



BERRIEN
RESA

2023-2024

EMPLOYEE HANDBOOK

a publication by Human Resources

Optimizing student outcomes through
collaboration and transformation.



Welcome to Berrien Regional Education Service Agency.

Our mission is to support our school community with respect and compassion through quality programs, leadership and dedicated partnerships.

This handbook serves to provide general information which includes, but is not limited to guidelines concerning your employment at Berrien RESA. Nothing contained in this employee handbook is intended to create a contractual obligation of employment for a specific period of time or other legal obligation between the employee and the Berrien RESA Board of Education as the contents of this handbook may be revised at any time, consistent with applicable law and collective bargaining obligations, if applicable.

In addition to this handbook, you may receive from your supervisor specific rules and regulations relative to your job duties. If at any time you have questions about your employment, please talk with your supervisor or Human Resources.

I hope that you will join me to make Berrien RESA the premier education service agency in Southwest Michigan, for the benefit of our students, families and stakeholders.

Sincerely,

Eric Hoppstock
Superintendent

**Berrien RESA Employee Handbook
2023 - 2024**

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Our Culture

OUR MISSION & GUIDING PRINCIPALS



We are Service-oriented

We focus on others first.

Our services adapt to the needs of our educational partners.

We Trust

We trust in each other to make good decisions.

We believe in our staff and empower them to reach organizational goals.

We all share in successes and failures.

Balance

We understand that balance is different for everyone and that life is more than your work.

Work is purposeful and supported; it's OK to let things go.

Our staff has heart!

We are...
Humble
Empathetic
Adaptable
Remarkable
Transparent

Leadership Development

We promote professional growth.

We train to make decisions as a team.

We build upon each individual's strengths.

We are Results Driven

Success is measured and feedback is provided regularly.

We strive for continuous improvement.

We Value Transparency

We answer the "WHY".

Our communication is always intentional and honest.

This means that...



OPTIMIZING STUDENT OUTCOMES THROUGH COLLABORATION & TRANSFORMATION

District Information

Berrien RESA Vision & Mission Statement 2021-2026

MISSION STATEMENT

We optimize student outcomes through collaborative partnerships and transformative thinking.

FOCUS AREAS

- Engaged and transformative stakeholder relationships
- Strategic organizational adaptability
- Equitable, inclusive organizational environment
- Leadership in educational innovation

SHARED BELIEFS

We believe that Berrien RESA strives to build and maintain:

- Stakeholder relationships through integrity, collaboration, honesty, and trust
- An organization that is evidenced-based in framing actions to provide transformative services to optimize student outcomes
- An environment that is equitable and inclusive where everyone shares in successes and failures
- Leadership by example, innovation, and adaptability

CORE GUIDING PRINCIPALS

- Our staff members are **Amazing People**
- We are **Service Oriented**
- Stakeholders understand the “why” through **Transparency**
- We foster relationships built on **Trust**
- We believe in providing **Leadership Development** opportunities for all staff
- Staff are encouraged to develop a healthy work and life **Balance**

- The focus of our work is to achieve outcome-based **Results**
BERRIEN RESA BOARD OF EDUCATION

Berrien Regional Education Service Agency operates under the authority of a five-member Board of Education.

Current board members include:

Jon Martin	<i>President</i>
Dave Pagel	<i>Vice President</i>
Andrew Robinson	<i>Treasurer</i>
Jackie Van Horn	<i>Secretary</i>
John Proos	<i>Trustee</i>

Representatives of local Boards of Education elect board members biennially on the first Monday in June. Members are elected for a term of six (6) years. The Superintendent is the chief administrative officer of Berrien RESA. The Board sets the policies governing the Berrien RESA. Regular meetings of the Board of Education are held on the second Monday of the month (unless announced otherwise) at the Administrative Center. An individual wishing to be included on a Board meeting agenda should provide the Superintendent with a written request at least seven days in advance of the meeting. The request should indicate the purpose of such appearance with supporting evidence as may be required. In addition, every citizen has an opportunity to participate in public comment at each Board meeting, with the maximum time limit of five (5) minutes.

BERRIEN RESA PROGRAMS & SERVICES

Berrien RESA operates programs and/or services at several different sites:

Administrative Center (471-7725) - houses offices for administrators, itinerant and support staff, technology, business services, and Conference Center.

Blossomland Learning Center (473-2600) - provides a positive, diversified learning environment for students with severe cognitive and/or physical impairments from ages pre-primary to adult.

Lighthouse Education Center (429-2351) maintains a therapeutic and educational environment for those students with severe emotional impairments and ASD.

Juvenile Detention Center (471-2831) is a year-round detention and residential facility for court-placed students. Berrien RESA provides the educational component of this program.

Autism Programs (429-2351) - provides services to students, ages 5 to 26, with an educational eligibility of ASD from across the county, who are referred by their local district.

Mathematics and Science Center (471-7725) is a half-day, county-wide accelerated high school program for academically talented grade 9-12 students housed at Andrews University.

Employment

APPLICABILITY

The provisions of this handbook apply to all staff who are employed by Berrien RESA. Individuals covered under a collective bargaining agreement should refer to their respective agreement when noted in this handbook.

TERMS OF EMPLOYMENT

This employee handbook DOES NOT constitute an employment contract between Berrien Regional Education Service Agency and its employees. All Berrien RESA employees who are not employed by either an individually signed contract or by a negotiated collective bargaining agreement are employed on an “at-will” basis and are subject to termination at any time, with or without cause, with or without notice, at the option of either the employer (Berrien RESA) or the employee.

EQUAL EMPLOYMENT OPPORTUNITY

Berrien Regional Education Service Agency is an equal opportunity employer, and as such, will comply with all federal and state laws with respect to non-discrimination. Specifically, Berrien RESA will not discriminate on the basis of race, color, religion, national origin, gender, age, height, weight, marital status, genetic information,

disability, or any other reason prohibited by law.

In compliance with the requirements of the Americans with Disabilities Act (ADA), Berrien RESA will provide reasonable accommodation for mental and physical impairments which may affect an employee's ability to perform the necessary and essential functions of their job. Reasonable accommodation is considered to be accommodation which would not impose an undue hardship upon Berrien RESA or its activities and responsibilities. The RESA also accommodates an employee's religious beliefs, within the parameters of constitutional requirements.

Employees who believe that a reasonable accommodation is necessary to perform the essential functions of their assignment must inform the Director of Human Resources as soon as possible after the date the employee knew, or could have known, that the accommodation was necessary, but in no case later than 180 days after such date.

In accordance with Section 504 of the Rehabilitation Act of 1973, it is the policy of Berrien RESA to prohibit discrimination on the basis of a qualified disability with respect to employment, access to facilities or programs, or treatment.

CONFIDENTIALITY

From time to time, in the course of your employment, you may have access to information about other school districts, students, and/or other employees. Often this information is to be kept confidential. Federal laws (The Family Educational Rights & Privacy Act and the Individuals with Disabilities Education Act), as well as our State's School Code, dictate non-disclosure of educational records, except in limited circumstances. If you are uncertain about whether information is confidential, check with your supervisor BEFORE discussing it with anyone. Breach of confidentiality could result in disciplinary action.

DISCIPLINE

While Berrien Regional Education Service Agency generally ascribes to the philosophy of progressive discipline (ie: the level of disciplinary action should be commensurate with the infraction), this should in no way be construed to mean that the District may not terminate the

employment of any “at-will” employee without cause or notice or that the District is required to follow any defined sequence of steps. By way of example, the following constitutes a partial list of the types of infractions which are subject to disciplinary action:

- improper treatment of students and/or families
- poor performance or service to students and/or families
- conduct which violates Board policy, rules or regulations
- conduct which is unprofessional
- conduct which is inconsistent with commonly established standards of justice, ethics, or morals
- insubordination
- excessive tardiness
- excessive absenteeism
- breach of confidentiality
- other misconduct

EMPLOYMENT RECORDS

The Berrien RESA maintains a cumulative Personnel File for each employee. These files are maintained by the Director of Human Resources. This record contains pertinent information on each employee including, but not limited to, performance evaluations, disciplinary records, certificates and licenses, job applications, and other information. Under the Bullard-Plawecki Employee Right to Know Act of 1978 (PA 397) employees are able to inspect their personnel records upon written request filed with the Director of Human Resources during normal working hours if it does not interfere with the employee’s assigned duties. If it is determined to interfere with the job, time will be set during non-working hours.

It is important to know that as public employees, information contained in your personnel record may be subject to public disclosure. Certain information, including individual performance evaluations, may be required to be released via a Freedom of Information Act (FOIA) request. Additionally, information relating to unprofessional conduct must be released to prospective employers upon request.

EMPLOYMENT STATUS

Employees may be hired for specific, pre-determined periods of time, or

for completing specific projects (temporary) or for longer unspecified terms with various weekly schedules (part-time or full-time). Generally, full-time employees work a minimum of thirty-seven and one-half (37.5) hours per week. Employees who work less than full-time will receive pro-rated benefits, unless otherwise required by law. Employees who work 20 hours or less per week are not entitled to benefits.

EVALUATIONS

Performance evaluations may be given as often as is deemed necessary by the employer or as specified in your contract or applicable law. In no case will these evaluations be performed less frequently than every third (3rd) year. Evaluations will be given using the appropriate District procedure and included in the employee's personnel record. Non-bargaining new hires will be given a 60-day review evaluation.

HEALTH INSURANCE PORTABILITY & ACCOUNTABILITY ACT (HIPAA)

The Health Insurance Portability & Accountability Act of 1996 (HIPAA) grants individuals the right to receive notice of the uses and disclosures of their protected health information (PHI) that may be made by the District, and sets forth the individual's right and the District's legal obligations with respect to PHI. The District declares itself a hybrid entity under the law.

The District will maintain all PHI in accordance with law. Protected health information does not include information contained in student education records covered by the Family Educational Rights and Privacy Act (FERPA) or employment records held by the District in its role as an employer.

Protected health information will only be available to designated employees who need to have access to those records in their employment capacity with the District and with other authorized entities. The District will not disclose or use PHI unless an appropriate written consent/authorization exists, or unless otherwise authorized by law. The District will train all employees who may have contact with protected health information on the law and the District's policies and procedures as necessary and appropriate for the employee's position. Any employee failing to comply with District policies, procedures, or law, may be disciplined up to and including termination.

The District will not intimidate, threaten, coerce, discriminate against, or take other retaliatory action against any individual for exercising his or her rights; participating in any process; filing a complaint; testifying, assisting or participating in an investigation, compliance review, proceeding or hearing; or in good faith opposing any act or practice the individual believes is unlawful, in accordance with law.

The District's Privacy Official is the Director of Human Resources who will receive and review any complaints.

MOONLIGHTING

While Berrien RESA does not prohibit outside employment, staff are expected to devote their primary work efforts to the District. It is, therefore, mandatory that they refrain from engaging in other employment that: 1) could be inconsistent with the professional interest of the District; 2) could be construed to be detrimental to the District's public image; or 3) could require devoting a level of time and effort that adversely impacts the employee's work. Furthermore, the use of any confidential or proprietary information maintained by the District in the pursuit of outside employment would be prohibited and could be grounds for dismissal. Employees are strongly encouraged to discuss potential outside employment with their supervisor in order to comply with this policy.

NEPOTISM

In order to ensure high standards of integrity and impartiality, the Board shall avoid any action which might result in, or create the appearance of a conflict of interest in the hiring and employment of District personnel.

Accordingly, Berrien RESA shall not hire or contract with any person who is a member of the immediate family of a Board member or administrator without an exception being made by the Superintendent. See Board Policies for further clarification.

QUALIFYING PERIOD

Non-bargaining unit employees will be employed for a qualifying period of 90 calendar days. Satisfactory completion of the qualifying period does not in any way imply the existence of any tenure rights and does

not affect the “at-will” status of the employee. Employees covered under a collective bargaining agreement, will serve the probationary period as specified in each contract.

ATTENDANCE

Regular, reliable attendance and punctuality are essential functions of one’s job responsibilities. As an employee, you are expected to observe scheduled working hours and days. A record of absences is maintained for each employee by the Human Resource Office and may be used to evaluate, on an individual basis, the impact that a given employee’s absentee rate may be having on the job. Your presence at work is essential to ensure quality service to our students and families.

In case of illness or absence for any reason, an employee must inform the appropriate person as soon as possible, but no later than the time set by one’s supervisor. Some specific instructions by building/or job include:

Administrative Center:

Administrative Center employees must call in to report their absence to the switchboard. Check with your supervisor about specific call in procedures that they require. Requesting the time in the Time Off System in Qmlativ is also mandatory.

Maintenance/Custodial:

Follow the call-in procedures that are required by your Supervisor and the Time Off system in Qmlativ.

Blossomland Learning Center:

Follow the call-in procedures that are required by the Building Administrator. Absences must be logged in using the Red Rover system AND the Time Off System in Qmlativ.

Lighthouse Education Center/Juvenile Center/Truancy:

Follow the call-in procedures that are required by the Building Administrator. Absences must be logged in using the Red Rover system AND the Time Off System in Qmlativ.

HOURS

Regular office hours are Monday through Friday:

Administrative Center	8:00 am to 4:30 pm
Blossomland Learning Center	8:00 am to 4:00 pm
Lighthouse Education Center	8:00 am to 4:00 pm
Juvenile Center Program	8:00 am to 4:00 pm

Normal employee work schedules may vary in terms of starting and ending times depending upon the individual's assignment. Employees who are paid on an hourly basis are responsible for accurately completing the information on the True Time system. This information serves as the basis for pay and needs to be accurate and timely.

FLEX-TIME

"Flex-time" is an approved adjusted work schedule for non-exempt employees for an extended, but well defined, period of time. The schedule adjustment must be consistent from week to week. The following procedures should be followed:

- The employee should complete the "Adjusted Schedule Request Form" and submit it to his/her immediate supervisor 30 days prior to the requested schedule change. (If the need for the requested change could not have been known this far in advance, the timelines may be adjusted.)
- The form must contain all the required information, including the reason for the request, the beginning and ending dates for the adjusted schedule, and a proposed plan describing how the employee's work responsibilities can be adequately achieved.
- The supervisor will recommend either approval or rejection of the request to the department head. The department head will make the final decision.
- If the decision is to NOT approve the request, a copy of the form will be returned to the supervisor and the employee with the reason for not approving the requested change. If the decision is TO APPROVE the request, a copy will also be filed with the Director of Human Resources.
- No adjusted schedule will be authorized for a period of time exceeding one school year.

- Employees are **NOT** allowed to flex their work schedule on a daily basis. If the supervisor gives advance approval for a flexible work schedule on an individual day, the actual hours worked that day must be recorded on the time sheet.

Generally, adjusted schedules should be approved for “appropriate” personal and/or business reasons if the impact on the job can be offset or kept to a minimum. In all cases, however, the final decision rests with the District.

COMPENSATION AND BENEFITS

OVERTIME

Employees covered under a collective bargaining agreement need to **check the contract** for overtime language. Berrien RESA has the right, and may require from time to time, to have its employees work overtime. Exempt professional and administrative employees are expected to fulfill their job duties and assignments and at minimum, be at work as scheduled. Exempt employees will not receive overtime pay when working beyond forty (40) hours per week. When hourly and/or non-exempt* employees work in excess of 40 hours per week, compensation or comp time will be at the rate of one and one-half (1 ½) times the regular rate of pay. If overtime work is requested by your supervisor, advance notice, if reasonably feasible, will be given. (NOTE: In order to receive compensation for overtime work, signed approval must be given by your supervisor PRIOR TO the performance of the work.) Hourly and non-exempt employees should NOT begin work prior to their normal starting time, work through their normal lunch breaks, nor work beyond their normal quitting time without prior approval by their supervisor. Overtime compensation may be paid in either of two ways: Pay or comp time

Comp time may be granted by mutual agreement between the employee and the supervisor only, and must be used within 90 days. If prior agreement is not obtained and recorded, it will be assumed that overtime compensation will be through payroll. Payroll or comp time will be at the rate of one and one-half (1 ½) times the regular rate when actual hours worked per week exceed 40.

**Determining whether an employee is “exempt” from overtime or “non-exempt” is sometimes difficult. Generally, all employees who are paid on an hourly basis are “non-exempt” (ie: entitled to overtime*

compensation). Generally, administrators and professionals who sign individual contracts are exempt (ie: not entitled to overtime compensation). Always check with your supervisor to ascertain your status with respect to overtime eligibility.

PAYROLL

Employees will be paid bi-monthly on or around the 1st and 15th. Generally, if a payday falls on a Saturday, the pay will be Friday and if the payday falls on a Sunday, the pay will be Monday. The District calendar that is given out each year also has the exact payroll dates on it. The district suggests that you consider having automatic payments taken out of your account on the 5th and 20th of the month, as you would then avoid any variance a payroll date may have.

Pay increases are determined annually by the Board of Education, which considers recommendations from the Superintendent and the Personnel/Policy Committee. Increases for employees covered under a collective bargaining agreement are negotiated.

INSURANCE BENEFITS

Berrien RESA offers medical, dental, vision and other insurance benefits to its employees. Individual coverage may vary depending upon employment status and the provisions of your contract. In addition, specific benefit options may vary from time to time as determined by the Board. **Any changes in dependent status or address need to be reported within 30 days to the Human Resource Office.** Consult with the Director of Human Resources for answers to specific questions that you might have regarding your benefits.

Berrien RESA carries Long-term Disability insurance on all employees who are eligible for fringe benefits. The employee becomes eligible for benefit payments after 90 days of a continuous disability. Employees covered under a collective bargaining agreement need to **check the contract** regarding LTD benefits. For non-bargaining unit employees, if the employee is on long-term disability, the Board shall continue to pay health and medical benefits for up to nine months.

Michigan Workers Compensation insurance is carried on all employees. An employee who is involved in an accident resulting in

an injury during work hours *must report the incident as soon as possible, but at least within 24 hours* to his/her supervisor. The supervisor must notify the Human Resource Office immediately after being notified of the incident.

RETIREMENT

Berrien RESA employees are enrolled in the Michigan Public School Employee's Retirement System (MPERS) on the first day of employment. The Berrien RESA Board of Education has authorized the payment of the employer's share into the retirement system. An additional amount will be deducted from the employee's pay and forwarded to the retirement system. Following retirement from the public schools, a schedule of pension payments will be prepared by MPERS for those vested in the system. For specific questions about your retirement situation, please contact the Director of Human Resources and/or the Michigan Office of Retirement Services.

TUITION REIMBURSEMENT

If you have a collective bargaining agreement, please check the contract for tuition reimbursement provisions. For non-bargaining unit employee's the following guidelines need to be followed:

- All requests for reimbursement eligibility must be submitted to your immediate supervisor PRIOR to enrollment in the course work on the Tuition Reimbursement Form.
- Only courses, which have been approved by your supervisor and are directly related to your job responsibilities will be eligible.
- In order to receive reimbursement, evidence that the course has been completed with a passing grade and copy of tuition bill must be submitted to the Human Resource Office.
- A maximum of nine (9) semester hours of credit, or equivalent, will be eligible for reimbursement during any given 12-month period.
- Reimbursement for approved college credit will be at 50% of graduate or undergraduate rate (whichever is applicable) not to exceed the average of the resident rate per hour based upon the following universities (WMU, CMU, MSU and GVSU).

- At no time will reimbursement be more than 50% of the actual tuition paid.
- Only approved college courses will be recognized.

Leaves & Absences

Employees covered by a collective bargaining agreement should check their contract language.

SICK LEAVE

Sick leave is provided to continue wages for a reasonable period of time when employees are unable to report for work because of illness or disability. Employees covered under a collective bargaining agreement or an individual contract need to **check the contract** for sick leave provisions.

For non-bargaining unit employees without a contract or letter of employment, the following applies: Sick leave will be earned on the basis of one day earned for each month of service. Unused sick leave will be allowed to accumulate to a maximum total of ninety (90) days.

Non-bargaining employees may utilize available sick leave for the illness or disability of the employee or a member of the employee's immediate family as defined by their contract or this Handbook. No more than five (5) days for the same illness or disability may be used to make arrangements for the care of a seriously ill member of the immediate family. (Refer to ATTENDANCE for call-in procedures.)

Immediate family will include: present spouse, father, mother, brother, sister, children, stepchildren, mother/father-in-law, daughter/son-in-law, stepfather/mother, grandparents, grandchildren, great grandparents, unless otherwise defined in your contract.

Upon request by the administration, the employee must submit a certificate from a medical doctor indicating that the employee is physically or mentally able to perform regularly assigned essential duties prior to returning to work. The administration, at its discretion, may also require that the employee submit a note from a medical doctor verifying that a basis for sick leave did exist.

FAMILY AND MEDICAL LEAVE ACT

The Family and Medical Leave Act (FMLA) of 1993 applies to all employees and provides for UP TO twelve (12) weeks of leave time during any 12-month period provided that they have worked for at least 12 months and for at least 1,250 hours during the previous 12 months.

Berrien RESA has elected to use the “rolling” 12-month period measured backward from the date an employee uses any FMLA leave. FMLA leave is unpaid but does provide for continuation of insurance benefits. FMLA leave furthermore is not in addition to the other leave provisions contained herein but rather runs concurrently with them.

Employees are required to use all accrued paid leave days (as specified in the contract or per the provisions of this handbook) as part of the FMLA leave but only to the extent of the twelve-week entitlement. It is intended for:

- Birth of a child.
- Adoption of a child or placement of foster child.
- Caring for a spouse, child or parent with a serious medical condition.
- The employee’s own serious medical condition which makes the employee unable to perform the requirements of the job.
- Military caregiver or qualifying exigency related to a spouse, parent or child being called up for active duty.

For further details regarding FMLA leave, check with the Director of Human Resources. A Department of Labor form is available in the HR office.

PERSONAL TIME

Employees covered under a collective bargaining agreement need to **check the contract** for accrual and use of personal time.

Non bargaining unit employees may be granted two (2) paid personal days per year for business **beyond the employee’s control which**

cannot be reasonably conducted outside working hours.

Personal leave may be taken in no less than one-half (1/2) hour increments. Personal leave may only be taken with PRIOR approval by the employee's supervisor, and should be requested at least two (2) days in advance. Personal leave is non-cumulative as such. However, at the end of each year, any unused portion of the two personal leave days will be added to the total days accumulated under the sick leave provisions. Personal leave will not normally be granted the work day immediately before, or the work day immediately after holidays.

This leave time is provided for use when needed; these days should not be automatically taken every year, as your regular, reliable and punctual attendance at work, as scheduled, is necessary to ensure that quality services are provided to our students and families.

FUNERAL LEAVE

Employees covered under a collective bargaining unit need to **check the contract** for funeral leave provisions.

For non-bargaining unit employees, funeral leave may be granted with pay for a period not to exceed five (5) days for each occurrence to attend the funeral of the employee's immediate family. Immediate family includes: present spouse, father, mother, father/mother-in-law, stepfather/stepmother, brother, sister, children, step-children, son/daughter-in-law, grandchild, grandparent/grandparent-in-law, and great grandparents. While funeral leave would not be appropriate for other relatives or friends, business leave, if available, could be used at the discretion of the supervisor.

ADOPTION LEAVE

Employees covered under a collective bargaining agreement need to **check the contract** for language regarding Adoption Leave. For employees not covered under a master agreement or the FMLA, leave for the purpose of adoption may be used subject to the following:

- An employee who is in the process of adopting a child shall be entitled to adoption leave under this section.
- The employee shall provide to the Director of Human Resources a written request at least 30 calendar days in

advance of the anticipated beginning of the leave. The request must contain the beginning and ending dates of the leave.

- The maximum number of days of the leave is 20 work days or the total number of sick leave days accrued at the beginning of the leave, whichever is less. For each day utilized of Adoption Leave, one accrued sick leave day will be deducted from the employee.
- An employee may not utilize Adoption Leave more than once per school year.

As noted earlier, an adoption leave also runs concurrently with FMLA leave entitlement.

LEGAL LEAVE

Employees covered under a collective bargaining agreement need to **check the contract** for legal leave provisions. For non-bargaining unit employees, legal leave is subject to the following conditions and limitations:

- An employee, who is summoned or subpoenaed during work hours as prescribed by law, may be granted legal leave for those dates and times as indicated, except when the action is adverse to the District or its interests.
- The employee will provide the Human Resource Office written proof of the summons or subpoena and, upon return from legal leave, provide satisfactory evidence as to the amount the employee was paid by the court.
- The amount of compensation paid by the court (if any) will be deducted from the employee's daily salary so that the net effect will be no loss of pay. In lieu of this payroll deduction, the employee may sign and turn the check from the court to the payroll office. The employee keeps the amount given to reimburse for their mileage to the court.
- Legal leave is not applicable when the employee is under court order to appear in his/her own defense for a violation of the law and to which he/she pleads or is found guilty. In cases where "plea-bargaining" or "out-of-court" settlement has left innocence or guilt unresolved in court, the Administration will make the determination of availability of this leave.

MILITARY LEAVE

Military leave is available to employees who are called into service. Berrien RESA will comply with all the provisions of the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).

SPECIAL LEAVES

Employees covered under a collective bargaining agreement need to **check the contract** for special leave provisions. Non-bargaining unit members may request special leaves with or without pay. These leaves must be requested through, and approved by the Director of Human Resources. Leaves without pay will also be without fringe benefits (including, but not limited to: insurance, experience credit, holidays, vacation, other paid leave entitlements) and are not guaranteed, because your presence at work, as scheduled, is necessary to provide quality educational services to our students and families.

APPROVED LEAVE DURING SCHOOL CLOSINGS

Approved paid leave (i.e. sick leave, vacation, personal leave, etc.) which is taken during days when the building where the employee is assigned is closed due to weather, will be reinstated and the employee will not be charged for the use of such days.

HOLIDAYS

Berrien RESA observes the holidays listed below. Employees covered under a collective bargaining agreement need to **check their contract** for holiday pay provisions.

For non-bargaining unit employees who work year round, these days will be time off from work and may be paid at the employee's regular rate. Paid holidays will NOT be counted as hours worked toward overtime computation purposes. When a holiday falls on a Saturday, generally it will be observed on the preceding Friday. When a holiday falls on a Sunday, it will generally be observed on the following

Monday. The District reserves the discretion, however, to close on another day or grant alternative time off when it determines it is in the best interest of the District to do so.

The following holidays are recognized:

- New Year's
- Martin Luther King Jr. Day
- President's Day
- Good Friday
- Memorial Day
- Independence Day
- Friday before Labor Day
- Labor Day
- Thanksgiving
- Christmas

VACATIONS

Vacation time will be earned as specified in your contract. For non-bargaining unit employees, the following applies:

1. Entitlement:

Employees who work for a full year (i.e. twelve months) are entitled to paid vacation benefits. Specific days are subject to approval by the supervisor. Employees working on a calendar (i.e. a specified number of days within a 12-month period), or employees working for less than a full 12 month year, are not entitled to paid vacation benefits, but are expected to work only those days which are indicated on their agreed schedule.

2. Accrual:

HOURLY employees are entitled to receive a maximum of ten (10) vacation days per year during the first five (5) years of continuous full-time employment with Berrien RESA. Part-time employment will be prorated. NEW hourly employees will NOT accrue vacation days during the first two (2) months of employment. Beginning with the 3rd month of work during the 1st year, the employee will accrue

one day of vacation until the next increment of vacation time is given on July 1st and the other half of the annual entitlement is given on January 1st. Beginning with the 6th consecutive year of employment through the 15th year of employment, a maximum of fifteen (15) vacation days will be earned. Beginning with the sixteenth (16) consecutive year of employment and thereafter, a maximum of twenty (20) vacation days will be earned.

SALARIED employees are entitled to receive a maximum of fifteen (15) vacation days per year during the first fifteen (15) consecutive years of employment with Berrien RESA. Beginning with the sixteenth (16) consecutive year of employment and thereafter, a maximum of twenty (20) vacation days will be earned. All vacation days for salaried employees will be advanced each year on July 1st.

ADMINISTRATORS are entitled to receive a maximum of twenty (20) vacation days per year or as specified in the individual contract.

It is expressly understood that all vacation days which are "advanced" are considered to be based upon the completion of a full work year. Employees who leave the District prior to the completion of their full work year will be charged for any days used beyond the pro-rated entitlement.

3. Accumulation:

Employees may accrue no more vacation time than is allowed in two (2) years. The maximum compensation for unused vacation days upon the employee's termination of employment with the District shall also be two year's allocation.

4. Procedures for Use:

The Superintendent, or his designate, will approve the annual vacation schedule for each employee to allow for the most efficient operation of the District, giving priority to employee preference when practical. Vacation days may only be taken in one-half (1/2) day increments. Personnel will ordinarily be expected to take their earned vacation time in blocks of not more than two weeks. The Superintendent must approve exceptions to this. Employees are encouraged, as much as

possible, to take vacation time when it will have the least impact on the operation of the District and students.

Specifically, employees requesting vacation time should verify the availability of time with the Director of Human Resources and obtain the approval from their immediate supervisor for the requested dates. Whenever possible, at least two days advanced notice is encouraged. Vacation requests that result in an entire department being unstaffed will not be approved.

Final approval for vacation is granted by your supervisor, the Superintendent or his designate. Secretaries at the Administrative Center also need the approval of the Director of Human Resources for the purpose of verification.

Employee Conduct & Welfare

STUDENT BULLYING

It is the policy of the District to provide a safe and nurturing educational environment for all of its students. This policy applies to all activities on school property, on school transportation and all school sponsored events or activities whether on or off school property.

Bullying towards a student, whether by other students, employees or third parties, including Board members, parents, guests, contractors, vendors, and volunteers, is strictly prohibited.

Demonstration of appropriate behavior, treating others with civility and respect, and refusing to tolerate bullying is expected of administrators, faculty, staff, and volunteers to provide positive examples for student behavior.

This policy applies to all activities in the District, including activities on school property, in a school vehicle, and those occurring off school property if the student or employee is at any school sponsored, school-approved or school-related activity or function, such as field trips or athletic events where students are under the school's control, or where an employee is engaged in school business.

Bullying against students occurring outside of school may also be disciplined if it substantially interferes and adversely affects the school environment.

"Bullying" can be a written, verbal, or physical act (including electronically transmitted acts – i.e. internet, telephone or cell phone, personal digital assistant (PDA), or wireless hand held device) that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression or a mental, physical, or sensory disability or impairment; or by any other distinguishing characteristic. Such behavior is considered bullying whether it takes place on or off school property, at any school-sponsored function.

"Bullying" is conduct that meets all of the following criteria:

- is directed at one (1) or more students;
- Substantially interferes with educational opportunities, benefits, or programs of one (1) or more students;
- Adversely affects the ability of a student to participate in or benefit from the school district's educational programs or activities by placing the student in reasonable fear of physical harm or by causing emotional distress; and, having an actual substantial detrimental affect on a pupil's physical and mental health.
- Is based on a student's actual or perceived distinguishing characteristic (see above), or is based on an association with another person who has or is perceived to have any of these characteristics.

Any student who believes s/he has been or is the victim of bullying should immediately report the situation to the building principal or assistant principal. The student may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate administrator or Board official. Complaints against the building principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board President.

Every student is encouraged, and every staff member is required, to report any situation that they believe to be bullying directed toward a student. Reports shall be made immediately and to those identified above. Reports may be made anonymously, but formal

disciplinary action may not be taken solely on the basis of an anonymous report.

All complaints about bullying shall be promptly investigated, and documented. If the investigation finds an instance of bullying has occurred, it will result in prompt and appropriate remedial and/or corrective action. This may include up to expulsion for students, up to discharge for employees, exclusion for parents, guests, volunteers, and contractors, and removal from any official position and/or a request to resign for Board members. Individuals may also be referred to law enforcement officials.

The District will consider restorative practices to remediate bullying or cyberbullying offenses before imposing discipline on students under this policy. MCL 380.1310c

The complainant shall be notified of the findings of the investigation, and as appropriate, that remedial action has been taken. Retaliation against any person who reports, files a complaint, or otherwise participates in an investigation concerning allegations of bullying is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. Suspected retaliation should be reported in the same manner as bullying. Making intentionally false reports about bullying for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Retaliation and intentionally false reports may result in disciplinary action as indicated above. *See Board Policy Article IV subsection 13 for further clarification.*

SUSPECTED CHILD ABUSE

Some RESA employees are mandated reporters under the Child Protection Law, and required to immediately report suspected child abuse or neglect to the State centralized intake agency, by phone or online. Every employee may report. After an oral report, a written report using the State form or online system is also required within 72 hours of the oral report.

Mandated reports must orally report to the agency even if there are other mandated reporters also making an oral report, however, only one written report is required per the same incident.

Employees are encouraged to report if they suspect abuse or neglect and are required to report if mandated by law. Berrien RESA administration are available to assist employees in determining their obligations under this important law, to help protect and support our students. *MCL 722.621.*

CRISIS RESPONSE PLAN

A Crisis Response Plan and Crisis Response Team have been established to assist in managing tragedies that have significant impact on the work place/schools, i.e., student or staff deaths, critically ill or injured students/staff, terminal illness, natural disasters, hostages or abduction situations. All crises are reported to the Superintendent. During a crisis, staff are not to talk to the media. All information will be distributed by the Superintendent.

RESIGNATION

Unless specified differently in a contract, a two-week notice is required when a resignation is given. Administrators must provide a 4 week notice. All keys, name badges and computers and any other District property must be handed in to the Supervisor or HR. An exit interview appointment should be made with the Human Resource Department.

SELF REPORTING REQUIREMENT

PA 129-131 & PA 138 have a requirement for employees to self-report when they are arraigned/charged with certain identified crimes. Forms are available in the School office and on the Berrien RESA website and employees must do so within three (3) business days or they could be guilty of an additional crime. Employees should also check the Michigan Department of Education website for the reporting form that must be used to timely notify the RESA and the MDE.

SMOKING AND VAPING

In the interest of providing a safe and healthy working environment for employees, students and visitors, and in accordance with Michigan PA 140, all schools and/or buildings are to be tobacco free. The use of tobacco products and E-cigarettes is strictly prohibited in buildings

and on real estate owned, leased, or otherwise controlled by Berrien RESA.

SUPPLIES, MATERIALS AND EQUIPMENT

The Director of Business and Finance has responsibility for all supplies and equipment necessary for the operation of the District's facilities. Non-routine items may be requested through the office requisition procedure consult with your supervisor for specific details. Employees are responsible for the proper care of all office equipment and malfunctions should be reported to your supervisor. Any equipment which may be loaned, is the responsibility of the employee borrowing such equipment. Damage due to negligence is also the responsibility of the employee at a cost to be determined by the District.

TELEPHONES/CELL PHONES

Personal cell phones are not to be used during work hours, unless it is an emergency. District telephones are only to be used for District business.

WORK SPACE

The District provides a work station for employees. It is expected that these work areas remain clean and orderly at all times.

DIVERSITY

Berrien Regional Education Service Agency will strive to create an environment for its employees and students which recognizes individual differences and commonalities, promotes the exchange of diverse ideas, and encourages mutual understanding.

DRESS

The Berrien RESA dress code policy is designed to help us all provide a consistent professional appearance. The goal is to be sure that we maintain a positive appearance and not offend visitors, constituents, parents or colleagues.

Berrien RESA is a professional organization that operates for the

benefit of students and the community it serves. As such, staff will dress in a professional manner appropriate to their position and model appropriate dress as good role models for the students. In general, the following will apply:

Clothing that exposes the backside, midriff or the breast (even when leaning over) is inappropriate and is not acceptable. Likewise, "mini and/or micro-mini" skirts are not acceptable. In general skirts should approach knee-length. Clothing with offensive messages, symbols, phrases or slogans advertising tobacco, alcohol products, or any controlled substance is unacceptable. Halter tops, tank tops, and see-through garments, unless worn over or under another top that covers the body, are not acceptable. T-shirts are not appropriate as an outer garment when the job may require staff to be in the community or local districts. Clothing which promotes a specific religious belief or embroils students in labor disputes with the employer are disruptive and prohibited. Any deviation requires the supervisor's approval.

Classroom teachers and classroom paraprofessionals at Blossomland Learning Center, Lighthouse Education Center and offsites are permitted to wear jeans as long as they are worn with a colored dress shirt or polo shirt. Even though jeans are permitted, it would be the desire of the District that jeans not be the dress of choice every day. The "low-cut" or "baggy" look is not appropriate in the workplace and pants should also not have holes or patches on them.

Itinerant staff and ancillary staff in the buildings (speech, social work, OT, PT, CBI Teachers and paraprofessionals, office staff) should not wear jeans.

Staff should wear footwear that is appropriate to their job responsibilities. Shoes that cover one's toes should always be worn by staff working with students in wheelchairs or with students who exhibit aggressive behavior. "Flip-flops" or any rubber shower shoes are never acceptable unless working in the pool area.

Staff should be cognizant that in some situations wearing certain types of jewelry or apparel presents a safety hazard to themselves. Facial jewelry such as nose rings and eyebrow rings are not appropriate or acceptable at work for any staff member.

These statements concerning dress are not meant to cover all situations. Fashion trends often change more rapidly than written

policies. If there is a question as to the appropriateness of attire, staff should check with their immediate supervisor. Staff should look professional whenever they are at work or representing Berrien RESA. **This following dress code policy applies to Admin. Center Staff:**

Employees are expected to dress at a minimum in business casual attire as defined below unless the day's tasks require otherwise or for special occasions as designated by the Human Resource Office.

- Employees must always present a clean, professional appearance. Everyone is expected to be well-groomed and wear clean clothing pressed and free of holes, tears or other signs of wear.
- Clothing with offensive or inappropriate designs or stamps are not allowed.
- Clothing should not be revealing.
- Jeans or denim pants of any color are not acceptable.
- Piercings or facial jewelry such as nose rings and eyebrow rings are not appropriate or acceptable.
- Clothing and grooming styles dictated by religion or ethnicity are exempt.

Supervisors are expected to inform employees when they are in violation of the dress code.

What is business casual dress code?

This may include khaki or cotton pants or skirts (not mini), button-down shirts, collared polo/knit shirts, blouses, sweaters and cardigans. Leggings may be worn under a skirt or dress/tunic. Shoes may be casual. However, tennis shoes or shower-type shoes/sandals are not permitted.

DRUGS AND ALCOHOL

It is the policy of Berrien RESA to maintain an alcohol and drug free work environment for all employees. In order to ensure a safe and efficient work place, no employee shall possess, distribute, use, or be impaired by alcohol, illegal prohibited or unauthorized prescription drugs on District property or during working hours.

Berrien RESA reserves the right to search any employee, the

employee's work area, and an employee's vehicle while on District property if the District has reasonable suspicion that this policy has been violated. Refusal to cooperate in these procedures may result in discipline or discharge. Furthermore, the District reserves the right to test employees covered under the provisions of this handbook for drugs and/or alcohol when necessary.

WEAPONS

No person shall possess, store, make, or use a weapon in any setting that is under the control and supervision of the District, including, but not limited to, property leased, owned, or contracted for by the District, at a school-sponsored event, or in a District-owned vehicle. See Board Policy, Article VII Facilities and Operations, Section 5 for more details.

EMAIL ACCOUNTS

The District provides each employee with an email account. The RESA uses email as one of the ways it communicates with its employees. It is the expectation of the District that employees check their District email account at least once a day, and that employees are responsive to supervisors, colleagues, and families to ensure quality services to our students and families.

EMPLOYER PROPERTY/SEARCHES

While employees have a reasonable expectation of privacy with respect to their designated work space and equipment, Berrien RESA reserves the unqualified right to maintain, inspect, and update its facilities, supplies, and equipment without notice. In addition, upon reasonable suspicion of inappropriate use, the District reserves the right to inspect, monitor, and/or search all District property, including Internet access and District technology devices, with or without notice and in the employee's absence.

FACILITY USAGE

Meeting room facilities in the Administrative Center may be used for professional purposes by public institutions and organizations under the following conditions:

- The use does not interfere with planned activities of Berrien RESA.
- One or more employees of the District are involved with the group's activities.
- The activities are related to Berrien RESA services.
- Fees may be assessed according to the fee schedule available in the Business Office.
- The Blossomland Learning Center (BLC) and Lighthouse Education Center (LEC) may be used by outside groups when such use does not interfere with the District's regular school programs under rules and regulations set by the administration.

An employee who wishes to use one of the District's facilities for personal use should ask the appropriate building administrator for specific instructions. Final approval for building use must be given by the Supervisor of Facilities and Operations.

HARASSMENT

Berrien RESA will not tolerate any form of unlawful discriminatory harassment based on a person's race, religion, color, creed, national origin, age disability, sex, or other legal protected category under state or federal law. *A grievance procedure for reporting complaints of discriminatory harassment is found in Board Policy 1662, 3362 or 4362.*

Sexual Harassment

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication constitutes harassment when:

- Submission to the conduct or communication is made either as an explicit or implicit condition of employment
- Submission to or rejection of the conduct or communication by an individual is used as a factor in an employment decision affecting the harassed employee; or
- The conduct or communication has the purpose or effect of substantially interfering with an individual's employment or creating an intimidating, hostile or offensive work environment.

- Examples of prohibited conduct may include, but are not limited to: lewd or sexually-suggestive comments; language or jokes of a sexual nature; slurs or verbal, graphic or physical conduct relating to an individual's sex; or any display of sexually explicit pictures, greeting cards, articles, books, photos, or cartoons.

Any employee who feels that he/she has been the victim of unlawful harassment should bring the matter *immediately* to the attention of their supervisor. If that would prove to be uncomfortable, the employee should contact the Director of Human Resources. All such claims will be investigated promptly, and Berrien RESA will take appropriate remedial measures and/or corrective action as dictated by the investigation.

Any employee who is determined, after investigation, to have engaged in unlawful harassment in violation of this policy will be subject to discipline up to and including termination of employment. Furthermore, Berrien RESA will not permit or tolerate retaliation against an employee or applicant reporting any incident of unlawful harassment in good faith.

Likewise, employees are expected to immediately notify their supervisor or the designated Title IX Coordinator for the RESA, if s/he suspects that any student is the victim of sexual or other unlawful harassment or sexual assault. Employees are prohibited from all forms of sexual misconduct, or inappropriate sexual contact or communication with students, and any such conduct is criminal and will be referred to law enforcement. Employees who engage in such conduct, retaliate against students or colleagues who report such behaviors, or fail to report such prohibited behaviors, are subject to immediate termination.

PHYSICAL EXAMINATION

All applicants selected for regular employment in custodial, or maintenance will be required to undergo a physical examination by a licensed physician. The physician will provide a statement that the applicant is able to perform the essential duties of the position without a direct threat to the employee or others.

HAZARDOUS CHEMICAL AWARENESS

Berrien RESA is in compliance with the Michigan-Right-to-Know Law, which mandates that employees will be provided information regarding

possible exposure to hazardous chemicals in the work place. All new employees are provided information regarding hazardous chemicals. For further clarification, contact the Director of Human Resources.

General Procedures

CHANGE OF ADDRESS OR PHONE NUMBER

It is important that the District always maintains accurate information with respect to an employee's home address and phone number. This information is necessary for emergency contacts as well as for insurance information, and other items. It is the responsibility of the employee to keep his/her supervisor and the Director of Human Resources up to date of any changes of address or phone number. Phone numbers, which are "unlisted", will be considered confidential and distributed only to appropriate administrators.

CONFERENCE/MEETING ATTENDANCE

Attendance at conferences, meetings, or in-services is subject to the approval of the supervisor. Approval will be granted only for meetings, which are relevant to the employee's job. Requests should be presented as far in advance as possible on the appropriate form. Your contract may contain additional information. Any overnight travel must be preapproved by the Superintendent or designate. If pre-approval is not obtained, the employee will be responsible for the cost of the conference/meeting.

MILEAGE AND EXPENSES

Mileage and expense reports must be submitted in a timely manner. The expectation is that employees submit those expenses monthly. Once a supervisor approves the mileage it is paid out weekly. Expense reimbursements for the professional staff are paid out in the second pay of the month.

KEYS

All employees who have been issued keys or key fobs for access to a building beyond normal working hours for the purpose of conducting district business are personally responsible for their use and in no case should these be “loaned” to other individuals. Employees are asked to ensure that all doors, etc. are locked and secured when they leave in order to ensure the safety and security of the building. Upon separation of employment with Berrien RESA, an employee must return all keys and key fobs to their supervisor.

NAME BADGES/NAME PLATES

The District will issue name badges to all employees. These name badges are not to be altered or tampered with and should be worn during work hours.

CUSTODIAL REQUESTS

Requests for minor items that may involve custodial assistance (i.e. picture hanging, minor repairs of furniture) may be made directly to the appropriate custodian. Requests for assistance involving significant amounts of custodial service are to be made to the Supervisor of Facilities and Operations thru the online work order system.

NEWS RELEASES

Public awareness of Berrien RESA programs, services, and other items of public interest is desirable and encouraged. At the same time, it is imperative that the information be accurate, timely, and consistent. As such, all releases and statements issued on behalf of the RESA to the media or social media must be authorized by the Superintendent. Employees are not authorized to speak on behalf of the RESA, unless designated by the Superintendent.

PARKING

Employees are expected to use the designated parking lots and spaces. Parking for BLC employees is adjacent to the building with overflow parking in the large Administrative Center parking lot. Employees are to observe the specially designated areas, which are reserved for handicapped parking and visitors.

LUNCHES

Employees covered by a collective bargaining agreement must **check the contract** for lunch period provisions. Non bargaining unit employees will have lunch periods that vary according to building assignment. Lunch periods are unpaid and should be taken in designated areas. Employees should not work during unpaid lunch periods without authorization from their supervisor.

PERSONAL ITEMS & VALUABLES

Berrien RESA does not assume responsibility for personal items and valuables which are lost, stolen, or destroyed.

INTER-DISTRICT MAIL

The REMC van travels once a week to the following ISDs and/or RESAs: Kalamazoo, Heritage Southwest, and Van Buren. Except for Kalamazoo, the van travels to each local school district in the tri-county area. Employees are strongly encouraged to use the van for sending materials and packages to schools and offices in the tri-county area.

PURCHASES

All purchases for supplies and services require a purchase order, which must be approved by your supervisor before the purchase is made. Any exception to this procedure must be approved by the Director of Business and Finance. Employees shall not make personal purchases on RESA accounts or using RESA credit or purchase cards. Berrien RESA will not be responsible for any unauthorized purchases. Questions regarding the purchase order process should be directed to your supervisor or the Business Office.

INCLEMENT WEATHER PROCEDURES

The Superintendent or his designee shall have the responsibility to close Berrien RESA programs and facilities due to weather. When Berrien RESA is closed, all programs at Blossomland Learning Center,

Lighthouse Education Center, Administrative Center, Berrien County Math and Science Center and Juvenile Center will be closed. The decision to close offsite special education programs will be made by the local district in which the program is located. Employees who work in these programs should make sure they are registered with the local district to receive school closing announcements. Offsite programs that are not located in schools and certain custodial and maintenance personnel follow special closing guidelines. Please contact your supervisor for specific instructions.

CONCLUSION

Berrien RESA is proud of our tradition of providing quality staff and services, to the students, families and constituent districts we serve. Your ongoing dedication and support of our educational and service mission, will ensure that tradition endures.



Non-Discrimination/Title IX Clause

The Board of Education does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or sexual identity), disability, age, religion, height, weight, marital or family status, military status, ancestry, genetic information, or any other legally protected category, (collectively, "Protected Classes"), in its programs and activities, including employment opportunities.

Title IX Coordinator/Compliance Officer and for all other concerns:
Breanna Bell, Director of Human Resources
Berrien RESA, 711 St. Joseph Avenue, Berrien Springs, MI 49103

Title IX Investigators:
Kevin Clark, Technology Services Director
Breanna Bell, Director of Human Resources

Title IX Decision Maker:
Chris Machiniak, Assistant Superintendent

Title IX Appeals:
Eric Hoppstock, Superintendent

Title IX Final Rule (Clark Hill)

For procedural information, please review Berrien RESA's Board policies.