will be considered to have been used from the employee's available accrued leave until depleted, in the following order: vacation, personal, and sick.

#### **Borrowed Leave During the 2019-2020 School Year**

As a result of the public health emergency due to COVID-19, leave under this policy and as outlined in Regulation 4331 may be borrowed from any anticipated leave an employee will accrue during the 2020-2021 school year, based on the position the employee will hold in the 2020-2021 school year, for use during the 2019-2020 school year.

Should an employee who borrowed leave to use during the 2019-2020 school year not continue working for the District through the 2020-2021 school year for any reason, any such monies paid to an employee as a result of the employee borrowing leave during the 2019-2020 school year shall be repaid to the District within 30 days of the employee's termination of employment.

By borrowing leave from the 2020-2021 school year to use in the 2019-2020 school year, the employee also expressly allows the District to withhold this amount from any paychecks due to the employee prior to, or at the time of, termination of employment with the District. Should the employee fail to repay any amount due to the District for borrowed leave not yet accrued, the employee also expressly agrees to pay any costs the District incurs to obtain repayment from such employee, including but not limited to, court costs and attorney's fees.

For purposes of borrowed leave, “school year” shall mean the period running from July 1 to June 30 of such school year.

**Rev. 6/2020**

## **PERSONNEL SERVICES**

**Policy 4335**

### **Absences, Leave, Vacation**

#### **Employee Emergency Service**

Staff members joining any fire department, fire protection district, volunteer firefighter department, the Missouri-1 Disaster Medical Assistance Team, Missouri Task Force One, Urban Search and Rescue Team, or staff member activated by the Federal Emergency Management Agency (FEMA) to respond to a national disaster will not be subject to dismissal due to their joining such organizations. However, such employees who are absent from work, or who are late to work due to such service may be docked and/or required to submit written verification concerning the time and date of the emergency. In addition, such employees are required to make a reasonable effort to notify their supervisors that they will be absent or late due to emergency service.

## **PERSONNEL SERVICES**

## **Policy 4410** **(Regulation 4410)**

### **Professional Activities, Training and Professional Growth**

#### **General Professional Development**

All employees will be engaged in a continuous program of professional and technical growth in order that they may be qualified to provide quality educational programs and services for all students.

It is the policy of the Board of Education that a program of in-service training be established to provide an opportunity for the continuous professional and technical growth for all employees. The in-service training program for each year will be outlined in the school calendar and the proposed budget for that year with estimated cost to be approved by the Board of Education.

As a result of the operation of this policy, employees will become knowledgeable regarding new developments and changes in their specialized fields and will utilize new and improved methods in practice.

The administrative staff, employing administration and management techniques consistent with modern management development, will provide leadership that will assist each employee to make a maximum contribution to the District's effort to provide quality educational programs and services for all students.

## **PERSONNEL SERVICES**

## **Policy 4411 (Regulation 4411)**

### **Professional Activities, Training and Professional Growth**

#### **Professional Development Program**

The Board shall provide a Professional Development Program to be in compliance with State Statutes regarding assistance for beginning teachers. A committee will be elected to develop a plan to carry out the goals of the Professional Development Program.

The Professional Development Program shall further be in compliance with the “Outstanding Schools Act” Section 7 of Senate Bill #380 of the 87<sup>th</sup> General Assembly.

The District will establish a Professional Development Committee to work with beginning teachers and experienced teachers in identifying instructional concerns and remedies; assist beginning teachers with implementation of their professional development plan; serve as a consultant upon a teacher’s request; arrange training programs for mentors; assess faculty needs and develop in-service opportunities for school staff; present faculty suggestions, ideas and recommendations pertaining to classroom instruction within the School District; and review and evaluate the District’s staff development program.

In any year, ending with fiscal year 2024, in which the amount appropriated and expended to the District for transportation of students is less than 25% of the allowable costs of providing student transportation, the Board, by majority vote, may allocate less than 1%, of the District’s state aid, exclusive of categorical add-ons, to the Professional Development Committee. However, the amount allocated to the Professional Development Committee will not be less than 0.5%, of the District’s state aid, exclusive of categorical add-ons.

The District provides teacher externships for teachers participating in a supervised practical experience in local and state business. Depending upon the type of externship, participating teachers may receive professional development credit or credit on the District’s salary schedule. (See Regulation 4411).

**PERSONNEL SERVICES****Policy 4420  
(Regulation 4420)****Professional Activities, Training and Professional Growth****Conferences and Travel**

The Superintendent may authorize professional leave for attendance of personnel at state, regional, and national meetings without pay deduction. The number of absences allowable for professional leave is a judgment value on the part of the Superintendent and is subject to budget limitations for employing substitutes and reimbursement for travel, meals and lodging and registration.



**PERSONNEL SERVICES****Policy 4430****Professional Activities, Training and Professional Growth****District Committees****Guidelines for District-wide Committees**

A written description of each district-wide committee established in the District will be posted in each building explaining the goals and objectives of the committee and the method used to select members to the committee.

Each committee will write a summary report of its findings and/or recommendations and present this to the appropriate administrator. The chairperson of said committee may present this report to the Board of Education at the appropriate scheduled Board meeting.

**Professional Activities, Training and Professional Grants****Mentoring**

The District's mentoring goal is to facilitate the growth and development of new educators by pairing them with experienced veteran educators. Through the effort of both the mentor and the mentee, the mentee shall draw upon the experience and knowledge of the veteran mentor to enhance professional skills and enhance student learning. It is vital to the success of our students that new educators become integrated through the mentoring program into the school's culture and are given the opportunity to better themselves with the assistance of one of their veteran peers.

Through the mentoring program the Board hopes to not only create a stronger learning community but also a community where the strong professional and personal bonds between the educators in the District provide students and employees the best possible working and learning environment.

**New 9/2014**

## **PERSONNEL SERVICES**

**Policy 4505**  
**(Regulation 4505)**

### **Compensation**

#### **Salary Schedules**

The Superintendent/Designee, with input from staff members, will prepare salary schedules annually for all employee groups. These schedules will be submitted to the Board of Education for approval.

The Board of Education will designate certain extra duty positions for additional compensation. The Board's designations of positions for additional pay will be based upon the time and responsibility required in specific performance. Extra duty and extended year positions are contracted on an annual basis and may be eliminated each year at the Board's discretion.

## **PERSONNEL SERVICES**

**Policy 4510**  
**(Regulation 4510)**

### **Compensation**

### **Benefits**

The Board of Education provides fringe benefits to full-time staff members, and staff members who work a minimum of 25 hours per week.

Insurance coverage for staff members includes:

1. Medical Insurance
2. Dental Insurance
3. Life Insurance
4. Long-Term Disability Insurance – Effective October 1, 2004.

Details of these employee benefits will be outlined annually in the employee handbook.

Rev. 6/28/04

## **PERSONNEL SERVICES**

## **Policy 4520**

### **Compensation**

#### **Salary, Checks and Salary Deduction**

##### **Withholding Taxes**

A Federal withholding tax is retained for the Collector of Internal Revenue as payment on Federal Income Tax for the current year. The amount withheld is determined by salary and the number of dependents. No salary check will be issued until all withholding forms are submitted.

A State withholding tax is retained for the Missouri Department of Revenue. The amount withheld is determined in the same manner as the Federal Income Tax. Employees may authorize additional sums to be withheld by notifying the payroll department in writing and completing a new W-4 form indicating the additional amount to be withheld each pay period. No salary checks will be issued until all withholding forms are submitted.

##### **Public School Retirement System (PSRS) of Missouri**

All full-time teachers and part-time teachers who work twenty (20) hours or more per week are members of PSRS. Support employees with a teaching certificate are also eligible for membership in PSRS.

##### **Non-Teacher School Employee Retirement System (NTRS)**

All non-certificated employees who work twenty (20) hours or more per week on a regular basis for thirty (30) calendar days are members of NTRS and are also covered by Social Security.

##### **Medical**

Medical insurance expenses beyond the Board paid premiums, will be deducted for all employees on a twelve (12) month prorated basis each month.

##### **Credit Union and Tax Sheltered Plan**

Credit Union and Tax Sheltered Plans will be deducted under the terms of the respective contracts.

##### **Tax Sheltered Annuities**

The School District provides for payroll deduction and processing for employees participating in tax sheltered annuities.

### **Salary Deductions**

Any staff member may authorize additional voluntary deductions for payment of tax sheltered annuities, dues to professional organizations, Credit Union, and dependent coverage for medical benefits. All voluntary deductions may be changed at any time at the discretion of the employee.

**Compensation**

**Workers' Compensation Benefits**

Employees who suffer an injury caused by an accident or occupational disease arising out of and in the course of employment ("work-related injury") will receive benefits paid by the District according to the Workers' Compensation Law of the State of Missouri ("the Law"). Employees driving District owned or subsidized vehicles are not covered by this policy when driving such District owned vehicles to or from the home or to or from the work station. Absence from duty resulting from a work-related injury will be compensated according to the Law. Employees who receive workers' compensation benefits for lost time from work due to a work-related injury are not eligible for additional sick leave or vacation benefits under this policy, except with respect to those employees whose average weekly wage as defined by the Law ("average weekly wage") exceeds the actual wage necessary to obtain the maximum total disability rate as defined by the Law ("maximum wage").

In addition to the benefits for temporary total disability allowed under the Law, an employee whose average weekly wage at the time of the work-related injury exceeds the maximum wage at the time of the work-related injury will receive in wages the difference between the employee's average weekly wage and the maximum wage during the time period such employee is entitled to temporary total disability benefits under the Law. This additional benefit provided herein does not affect an employee's wage rate for purposes of permanent disability benefits.

## **PERSONNEL SERVICES**

**Policy 4540**  
**(Regulation 4540)**

### **Compensation**

#### **Group Insurance Benefits**

The Board of Education directs that medical group insurance coverage for staff members will be provided. The Superintendent/Designee will solicit proposals and make recommendations to the Board for approval of the insurance provider.

Employees shall be given information regarding COBRA benefits at the time of employment and separation.

The contract for medical insurance will be submitted for competitive bidding at least once every three years.



## **PERSONNEL SERVICES**

## **Policy 4550**

### **Compensation**

#### **Retirement Compensation**

Retirement provisions for all eligible employees will be in accordance with the provisions of the Missouri Public School Retirement System (PSRS) and the Public Education Employees Retirement System (PEERS).

Full-time certificated staff employed after April 15, 1986 are subject to the Medicare portion of Social Security.

At the time of initial employment an employee shall be given his/her first COBRA notification. Second notification and continuation of benefits is contingent upon the employee notifying the District of a qualifying event.

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 Retirement System, by paying premiums at the same rate as other members of the group.

Employees who retire or who have retired and who are eligible for retirement benefits from either the PSRS or PEERS Plans are eligible to participate in District health benefit programs. In addition, the spouse and/or unmarried dependent children of any employee may also participate in District health benefit programs provided that these family members are receiving or are eligible to receive retirement benefits from either the PSRS or PEERS Systems. The retiree must apply for insurance coverage within the first year he/she is eligible to receive retirement benefits.

### **Reporting Requirements**

#### **Ineligibility for Retirement Benefits**

If an employee or former employee is charged or convicted of any of the listed felonies, where such felony is committed in direct connection with or related to the employee's duties with the District, the District will notify the employee's relevant retirement plan, PSRS or PEERS. Such reporting is only required where such filing was committed after August 28, 2014 and where District administrators knew of such charge or conviction. The District will further provide to the respective retirement plan all information related to the charge or conviction that is in the District's possession. Reportable offenses include:

1. Stealing involving money, property, or services valued at \$5,000.00 or more;
2. Receiving stolen property involving money, property, or services valued at \$5,000.00 or more;
3. Forgery;

4. Counterfeiting;
5. Bribery of a public servant;
6. Acceding to corruption 576.020 RSMo.

Conviction of one of the felonies set out in this Policy may result in ineligibility for retirement benefits.

Reporting as Requested by PSRS.

The District will cooperate with PSRS requests for information concerning the District's use of PSRS retired persons providing substitute teaching or other positions that would normally require certification. This reporting/assistance request applies to such retired persons who provide such services through an independent contractor.

**REV. 1/18**

## **PERSONNEL SERVICES**

## **Policy 4610**

### **Performance Evaluation**

#### **Certificated Personnel Performance Evaluation**

The Board of Education's ultimate goal in education is to provide the highest quality educational experience to all District students. The District's performance-based evaluation system contributes to that goal by promoting the professional improvement of each staff member and, when necessary, by providing data to remove an employee whose employment is detrimental to students.

Performance-based evaluation is a process endorsed by the Board of Education for performance improvement that includes identification of performance expectations, documentation of performance, discussion of performance, development of improvement plans, and making personnel decisions based upon performance. The evaluation process for every employee is an on-going process that takes place every day. Formal, summative evaluations will be prepared and reviewed with each tenured teacher at least every other year. All other District employees will receive summative evaluations annually.

Evaluation of all teachers is to be made in accordance with the following guidelines:

1. Procedure for Evaluation - The evaluator shall be the teacher's principal and/or immediate supervisor.

2. Frequency and Time Schedule

a. Probationary Teachers

All probationary teachers shall be evaluated annually. The evaluations will be completed by March 1.

b. Tenure Teachers

A permanent teacher may be evaluated at any time at the teacher's request or the evaluator's discretion. However, the teacher must be evaluated at least once every four years before March 1.

c. Reevaluation

A teacher may request a reevaluation of the formal evaluation between March 1 and April 1. The principal will complete the evaluation prior to October 15.

3. Evaluation Conference - The evaluator(s) shall discuss with the teacher in personal conference the evaluation instrument and any other information relative to the success and professional growth of the teacher.

The District's performance evaluation system incorporates the seven "Essential Principles of Effective Evaluation" adopted by the State Board of Education and set out as follows:

1. Uses research-based and proven practices to measure educator performance;
2. Establishes performance indicators for educators based on their level of performance;
3. Aligns the evaluation process with an educator's probationary period to provide for an appropriate accumulation of performance data;
4. Uses student learning, based on a variety of performance measures, in the evaluation process;
5. Assesses educator performance on a regular basis and provides feedback to teachers and administrators that they can use to improve their performance through their careers;
6. Ensures evaluators are highly trained so that evaluation ratings are fair, accurate and reliable; and
7. Uses the evaluation process to guide school district policies that impact the development of educators and student learning.

Notwithstanding the State's essential principles, the major focus on the District's evaluation system is on positive learning outcomes, cognitive and affective, for District students. Educators are responsible for the positive learning outcomes for their students.

## **PERSONNEL SERVICES**

## **Policy 4620**

### **Performance Evaluation**

#### **Non-Certificated Staff Performance Evaluation**

The development of a competent non-certificated staff is a major objective of the performance evaluation. All supervisors and/or principals will complete an annual written evaluation on all non-certificated staff under their supervision. The following areas will be considered:

1. Job knowledge
2. Quality of work
3. Quantity of work
4. Dependability
5. Cooperation
6. Attendance
7. Punctuality
8. Other areas as appropriate for the specific job

This evaluation will be used to improve job proficiency and to determine eligibility for reemployment.

**Performance Evaluation****Staff Conduct**

The Board of Education requires all staff members to serve as positive role models for District students. District schools exist to provide quality, cognitive, and affective education for District students in a safe and appropriate setting. In achieving these objectives, staff are required to meet certain performance criteria including, but not limited to:

1. Review and Comply with Board policies, regulations, and procedures as well as related building rules and practices.
2. Properly prepare for student instruction.
3. Fully utilize instructional time for learning activities.
4. Maintain students under active supervision at all times.
5. Assess student performance in a regular and accurate manner.
6. Modify instructional goals to meet the needs of each student.
7. Comply with administrative directives.
8. Communicate with students in a professional and respectful manner.
9. Communicate with colleagues, parents, and District citizens in a professional manner.
10. Properly operate and maintain district property.
11. Utilize district technology solely for school district business.
12. Maintain required records and submit requested reports in a timely manner.
13. Comply with all safety guidelines and directives.
14. Refrain from the use of profane and obscene language.
15. Dress in a professional manner.
16. Attend to all duties in a punctual manner
17. Maintain student confidentiality pursuant to state and federal law.

18. Follow and implement student Individual Education Programs (IEP) under the Individuals with Disabilities Education Act (IDEA) or plans under Section 504 of the Rehabilitation Act.
19. Maintain and account for District funds in the staff member's possession and control.
20. Maintain professional relationships with students. With the exception of students who are immediate family with the staff member, this requirement also includes avoiding situations that could lead to allegations of inappropriate relationships with students, including, but not limited to:
  - a. Being present in any setting where students are provided or are consuming alcohol or illegal drugs.
  - b. Communicating with students, electronically or in person, about the student's sexual activity or concerning the staff member's sexual or romantic conduct.
  - c. Being present on District premises alone with a student in a room where the door is closed, the door is locked, or the lights are off, unless required temporarily due to emergency circumstances. Counselors and administrators are exempted from this prohibition in performance of professional duties.
  - d. Communicating with students about sexual topics outside approved District curriculum, unless done as part of a District investigation into sexual abuse or harassment.
  - e. Allowing students to drive a staff member's vehicle.
  - f. Provision to a student of any pictorial, three-dimensional or visual depiction of sexual acts of any sort as well as human genitals. However, works of art, when taken as a whole, have serious significance or materials used in science class are not considered to be violations of this subparagraph. Questions regarding the applicability of the subparagraph must be directed to the teacher's building administrator.

## **PERSONNEL**

## **Policy 4640**

### **Performance Evaluation**

#### **Teaching Standards**

District teaching standards include, but are not limited to:

- Ensuring that students are actively participating and are successful in the learning process.
- Teacher will monitor and manage student learning by specific assessment vehicles.
- Student and teacher will be prepared and knowledgeable of the curricular content.
- Teacher will maintain students' on task behavior.
- Teacher will use professional communications and interactions with the school community.
- Teacher will remain current on instructional knowledge.
- Teacher will seek and explore changes in teaching behaviors that will enhance student learning.
- Teacher will act responsibly in the overall mission of the school.
- Teacher creates learning experiences that make the subject matter meaningful.
- Teacher demonstrates knowledge of the subject matter by implementing instruction pertinent to the subject matter.
- Teacher provides learning opportunities that support the intellectual, social and personal development of all students.
- Teacher cultivates the unique skills and talents of every student.



- Teacher will use a variety of instructional activities of critical thinking, problem solving, and performance skills.
- Teacher creates a positive learning environment that encourages active engagement in learning, positive social interactions and self-motivation.

**Policy 4640**  
**Page 2**

- Teacher models effective verbal, nonverbal and media communication techniques with students and parents to foster active inquiry, collaboration and supportive interaction in the classroom.
- Teacher will use formal and informal strategies to assess learners' progress.
- Teacher will actively seek out opportunities to grow professionally in order to improve learning for all students.
- Teacher will maintain effective working relationships with students, parents, colleagues and community members.

**New 10/2013**

## **PERSONNEL SERVICES**

### **Policy 4650** **(Regulation 4650)**

#### **Performance Evaluation**

#### **Communication with Students by Electronic Media**

Employee personal communication with students in all forms including oral and nonverbal must be professional and respectful and consistent with Board policy. All communications between employees and students must be consistent with a teacher-student relationship. Communication shall be deemed to be inappropriate if such communication is sexual in nature, is sexually suggestive, suggests romantic activity with student or students, occurs at an inappropriate time or place, or is otherwise inconsistent with Board policy. Violation of this provision will result in disciplinary action up to and including dismissal.

Communications between employees and students will be primarily direct, oral or written in nature. Employees are strictly prohibited from engaging in Private Electronic Communications with students, as defined in Regulation 4650. As specified in Regulation 4650, the term “Private Electronic Communications” includes communicating with students on social networks, websites, or webpages that are not accessible to the public, e-mailing with students, and texting students. This prohibition does not preclude Private Electronic Communications between employees and their siblings and children who may be district students.

The district will provide official electronic media which may be utilized by teachers and coaches for communication with students for dissemination of school related information (i.e., homework, practice schedules, supplemental instructional material) and for collaborative tasks.

**PERSONNEL SERVICES**

**Policy 4710**  
**(Regulation 4710)**

**Separation**

**Resignation: Certificated Staff**

Certificated employees who for any reason intend to retire or resign at the end of the current school year are encouraged to indicate their plans in writing to the Board as early as possible, but no later than June 1.

Resignations to become effective during the school year require a release by the Board and must be considered on an individual basis. Letters of resignation shall be submitted to the Superintendent of Schools/Designee and principal/supervisor to be presented to the Board of Education. The letter should state reasons and an effective date for the resignation.

The Board recognizes that, in some limited cases, it might be necessary for a teacher to seek release from a teaching contract of employment with the District. The Board is not obligated to release a teacher from a contract of employment and may seek to enforce a contract of employment. The recommendation of the Superintendent is required in order for the Board to approve a teacher's release from contract. Regulation 4710 further describes the process regarding release from a teacher's contract of employment.

In the event that a resignation is not approved by the Board and the certificated staff member breaches his or her contract of employment, the Board may pursue any lawful remedies and exercise any lawful rights including, but not limited to, monetary damages and an action to seek revocation of the staff member's certification, including a teacher's certificate of license to teach.

The Board reserves the right to evaluate the assessment of liquidated damages and further reserves the right to waive liquidated damages on a case-by-case basis.

## **PERSONNEL SERVICES**

## **Policy 4711**

### **Separation**

#### **Resignation: Non-Certificated Staff**

Non-certificated staff who wish to resign should address a letter of resignation to the Superintendent/Designee with copies to the Human Resources Office and the principal/supervisor. The letter should state reasons and an effective date for the resignation.

Fourteen (14) days written notice is the minimum amount of time for resignation by a non-certificated staff member.



## **PERSONNEL SERVICES**

## **Policy 4720**

### **Separation**

### **Suspension or Termination: Non-Certificated Staff**

#### **Non-Contractual Employees**

Individuals employed without a contract are subject to suspension and dismissal at any time.

#### **Contractual Employees**

During the term of the employment contract, a non-certificated employee may be suspended with pay pending review of the Board. Prior to suspension or termination, such non-certificated employees will be informed of the reason for discipline and will be given an opportunity to respond to those reasons. Upon request of the employee, a meeting with the Board of Education will be scheduled to review the recommendation for suspension or dismissal. Contractual employees, who are not offered a new contract, are not entitled to meet with the Board of Education. However, in such situations, the employee may review the non-renewal with the Superintendent/Designee.

## **PERSONNEL SERVICES**

## **Policy 4730** **(Regulation 4730)**

### **Separation**

#### **Nonrenewal/Termination: Probationary Teacher**

Pursuant to section 168.126.2, RSMo. (Supp. 1992), the Board of Education may choose to non-renew a probationary teacher's contract for the coming school year or may choose to terminate a probationary teacher's employment during the term of a contract in accordance with procedures outlined in Regulation 4730.

The Board of Education may terminate a probationary teacher's contract during the term of a contract for statutory causes as follows:

1. Physical or mental condition that renders the teacher unfit to instruct or associate with children.
2. Immoral conduct.
3. Willful or persistent violation of, or failure to obey, the school laws of the state or the published regulations of the School District.
4. Excessive or unreasonable absence from the performance of duties.
5. Conviction of a felony or a crime involving moral turpitude.
6. Incompetence, inefficiency, or insubordination.

Prior to mid-contract termination of a probationary teacher for causes 1-6, the teacher will be provided with written charges and will be provided with an opportunity for a due process hearing before the Board of Education as set forth in Regulation 4730. Prior to the mid-year termination for cause #6, the teacher will also be provided with a notice of deficiencies and probationary period as set forth in Regulation 4730.

## **PERSONNEL SERVICES**

## **Policy 4731** **(Regulation 4731)**

### **Separation**

#### **Termination of Contract: Permanent Teacher**

Pursuant to sections 168.114 and 168.124, RSMo. 1986, the Board of Education may terminate a permanent teacher's indefinite contract for one or more of the following causes:

1. Physical or mental condition that renders the teacher unfit to instruct or associate with children.
2. Immoral conduct.
3. Incompetency, inefficiency, or insubordination.
4. Willful or persistent violation of, or failure to obey, the school laws of the state or the published regulations of the School District.
5. Excessive or unreasonable absence from the performance of duties.
6. Conviction of a felony or a crime involving moral turpitude.

The indefinite contract of a permanent teacher may be terminated for the foregoing reasons only in accordance with the procedures prescribed by sections 168.116, 168.118, and 168.120, RSMo. 1986.



## **PERSONNEL SERVICES**

**Policy 4740**  
**(Regulation 4740)**

### **Separation**

#### **Reduction in Force: Certificated Staff**

If it becomes necessary to reduce the number of teachers due to a decrease in enrollment, District reorganization or the financial condition of the District, the Board will act to retain the most qualified teachers while following all applicable statutory guidelines.

The Board may place a permanent teacher upon unrequested leave of absence without pay when the Board determines that such action is necessary because of a decrease in pupil enrollment, District reorganization or the financial condition of the District. In placing such a teacher on leave, the Board will be governed by the provisions of the Teacher Tenure Law and District policies and regulations.

## **PERSONNEL SERVICES**

**Policy 4741**  
**(Regulation 4741)**

### **Separation**

#### **Reduction in Force: Non-Certificated Staff**

The Board of Education is authorized to reduce the number of non-certificated staff when, in the Board's sole discretion facts, including, but not limited to, decreases in student enrollment, District reorganization or financial reasons necessitate such reduction. In making such staff reductions, the Board will seek to retain those staff members best able to serve the needs of District's students.

## **PERSONNEL SERVICES**

## **Policy 4820** **(Regulation 4820)**

### **Staff Welfare**

#### **Employees with Communicable Diseases**

An employee may be excluded from work if the employee (1) has, or has been exposed to, an acute (short duration) or chronic (long duration) contagious or infectious disease, and (2) is liable to transmit the contagious or infectious disease, unless the Board of education or its designee has determined, based upon medical evidence, that the employee:

1. No longer has the disease.
2. Is not in the contagious or infectious stage of an acute disease.
3. Has a chronic infectious disease that poses little risk of transmission in the school environment with reasonable precautions.

School officials may require an employee suspected of having a contagious or infectious disease to be examined by a physician and may exclude the employee from work, in accordance with the procedures authorized by this policy, so long as there is a substantial risk of transmission of the disease in the school environment.

Employees with acute or chronic contagious or infectious diseases have a right to privacy and confidentiality. Only staff members who have a medical reason to know the identity and condition of such employees will be informed. Willful or negligent disclosure of confidential information about an employee's medical condition by staff members will be cause for disciplinary action.

The District will implement reporting and disease outbreak control measures in accordance with the provisions of Missouri Department of Health publication PACH-16, "Prevention and Control of Communicable Diseases: A Guide for School Administrators, Nurses, Teachers and Day Care Operators," a copy of which shall be on file in the office of the Supervisor of Health Services and in the office of each school nurse.

## **PERSONNEL SERVICES**

**Policy 4830**  
**(Regulation 4830)**

### **Staff Welfare**

#### **Board/Staff Communications**

While the primary line of communication between the staff and the Board of Education remains through the Superintendent, the Board expresses a desire to maintain open communication with the certificated and non-certificated staff. Open communication between Board and staff facilitates continuing improvement of education and the proper disposition of personnel matters that may arise.

**PERSONNEL SERVICES****Policy 4831****Staff Welfare****Staff Involvement in Decision Making**

The Board of Education encourages the staff to provide input and participate in the development and implementation of District programs. However, the final decision on all policy matters will be made by the Board of Education.

## **PERSONNEL SERVICES**

**Policy 4840**  
**(Regulation 4840)**

### **Staff Welfare**

#### **Conflict of Interest**

District employees are prohibited from engaging in any activity which would conflict, or raise a reasonable question of conflict, with their responsibilities in the District.

## **PERSONNEL SERVICES**

## **Policy 4850** **(Regulation 4850)**

### **Staff Welfare**

### **Staff Dispute Resolution**

#### **A. Board Grievance Policy**

1. The Board of Education recognizes that in any workplace misunderstandings and disputes arise. If left unresolved, these disputes could undermine staff morale and can interfere with the educational mission of the District.
2. The Board has adopted a formal process for dispute resolution that encourages employees to resolve concerns quickly and at the most immediate administrative level.
3. This policy does not limit the right of any employee to file grievances under Policy and Regulation 4810 – Sexual Harassment, or Policy and Regulation 1310 – Civil Rights, Title IX, Section 504.

## **PERSONNEL SERVICES**

## **Policy 4860**

### **Staff Welfare**

#### **Personnel Records**

Personnel files on all employees will be maintained in the District's administrative offices. 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 District will maintain the following information in personnel files: applications, certification documents, performance evaluations, current transcripts, employment contracts and performance related documents. Medical records, including health insurance records, will be maintained separately. Files containing immigration records will be kept separate from personnel files

The personnel file(s) of an individual employee will be considered confidential to the extent allowed by law. Access to personnel files will be on a strict need-to-know basis by appropriate District administrators, legal counsel, or state agencies with authority.

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

Information of a critical nature will not be entered or filed in the employee's personnel folder until the employee is given notice, as well as an opportunity to review the information and comment thereon. The employee will have the right to append a reply to the statement, which will also be included in the folder.



## **PERSONNEL SERVICES**

## **Policy 4870**

### **Staff Welfare**

#### **Drug Free Workplace**

The unlawful possession, use or distribution of illicit drugs and alcohol on school premises or as a part of school activities is strictly prohibited.

Employees under the influence of alcohol, drugs, or controlled substances while on duty are a serious risk to themselves, to students and to other employees. Employees, who display physical manifestations of drug or alcohol use while on duty, may be subject to drug testing. Any employee who violates this policy will be subject to disciplinary action up to and including termination and referral for prosecution. Employees may also be required to satisfactorily participate in rehabilitation programs.

As a condition of employment, all employees must abide by the terms of this policy. Employees who are convicted of a drug offense which occurred on school premises or while on duty must notify the Superintendent of their conviction. Notification must be made by the employee to the Superintendent within five (5) days of the conviction. Within ten (10) days, the Superintendent will provide notice of such violation to the Impact Aid Program, United States Department of Education, or other appropriate government agency.

The District will institute a drug-free awareness program to inform employees of:

1. The dangers of drug and alcohol abuse in the workplace.
2. This policy of maintaining a drug-free workplace.
3. Available counseling and rehabilitation.
4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

On the basis of medical certification, employees with the illness of chemical dependency shall qualify for the employee benefits and group insurance coverages that are provided for under group health and medical insurance policies. The confidential nature of the medical records of employees with chemical dependency shall be preserved in the same manner as for all other medical records.

The District's responsibility for chemical dependency is limited to its effects on the employee's job performance. If the employee violates this policy, refuses to accept diagnosis and treatment, or fails to respond to treatment, and performance is adversely affected, the employee will be subject to employment action in proportion to the performance problem. Implementation of this policy will not require or result in any special regulations, privileges or exemptions from the standard administrative practice applicable to job performance requirements.

Upon the request of the Department of Elementary and Secondary Education 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, in the form required by such agency. The District shall conduct a biennial review of this policy to determine its effectiveness, implement necessary changes, and to ensure that the disciplinary sanctions are consistently enforced.

It shall be a violation of this policy for any employee to possess, use, manufacture, distribute, or be under the influence of medical marijuana in any manner inconsistent with Missouri state law and applicable regulations. Additionally, employees may not be under the influence of marijuana while they are (i) acting in the scope of their employment, whether on District property or off, or (ii) present at any school- or District-sponsored or sanctioned event such as athletic events or conferences.

### **Transportation Employees**

District employees who are subject to the Transportation Employee Testing Act may not use medical marijuana on work days and may not use marijuana while on District transportation. Transportation employees who test positive for any controlled substance including marijuana are subject to dismissal. Transportation employees who cannot, for medical reasons, comply with this policy may request a transfer to a non-safety sensitive position and a determination will be made on a case by case basis as to whether such a request will be granted.

The information in this policy will be distributed to all present and future employees.

**Rev. 8/2019**

**PERSONNEL SERVICES****Policy 4871  
(Regulation 4871)****Staff Welfare****Driver Drug Testing**

The District recognizes that it shares the responsibility to prevent accidents and injuries resulting from the misuse of alcohol or the use of controlled substances by its employees who operate commercial motor vehicles. The District complies with the provisions of the Omnibus Transportation Employee Testing Act of 1991, which mandates that the District test its drivers who are required to hold commercial drivers licenses under specified conditions. The District fully complies with the provisions of the "Commercial Driver's license Drug and Alcohol Clearinghouse." The District will regularly evaluate its policies and procedures to ensure that it remains in compliance with federal regulations.

**REV. 4/20**

**Staff Welfare****Alcohol and Illicit Drugs**

The District prohibits all from the possession, distribution, or presence under the influence of alcohol and non-prescribed controlled substances while on school premises. This prohibition is exemplified by policy 4870 Drug-Free Workplace and Policy/Regulation 4871 Driver Drug Testing. Violation of this policy as well as Policies 4870 and 4871 will result in disciplinary action up to and including termination. In addition, such violation may result in substantially reduced or forfeiture of workers compensation benefits where the use of substances prohibited by this policy was in conjunction with or related to a work place injury.

**Post Accident Drug/Alcohol Testing**

Employees under the influence of alcohol, drugs, or controlled substances while on duty are a serious risk to themselves, to students, to other employees, and to District property. Where an employee holding a safety sensitive position is involved in an accident resulting in injury, the District may require the employee to submit to post injury alcohol/drug testing.

Post accident testing will be utilized after any accident

- involving the loss of life;
- resulting from a violation of Board Policy or Regulations, or municipal, state or federal law;
- resulting in an injury to a person who requires medical treatment;
- resulting in disabling damage to any motor vehicle or piece of District equipment;
- resulting from a violation of a safety regulation or safety directive.

Refusal to submit to post injury testing will result in disciplinary action up to, and including termination, and may result in forfeiture of Workers' Compensation benefits for injuries related to the request for testing.

Employees holding a non-safety sensitive position will be subject to post accident drug and alcohol testing where a District administrator has sufficient cause to suspect the employee's use of alcohol or non-prescribed controlled substance resulted in an accident, in conjunction with or related to a work place setting. Such post accident testing will be utilized in the instance of the occurrence of any of the five events set forth in this policy.

**Safety Sensitive Positions:**

The following list of positions are hereby classified as “safety sensitive” due to the serious risk of harm that can result from performing said job duties while impaired by drugs or alcohol; therefore, employees occupying such positions are subject to drug testing in accordance with published Board Policies and Regulations:

- Nutrition Service employees.
- Transportation employees.
- Custodial employees.
- Maintenance employees (HVAC, Electrical, Plumbing).
- Any district employee whose job duties involve the performance of supervising children, including, but not limited to teachers, teachers’ aides, lunchroom/playground monitors, etc.

**Staff Welfare****Cell Phone Usage for Audio and Video Recordings**

The use of cell phones, iPads, and similar personal electronic devices for the purpose of producing video and/or audio recordings presents a significant safety and privacy risk for students. For these reasons, the instructional staff and support staff are not permitted to use such personal electronic devices for the purpose of producing video and/or audio records during the instructional day, as well as in dressing rooms during extracurricular activities.

The policy does not prohibit the use of cell phones, digital cameras and similar electronic devices by staff for the purpose of producing audio and/or visual recordings when:

- (1) The recording is produced as part of a required school-sponsored class or activity;
- (2) The recording is produced at a school performance, activity, or sporting event to which the general public is invited;
- (3) The recording is otherwise permitted by these policies or the building principal.

Employees who violate District policies and procedures regarding the use of personal electronic devices may be disciplined, up to and including termination, and may be prohibited from possessing or using such devices while at work.