



# Kansas City Public Schools Employee Handbook

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# EMPLOYEE HANDBOOK

## Kansas City Public Schools

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# FOREWORD

As an employee of KCPS, you become a part of a very important educational process for our students. To be successful, each employee must have an understanding of his or her assignments and responsibilities, follow instructions, develop and practice good work habits, be courteous at all times, strive for neatness and accuracy in all work, accept assignments as a challenge and be conscientious and innovative so that he or she can be a part of the effort in educating our children. We consider the employees of Kansas City Public Schools to be one of its most valuable resources. All that we do individually and collectively, impacts the growth and development of our students. This handbook has been written to serve as the guide for the employer/employee relationship. This handbook has been prepared to introduce you to KCPS and acquaint you with the personnel guidelines.

This handbook summarizes our policies, which are presented here only as a matter of information. The contents of this handbook shall not constitute nor be construed as a promise of employment or as a contract or part of a contract, express or implied, between KCPS and its employees. You are responsible for reading and understanding this Employee Handbook. If you have any questions, please discuss them with your supervisor.

Schools or departments may establish additional guidelines and procedures appropriate to their school or department. Please learn those guidelines and observe them at all times. They are established for your benefit and that of the school or department and our students.

This Employee Handbook may be revised from time to time, as needed, without prior notice as business, employment, legislative and/or economic conditions dictate. Any such revisions apply to existing as well as future employees. Revisions will be made as they are approved. Only the Superintendent of KCPS or his/her designee may alter or modify any of the provisions of this Employee Handbook. Statements or promises by an administrator, principal, supervisor, manager or department head may not be interpreted as a change in policy and do not constitute an agreement with an employee.

While this Handbook is a general publication prepared for all KCPS employees, many employees also may be represented by various unions. If a conflict arises between an item in this Employee Handbook and an item in a negotiated agreement, the terms in the Negotiated Agreement will govern for those employees covered by the negotiated agreement without nullifying any other items in this Handbook. If a conflict arises between an item in this Employee Handbook and an item in KCPS Board policies, administrative policies, and/or administrative procedures, the terms in the KCPS Board policies, administrative policies and/or administrative procedures will govern without nullifying any other items in this Handbook. When the KCPS Board policies, administrative policies, and/or administrative procedures are revised, they supersede the information in this Handbook.

Some subjects described in this Handbook are covered in detail in KCPS Board policy, administrative policy, and/or administrative procedures. Refer to these documents for specific information, as this handbook only briefly summarizes those guidelines and applicable benefits. Please note that the terms of the written insurance policies are controlling. Please find Administrative Board policies by going to [www.kcpublicschools.org](http://www.kcpublicschools.org), scrolling over "DISTRICT INFO" and clicking on "Admin Policies."

# Welcome and Overview

## Kansas City Public Schools

Dr. Jennifer Collier, Superintendent

### Vision of Kansas City Public Schools

Kansas City Public Schools (KCPS) envisions its schools as places where every student will develop deep understanding of the knowledge and skills necessary to pursue higher education, obtain family-supporting employment, contribute to the civic well-being of the community, and have the opportunity for a rewarding and fulfilling life.

### Mission of Kansas City Public Schools

Upholding the promise of an equitable educational experience so Kansas City students thrive socially, emotionally and academically.

### Strategic Plan Overview

#### 5 Goals and Measures of Student Success

1. Success in Early Years
2. Whole Child: Safe, Challenged, and Supported
3. Continuous Growth Toward Mastery of All Academic Subjects
4. 21<sup>st</sup> Century Critical Thinkers and Problem-Solvers
5. Readiness for College, Career and Life

#### The Professional Practices for Instructional Effectiveness are organized around Four Pillars

Pillar A: Personalized, Rigorous, Culturally Responsive Teaching & Learning

Pillar B: Safe Climate and Strong Relationships with Families & Community

Pillar C: Caring and Effective Teacher in Every Classroom, and Effective Leader in Every School

Pillar D: Data-Informed, Effective, and Efficient Systems

# Employment Policies

## Equal Employment Opportunity Statement

KCPS is an equal opportunity employer that maintains a diverse workforce and is committed to providing a work environment free from discrimination in accordance with all federal, state and local laws. We value employees' talents, and support an environment that is inclusive and respectful. Kansas City Public Schools provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to sex, race, religion, color, national origin, ancestry, age, disability, sexual orientation, gender identity, genetic information, or any other factor prohibited by law or based upon a belief that such a factor exists.

KCPS is committed to assuring that:

- All recruiting, hiring, training, promotions, compensation, and other employment related programs are provided fairly to all persons on an equal opportunity basis;
- Employment decisions are based on the principal of equal opportunity. All personnel actions such as compensation, benefits, transfers, training and participation in social and recreation programs are administered without regard to any characteristic protected by state, federal or local law; and
- Employees and applicants will not be subjected to harassment, intimidation, threats, retaliation coercion or discrimination because they have exercised any right protected by law.

KCPS expressly prohibits any form of unlawful employee harassment based on sex, race, religion, color, national origin, ancestry, age, disability, sexual orientation, gender identity, genetic information, or any other factor prohibited by law or based upon a belief that such a factor exists. Improper interference with the ability of KCPS employees to perform their expected job duties is absolutely not tolerated. **(See Administrative Policies: AC, AC-2, AC-AP (1))**

### I-9 Immigration Reform Policy

KCPS complies with the Immigration Reform and Control Act of 1986 by employing only United States citizens and non-citizens who are authorized to work in the United States. All employees are asked during the hiring process, to provide original documents verifying the right to work in the United States and to sign a verification form required by federal law (INS Form I-9). If an individual cannot verify his/her right to work, KCPS must terminate his/her employment.

By authority of the Immigration Reform and Control Act of 1988, KCPS hires only United States citizens and lawfully authorized non-citizen workers. All newly hired employees are required to possess specific documentation of employment authorization to verify eligibility to work in the United States. In addition, KCPS uses E-Verify as part of the I-9 process to verify the work eligibility of all new hires. If you have questions regarding the E-Verify process, please contact the KCPS human resources office at 816-418-7517.

## Confidential Nature of Work

All KCPS records and information relating to KCPS are confidential and employees must, therefore, treat all matters accordingly. No KCPS or KCPS-related information, including without limitation, documents, notes, files, records, oral information, computer files or similar materials (except in the ordinary course of performing duties on behalf of KCPS) may be removed from KCPS's premises without permission from KCPS. Additionally, the contents of KCPS's records or information otherwise obtained in regard to business may not be disclosed to anyone, except where required for a business purpose.

Employees **must not** disclose **any** confidential information, purposefully or inadvertently through casual conversation to any unauthorized person inside or outside KCPS **including the local, regional or national news media**. Employees who are unsure about the confidential nature of specific information must ask their supervisor for clarification. Employees will be subject to appropriate disciplinary action, up to and including dismissal, for knowingly or unknowingly revealing information of a confidential nature.

## Conflict of Interest Statement

KCPS expects employees to conduct business according to the highest ethical standards of conduct. Employees are expected to devote their best efforts to the interests of KCPS. Business dealings that appear to create a conflict between the interests of KCPS and an employee are unacceptable. KCPS recognizes the right of employees to engage in activities unrelated to KCPS outside of the hours of their employment. The employee, however, must disclose any possible conflicts so that KCPS may assess and prevent potential conflicts of interest from arising. A potential or actual conflict of interest occurs whenever an employee is in a position to influence a decision that may result in a personal gain for the employee or an immediate family member (i.e. spouse or significant other, children, parents, siblings) as a result of KCPS's business dealings.

Although it is not possible to specify every action that might create a conflict of interest, this policy sets forth the ones that most frequently present problems. If an employee has any question whether an action or proposed course of action would create a conflict of interest, he or she should immediately contact Human Resources to obtain advice on the issue. The purpose of this policy is to protect employees from any conflict of interest that might arise.

A violation of this policy will result in immediate and appropriate discipline, up to and including immediate termination. **(See Administrative Policy GBCA)**



## **Anti-Harassment Policy and Complaint Procedure**

KCPS is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, KCPS expects that all relationships among persons within the educational organization will be business-like and free of bias, prejudice and harassment. Such conduct is prohibited in any form at the workplace, at school-related functions, or outside of work if it affects the workplace. These guidelines apply to all KCPS employees, students, clients, customers, guests, vendors, and persons doing business with KCPS.

Employees are expected to maintain a productive work environment that is free from harassing or disruptive activity. No form of harassment will be tolerated. In conjunction, each principal, director, and manager has a responsibility to keep the workplace free of any form of harassment, in particular sexual harassment. No supervisor or manager is to threaten or insinuate, either explicitly or implicitly, that an employee's refusal or willingness to submit to sexual advances will affect the employee's terms or conditions of employment.

### **Definitions of Harassment**

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example:

- (i) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- (ii) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;
- (iii) Or such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to:

- unwanted sexual advances or requests for sexual favors
- sexual jokes and innuendo
- verbal abuse of a sexual nature
- commentary about an individual's body, sexual prowess or sexual deficiencies
- leering, whistling or touching
- insulting or obscene comments or gestures
- display or circulation in the workplace of sexually suggestive objects or pictures (including through email, text messages, or other forms of digital communication)
- any other physical, verbal or visual conduct of a sexual nature

Sex-based harassment not involving sexual activity or language (e.g. male manager yells only at female employees and not males) may also constitute discrimination if it is severe or pervasive and directed at employees because of their sex.

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of sex, race, religion, color, national origin, ancestry, age, disability, sexual orientation, gender identity, genetic information, or any other factor prohibited by law or based upon a belief that such a factor exists. By definition, harassment 1) has the purpose or effect of creating an intimidating, hostile or offensive work environment; 2) has the purpose or effect of unreasonably interfering with an individual's work performance; or 3) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on KCPS time or using KCPS equipment via e-mail, phone (including voice messages), text messages, tweets, blogs, social networking sites or other means.

### **Individuals and Conduct Covered**

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to KCPS (e.g., an outside vendor, consultant or customer).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

### **Internal Complaint Procedures**

Individuals who believe they have witnessed such conduct should discuss their concerns with their immediate supervisor or the Director of Employee Labor Relations within the Human Resources department.

When possible, KCPS encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. KCPS recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

KCPS encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, although no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

If an employee feels that a formal complaint is in order, the following steps should be taken.

1. If desired by the employee, the employee should notify his/her supervisor. Depending on the circumstances, this may not be an appropriate action and the employee would be advised to move immediately to step 2.

2. The complaint should be brought to the attention of an Employee & Labor Relations representative in Human Resources in the form of a written complaint. KCPS will attempt to resolve the complaint within a reasonable period of time, always making best efforts to resolve the complaint within 30 business days.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

### **Retaliation is Prohibited**

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed. Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately.

If a party to a complaint does not agree with its resolution, that party may appeal to the Superintendent.

False and malicious complaints of harassment, discrimination or retaliation may be the subject of appropriate disciplinary action. **(See Administrative Policies: AC, AC-2, AC-AP (1))**

## **Americans with Disabilities Act (ADA) and the ADA Amendments Act (ADAAA)**

It is the policy of KCPS to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is our policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, leave, training or other terms, conditions and privileges of employment.

Employees who may require a reasonable accommodation should contact the Human Resources Department. **(See Administrative Policies: AC, AC-2)**

# EMPLOYMENT

## Employment Classification

All employees are designated as either nonexempt or exempt under state and federal wage and hour laws. The following is intended to help employees understand employment classifications and employees' employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. The right to terminate the employment-at-will relationship at any time is retained by both the employee and KCPS.

**Nonexempt employees** are employees whose work is covered by the Fair Labor Standards Act (FLSA). They are NOT exempt from the law's requirements concerning minimum wage and overtime.

**Exempt employees** are generally managers or professional, administrative or technical staff who are exempt from the minimum wage and overtime provisions of the FLSA. Exempt employees hold jobs that meet the standards and criteria established under the FLSA by the U.S. Department of Labor.

KCPS has established the following categories for both nonexempt and exempt employees:

**Regular, full-time-** Employees who are not in a temporary status and who are regularly scheduled to work the KCPS's full-time schedule of 37.5- 40 hours per week. Generally, these employees are eligible for the full benefits package, subject to the terms, conditions and limitations of each benefits program.

**Regular, part-time-** Employees who are not in a temporary status and who are regularly scheduled to work less than the full-time schedule but at least 20 hours each week.

**Temporary, full-time-** Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work the KCPS's full-time schedule for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.

**Temporary, part-time-** Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work less than the KCPS's full-time schedule for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.

Temporary and part-time workers are not eligible for KCPS benefits unless specifically stated otherwise in KCPS policy or are deemed eligible according to plan documents.

## Posting Position Vacancies

All permanent positions shall be posted before being filled. Each school/ department shall report all vacancies to Human Resources. All permanent full-time and part-time positions must be posted for

a minimum of 5 calendar days for internal postings and 10 calendar days for external postings. All exceptions to the required posting period must be approved by the Chief Human Resources Officer.

Vacancy postings shall be internal and external, unless otherwise approved by Human Resources.

In the case of a system-wide or departmental reorganization designated by the Superintendent, some positions may be filled or changed without posting the position. In this case, no external hires are made. The changes primarily consist of reorganization of internal employees. For all external hires made during the course of a reorganization, the position must be posted and follow the established position posting procedures. **(See Administrative Policy: GBDB)**

### **Probationary Employment Period**

All employees go through a probationary period of adjustment to learn about their job duties. During this time, the employee becomes familiar with the basic requirements and expectations for the job.

The probationary employment period gives the employee's supervisor a reasonable period of time to assess the employee's skills, provide coaching, and determine if the employee's job performance meets the expected standards. During the probationary employment period, the employee will be provided with training and guidance from their supervisor.

The initial employment period is ninety (90) days, unless otherwise specified in the respective collective bargaining agreement. The supervisor may extend a probationary period to give the employee the opportunity to improve their performance. The probationary period may be extended up to an additional ninety (90) days. The supervisor must notify the employee that their evaluation is extended before the end of the initial ninety (90) days. If the employee is not notified before the end of the initial ninety (90) days, the employee has permanent status.

The employee may be discharged at any time during the probationary employment period if their supervisor concludes that the performance is not progressing and does not meet "satisfactory" expectations.

Provided the job performance meet expectations at the end of the probationary period, the employee will continue in KCPS employment as an at-will employee.

### **Background/ Reference Checks**

To ensure that individuals who join KCPS are well qualified and to ensure that KCPS maintains a safe and productive work environment and learning environment for students, it is our policy to conduct pre-employment background checks on all applicants who accept an offer of employment. Background checks may include verification of any information on the applicant's resume or application form. Certain volunteers and others engaged with students on school grounds are subject to the same requirement.

**Criminal Background Check** – A search of the Federal Bureau of Investigation’s criminal history files, the Missouri Highway Patrol's criminal database and sexual offender registry, the central registry of child abuse and neglect of the Children's Division (CD) of the Department of Social Services or other databases designated by law or by the district.

**Driving Records** – Traffic-related offenses contained in the Missouri Department of Revenue’s databases.

**Employees** - Generally, the district will conduct an FBI fingerprint criminal history background check in accordance with law and will obtain a search of the Department of Health and Social Services' child abuse and neglect database for all new employees before they have contact with any student. However, the district will forgo a criminal background check on any teacher hired on a part-time or substitute basis if the teacher is hired within one (1) year of having retired from the Kansas City Public Schools. KCPS may forgo a criminal background check on any employee or potential employee who has had a background check conducted by another Missouri public school within the past year if the district receives a copy of the background check directly from the other district. Any offer of employment is contingent upon the satisfactory outcome of the criminal background check, when required by KCPS. KCPS has the sole and absolute discretion to determine whether the outcome is satisfactory.

**Drivers** - Kansas City Public Schools’ contracts for student transportation services require transportation companies to conduct an FBI fingerprint criminal history background check on all persons transporting district students and a search of the Department of Health and Senior Services' child abuse and neglect database. KCPS will have access to the results of the background checks. In addition, the contracts will require disclosure of the driving records of all persons transporting KCPS students. KCPS, in its sole and absolute discretion, may decline the services of any driver or transportation employee.

**Volunteers** - Kansas City Public Schools or an agent with whom KCPS contracts will conduct a criminal background check on all persons volunteering in positions where they will be left alone with a child or transport children in accordance with KCPS policy. The Superintendent or designee must receive the results of the background check and officially approve the volunteer before he or she may begin service in the identified volunteer position.

**Updating Information** - Kansas City Public Schools reserves the right to require any employee and/or volunteer to submit to additional criminal background checks at KCPS’ expense or to rerun background checks at any time. Any employee refusing to submit to a background check may be disciplined up to and including termination. KCPS may decline to utilize the services of volunteers who refuse to participate.

**Kansas City Public Schools Notification** - As a condition of continuing to work within KCPS, all employees and volunteers must notify Human Resources if they are charged, convicted, plead guilty or nolo contendere, or otherwise are found guilty of any misdemeanor or felony, regardless of the imposition of sentence. This notification must be made as soon as possible, but no later than five

(5) business days after the event. Failure to notify KCPS may result in discipline up to and including termination.

**Reporting Requirements** - Kansas City Public Schools will report to the Department of Elementary and Secondary Education (DESE) when information is obtained that a certificated person has pled guilty or no contest to or been found guilty of a crime or offense, regardless of whether a sentence has been imposed, in this state, another state or another country that may put the person's certificate in jeopardy pursuant to Missouri law.

**Confidentiality** - With exception of the duty to report certain information to the Missouri Department of Elementary and Secondary Education and as otherwise allowed by law, information received by the district pursuant to a criminal background check is confidential. Except as allowed by law, KCPS will only use this information for KCPS' internal purposes in determining the suitability of an applicant, employee, volunteer or other worker on KCPS property. KCPS will keep this information in a location that is only accessible to persons who need to know the information to carry out their responsibilities with KCPS. Any person submitting to a criminal background check may receive a copy of the background check information received by the KCPS.

**References**- All inquiries regarding a current or former KCPS employee must be referred to Human Resources.

Should an employee receive a written request for a reference, he/she should refer the request to Human Resources for handling. NO KCPS employee may issue a reference letter to any current or former employee without permission of the Human Resources.

Under no circumstances should any KCPS employee release any information about any current or former KCPS employee over the telephone. All telephone inquiries regarding any current or former employee of KCPS must be referred to Human Resources.

In response to an outside request for information regarding a current or former KCPS employee, Human Resources will furnish or verify only an employee's name, dates of employment, job title and department. No other data or information regarding any current or former KCPS employee, or his/her employment with KCPS will be furnished, except in extenuating circumstances. **(See Administrative Policy: GBEBBC)**

## **Internal Transfers and Promotions**

KCPS encourages employees to assume higher-level positions or lateral transfers for which they qualify. Toward this end, KCPS has a job posting program that offers employees the opportunity to bid for certain positions within KCPS.

Generally, employees must be in their jobs for at least ninety days (90) before applying for a change in position. In addition, employees must have a good performance, attendance, and punctuality record.

Each employee requesting a transfer will be considered for a new position along with all other applicants. Each transfer is judged on an individual basis, depending on the needs of both the departments involved. Final decisions regarding transfers will be made by Management, in conjunction with Human Resources.

Employees who wish to apply for a transfer are encouraged to discuss it first with their supervisor/ manager and Human Resources so that it may be determined if the employee's skills fit the requirements of the desired job. Employees should also feel free to discuss career aspirations with their supervisor/ manager and Human Resources at any time. Be advised that discussion regarding a desired transfer or promotion with a supervisor/ manager and/or Human Resources does not guarantee a subsequent transfer or promotion.

## **Nepotism / Romantic or Sexual Relationships**

KCPS wants to ensure that its practices do not create situations such as conflicts of interest or favoritism. This extends to practices that involve employee hiring, supervision, promotion and transfer. Members of an employee's family and/or close relatives may be considered for employment on the basis of their qualifications. However, family members and/or close relatives will not be hired if employment would:

- Create a supervisor / subordinate relationship with a family member/ close relative;
- Have the potential for creating an adverse impact on work performance; or
- Create either an actual conflict of interest or the appearance of a conflict of interest.

Family members and close relatives are defined as husband, wife, domestic partner, father, mother, father-in-law, mother-in-law, grandfather, grandmother, son, son-in-law, daughter, daughter-in-law, uncle, aunt, nephew, niece, brother, sister, brother-in-law, sister-in-law, step relatives, cousins and domestic partner relatives.

Consenting "romantic" or sexual relationships between a supervisor/ manager and an employee may, at some point, lead to unhappy complications and significant difficulties for all concerned—the employee, the supervisor/ manager and KCPS. Any such relationships may, therefore, be contrary to the best interest of KCPS. Family members, close relatives, partners, those in a dating relationship or members of the same household are not permitted to be in positions that have a reporting responsibility to each other. If employees begin a dating relationship or become relatives, partners or members of the same household and one party is in a supervisory position, that supervisor/manager is required to disclose the existence of the relationship to Human Resources. The employee may make the disclosure as well, but the burden of doing so shall be upon the supervisor/ manager. However, the employee has the right to disclose the relationship at any time as well. In cases such as this, KCPS will make reasonable efforts to reassign job duties so as to minimize problems of supervision, safety, security or morale. If accommodations of this nature are not feasible, the employees will be permitted to determine which of them will resign. If the employees cannot make a decision, KCPS will decide in its sole discretion who will remain employed.

Employees who become family members or establish a romantic relationship may continue employment, as long as one does not supervise the other, and the relationship does not involve any of the aforementioned prohibitions



Failure to disclose a prohibited work relationship will result in discipline up to, and possibly including, termination. **(See Administrative Policy GCB, #23, 24)**

## Separation of Employment

Separation of employment within an organization can occur for several different reasons.

**Resignation-** Although we hope your employment with us will be a mutually rewarding experience, we understand that varying circumstances cause employees to voluntarily resign employment. Resigning employees are encouraged to provide two weeks' notice, preferably in writing, to their supervisor and to Human Resources, to facilitate a smooth transition out of the organization. Management reserves the right to provide an employee with two weeks' pay in lieu of notice in situations where job or business needs warrant such action. If an employee provides less notice than requested, the employer may deem the individual to be ineligible for rehire depending on the circumstances regarding the notice given. Employees on a contract must honor the specifications as expressed in the contract. Employees who submit their resignation may not be eligible for district-sponsored travel. KCPS reserves the right to deny travel, even if it was previously approved. Executive leaders who tender their resignation will not have access to district credit cards. All credit card purchases will be assigned to another leader.

**Retirement-** Employees who wish to retire are encouraged to notify their Supervisor and the Human Resources department in writing at least one (1) month before the planned retirement date.

**Job abandonment-** Employees who fail to report to work or contact their supervisor for 3 consecutive workdays shall be considered to have abandoned the job without notice. The supervisor shall notify the Human Resources department at the start of the shift of the 4<sup>th</sup> day, and initiate the paperwork to terminate the employee. Employees who are separated due to job abandonment are ineligible for rehire.

**Certificated Positions-** Employees whose positions require a teaching certificate in accordance with law (certificated personnel) shall be terminated in accordance with the provisions of the Teacher Tenure Act of Missouri or other applicable law.

In addition to termination, KCPS reserves the right to seek the revocation or discipline of a teaching or administrative certificate with the State Board of Education, pursuant to state law. KCPS may petition the Attorney General's Office to file charges with the State Board of Education on behalf of KCPS for any reason other than annulment of contract. KCPS also may file criminal charges or seek other civil damages when appropriate.

### Notification to the State Board

The superintendent or designee shall immediately provide written notice to the State Board of Education and the attorney general upon learning that a certificated employee has pled guilty to or was found guilty of any offense that would authorize the State Board to seek discipline or revoke a teaching certificate.

### Return of KCPS Property

The separating employee must return all KCPS property at the time of separation, including uniforms,

cell phones, keys, PCs and identification cards. The employee's supervisor will be responsible for collecting KCPS property from the separating employee. Failure to return some items will result in deductions from the final paycheck.

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## Exit Interview

In most cases, Human Resources will schedule and conduct an exit meeting on or before the last day of employment to collect all KCPS property, and to discuss final pay. If applicable, information regarding benefits continuation through the Consolidated Omnibus Budget Reconciliation Act (COBRA) will be shared with the employee or sent to the employee's address that is on file with KCPS.

### Rehire

Former employees who left KCPS in good standing and were classified as eligible for rehire may be considered for reemployment. An application must be submitted to the Human Resources department, and the applicant must meet all minimum qualifications and requirements of the position, including any qualifying exam, when required.

## Grievance Procedures

Kansas City Public Schools is committed to providing the best possible environment for its employees. Part of this commitment is encouraging an open and honest atmosphere in which any problem, complaint, suggestion, or question receives a timely response from KCPS leaders. The full grievance procedure can be found in administrative policies on the KCPS website.

Employees covered under the CBA should see the terms of the applicable collective bargaining agreement for specific details in handling grievances. **(See Administrative Policy GBM)**

# WORKPLACE SAFETY

## Drug-Free Workplace

KCPS has a longstanding commitment to provide a safe and productive work environment. Alcohol and drug abuse pose a threat to the health and safety of employees and to the security of our equipment and facilities. For these reasons, KCPS is committed to the elimination of drug and/or alcohol use and abuse in the workplace.

This policy outlines the practice and procedure designed to correct instances of identified alcohol and/or drug use in the workplace. This policy applies to all employees and all applicants for employment of KCPS. The Human Resources department is responsible for policy administration.

### Employee Assistance and Drug-Free Awareness

Illegal drug use and alcohol misuse have a number of adverse health and safety consequences. Information about those consequences and sources of help for drug/alcohol problems is available

from the Human Resources department, whose members have been trained to make referrals and assist employees with drug/alcohol problems.

KCPS will assist and support employees who voluntarily seek help for such problems before becoming subject to discipline and/or termination under this or other policies. Such employees may be allowed to use accrued paid time off, placed on leaves of absence, referred to treatment providers and otherwise accommodated as required by law. Such employees may be required to document that they are successfully following prescribed treatment and to take and pass follow-up tests if they hold jobs that are safety sensitive or that require driving or if they have violated this policy previously.

Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely, and promptly disclose any work restrictions to their supervisor. Employees should not, however, disclose underlying medical conditions unless directed to do so.

### **Work Rules**

The following work rules apply to all employees:

- Whenever employees are working, are operating any KCPS vehicle, are present on KCPS premises, or are conducting related work off-site, they are prohibited from:
  - Using, possessing, buying, selling, manufacturing or dispensing an illegal drug (to include possession of drug paraphernalia).
  - Being under the influence of alcohol or an illegal drug as defined in this policy.
- The presence of any detectable amount of any illegal drug or illegal controlled substance in an employee's body while performing KCPS business or while in a KCPS facility is prohibited.
- KCPS will not allow any employee to perform their duties while taking prescribed drugs that are adversely affecting the employee's ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce it if asked.
- Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

### **Required Testing**

KCPS retains the right to require the following tests:

**Pre-employment:** Candidates for some positions must pass a drug test before beginning work or receiving an offer of employment. Refusal to submit to testing will result in disqualification of further employment consideration.

**Reasonable suspicion:** Employees are subject to testing based on observations by management for possession or impairment. Human Resources must be consulted before sending an employee for reasonable suspicion testing. Any employee sent immediately to drug testing based on suspected impairment must be transported by an HR approved designee.

**Post-accident:** Employees are subject to testing when they cause or contribute to accidents that seriously damage a school district vehicle, machinery, equipment or property and/or result in an injury to themselves or another employee requiring off-site medical attention. In any of these instances, the investigation and subsequent testing must take place within two (2) hours following the accident, if not sooner. Any employee sent immediately to drug testing based on suspected impairment must be transported by an HR approved designee.

**Follow-up:** Employees who have tested positive, or otherwise violated this policy, are subject to discipline up to and including termination.

### **Consequences**

Applicants whose job require drug testing and who refuse to cooperate in a drug test or who test positive will not be hired.

Employees who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture or dispense an illegal drug in violation of this policy will be terminated.

The first time an employee tests positive for alcohol or illegal drug use under this policy, the result will be discipline up to and including termination.

Employees will be paid for time spent in alcohol/drug testing and then suspended pending the results of the drug/alcohol test. After the results of the test are received, a date/time will be scheduled to discuss the results of the test; this meeting will include a member of management and Human Resources.

### **Confidentiality**

Information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations provided to the medical review officer (MRO) shall be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files.

### **Inspections**

KCPS reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband. All employees, contract employees and visitors may be asked to cooperate in inspections of their persons, work areas and property that might conceal a drug, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline up to and including termination.

### **Crimes Involving Drugs**

KCPS prohibits all employees from manufacturing, distributing, dispensing, possessing or using an illegal drug in or on KCPS premises or while conducting KCPS business. Employees are also prohibited from misusing legally prescribed or over-the-counter (OTC) drugs. Law enforcement personnel shall be notified, as appropriate, when criminal activity is suspected. **(See Administrative Policies GBCB (#19), GBE, GBEBA, GBEBB-4, EB-AP (3), EB-AP (4))**

## Workplace Bullying

KCPS defines bullying as “repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment.” Such behavior violates KCPS’s Code of Ethics, which clearly states that all employees will be treated with dignity and respect.

The purpose of this policy is to communicate to all employees, including supervisors, managers and executives, that KCPS will not tolerate bullying behavior. Employees found in violation of this policy will be disciplined up to and including termination.

Bullying may be intentional or unintentional. However, it must be noted that where an allegation of bullying is made, the intention of the alleged bully is irrelevant and will not be given consideration when meting out discipline. As in sexual harassment, it is the effect of the behavior upon the individual that is important. KCPS considers the following types of behavior examples of bullying:

- **Verbal bullying:** Slandering, ridiculing or maligning a person or his/her family; persistent name calling that is hurtful, insulting or humiliating; using a person as the butt of jokes; abusive and offensive remarks.
- **Physical bullying:** Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault; damage to a person’s work area or property.
- **Gesture bullying:** Nonverbal threatening gestures or glances that convey threatening messages.
- **Exclusion:** Socially or physically excluding or disregarding a person in work-related activities. **(See Administrative Policies GBCB #2, AC, AC-2, AC-AP (1))**

## KCPS Trainings

KCPS utilizes various methods to train employees. KCPS values the safety of our employees and has proactively implemented a web-based training module (Safe Schools) that enables employees to complete required trainings online. Additionally, KCPS requires all employees to complete Title IX Sexual Harassment and Bullying trainings on an annual basis.

## Violence in the Workplace

All employees, customers, vendors and business associates must be treated with courtesy and respect at all times. Employees are expected to refrain from conduct that may be dangerous to others.

Conduct that threatens, intimidates, or coerces another employee, student, customer, vendor or business associate will not be tolerated. KCPS’s resources may not be used to threaten, stalk or harass anyone at the workplace or outside the workplace. KCPS treats threats coming from an abusive personal relationship as it does other forms of violence.

Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible to a supervisor, Security personnel, Human Resources, member of KCPS's Risk Management Team or any member of senior management. When reporting a threat or incident of violence, the employee should be as specific and detailed as possible. Employees should not place themselves in peril, nor should they attempt to intercede during an incident.

Employees should promptly inform the Human Resources department of any protective or restraining order that they have obtained that lists the workplace as a protected area. Employees are encouraged to report safety concerns with regard to intimate partner violence. KCPS will not retaliate against employees making good-faith reports. KCPS is committed to supporting victims of intimate partner violence by providing referrals to KCPS's employee assistance program (EAP) and community resources and providing time off for reasons related to intimate partner violence.

KCPS will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. KCPS will not retaliate against employees making good-faith reports of violence, threats or suspicious individuals or activities. In order to maintain workplace safety and the integrity of its investigation, KCPS may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation.

Anyone found to be responsible for threats of or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

KCPS encourages employees to bring their disputes to the attention of their supervisors or Human Resources before the situation escalates. KCPS will not discipline employees for raising such concerns.

## **Safety**

Each employee shall conduct all tasks in a safe and efficient manner, following all local, state and federal safety and health regulations and program standards, and factoring in any special safety concerns relating to the particular area for the task or the particular KCPS stakeholder involved.

Although most safety regulations are consistent throughout each department and program, each employee has the responsibility to identify and familiarize her/himself with the emergency plan for his/her working area. Each facility shall post an emergency plan detailing procedures in handling emergencies such as fire, weather-related events and medical crises.

Each employee shall complete an Accident and Incident Report for each safety and health infraction that the employee commits or witnesses. Failure to report such an infraction may result in employee disciplinary action, including termination.

Furthermore, every person in the organization assumes the responsibility of individual and organizational safety. Failure to follow KCPS safety and health guidelines or engaging in conduct that places the employee, stakeholders, or KCPS property at risk can lead to employee disciplinary action and/or termination.

The Health and Safety Committee and the safety director shall develop and implement the safety and health program in the interest of a safer work environment.  
**(See Administrative Policies EB-AP (1), EB-AP (2))**

## **Smoke-Free Workplace**

KCPS prohibits smoking in all KCPS facilities, in order to provide and maintain a safe and healthy work environment for all employees and stakeholders. The law defines smoking as the "act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette or pipe of any kind."

The smoke-free workplace policy applies to:

- All areas of KCPS buildings.
- All KCPS-sponsored off-site conferences and meetings.
- All vehicles owned or leased by KCPS.
- All visitors (customers and vendors) to the school district premises.
- All contractors and consultants and/or their employees working on the school district premises.
- All employees, temporary employees and student interns.

Smoking is permitted in designated areas outside of KCPS facilities. Building Leaders or Supervisors will determine the least disruptive area outside of the building to designate for smoking. Employees who violate the smoking policy will be subject to disciplinary action up to and including immediate termination. **(See Administrative Policies (AH, EB-AP (2) (#21))**

# **WORKPLACE EXPECTATIONS**

## **Employee-Student Relations**

### **Definitions**

**Staff Member** – For the purposes of this policy, a staff member is a KCPS employee or volunteer.

**Student** – For the purposes of this policy, the term "student" only applies to a student currently enrolled and attending a KCPS school.

**Educational Purpose** – An activity reasonably considered to be part of the staff member's duties in the district including, but not limited to, counseling and the treatment of a student's physical injury, depending on the employee's job description.



## **General**

Staff members are expected to maintain courteous and professional relationships with students. All staff members have a responsibility to provide an atmosphere conducive to learning through consistently and fairly applied discipline and the maintenance of physical and emotional boundaries with students. These boundaries must be maintained regardless of the student's age, the perceived consensual nature of the relationship, the location of the activity or whether the staff member directly supervises the student.

Staff members must maintain these physical and emotional boundaries unless there is an educational purpose justifying deviation from these standards. When such justification exists, the staff member must be prepared to articulate the appropriate educational purpose of the deviation and must demonstrate that appropriate precautions were taken. When possible, the staff member should consult his or her supervisor prior to engaging in behaviors or activities that might violate professional boundaries. Such notification is not required when a behavior is part of the employee's duties. For example, a nurse does not need to notify a supervisor each time he or she must be alone with a student to provide nursing care.

## **Violations**

Unless a legitimate educational purpose exists, examples of situations where professional physical and emotional boundaries are violated include, but are not limited to:

1. Being alone with a student in a room with a closed or locked door or with the lights off on KCPS property, in KCPS transportation or any time the employee is serving in his or her capacity as an employee.
2. Caressing, fondling or kissing students.
3. Dating a student, discussing, or planning a future romantic or sexual relationship with a student.
4. Making advances toward a student or engaging in a sexual relationship with a student.
5. Meeting students in non-work settings without the parent/guardian being present, even if the parent/guardian grants permission.
6. Associating with students in any setting that involves the use of alcohol, tobacco or drugs.
7. Discussing sexual topics with students verbally or by any form of written, pictorial or electronic communication.
8. Discussing the staff member's personal problems with students.
9. Sponsoring parties for students outside of school unless as part of an extracurricular activity that is appropriately supervised by additional staff members.
10. Telling sexual jokes or engaging in conversation that includes sexual innuendos verbally or by any form of written, pictorial or electronic communication.
11. Being present when students are fully or partially nude.
12. Sending students on personal errands.
13. Allowing the student to drive the staff member's vehicle.
14. Transporting student(s) in a staff member's personal vehicle.
15. Providing students with private cell phone numbers or e-mail addresses without the prior approval of a supervisor.

16. Allowing any student to engage in behavior that would not be tolerated if done by other students.
17. Giving gifts to individual students.
18. Frequently pulling a student from another class or activity to be with the staff member.
19. Spending time with a student outside of the school building.
20. Allowing students to discuss sex openly when that conversation is not related to the lesson being taught.

Additionally, staff members may not:

- Knowingly allow students access to the staff member's personal social networking website or webpage that discusses or portrays sex, nudity, alcohol or drug use or other behaviors associated with the staff member's private life that would be inappropriate to discuss with a student at school.
- Knowingly grant students access to any portion of the member's personal social networking website or webpage that is not accessible to the general public.
- Post information or photos about identifiable students on a personal website or webpage on a social networking site without the permission of a supervisor.

Staff members who engage in any of the above behaviors or in any other conduct that intrudes on a student's physical or emotional boundaries without a valid educational or health purpose will be disciplined, up to and including termination of employment. Depending on the circumstances, the district may report staff members to law enforcement and the Children's Division (CD) of the Department of Social Services for further investigation, and KCPS may seek revocation of a staff member's license(s) with the Department of Elementary and Secondary Education. **(See Administrative Policies GCB (#2), GBH)**

## **Unacceptable Behaviors**

KCPS guidelines exist because they are essential for the safety, welfare, morale, and general well-being of our students and staff, for the protection of property, and for the effective operations. The following behaviors are considered unacceptable behaviors:

- Falsifying an employment application
- Refusal to do the job assigned; willful disobedience of job instructions and or orders; willful restriction of efficiency and output; proven incompetence;
- Fighting, immoral behavior, or indecency;
- Intoxication or drinking on duty or at school sponsored events.
- Failure to report any new arrest within 5 days of the arrest
- Use, sale, or possession of controlled substances on the job without a prescription is prohibited;
- Gambling on KCPS premises; (includes fantasy/online gambling)
- Engaging in acts that endanger oneself, other employees or violation of safety regulations;
- Deliberate or intentional release of confidential information;
- Willful and deliberate destruction, damage, or defacement of KCPS property or equipment;

- Use of excessively obscene or abusive language in the presence of students at school functions;
- Theft;
- Intentional falsification of payroll sheets, or other KCPS records, writing time in or out on another employee's payroll sheet; failure to notify payroll of paycheck errors could result in discipline including and up to termination of employment
- Excessive absenteeism or tardiness; unauthorized absence; failure to notify supervisor of absence; quitting early;
- A threat of any act that would endanger life or property;
- Threatening, intimidating, or coercing fellow employees or students;
- Unprofessional conduct with students, parents, visitors, co-workers, or supervisors;
- Negligence; sleeping on the job; misuse of KCPS time;
- Failure to report job-related injuries;
- Unauthorized soliciting in any form to KCPS employees, students or visitors;
- Other acts, incidents, or conduct which may adversely affect the efficient operation of KCPS or in any way jeopardize the safety and welfare of employees, students, or visitors;
- Personal use of district credit card.

KCPS strives to fulfill its stated mission and at the same time help employees achieve and maintain the highest standards of productive employment. **(See Administrative Policies AC, AC-AP (1), AH, EB-AP (1), EB-AP (2), EB-AP (3), EB-AP (4)), GBCB, GBE, GBEBA)**

## Reporting

Any staff member who possesses knowledge or evidence of possible violations of this policy must immediately make a report to the district's administration. All staff members who know or have reasonable cause to suspect child abuse shall immediately report the suspected abuse in accordance with Board policy and applicable law. Staff members must also immediately report a violation or perceived violation of the KCPS's discrimination and harassment policy to KCPS's Director of Employee & Labor Relations. Staff members will be disciplined up to and including termination for failing to make such reports.

## Attendance, Punctuality and Dependability

The regular workweek for full-time (non-school based staff) is 37.5 hours per week. KCPS business hours are 8:00 a.m. to 4:30 p.m. Monday through Friday. School based staff hours vary and are specific to the start times of each school. It is important that employees attend work as scheduled, and specified by direct Supervisor, unless flexible scheduling has been set and approved by the Supervisor.

Dependability, attendance, punctuality, and a commitment to do the job right are essential at all times. As such, employees are expected to report to work on time for all scheduled work days and all scheduled work hours. Moreover, an employee must notify his/her supervisor in accordance with the designated department attendance protocol as far in advance as possible, but not later than two hours before his/her scheduled starting time, if he/she expects to be late or absent. This policy applies for each day of his/her absence. A careful record of absenteeism and lateness is kept by the employee's supervisor and becomes part of the annual evaluation and personnel record. To the

extent permitted by law, absenteeism and lateness lessen an employee's chances for advancement and may result in dismissal.

Vacation and holidays must be scheduled with one's supervisor at least 72 hours in advance. Sick leave may be used in the case of emergency or sudden illness without prior scheduling. Patterns of absenteeism or tardiness may result in discipline even if the employee has not yet exhausted available paid time off. Absences due to illnesses or injuries that qualify under the Family and Medical Leave Act (FMLA) will not be counted against an employee's attendance record. Medical documentation within the guidelines of the FMLA may be required in these instances. **(See Administrative Policies GBCBC, GBBDA)**

## **Conflicts of Interest**

Employees must avoid any relationship or activity that might impair, or even appear to impair, their ability to make objective and fair decisions when performing their jobs. At times, an employee may be faced with situations in which business actions taken on behalf of KCPS may conflict with the employee's own personal interests. KCPS property, information or business opportunities may not be used for personal gain.

### **Conflicts of interest could arise in the following circumstances:**

- Being employed by, or acting as a consultant to, a competitor or potential competitor, supplier or contractor, regardless of the nature of the employment, while employed with KCPS.
- Hiring or supervising family members or closely related persons.
- Serving as a board member for an outside commercial organization.
- Owning or having a substantial interest in a competitor, supplier or contractor.
- Accepting gifts, discounts, favors or services from a customer/potential customer, competitor or supplier, unless equally available to all KCPS employees.

Employees with a conflict-of-interest question should seek advice from management. Before engaging in any activity, transaction or relationship that might give rise to a conflict of interest, employees must seek review from their manager or the Human Resource department. **(See Administrative Policy GBCA)**

## **Outside Employment**

Employees are permitted to engage in outside work or to hold other jobs, subject to certain restrictions as outlined below.

Activities and conduct away from the job must not compete with, conflict with or compromise the KCPS interests or adversely affect job performance and the ability to fulfill all job responsibilities. Employees are prohibited from performing any services for customers on nonworking time that are normally performed by KCPS. This prohibition also extends to the unauthorized use of any KCPS tools or equipment and the unauthorized use or application of any confidential information. In addition,

employees are not to solicit or conduct any outside business during paid working time. Supervisors are not to request or allow their direct reports to assist them in their non-KCPS work during KCPS-paid working time.

Employees are cautioned to carefully consider the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel or refusal to work overtime or different hours. If KCPS determines that an employee's outside work interferes with performance, the employee may be asked to terminate the outside employment.

Employees who have accepted outside employment may not use paid sick leave to work on the outside job. Fraudulent use of sick leave will result in disciplinary action up to and including termination.

## **Attire and Grooming**

All employees shall project a professional image while at work by being appropriately attired. KCPS employees are expected to be neat, clean and well-groomed while on the job. Clothing must be consistent with the standards for a business environment and must be appropriate to the type of work being performed.

All employees must be covered from shoulders to knees at all times (see-through, spaghetti straps, blouses that expose midriff area, and backless blouses is not permitted at any time). Natural and artificial scents may become a distraction from a well-functioning workplace and are also subject to this policy.

KCPS is confident that employees will use their best judgment regarding attire and appearance. Management reserves the right to determine appropriateness. Any employee who is improperly dressed will be counseled or in severe cases may be sent home to change clothes. Continued disregard of this policy may be cause for disciplinary action, which may result in termination.

**(See Administrative Policies GBE, GBCB)**

## **Electronic Communication and Internet Use**

The following guidelines have been established for using the Internet, KCPS-provided cell phones and e-mail in an appropriate, ethical and professional manner:

- Internet, KCPS-provided equipment (e.g., cell phone, laptops, and computers) and services may not be used for transmitting, retrieving or storing any communications of a defamatory, discriminatory, harassing or pornographic nature.
- The following actions are forbidden: using disparaging, abusive, profane or offensive language; creating, viewing or displaying materials that might adversely or negatively reflect upon KCPS or be contrary to KCPS's best interests; and engaging in any illegal activities, including piracy, cracking, extortion, blackmail, copyright infringement, and unauthorized access of any computers and KCPS-provided equipment such as cell phones and laptops.

- Employees may not copy, retrieve, modify or forward copyrighted materials, except with permission or as a single copy to reference only.
- Employees must not use the system in a way that disrupts its use by others. Employees are prohibited from sending or receiving files that are not related to work.
- Employees should not open suspicious e-mails, pop-ups or downloads. Contact IT with any questions or concerns to reduce the release of viruses or to contain viruses immediately.
- Internal and external e-mails are considered business records and may be subject to discovery in the event of litigation. Be aware of this possibility when sending e-mail within and outside the KCPS.

### **Right to Monitor**

All KCPS-supplied technology and KCPS-related work records belong to the KCPS and not to the employee. KCPS routinely monitors use of KCPS-supplied technology. Inappropriate or illegal use or communications may be subject to disciplinary action up to and including termination of employment.

## **Social Media—Acceptable Use**

### **Social Media Acceptable Use**

KCPS encourages employees to share information with co-workers and with those outside KCPS for the purposes of gathering information, generating new ideas, and learning from the work of others. Social media provide inexpensive, informal, and timely ways to participate in an exchange of ideas and information. However, information posted on a website is available to the public and, therefore, KCPS has established the following guidelines for employee participation in social media.

**Note:** As used in this policy, “social media” refers to blogs, forums, and social networking sites, such as Twitter, Facebook, LinkedIn, YouTube, and Instagram, among others.

**Off-duty use of social media.** Employees may maintain personal websites or web logs on their own time using their own facilities. Employees must ensure that social media activity does not interfere with their work. In general, KCPS considers social media activities to be personal endeavors, and employees may use them to express their thoughts or promote their ideas.

**On-duty use of social media.** Employees may engage in social media activity during work time provided it is directly related to their work, approved by their manager, and does not identify or reference KCPS clients, customers, or vendors without express permission. KCPS monitors employee use of KCPS computers and the Internet, including employee blogging and social networking activity.

**Respect.** Demonstrate respect for the dignity of KCPS, its customers, its vendors, and its employees. A social media site is a public place, and employees should avoid inappropriate comments. For example, do not use ethnic slurs, personal insults, or obscenity, or use language that may be

considered inflammatory. Even if a message is posted anonymously, it may be possible to trace it back to the sender. Employees should not use it to criticize KCPS or KCPS' employees, students, parents or partners.

**Post disclaimers.** If an employee identifies himself or herself as a KCPS employee or discusses matters related to KCPS on a social media site, the site must include a disclaimer on the front page stating that it does not express the views of KCPS and that the employee is expressing only his or her personal views. For example: "The views expressed on this website/Web log are mine alone and do not necessarily reflect the views of my employer." Place the disclaimer in a prominent position and repeat it for each posting expressing an opinion related to KCPS or KCPS's business. Employees must keep in mind that if they post information on a social media site that is in violation of KCPS policy and/or federal, state, or local law, the disclaimer will not shield them from disciplinary action.

**Competition.** Employees should not use social media to criticize KCPS's competition

**Confidentiality.** Do not identify or reference KCPS student(s), customers, or vendors without express permission. Employees may write about their jobs in general but may not disclose any confidential or proprietary information. For examples of confidential information, please refer to the confidentiality policy. When in doubt, ask before publishing.

**New ideas.** Please remember that new ideas related to work or KCPS's business belong to KCPS. Do not post them on a social media site without KCPS's permission.

**Links.** Employees may provide a link from a social media site to KCPS's website during employment (subject to discontinuance at KCPS's sole discretion). Employees should contact the Web design group to obtain the graphic for links to KCPS's site and to register the site with KCPS.

**Trademarks and copyrights.** Do not use KCPS's or others' trademarks on a social media site, or reproduce KCPS's or others' material without first obtaining permission.

**Legal.** Employees are expected to comply with all applicable laws, including but not limited to, Federal Trade Commission (FTC) guidelines, copyright, trademark, and harassment laws.

**KCPS restrictions.** Because KCPS is publicly held, it may require that employees temporarily confine social media commentary to topics unrelated to KCPS or that employees temporarily suspend such activity to ensure compliance with the SEC's regulations or other laws. KCPS may also require employees to delete references to it on a website or Web log and to stop identifying themselves as an employee of the KCPS.

**Discipline.** Violations of this policy may result in discipline up to and including immediate termination of employment.

**Note:** Nothing in this policy is meant to, nor should it be interpreted to, in any way limit your rights under any applicable federal, state, or local laws, including your rights under the National Labor Relations Act to engage in protected concerted activities with other employees to improve terms and conditions of employment, such as wages and benefits.

Below are guidelines for social media use.

Employees may not post identifying information about a KCPS student or KCPS financial, confidential, sensitive or proprietary information about KCPS or any other school district stakeholder.

Employees may not post obscenities, slurs or personal attacks that can damage the reputation of the district, students, employees, applicants or any other school district stakeholder.

When posting on social media sites, employees must use the following disclaimer when discussing job-related matters, *“The opinions expressed on this site are my own and do not necessarily represent the views of KCPS.”*

KCPS may monitor content out on the Internet. Policy violations may result in discipline up to and including termination of employment.

## **Solicitations, Distributions and Posting of Materials**

KCPS prohibits the solicitation, distribution and posting of materials on or at school district property by any employee or nonemployee, except as may be permitted by this policy. The sole exceptions to this policy are charitable and community activities supported by KCPS management and district-sponsored programs related to KCPS goals and outcomes.

Provisions:

- Nonemployees may not solicit employees or distribute literature of any kind on KCPS premises at any time.
- Employees may only admit nonemployees to work areas with management approval or as part of a district-sponsored program. These visits should not disrupt workflow. An employee must accompany the nonemployee at all times. Former employees are not permitted onto school district property except for official business or at the approval of the supervisor of that school, department or division.
- Employees may not solicit other employees during work times, except in connection with a district-approved or sponsored event.
- Employees may not distribute literature of any kind during work times or in any work area at any time, except in connection with a district-sponsored event
- The posting of materials or electronic announcements are permitted with approval from Human Resources.

Violations of this policy should be reported to Human Resources. **(See Administrative Policies EHB, EHB-AP (1), EHB-AP (2))**

## **Employee Personnel Files**

Employee files are maintained by the Human Resources department and are considered confidential. Managers and supervisors may only have access to personnel file information on a need-to-know basis at the discretion of Human Resources.

Personnel file access by current employees and former employees upon request will generally be permitted within three days of the request unless otherwise required under state law. Personnel files



are to be reviewed in the Human Resources department. Personnel files may not be taken outside the department.

Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to file information as necessary.

**Personnel Data Changes**

Each employee shall promptly notify the human resources department of any changes in personnel data or update them using the Employee Service Portal (ESP). Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishment, and other such status reports should be accurate and current at all times. If any personnel data is changed, the employee must update it in the ESP or notify the human resources department. **(See Administrative Policy GBL-AP (1))**

# COMPENSATION

## Payment of Wages

Salary payment is made semi-monthly for all exempt employees. Pay days are usually on the 15<sup>th</sup> and last day of the month. If pay day falls on a holiday or weekend, employees will receive their paycheck on the preceding workday.

Hourly employees' payment is made biweekly. Paydays are usually every other Friday.

Overtime payment, which is included with the nonexempt employee's, is also paid biweekly, with such payment covering hours worked in the prior biweekly period. **ALL overtime MUST be pre-approved in writing, by the supervisor. An employee who works unauthorized overtime is subject to disciplinary action, leading up to termination.**

Employees are paid through direct deposit of funds to either a pay card, savings, or checking account at the financial institution of their choice.

**Note:** Payment for certain duties outside of regular employment will be dispersed according to contract (i.e. stipends, extra-duties). Contact payroll with any questions regarding timing.

If an employee's marital status changes or the number of exemptions previously claimed increases or decreases, a new Form W-4 must be submitted to the Payroll department.

## WAGE ADJUSTMENTS

Adjustments for erroneous salary placements shall be retroactive. If an employee is owed additional wages due to an unforeseen error, Human Resources shall investigate upon notification. In the event a short-fall in pay is affirmed, a retroactive payment will be processed within ten (10) business days. Retroactive payments shall include the beginning of the current school year, with a not-to-exceed (2) previous school years.

If an employee has been overpaid, the wage adjustment shall be made at the end of the next payroll period, and arrangements shall be made whereby the employee may take a period of time, up to the end of that school year, to reimburse the District for such an overpayment. In extreme cases, the time may be extended for repayment, with written approval from Human Resources. The total amount due for an overpayment on the salary schedule shall only be retroactive to the beginning of the school year in which the over payment was discovered. It is the employee's responsibility to review his/her salary statements for accuracy.

## Direct Deposit

Direct deposit or pay cards are available through all banking institutions and is mandatory for all staff. Employees can access (view and print) their pay records, tax exemptions, and current leave balance through the Employee Service Portal, a secure web based program. Contact Information Technology at 816-418-7888 for assistance. Any changes in bank account information should be submitted to the Treasury Department, using the direct deposit form available on the ESP. Changes may also be made by visiting the Treasury window at the Board of Education, or by calling 816-418-1176. Changes must be made no later than four working days before a pay date.

## Pay Check Errors

If you believe there has been an error on your paycheck, please contact the Payroll Manager at 816-418-7202. Failure to report an overpayment may result in discipline up to and including termination.

## Employee Service Portal

Every KCPS Employee has access to the Employee Service Portal (ESP). The employee portal gives all employees direct and immediate access to the following employee information:

- **Employee Benefit and Deductions** - *Employee Plans, Amounts, Year-to-Date, Start/End Dates*
- **Certificate & Education Records** - *Monitor Educator Certificates and Education Records*
- **Leaves** - *Check your VAC and PTO balances and track time used*
- **Payroll** - *Pay Check/Pay Stub Detail*
- **Employee Directory** - *Displays work phone and email for active employees*
- **Employer Forms** - *Future use (tax forms, demographic change forms, etc.)*
- **KCPS Home Page** - *Link to District's Website*
- **Direct Deposit Form**

To access the portal:

1. **Navigate** to the following URL: <https://kcps.aliohost.net:10443/ESP> or click on the ESP icon on the KCPS website.
2. **Click 'Create an account'.**
3. **Complete the web form**
4. **Click 'Submit'.**
5. **Follow** the instructions provided in the activation email to **activate the Employee Service Portal account.**

## Time Reporting

A work hour is any hour of the day that is worked and should be recorded to the nearest tenth of an hour. The workday is defined as the 24-hour period starting at 12:00 a.m. and ending at 11:59 p.m. The workweek covers 7 consecutive days beginning on Monday and ending on Sunday.

Overtime is defined as hours worked by an hourly or nonexempt employee in excess of 40 hours in a workweek and should be recorded to the nearest tenth of an hour. Overtime must be approved in advance by the manager to whom the employee reports. Failure to receive prior approval for overtime, may result in discipline, leading up to termination.

Employees will submit their time record as directed by their manager or according to the respective procedures for their work site. Each employee is to maintain an accurate daily record of his or her hours worked. All tardiness and/or absences from work schedules should be accurately and appropriately recorded. Failure to do so is considered fraud and is subject to disciplinary action, leading up to termination

## **Lunch/Rest Periods**

The scheduling of lunch at KCPS is set based on the school's schedule or by the employee's immediate manager with the goal of providing the least possible disruption to district business and operations. A supervisor may give the employee discretion as to when to take lunch. Lunch break is typically 30 minutes in length and should not be combined with rest breaks.

### **Rest Breaks**

Salaried employees, as they are paid a weekly salary regardless of the hours they work, may choose to take breaks as needed without disrupting the work expectations and responsibilities. Nonexempt employees are permitted a 15-minute rest break for each four hours of work. Nonexempt employees on rest breaks are not required to clock in and clock out because this time is considered "time worked" and is compensable.

### **Impermissible Use of Meal Period and/or Rest Breaks**

Neither the lunch period nor the rest break(s) may be used to account for an employee's late arrival or early departure or to cover time off for other purposes—for example, rest breaks may not be accumulated to extend a meal period, and rest breaks may not be combined to allow one half-hour long break.

## **Overtime Pay (nonexempt employees)**

Nonexempt employees who exceed 40 hours of work time in a workweek will be paid time-and-a-half.

Paid leave, such as holiday, sick or vacation pay, does not apply toward work time.

The workweek begins at 12:00 a.m. on Monday morning and ends at 11:59 p.m. on Sunday night.

Supervisors are required to obtain approval from managers prior to the use of overtime.

Employees who anticipate the need for overtime to complete the week's work must notify the supervisor in advance and obtain approval before working hours that extend beyond their normal schedule.

During busy periods employees may be required to work extended hours. In those cases, a fair and equitable rotation system will be established, so as not to disadvantage any employee.

# General Leave and Time Off

Employees are expected to appropriately classify their use of entitlement time (PTO or Vacation). Employees will exhaust ALL entitlement time (PTO and Vacation) before going unpaid (except in the cases where this provision conflicts with a provision specified in a bargaining unit agreement).

## Vacation

All (12) month full time employees shall be entitled to annual paid vacation as follows:

7.5 hour employee accrual rate		8 hour employee accrual rate	
Hours earned per pay period	Years of Service Requirement	Hours earned per pay period	Years of Service Requirement
3.12	1 month- 12 months	3.33	1 month- 12 months
3.75	13 months - 24 months	4.00	13 months - 24 months
4.37	25 months – 36 months	4.66	25 months – 36 months
5.00	37 months – 48 months	5.33	37 months – 48 months
5.63	49 months – 60 months	6.00	49 months – 60 months
6.25	61+ months	6.66	61+ months

Each employee is responsible for requesting vacation with proper paperwork and advance notification to his/her immediate supervisor. Although vacation requests will be granted whenever possible, consideration will be given to the staffing needs of the department. All employees who are terminated by KCPS will be paid all vacation pay for which they are eligible. At the end of each fiscal year (June 30th), vacation accruing employees may roll a maximum of 50 vacation days into the next fiscal year. Vacation accruing employees who have accrued more than 50 days may be paid out a maximum of 5 days at their daily rate, depending on the amount of unused time remaining (may vary by employee). Any unused vacation time exceeding 55 days will be forfeited.

All other employees should see the terms of the applicable collective bargaining agreement for specific details.

## Paid Time Off (PTO)

Paid Time Off (PTO) is combined sick time and personal days. It can be used for illness, doctor’s appointment, or personal business. PTO days will be given to full time employees at the beginning of the fiscal year (July1):

10 months employees	13 days
11 months employees	14 days
12 months employees	15 days

PTO cannot be used on the day before or after the holiday unless the employee is ill, in which case, a doctor's excuse may be requested. PTO days may not be retroactively designated unless the conditions for an emergency are met. PTO days are subject to exhaustion as part of FMLA leave. Employees covered under collective bargaining agreements should see the terms of the applicable collective bargaining agreement for specific details.

## **Absence Due to Illness**

To maintain efficient operations of KCPS, it is important that every employee is present on the job and on time. For this reason, careful attention is given to promptness, absence record and overall dependability.

KCPS recognizes, however, that an employee may occasionally be disabled by injury or illness. As a result, the Absence Due to Illness policy is designed to provide protection to employees against loss of income during unavoidable illness or injury.

To be eligible for PTO days, employees unable to report to work due to illness must telephone their supervisor directly (or to the designated sick line) each day of their absence, as far in advance as possible, but no later than two hours before their scheduled arrival time. The supervisor must be contacted each day of absence. This policy must be followed unless an exception has been made for a particular absence, and a written memo to this effect has been sent to the Human Resources. An employee may be required to provide a doctor's certificate to the principal, supervisor or building administrator:

1. If he or she is absent more than three (3) consecutive days for personal illness or injury;  
or
2. In the event that misuse of PTO days is reasonably suspected.

Failure to provide requested confirmation of illness may result in non-certification of time for duration of absence and/or disciplinary action, up to and including termination, for unauthorized absence.

## **Holidays**

All full-time employees not subject to the CBA (including those in initial employment period) are eligible for paid holidays. To be eligible for holiday pay, an employee must work or use a current or accumulated PTO days the day before the holiday and the day after the holiday. When a holiday falls on a Saturday, it shall be observed on the Friday preceding. When a holiday falls on Sunday, it shall be observed on the Monday following.

Holidays for twelve (12) month employees shall be:

- Independence Day
- Labor Day
- Thanksgiving Day
- Friday after Thanksgiving
- Christmas Day
- New Year's Day
- Presidents' Day
- Martin Luther King, Jr. Day

- Good Friday
- Memorial Day
- Juneteenth
- Days between Christmas and New Year's Day as designated by Superintendent

All other employees should see the terms of the applicable collective bargaining agreement for specific details.

## **Bereavement Leave**

KCPS recognizes that unfortunate events may occur that require our employees to take time-off to grieve the loss of loved ones. When a death occurs in the immediate family of an employee in a regular employee status, they will be granted a leave of absence (bereavement leave) with pay and without loss of time up to three (3) regularly scheduled days within a two (2) week period. Employees shall be allowed to use an additional two days PTO or vacation, if applicable. If the employee does not have two (2) days of vacation allowance, an employee may take an unpaid leave of absence for two (2) days.

For this purpose, immediate family is defined as: Spouse

- Son
- Daughter
- Parent
- Sister
- Brother
- Grandparent
- Grandchild
- Or anyone of like relationship by marriage
- Or on a case by case analysis of an undefined relationship

Paid bereavement leave shall not count as hours worked in determining eligibility for weekly overtime or consecutive day pay. In the event of a death of an immediate family member or of a person who is close to the employee, leave in addition to that listed above may be requested and approved by management, if operationally feasible. The employee may use PTO, vacation, holiday, or unpaid time if approved. Administration may request documentation for Bereavement Leave.

## **Jury Duty**

KCPS encourages employees to fulfill their civic responsibilities by serving jury duty when required.

If you are called for jury service, you should notify your supervisor as soon as possible of the date you will be required to be absent and, when possible, the probable length of time involved. Additionally, a copy of the jury summons should be given to your supervisor for attendance purposes. Employees shall turn in a certification of completion or other proof of having served jury duty to their supervisor upon their return to work. For jury service, there shall not be a charge against the employee's benefits days.

## **Military Leave**

KCPS will grant a Military Leave of Absence to any employee who is absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA).

Advance notice of military service is required, unless military necessity prevents such notice, or it is otherwise impossible or unreasonable. Employees are expected to notify Human Resources, Benefits Office and their Supervisor as soon as they are aware of the date they will be on duty so that arrangements can be made for replacement during their absence, and determination of leave benefits.

All employees are entitled to 15 workdays of paid military leave each federal fiscal year (October 1 through September 30). The leave may be used when the employee is engaged in the National Guard or U.S. armed forces reserves training or duty ordered or approved by proper authority. The days may be consecutive or scattered throughout the year. If the employee is appointed to work less than 12 months each year, he/she should arrange his/her military duty for the months when the employee is not scheduled to work. If this cannot be done, the employee must explain why in his/her leave request.

Members of the National Guard, who are called to active duty by the Governor of Missouri because of an emergency, will be offered leave without pay. This time is in addition to the annual 15 days of military leave described above. Once the 15 days of paid military leave have been used, the employee will be placed on leave without pay for up to five (5) years. This may be taken all at once or in several segments. To cover monthly training obligations without using the 15 days of paid leave, work schedules may be adjusted, whenever possible, so two (2) non-work days each month coincide with two days of military duty. Once the employee has used 15 days of paid leave, he/she may choose to use accrued vacation or personal leave to replace all or part of his/her unpaid leave.

Upon reemployment, employees will be placed in their previous position or equivalent position if the role has been eliminated in accordance with USERRA. Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions, and limitations of the applicable plans for which you are otherwise eligible.

Once the employee is no longer on active duty, the employee has up to 30 days, in conformance with the USERRA, to return to his or her position with the KCPS.

## **Time Off to Vote**



For employees residing in Missouri, on days when elections for all primary and general elections are scheduled throughout the state, county, city or town in which the employee works, schedules will be adjusted as needed to ensure that work either starts at least three hours after the polls open or ends at least three hours before polls close. Employees may also be given the flexibility to participate in the voting process. This flexible option must be arranged with the approval of the supervisor.

No employee will be penalized or retaliated against for requesting time off to vote, if time off is necessary.

## **Family and Medical Leave Act ("FMLA")**

The Family and Medical Leave Act (FMLA) provides eligible employees with up to 12 weeks of unpaid leave for certain family and medical reasons during a 12-month period. During this leave, an eligible employee is entitled to continued group health plan coverage as if the employee had continued to work. At the conclusion of the leave, subject to some exceptions, an employee generally has a right to return to the same or to an equivalent position.

### **Employee Eligibility Criteria**

To be eligible for FMLA leave, an employee must have been employed by KCPS:

- For at least 12 months (which need not be consecutive);
- For at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave; and
- Is employed at a worksite where 50 or more employees work within 75 miles of that worksite.

### **Events Which May Entitle an Employee to FMLA Leave**

FMLA leave may be taken for any one, or for a combination of, the following reasons:

- The birth of the employee's child or to care for the newborn child;
- The placement of a child with the employee for adoption or foster care or to care for the newly placed child;
- To care for the employee's spouse, child or parent (but not in-law) with a serious health condition; and/or
- The employee's own serious health condition that makes the employee unable to perform one or more of the essential functions of his or her job.

Under the FMLA expansion, two additional reasons include:

- **Family Leave Due to a Call to Active Duty**—This benefit provides 12 weeks of FMLA leave due to a spouse, son, daughter or parent being on active duty or having been notified of an impending call or order to active duty in the Armed Forces. Leave may be used for any “qualifying exigency” arising out of the service member’s current tour of active duty or because the service member is notified of an impending call to duty in support of a contingency operation.
- **Caregiver Leave for an Injured Service Member**— This benefit provides 26 weeks of FMLA

leave during a single 12-month period for a spouse, son, daughter, parent, or nearest blood relative caring for a recovering service member. A recovering service member is defined as a member of the Armed Forces who suffered an injury or illness while on active duty that may render the person unable to perform the duties of the member's office, grade, rank, or rating.

A "serious health condition" is an injury, illness, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider.

### **How Much FMLA Leave May Be Taken**

An eligible employee is entitled to up to 12 weeks of unpaid leave during a 12-month period for any FMLA qualifying reason(s). KCPS uses a 12 month leave year beginning July 1 and ending the following June 30.

### **Limitations on FMLA Leave**

Leave to care for a newborn or for a newly placed child must conclude within 12 months after the birth or placement of the child. When both spouses are employed by KCPS, they are together entitled to a combined total of 12 weeks of FMLA leave within the designated 12-month period for the birth, adoption or foster care placement of a child with the employees, for aftercare of the newborn or newly placed child, and to care for a parent (but not in-law) with a serious health condition. Each spouse may be entitled to additional FMLA leave for other FMLA qualifying reasons (i.e., the difference between the leave taken individually for any of the above reasons and 12 weeks, but not more than a total of 12 weeks per person).

For example, if each spouse took 6 weeks of leave to care for a newborn child, each could later use an additional 6 weeks due to his/her own serious health condition or to care for a child with a serious health condition.

### **Intermittent or Reduced Work Schedule Leave**

Intermittent leave is leave taken in separate blocks of time. A reduced work schedule leave is a leave schedule that reduces an employee's usual number of hours per workweek or hours per workday.

Leave to care for a newborn or for a newly placed child may not be taken intermittently or on a reduced work schedule unless KCPS agrees with respect to an individual leave request.

Leave because of an employee's own serious health condition, or to care for an employee's spouse, child or parent with a serious health condition, may be taken all at once or, where medically necessary, intermittently or on a reduced work schedule.

If an employee takes leave intermittently or on a reduced work schedule basis, the employee must, when requested, attempt to schedule the leave so as not to unduly disrupt the KCPS' operations.

### **Requests for FMLA Leave**

An employee should request FMLA leave by completing the Family and Medical Leave of Absence Request form and submitting it to Human Resources.

When KCPS has enough information to determine whether the leave is being taken for an FMLA-qualifying reason, the district will notify the employee in writing whether the leave will be counted as FMLA leave within five (5) business days, absent extenuating circumstances. KCPS will notify the employee whether a fitness-for-duty certification is required before returning to work and, if required, include a list of the essential functions of the employee's position. KCPS will notify the employee of the number of hours, days or weeks that will be counted against the employee's FMLA leave entitlement, if known.

When leave is foreseeable for childbirth, placement of a child or planned medical treatment for the employee's or family member's serious health condition, the employee must provide KCPS with at least 30 days' advance notice, or such shorter notice as is practicable (within 1 or 2 business days of learning of the need for the leave). When the timing of the leave is not foreseeable, the employee must provide KCPS with notice of the need for leave as soon as practicable (within 1 or 2 business days of learning of the need for the leave).

### **Required Documentation**

When leave is taken to care for a family member, KCPS may require the employee to provide documentation or statement of family relationship (e.g., birth certificate or court document). An employee may be required to submit medical certification from a health care provider to support a request for FMLA leave for the employee's or a family member's serious health condition. Health Care Provider certification forms are available from the Human Management & Support Services.

If KCPS has reason to doubt the employee's initial certification, KCPS may:

- Have a designated health care provider contact the employee's health care provider in an effort to clarify or authenticate the initial certification; and/or
- Require the employee to obtain a second opinion by an independent KCPS designated provider at KCPS' expense. If the initial and second certifications differ, KCPS may, at its expense, require the employee to obtain a third, final and binding certification from a jointly selected health care provider.

During FMLA leave, KCPS may request that the employee provide recertification of a serious health condition at intervals in accordance with the FMLA. In addition, during FMLA leave, the employee must provide KCPS with periodic reports regarding the employee's status and intent to return to work. If the employee's anticipated return to work date changes and it becomes necessary for the employee to take more or less leave than originally anticipated, the employee must provide KCPS within 2 business days of the employee's changed circumstances and new return to work date. If the employee gives KCPS notice of the employee's intent not to return to work, the employee will be considered to have voluntarily resigned.

Before the employee returns to work from FMLA leave for the employee's own serious health condition, the employee will be required to submit a Fitness for Duty Certification from the employee's health care provider, with respect to the condition for which the leave was taken, stating that the employee is able to resume work.

FMLA leave or return to work may be delayed or denied if the appropriate documentation is not provided in a timely manner. Also, a failure to provide requested documentation of the reason for an absence from work for more than three days may be considered job abandonment resignation.

### **Use of Paid and Unpaid Leave**

Eligible employees are normally granted FMLA for the period of the disability, up to a maximum of twelve weeks of FMLA. Vacation, PTO and Workers' Compensation related leaves run concurrently with FMLA approved leave. Employees who sustain work-related injuries are eligible for FMLA leave of absence for the period of disability in accordance with applicable laws covering occupational disabilities.

### **Maintenance of Health Benefits**

During FMLA leave an employee is entitled to continued group health plan coverage under the same conditions as if the employee had continued to work. When on FMLA leave, KCPS provides health insurance coverage in the same manner as if the employee is actively at work for a period of 90 days. Employees must make arrangements with the Benefits Department to pay all premiums that the employee would be responsible for if actively at work.

### **Return from FMLA Leave**

Upon return from FMLA leave, KCPS will place the employee in the same position the employee held before the leave or an equivalent position with equivalent pay, benefits and other employment terms.

### **Parental Leave of Absence Without Pay**

In addition to FMLA leave, leave without pay for up to twelve (12) months may be granted to employees to provide extended care for a child following the termination of maternity leave, adoption or for long term illnesses of children.

Requests for utilization of parental leave shall be made to Human Resources and shall include the reason for the leave and the anticipated start date and expiration date of the leave. A representative from Human Resources shall review each request and determine whether approval of the request is in the best interest of KCPS and shall approve or disapprove the request.

When an employee returns to work at the expiration of an approved parental leave, the employee will be returned to an equivalent position. Failure to return to work at the expiration of an authorized parental leave shall be deemed a resignation.

## **Health Leave of Absence without Pay**

An employee who has used up all current and accumulated PTO days and who has used all leave available to him or her pursuant to the FMLA, who presents a request supported by a doctor's statement that he/she is unable to return to work, may be placed by administrative action on extended health leave as required up the remainder of a current semester.

By approval of the Board, the unpaid health leave may be extended for up to one (1) year upon written request of the employee and the submission of a doctor's statement that the employee continues to be unable to resume normal duties. The doctor's statement shall include an estimate of the probable necessary length of the leave, based on the doctor's best professional judgment.

A person on health leave granted by the Board, may request reinstatement no less than thirty (30) days before the beginning of a semester when a return to work is anticipated. Such notification shall be accompanied by a certification by a doctor that the person's health should permit a return to full

duty.

The employee shall be allowed to return to duty after thirty (30) days' notice or at the end of a semester, whichever is sooner, and upon receipt of a statement from his/her physician certifying his/her ability to resume normal duties.

### **Benefit Plan Coverage Termination**

While on an unpaid extended leave of absence, employee's medical coverage will end on the 1st day of the month following the start of such leave. Employees will have the opportunity of continuing their benefits for a maximum period of 18 months by paying the monthly premiums as required by COBRA legislation. Unemployment Insurance benefits cannot be collected while on a leave of absence without pay.

### **Vacation and PTO**

Unused vacation and PTO days must be used before an unpaid leave of absence without pay will be granted.

### **Performance Appraisal**

The normal performance appraisal date of an employee on an unpaid leave of absence without pay will be extended by the length of the leave.

### **Returning/Not Returning From a Leave**

Due to the nature of our business, KCPS cannot guarantee either that an employee's job will remain available or that a comparable position will exist when return from an unpaid leave is sought.

An employee who returns to work following an unpaid leave will be considered as having continuous service. If an employee does not return from an unpaid leave of absence, the resignation date is the last day of the authorized leave period or the date the employee notifies his/her supervisor/manager he/she is not returning, whichever is sooner. Such employees may be considered for reemployment.

## **Leave and Accommodations for Victims of Domestic and Sexual Violence**

Effective on Aug. 28, 2021, Missouri's new Victims Economic Safety and Security Act (VESSA) requires Missouri employers with at least 20 employees to provide leave and reasonable safety accommodations to employees who experience domestic or sexual violence.

### **Leave Requirements**

Unpaid Leave. The amount of VESSA leave available to eligible employees will be two weeks of unpaid leave per year.

VESSA leave, however, is not available where such leave would result in an employee taking more leave than the amount of unpaid leave allowed under the Family and Medical Leave Act (FMLA). Much like FMLA leave, VESSA leave can be taken intermittently or on a reduced work schedule. Employers must maintain health coverage for an employee on VESSA leave.

Qualifying Reasons for Leave. VESSA leave is available for any of the following reasons:

- seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence against the employee or the employee's family or household member;
- obtaining victim services for the employee or the employee's family or household member;
- obtaining psychological or other counseling for the employee or the employee's family or household member;
- participating in safety planning, including temporary or permanent relocation, or other actions to increase the employee or the employee's family or household member's safety from future domestic or sexual violence; and
- seeking legal assistance to ensure the health and safety of the employee or the employee's family or household member, including participating in court proceedings related to the violence.

Employee Eligibility. Employees working for an employer covered by VESSA are eligible to take leave under the statute if (1) they are victims of domestic or sexual violence, or (2) they have a family or household member who is a victim of domestic or sexual violence.

Notice and Documentation. Employers can require the following from employees who wish to take VESSA leave:

- at least 48 hours' advance notice of the need for leave unless such notice is impractical, in which case the notice must be given as soon as possible; and
- a sworn statement of the employee and documentation showing that the employee is eligible for the leave, such as a police report or document from a victim services organization, or medical professional corroborating eligibility.

Employers, however, must maintain "the strictest confidence" of all documentation collected in connection with VESSA leave.

### **Accommodation Requirements**

Under VESSA, employers—including public entities and agencies, private entities and persons who employ at least 20 people—are required to make reasonable safety accommodations unless such accommodations would result in undue hardship for the employer. Such an accommodation must be made "in a timely manner" to the known limitations resulting from the domestic or sexual violence experiences of an employee or an employee's a family or household member. VESSA defines broadly the term "family or household member" to include spouses, parents, children and "other blood relatives and relatives through a present or prior marriage."

An employer can ask an employee requesting such accommodation to provide a written statement signed by the employee or someone acting on the employee's behalf certifying the requested accommodation is for purposes authorized under VESSA.

If you have any questions about VESSA leave, please contact Human Resources.

## Employee Travel and Reimbursement

Employees will be reimbursed for reasonable expenses incurred in connection with approved travel on behalf of KCPS. Employees on paid administrative leave are not eligible for district-sponsored travel.

This section outlines details about specific travel arrangements and allowances as employees/travelers prepare for his/her trip.

The traveler begins the preparation process by completing the necessary forms and approvals for district-related travel including:

- **Travel Authorization Form**
- **Travel/Expense Reporting Envelope**
  - Detailed receipts are required to be submitted to Accounts Payable for reimbursement for car rental, lodging, meals, ground transportation, etc. and should be kept in this envelope for ease in reporting at the end of the trip.
  - Any expenses which exceed the daily allowances must be paid to the district through personal check or cash.
  - All student travel must be coordinated through Accounts Payable and handled on a case-by-case basis.

### Air Travel

All district employees/travelers are required to purchase economy or coach class and non-refundable in order to reduce costs. Non-refundable tickets that cost \$650 or more will require additional approval. Airline tickets should be booked with your cabinet member's credit card.

### Unused Tickets

Travelers will be required to reimburse the district through payroll deduction if the traveler fails to use the purchased ticket.

### Mileage

Mileage reimbursement is allowed for use of a personal car for one trip to and from the airport based on IRS guidelines. The reimbursement amount is limited to the total miles for one round trip.

### Lodging

Lodging will be reimbursed to employees on company business when in accordance with the district guidelines. Per diem rates for lodging can be found at [www.gsa.gov/portal/category/100120](http://www.gsa.gov/portal/category/100120). If staying at the conference hotel, rates do not apply. Lodging should be booked with your cabinet member's credit card.

In the case of multiple occupancies at the same hotel, each individual must have a separate hotel bill. Additionally, when a non-district person shares a room with a district employee, reimbursement is limited to the employee's portion only.

### Non-reimbursable travel expenses:

- Babysitter/childcare fees

- Over the counter medicines
- Personal articles (toiletries, etc.)
- Prescription medicines
- Laundry /Dry cleaning services
- Traffic or parking fines
- Alcoholic beverages
- Resort fees
- Barber/Hairstylist
- Frequent Flyer Memberships/dues
- In flight movies/refreshments
- Car rental insurance
- Airline ticket change fees
- Pet Boarding fees
- Hotel No/Show fees
- Hotel in-room movies
- Hotel spas
- Travelers check fees
- Valet parking
- Passport fees
- Groceries
- Expenses for non-district personnel /not on district business

### **Car Rental**

District employees/travelers should carefully evaluate the need for a rental vehicle. Public transportation alternatives are to be used if they are less costly and can accommodate the traveler's transportation needs.

### **Car Class**

When selecting the type of car class, select the lowest class (rate per day) appropriate for the intended use and the number of passengers. (Be sure to consider luggage space.)

### **Rental Insurance**

Waive the rental insurance option since most credit cards include this coverage. Check with your credit card provider.

### **Refueling**

Plan travel time and rental return in order to refuel rental cars prior to their return and avoid the rental company's higher fuel prices.

### **Meals**

Employees are reimbursed for meals during overnight business trips. The cost of the meal should not exceed IRS guidelines. These guidelines are published at [www.gsa.gov/portal/category/100120](http://www.gsa.gov/portal/category/100120) and vary by city/state. All receipts must be detailed showing items that were purchased. Receipts that are not itemized, will not be reimbursed.

### **Per Diem**

The per diem allowance is per day and is not cumulative. Employees are not allowed to spend more than the daily allowance even though they may have spent less on a previous travel day. Meal expenses in excess of the per diem allowance require reimbursement to the district.



### **Tips**

Allowances for tips are included in the daily per diem, up to 15 percent of the cost of the meal.

### **Personal Car Use/Mileage**

The use of a personal car is allowed for district business travel when other transportation is not available or is more costly. Depending on the situation and the distances, it may be more feasible to obtain a rental car than to use a personal car.

### **Mileage**

Reimbursement for mileage when using a personal car is limited to the rate prescribed by the IRS guidelines. Mileage reimbursement will be made after the business trip. Mileage is calculated from work location to conference location, limited to one round trip.

### **Gas/Oil**

Gas purchased for a personal car is not a reimbursable expense since gas, oil, and normal wear and tear is considered in establishing the mileage reimbursement rate.

### **Taxi/Shuttles**

Public/hotel transportation alternatives should be used if they are less costly and can accommodate the traveler's transportation needs. Use of taxis/shuttles to and from places of business, hotels or airports in connection with approved business travel activity is allowed. Hotels often provide shuttles and vans to large events and/or the airport.

**Reminder: Receipts for transportation charges will be required for reimbursement.**

### **Expense Report Processing:**

Out-of-pocket travel expenses must be reported on the district authorized expense report upon return from a business trip. A copy of your authorization-to-travel form must be included along with all original detailed and dated receipts eligible for reimbursement. Please copy the receipts before they fade or are illegible.

This report is submitted to Accounts Payable and will be processed within 30 days of receipt in Accounts Payable. Your reimbursement will be deposited into your main bank account.

Travelers seeking reimbursement should incur the lowest reasonable travel expenses and exercise care to avoid the appearance of impropriety. If a circumstance arises that is not specifically covered in the travel policies, the most conservative course of action should be adopted.

Travel for staff must be authorized in advance. Travelers should verify that planned travel is eligible for reimbursement before making travel arrangements. Upon completion of the trip, and within 30 days, the traveler must submit a Travel Reimbursement Form and supporting documentation to obtain reimbursement of expenses. **(See Administrative Policies DLC, DLCA)**

# EMPLOYEE BENEFITS

## DISCLAIMER

KCPS has established a variety of employee benefit programs designed to assist you and your eligible dependents in meeting the financial burdens that can result from illness and disability, and to help you plan for retirement. This portion of the Handbook contains a very general description of the benefits to which you may be entitled as an employee of KCPS. Please understand that this general explanation is not intended to, and does not, provide you with all the details of these benefits. Therefore, this Handbook does not change or otherwise interpret the terms of the official plan documents. Your rights can be determined only by referring to the full text of the official plan documents, which are available for your examination in the Benefits Office. To the extent that any of the information contained in this Handbook is inconsistent with the official plan documents, the provisions of the official documents will govern in all cases.

Please note that nothing contained in the benefit plans described herein shall be held or construed to create a promise of employment or future benefits, or a binding contract between KCPS and its employees, retirees or their dependents, for benefits or for any other purpose.

As in the past, KCPS reserves the right, in its sole and absolute discretion, to amend, modify or terminate, in whole or in part, any or all of the provisions of the benefit plans described herein, including any health benefits that may be extended to retirees and their dependents. Further, KCPS reserves the right to administer, apply, and interpret the benefit plans described herein, and to decide all matters arising in connection with the operation or administration of such plans.

For more complete information regarding any of our benefit programs, please refer to the Summary Plan Descriptions, which may be provided to you separately upon request by the Benefits Department. If you have lost or misplaced those descriptions, please contact the Benefits Department for another copy.

## **Wellness Program and Benefits**

The Wellness Committee will assess all education curriculum and materials pertaining to wellness and will be responsible for devising a plan for implementation and evaluation of the KCPS wellness initiative. The Wellness Coordinator will be charged with the operational responsibility for ensuring that employees are afforded the opportunity to participate in wellness-related programs.

## **Employee Assistance Program (EAP)**

Your EAP program consists of six (6) counseling sessions per KCPS employee and member per household per year at no cost to you. EAP counselors are licensed professionals and this confidential service can help you and members of your household with a variety of difficult situations. Counseling sessions are per member, non-transferable, and do not accumulate. All of our EAP services are kept confidential. In fact, no information about you or your participation in the program is released without your written consent. You will meet with a trained professional who will assist you in determining your situation. Often the best approach includes short-term counseling sessions with an EAP professional. When you and members of your household call for an appointment, it will be scheduled as promptly as possible.

The Employee Assistance Program (EAP) provides the supervisor and the employee an additional tool to use in addressing and correcting performance inadequacies and conduct problems. It also is designed to address personal problems which may be causing performance or conduct problems at work. The EAP cannot address lack of competence or ability, and it is neither an alternative to, nor a substitute for the corrective disciplinary process; rather, it is an additional route that may be used. Issues which the EAP may provide assistance with include:

- Stress at home or on the job;
- Questions about healthy lifestyle;
- Attorney referrals for legal needs;
- Financial needs such as budgeting;
- Parenting concerns;
- Aging and retirement;
- Drugs and alcohol;
- Depression and anxiety;
- Conflicts and communication;
- Help with problem solving; and/or
- Support during difficult life events.

At any point in the disciplinary process, the supervisor can inform the employee of the EAP and the possibility that use of this program may help the employee in making the necessary performance or conduct improvements. Both the supervisor and the employee should be aware of the following concerning the EAP:

- The EAP is confidential. Supervisors and managers are only informed that an employee has enrolled in the EAP. No progress reports or other information are shared with the supervisor.
- The EAP, and the employee's use of it, is independent of the disciplinary procedure. Use of the EAP does not (and should not) necessarily stop the progress of the disciplinary and dismissal procedure.

## **Health, Dental and Life Insurance**

KCPS currently offers regular full-time employees who have been employed by KCPS for 30 days, health, dental and life insurance coverage. Employees have up to 30 days from their employment date to submit medical and dental plan elections from the options provided by KCPS, to Benefits Direct. However, it is strongly encouraged to make the election of benefits package within 14 days of employment to ensure enrollment is processed and benefits are in effect on the 31st day of employment. Eligible employees are automatically enrolled in the life insurance plan and may elect to cover eligible dependents.

Once made, your benefits elections are generally fixed for the remainder of the plan year. However, if you undergo a change in family status (as defined in the Plan document), you may make a change in coverage outside of the designated Open Enrollment Period (i.e., you may change coverage from individual to family or from family to individual; add or delete dependents; or revoke coverage), provided you do so within 30 days from the date of the change in family status. You will not be able to make a mid-year change from one medical or dental carrier to another. Please contact the Benefits Department or Benefits Direct to determine if a family status change qualifies under the Plan document and IRS regulations.

During the Open Enrollment Period you are free to change your medical and dental elections including your choice of medical and dental carriers whether or not you have a change in family status.

As requested, the Benefits Department will assist you in making the necessary arrangements for enrollment. Complete descriptions of the plans are provided to each employee as Summary Plan Descriptions and appropriate supplements.

## **Flexible Spending Account**

As part of KCPS's Flexible Benefits Plan, we currently offer an employee-funded Flexible Spending Account to regular full-time employees. During the annual open enrollment period or for new employees within 30 days of their hire date, employees may elect an annual amount of flexible dollars (which will be deducted pro rata on a pre-tax basis from each paycheck) to pay for eligible health care expenses. The expenses must qualify under Internal Revenue Code Sec. 213 and not be reimbursable from any other source. Eligible health care expenses may include medical or dental insurance deductibles, co-payments, prescriptions and your out-of-pocket costs for vision care, etc.

The flexible spending account also allows employees to elect the dependent care category to reimburse day care expenses for qualified dependents.

According to IRS regulations, if eligible medical, dental or dependent-care expenses that you incur during the election year are less than your designated amount of flex dollars for that period, you must forfeit the balance.

## **Health Savings Account**

Employees participating in the district's High Deductible Health Plan (HDHP) may make payroll deductions to a Health Savings Plan. Internal revenue code requires participation in a High Deductible Plan, and cannot be done in conjunction with a Flexible Spending Health Account in the same tax year. Employee contributing to an HSA are allowed to change election amounts throughout the year, by notifying the Benefits office in writing.

## **Disability**

KCPS offers eligible employees an opportunity to enroll in an employee-funded disability plan. This plan allows employees to purchase a monthly benefit amount, not to exceed their current monthly earnings, to replace salary loss due to disability. Enrollment for the plan is within 30 days of employment for new employees or during the designated open enrollment period.

## **Supplemental Life Insurance**

Additional Term Life Insurance policies are offered to eligible full-time employees for purchase through payroll deduction. These term policies may be purchased by the employee for himself/herself or for eligible dependents (as defined in plan documents). Enrollment for the plan is within 30 days of employment for new employees or during the designated open enrollment period.

## **Retirement Plan**

Retirement benefits are provided to regular full-time employees under the Kansas City Public School Retirement System (KCPSRS). Participation in the mandatory plan requires a percentage of the employee's compensation be contributed to the retirement account. Currently, the percentage contributed by the employee is 9 percent. Compensation does not include overtime, early retirement incentives or any other special pay. To be eligible for a full retirement benefit, an employee must be vested (5 years of creditable service) and be at least 60 years of age, or have 75 points (age plus years of service) if hired prior to January 1, 2009 or 80 points (age plus years of service) if hired after January 1, 2009.

Further details about the Retirement Plan may be obtained from [www.kcpsrs.org](http://www.kcpsrs.org). The KCPSRS office is located at 4600 Paseo Blvd., Kansas City, MO. The contact number is 816-472-5800.

## **Tax Sheltered Annuities**

KCPS offers two voluntary pre-tax salary reduction plans (403b and 457) in which employees may elect to participate beginning with the first payroll period administratively feasible after employment. Employees are encouraged to set an appointment with the VALIC advisor assigned to their work location. The list of advisors is available from the Benefits Department or on the Benefits page on the KCPS website.

## **Performance Appraisals/Evaluations**

Performance appraisals are conducted on an annual cycle. Employees will receive a performance review on the established date each year. The performance appraisal will be discussed, and both the employee and manager will sign the form to ensure that all strengths, areas for improvement and job goals for the next review period have been clearly communicated. Performance evaluation forms will be retained in the employee's personnel file.

The employee's overall performance and salary level relative to his/her position responsibilities are evaluated to determine if job classification and placement are appropriate.