

**ACTION**

**ITEM #5**

# MINERAL COUNTY SCHOOL DISTRICT



## Employee Handbook **2021-2022**

### **School Board**

Keith Neville, President  
Tyler Viani, Vice President  
Kathy Castagnola, Clerk  
Candice Birchum, Member  
Juanita Diede, Member

Asbestos Management.....	Page 3
Campus Safety.....	Page 3
Child Abuse.....	Page 3
Community Use of Schools.....	Page 4
Approval	
Emergencies/Disasters	
Fees	
Priority Use	
Complaints.....	Page 4
Copyrighted Materials.....	Page 5
Crisis Management.....	Page 5
Drills	
Emergencies	
Evacuation	
School Closing	
Students Retained	
Dress and Grooming.....	Page 6
Drug Free Schools/Work Place.....	Page 6
Alcohol and Drugs	
Electronic Communications and Data Management.....	Page 7
Acceptable Use	
Availability of Access	
Computer Use and Data Management	
Computer Software	
Disclaimer of Liability	
Intellectual Property Rights	
Monitored Use	
Use by Members of the Public	
Employee Relations.....	Page 8
Employee Rights and Privileges.....	Page 8
Arrests and Convictions	
Associations and Political Activity	
Safety	
Field Trips/Staff Travel.....	Page 9
Films-VCR/DVD.....	Page 9
Firearms/Weapons Possession.....	Page 10
Fraud.....	Page 10
Harassment and Reporting.....	Page 10
Harassment of Students.....	Page 12
Payroll.....	Page 15
Change of Address	
FMLA	
Pest Control.....	Page 16
Safety Requirements.....	Page 16
Tobacco Usage.....	Page 16
Visitors.....	Page 16

# MINERAL COUNTY SCHOOL DISTRICT EMPLOYEE HANDBOOK

All employees are expected to work together in a cooperative spirit to serve the best interests of the district and to be courteous to students, one another, and the public. Employees are expected to be familiar with District Policies which are available on the website ([www.nvmcsd.org](http://www.nvmcsd.org)), at the District Office and at each school site, and to observe the following standards of conduct:

- Recognize and respect the rights of students, parents, other employees, and members of the community.
- Maintain confidentiality in all matters relating to students and coworkers.
- Report to work according to the assigned schedule.
- Notify their immediate supervisor as early as possible (preferably in advance) in the event that they must be absent or late. Unauthorized absences, chronic absenteeism, and tardiness may be cause for disciplinary action.
- Know and comply with department and district procedures and policies.
- Express concerns, complaints, or criticism through appropriate channels.
- Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.
- Use district time, funds, and property for authorized district business and activities only.

All district employees should perform their duties in accordance with state and federal law, district policies and procedures, and ethical standards. Violation of policies, regulations, or guidelines may result in disciplinary action, including termination. Alleged incidents of certain misconduct by educators, including having a criminal record, must be reported to NVDOE **Immediately**.

## **ASBESTOS MANAGEMENT PLAN**

~~The district is committed to providing a safe environment for employees. An accredited management planner has developed an asbestos management plan for each piece of district property. A copy of the district's management plan is kept in the superintendent's office and is available for inspection during normal business hours.~~

## **CAMPUS SAFETY**

All staff members are required to ~~wear~~ have their district identification badge **in their possession** while at work and are asked to keep diligent watch over our facilities and to report any suspicious activity or persons to the site administrator. Additionally, to ensure safety of our students and staff, visitors will be required to check in at the office to obtain an identification badge so as to be easily identified by any and all staff members.

## **CHILD ABUSE (Policy JHFE)**

All employees are required by state law to report any suspected child abuse or neglect to a law enforcement agency, Child Protective Service, or appropriate state **or tribal** agency (e.g.: state agency operating, licensing, certifying, or registering a facility) ~~immediately within 48 hours~~ of the event that led to the suspicion. **Reports should be made directly to your site administrator with the completed proper documentation. Reports to Child Protective Services can be made to a local office.** State law specifies that an employee may not delegate to or rely on another person to make the report.

Under state law, any person reporting or assisting in the investigation or reported child abuse or neglect is immune from liability unless the report is made in bad faith or with malicious intent. In addition, the district is prohibited from retaliating against an employee who, in good faith, reports child abuse or neglect or who participates in an investigation regarding an allegation of child abuse or neglect.

An employee's failure to report suspected child abuse may result in prosecution for the commission of a Class B misdemeanor. In addition, a certified employee's failure to report suspected child abuse may result in disciplinary procedures for a violation of the Educators Code of Ethics.

Employees who suspect that a student has been or may be abused or neglected should also report their concerns to the ~~site administrator campus principal~~. This includes current students and students with disabilities who are no longer minors.

### **HARASSMENT OF STUDENTS**

Sexual and other harassment of students by employees are forms of discrimination and are prohibited by law. Employees who suspect a student may have experienced prohibited harassment are obligated to report their concerns to the campus principal or other appropriate district official. All allegations of prohibited harassment or abuse of a student will be reported to the student's parents and promptly investigated. An employee who knows of or suspects child abuse must also report his or her knowledge or suspicion to ~~your supervisor appropriate authorities~~, as required by law. See Reporting suspected child abuse (Policy JHFE), for additional information. ~~The district's policy that includes definitions reference district policy and procedures for reporting and investigating harassment of students is reprinted below:~~

### **BY OTHERS**

Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

### **COMMUNITY USE OF SCHOOL FACILITIES**

The Board permits use of the school facilities to organizations or groups within the District for purposes of education, recreation, entertainment, and charity.

#### **APPROVAL OF USE**

The authorized representative of the Board may approve and schedule the use of school facilities by non-school organizations except for those activities or programs that result in personal or corporate profit or are designed solely to generate personal or business gain. The use of school facilities by individuals and civic or private groups for meetings or programs open only to a limited/select membership shall require approval by the Board. In addition, long-term routine users (more than six months consecutively) shall have established a presence in the community and receive Board approval. A Board-approved group shall be reassessed for continued building use every other year after the first year.

Approval shall not be granted for any purpose that would damage school property or to groups that are known to have damaged other rented property.

#### **Emergencies or disasters**

The Superintendent may authorize the use of school facilities by civil defense officials in the case of emergencies or disasters

#### **Fees**

Except for use of facilities scheduled as a part of the instructional program, charges shall be made according to a schedule of fees to be reviewed and approved by the Board. Fee structure changes become effective as soon as approved by the Board, with the exception of groups that are presently using the facilities on a routine basis. For these routine users, the new fees shall be assessed as of the new school year September 1. The fee schedule shall allow for variations according to the need for school personnel, the particular facilities and equipment to be used, the type of event, and the group classification and size of the requesting organization.

#### **Priority for use**

Priorities to be observed in scheduling the after-hours use of school buildings and other facilities shall be as follows:

1. The regularly scheduled educational program, including scheduled athletic events and emergency meetings called by the ~~site administrator~~ **principal**.
2. Regularly scheduled intra-school use, including community education activities, regularly scheduled staff meetings, and parent meetings.
3. Meetings and other activities of groups made up primarily of school-aged children.
4. Meetings of employee organizations
5. Meetings of all other eligible groups on a first come, first served basis.

### **COPYRIGHTED MATERIALS**

Employees are expected to comply with the provisions of copyright law relating to the unauthorized use, reproduction, distribution, performance, or display of copyrighted materials (i.e., printed material, videos, computer data and programs, etc.). ~~Rented videotapes are to be used in the classroom for educational purposes only. Duplication or backups of computer programs and data must be made within the provisions of the purchase agreement.~~

### **FILMS-VCR/DVD-Multimedia**

Films for use with a VCR/DVD shall be used in the classroom for education purposes only. All videos being used in the classroom must be approved by the site administrator prior to showing the videos. No rented film that includes a notice that the film is intended for "home use only" shall be shown to a class for entertainment purposes.

No film that has a rating of PG or more restrictive shall be shown in the classroom unless prior written consent from the parent(s) or guardian(s) has been received. Appropriate alternative activities shall be available for those students whose parent(s) or guardian(s) choose not to allow the student to view the film.

### **Crisis-Management Emergency Operations Plan**

Each campus shall have emergency procedures focusing on safety for students and school personnel that can be implemented on short notice. The Superintendent or designee shall develop a crisis management plan and update it yearly.

#### **Drills**

~~Principals~~ **The site administrators coordinate** shall conduct fire, earthquake, or other emergency drills designed to ensure the orderly movement of students and personnel to the safest available areas.

#### **Emergencies**

All employees should be familiar with the evacuation diagrams posted in their work areas. Fire, ~~natural disasters~~ **tornado**, and other emergency drills will be conducted to familiarize employees and students with evacuation procedures. Fire extinguishers are located throughout all district buildings. Employees should know the location of the extinguishers nearest their place of work and how to use them.

#### **Evacuations Procedures**

The Superintendent or designee shall design and implement a system to familiarize employees and students with evacuation procedures and ensure that evacuation diagrams are appropriately posted.

#### **School Closing**

The Superintendent shall have the authority to dismiss school for a portion of a day or for longer periods of time, if necessary, in case of unusual or emergency situations. In the event such actions require the alteration of the annual school calendar, the Superintendent shall prepare recommendations to the Board for approval as soon as practicable.



### **Student Transport Retained**

During emergency conditions, students and faculty shall ~~remain be-retained~~ at the campus unless otherwise directed by the Superintendent or designee. The Superintendent or designee shall determine whether buses shall be made available to take students home or to transport them to a safe alternate site.

### **DRESS AND GROOMING**

The dress and grooming of District employees shall be clean, neat, in a manner appropriate for their assignments, and in accordance with District Policy GBB20 and any additional standards established by their supervisors and approved by the Superintendent.

### **DRUG-FREE SCHOOLS AND DRUG-FREE WORKPLACE REQUIREMENTS**

The District prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, illicit drug, and alcohol, as those terms are defined in state and federal law, in the workplace, on school premises, or as part of any of the District's activities.

Employees who violate this prohibition shall be subject to disciplinary sanctions. Such sanctions may include referral to drug and alcohol counseling or rehabilitation programs or employee assistance programs, termination from employment with the District, and referral to appropriate law enforcement officials for prosecution. Information on available rehabilitation or employee assistance programs and contacts shall be posted throughout the workplace.

Compliance with these requirements and prohibitions is mandatory and is a condition of employment. As a further condition of employment, an employee shall notify the Superintendent of any criminal drug statute conviction the employee incurs for a violation in a workplace no later than five days after such conviction.

Within 30 calendar days of the Superintendent's receiving notice from any source of a conviction for any drug statute violation occurring in the workplace, the Superintendent or designee shall either (1) take appropriate personnel action against the employee, up to and including termination of employment or referral for prosecution or (2) require the employee to participate satisfactorily in a drug and alcohol abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health agency, law enforcement agency, or other appropriate agency. The cost of any such program shall be borne by the employee.

[This notice complies with notice requirements imposed by the federal Drug-Free Workplace Act [20 U.S.C. 3471, 1221e-3(a)(1) and 34 CFR 85.630]; notice requirements imposed by the federal Drug-Free Schools and Communities Act Amendments of 1989 [20 U.S.C. 3224a and 34 CFR 86.201]

### **ALCOHOL AND DRUGS**

A copy of this policy, the purpose of which is to eliminate drug abuse from the workplace, shall be provided each employee through the district website or upon employment.

1. Employees shall not unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while at school or at school-related activities during or outside of usual working hours.
2. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate. Alcohol or any alcoholic beverage **or vaping and tobacco use.**
3. Any toxic glue, aerosol paint, or any other chemical substance for inhalation, Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs. An employee need not be legally intoxicated to be considered "under the influence" of a controlled substance.

## **TOBACCO USE**

Tobacco use is strictly prohibited on all District properties under all circumstances. Employees shall not use tobacco products on District premises, in District vehicles, nor in the presence of students at school or school-related activities.

### **EXCEPTION**

An employee who uses a drug authorized by a licensed physician through a prescription specifically for that employee's use shall not be considered to have violated this policy.

## **OUTSIDE EMPLOYMENT**

Employees may be allowed outside employment provided that such employment in no way interferes with the performance of the employee's MCSD duties and is performed outside the employee's approved MCSD work schedule and off premises. Employees must notify Human Resources to complete appropriate paperwork and approval process. Failure to obtain prior approval for outside employment, or engaging in outside employment when such approval has been denied, may result in disciplinary action. The decision to approve or deny the outside employment rests with the **MCSD Superintendent**

## **ELECTRONIC COMMUNICATION AND DATA MANAGEMENT**

The Superintendent or designee shall implement, monitor, and evaluate electronic media resources for instructional and administrative purposes.

### **ACCEPTABLE USE**

The Superintendent or designee shall develop and implement administrative regulations, guidelines, and user agreements, consistent with the purposes and mission of the District and with law and regulations governing copyright. **Reference: MCSD Staff Technology Agreement Form signed when hired.**

Access to the District's electronic communications system is a privilege, not a right. All users shall be required to acknowledge receipt and understanding of all administrative regulations and guidelines governing use of the system and shall agree in writing to allow monitoring of their use and to comply with such regulations and guidelines. Non-compliance may result in suspension of access or termination of privileges and other disciplinary action consistent with District policies. Violations of law may result in disciplinary action as well as criminal prosecution by the District.

### **AVAILABILITY OF ACCESS**

~~Access to the District's electronic communications system, including the Internet, shall be made available to students and employees primarily for instructional and administrative purposes and in accordance with administrative regulations. Limited personal use of the system shall be permitted if the use:~~

- ~~1. Imposes no tangible cost on the District;~~
- ~~2. Does not unduly burden the District's computer or network resources; and~~
- ~~3. Has no adverse effect on an employee's job performance or on a student's academic performance.~~

### **COMPUTER USE AND DATA MANAGEMENT**

~~This district's electronic communications systems, including its network access to the Internet, are primarily for administrative and instructional purposes.~~

~~Electronic mail transmissions and other use of the electronic communications systems are not confidential and can be monitored at any time to ensure appropriate use.~~

~~Employees and students who are authorized to use the systems are required to abide by the provisions of the district's communications systems policy and administrative procedures. Failure to do so can result in suspension or termination of privileges and may lead to disciplinary action.~~

~~Employees with questions about computer use and data management can contact the school's principal and or superintendent of school's designee.~~



### **COMPUTER SOFTWARE**

Unless otherwise provided in the purchase agreement, a purchased computer program shall not be used as a "master" to make copies. A computer program may be legally copied only if:

1. Making a copy is an essential step in using the program (such as automatic copying into memory when a program is loaded); or
2. The new copy is a backup; backups cannot be used simultaneously with the original and must be erased if the original is resold.

District employees shall not use the same program on more than one computer at a time unless the purchase agreement or written permission from the vendor allows the District to network the program or allows other specified multiple use of the single copy.

### **DISCLAIMER OF LIABILITY**

The District shall not be liable for users' inappropriate use of electronic communication resources or violations of copyright restrictions or other laws, users' mistakes or negligence, or costs incurred by users. The District shall not be responsible for ensuring the accuracy, age, appropriateness, or usability of any information found on the Internet.

### **INTELLECTUAL PROPERTY RIGHTS**

Students shall retain all rights to work they create using the District's electronic communications system.

As agents of the District, employees shall have limited rights to work they create using the District's electronic communications system. The District shall retain the right to use any product created for its use by an employee even when the author is no longer an employee of the District.

### **MONITORED USE**

Electronic transmissions including, but not limited to, e-mail, Internet and chat rooms, and other uses of the electronic communications system by students, employees and public members are not private and will be monitored by designated District staff to ensure appropriate use.

### **USE BY THE MEMBERS OF THE PUBLIC**

Access to the District's electronic communications system, including the Internet, shall also be made available to members of the public, in accordance with acceptable use policies. Such use may be permitted as long as the use imposes no measurable additional cost to the District, and does not unduly burden the District's computer or network resources. Members of the public who are granted access shall be required to comply with all District rules, regulations, and policies governing appropriate use of the system.

### **EMPLOYEE RELATIONS**

In an effort to hear and resolve employee complaints in a timely manner and at the lowest administrative level possible, the board has adopted an orderly process that all employees must follow when bringing formal complaints and concerns. Employees are encouraged to discuss problems or complaints with their supervisors or an appropriate administrator at any time.

The formal complaint process provides all employees with an opportunity to be heard up to the highest level of management if they are dissatisfied with an administrative response. Once all administrative complaint procedures are exhausted, employees may bring complaints to the board of trustees.

## EMPLOYEE RIGHTS AND PRIVILEGES

### Employee Arrests and Convictions

An employee must notify his or her ~~site administrator principal~~ or immediate supervisor ~~within~~ of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of any felony, any offense involving moral turpitude, and any of the other offenses listed below:

- ~~• Crimes involving school property or funds~~
- ~~• Crimes involving attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator~~
- ~~• Crimes that occur wholly or in part of school property or at a school-sponsored activity~~
- ~~• Crimes involving moral turpitude~~

~~Moral turpitude includes, but is not limited to, the following:~~

- ~~• Dishonesty~~
- ~~• Fraud~~
- ~~• Deceit and / or Misrepresentation~~
- ~~• Theft~~
- ~~• Deliberate violence~~
- ~~• Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire~~
- ~~• Drug or alcohol-related offenses~~
- ~~• Acts constituting abuse under state and or federal law~~

### Associations and Political Activities

The district will not directly or indirectly discourage employees from participating in political affairs or require any employee to join any group, club, committee, organization, or association.

Employees may join or refuse to join any professional association or organization.

An individual's employment will not be affected by membership or a decision not to be a member of any employee organization that exists for the purpose of dealing with employers concerning complaints, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

Use of district resources, including work time, for political activities is prohibited.

### Association and Participation

An employee's participation in community, political, or employee organization activities shall be entirely voluntary and shall not:

1. Interfere with the employee's performance of assigned duties and responsibilities.
2. Result in any political or social pressure being placed on students, parents, or staff.
3. Involve trading on the employee's position or title with the District.

## COMPLAINTS

Employees wishing to express concerns, complaints, or criticism shall do so through appropriate channels. First file a complaint with their immediate supervisor, if the issue is not resolved, then go to the next level up. Complaint forms are available in all offices and within district policy.

~~The complaint process is noted at the end of the document.~~

### Safety

The district has developed and promotes a comprehensive program to ensure the safety of its employees, students, and visitors. The safety program includes guidelines and procedures for responding to emergencies and activities to help reduce the frequency of accidents and injuries. To prevent or minimize injuries to employees, coworkers, and students, and to protect and conserve district equipment, employees must comply with the following requirement:

1. Observe all safety rules.
2. Keep work areas clean and orderly at all times.
3. Immediately report all accidents to their supervisor.
4. Operate only equipment or machines for which they have training and authorization.

Employees with questions or concerns relating to safety programs and issues can contact the District Office.

### **FIELD TRIPS/STAFF TRAINING**

All field trips must be requested on proper forms and approved by site administrators in advance. All staff travel must be requested on proper forms and approved by site administrator prior to departure.

### **FIREARMS/WEAPONS POSSESSION**

Employees, visitors, and students are prohibited from bringing firearms, knives, **ammunition**, or other weapons onto school premises or any grounds or building where a school-sponsored activity takes place. To ensure the safety of all persons, employees who observe or suspect a violation of the district's weapons policy should report it to their supervisors or call the Superintendent's office immediately.

### **FRAUD AND / OR FINANCIAL IMPROPRIETY**

All employees should act with integrity and diligence in duties involving the district's financial resources. The district prohibits fraud and financial impropriety, as defined below. Fraud and financial impropriety includes, but is not limited to, the following:

- Forgery or unauthorized alteration of any document or account belonging to the district
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document
- Misappropriation of funds, securities, supplies, or other district assets, including employee time
- Impropriety in the handling of money or reporting of district financial transactions
- Profiteering as a result of insider knowledge of district information or activities
- Unauthorized disclosure of confidential or proprietary information to outside parties
- Unauthorized disclosure of investment activities engaged in or contemplated by the district
- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the district
- Destroying, removing, or inappropriately using records, furniture, fixtures, or equipment
- Failing to provide financial records required by state or local entities
- Failure to disclose conflicts of interest as required by policy
- Any other dishonest act regarding the finances of the district

### **HARRASSMENT AND REPORTING OF COMPLAINTS (Policy JFCF)**

The District prohibits sexual harassment and harassment based on a person's race, color, gender, national origin, disability, religion, or age. Employees shall not tolerate harassment of others and shall make reports as required in reporting procedures, below.

### **SEXUAL HARASSMENT**

Sexual harassment of an employee is defined as unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. Submission to the conduct is either explicitly or implicitly a condition of an employee's employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or
2. The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, hostile, or offensive work environment.

**EXAMPLES** — Examples of sexual harassment may include, but are not limited to, sexual advances; touching intimate body parts; coercing or forcing a sexual act on another; jokes or conversations of a sexual nature; and other sexually motivated conduct, communication, or contact.

### **OTHER PROHIBITED HARRASSMENT**



Harassment of a District employee on the basis of the employee's race, color, gender, national origin, disability, religion, or age includes physical, verbal, or nonverbal conduct related to these characteristics when the conduct is so severe, persistent, or pervasive that the conduct:

- Has the purpose or effect of unreasonably interfering with the employee's work performance;
- Creates an intimidating, threatening, hostile, or offensive work environment; or
- Otherwise adversely affects the employee's employment opportunities.

**EXAMPLES** — Examples of prohibited harassment may include, but are not limited to, offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for workplace accommodation; threatening or intimidating conduct; offensive jokes, name calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other types of aggressive conduct such as theft or damage to property.

## **REPORTING PROCEDURES**

~~An employee who believes that he or she has experienced prohibited harassment should immediately report the alleged acts to an appropriate person designated below.~~

~~Any District employee with supervisory authority who receives notice that another employee has or may have experienced prohibited harassment is required to immediately report the alleged acts and take whatever other steps are required by this policy.~~

~~Any other person who knows or believes that a District employee has experienced harassment should immediately report the alleged acts to the appropriate person designated by this policy.~~

## **TIMELY REPORTING**

Reports of harassment shall be made as soon as possible after the alleged acts. A failure to promptly report alleged harassment may impair the District's ability to investigate and address the harassment. A District employee may report harassment to his or her supervisor or campus principal. A person shall not be required to report harassment to the alleged harasser; nothing in this policy prevents a person from reporting harassment directly to one of the District officials below:

## **DISTRICT OFFICIALS**

1. For sexual harassment, the Title IX coordinator. [See Site Principal or Superintendent]
2. For all other prohibited harassment, the site Principal or Superintendent.

A report against the Title IX coordinator may be made directly to the Superintendent; a report against the Superintendent may be made directly to the Board.

## **NOTIFICATION OF REPORT**

Upon receipt of a report of harassment, a supervisor or principal shall immediately notify the appropriate District official listed above.

## **CONFIDENTIALITY**

To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

## **INVESTIGATION OF THE REPORT**

The District may request, but shall not insist upon, a written report. If a report is made orally, the District official shall reduce the report to written form. All documentation will be signed by the complainant. Upon receipt or notification of a report, the District official shall determine whether the allegations, ~~could-if-proven~~, would constitute sexual harassment or other prohibited harassment as defined by District policy. If so, the District official shall immediately authorize or undertake an investigation, ~~to include District Information Systems~~.

If appropriate, the District shall promptly take interim action to prevent harassment during the course of an investigation.

The investigation may be conducted by the District official or a designee, such as the campus principal, or by a third party designated by the District, such as an attorney. When appropriate, the campus principal or supervisor shall be involved in or informed of the investigation.

#### **CONCLUDING THE INVESTIGATION**

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

The District's obligation to conduct an investigation is not satisfied by the fact that a criminal or regulatory investigation regarding the same or similar allegations is pending.

Absent extenuating circumstances, the investigation should be completed within ten business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.

The investigator shall prepare a written report of the investigation. The report shall be filed with the District official overseeing the investigation.

#### **DISTRICT ACTION**

If the results of an investigation indicate that prohibited harassment occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the harassment.

The District may take disciplinary action based on the results of an investigation, even if the District concludes that the conduct did not rise to the level of harassment prohibited by law or District policy.

#### **APPEAL**

A complainant who is dissatisfied with the outcome of the investigation may appeal through the district complaint process beginning at the appropriate level. The complainant shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.

#### **RETALIATION PROHIBITED**

Retaliation against an employee alleged to have experienced harassment, a witness, or another person who makes a report or participates in an investigation is strictly prohibited. A person who makes a good faith report of prohibited harassment shall not suffer retaliation for making the report. A person who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding prohibited harassment is subject to appropriate discipline. Retention of records shall be in accordance with state and federal regulations.

#### **RECORDS RETENTION**

**ACCESS TO POLICY** This policy shall be distributed annually to District employees. Copies of the policy shall be readily available at each campus and the District administrative offices.

#### **STUDENT WELFARE:**

##### **FREEDOM FROM HARASSMENT**

The District prohibits sexual harassment and harassment based on a person's race, color, gender, national origin, disability, or religion. Employees shall not tolerate harassment of students and shall make reports as required at **REPORTING PROCEDURES**, below

##### **SEXUAL HARASSMENT BY AN EMPLOYEE**

Sexual harassment of a student by a District employee includes both welcome and unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. A District employee causes the student to believe that the student must



## **PAYROLL**

All MCSD employees are paid on approximately the 10th and 25th of the month. Paychecks will not be released to any person other than the district employee named on the check without the employee's written authorization.

The payroll office manages all employee leave and benefits and detailed reports of deductions shall appear on employee pay stubs.

Guidance regarding leave may be found in policy **number GBC/GBC1** and within the negotiated agreements.

Employees must follow district and or school procedures to report or request any leave of absence and complete the appropriate leave request form. All leave requires authorization from an immediate supervisor. Employees are expected to notify their immediate supervisor as early as possible (preferably in advance) in the event that they must be absent or late. Unauthorized absences, chronic absenteeism, and tardiness may be cause for disciplinary action. Leave without pay for any reason requires the approval of a supervisor and the superintendent and must be requested in advance of the leave period. Any employee who is absent more than three days due to a personal or family illness must submit a medical certification from a qualified health care provider confirming the specific dates of the illness, the reason for the illness, and, in the case of personal illness - the employee's fitness to return to work. Consult policy and/or appropriate negotiated agreements for guidance on submission of any request.

For further information regarding benefits, please contact the **HR Department payroll clerk**.

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act (ADAAA) are federal laws that require employers with 15 or more employees to not discriminate against applicants and individuals with disabilities and, when needed, to provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position. It is the Mineral County School District policy 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 the organization's policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment. Beyond its legal obligations, Mineral County School District is committed to providing accommodations that will allow its employees with disabilities to contribute at the highest levels.

## **CHANGE OF ADDRESS AND / OR PHONE NUMBERS**

It is important that employment records be kept up to date. Employees should notify the Payroll Office if there are any changes or corrections to their name, home address, home telephone number, marital status, emergency contact, or beneficiary. Forms to process a change in personal information can be obtained from your supervisor's office.

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

Employees who have been employed by the district for at least 12 months - and have worked at least 1,250 hours in the 12 months immediately preceding the need - are eligible for family and medical leave. Eligible employees can take up to 12 weeks of unpaid leave each year between July 1 and June 30 ~~for the following reasons:~~

- ~~• The birth, adoption, or foster placement of a child.~~
- ~~• To care for a spouse, parent, or child with a serious health condition, or;~~
- ~~• An employee's serious health condition.~~

~~Eligible employees are entitled to continue their health care benefits under the same terms and conditions as when they were on the job and are entitled to return to their previous job or an equivalent job at the end of their leave. Under some circumstances, teachers who are able to return~~

~~to work at or near the conclusion of a semester may be required to continue their leave until the end of the semester.~~

Family and medical leave runs concurrently with accrued sick and personal leave. Accumulated leave will be used as family and medical leave, except in the case of employees who are receiving workers' compensation wage benefits.

~~When the need for family and medical leave is foreseeable, employees who want to use it must provide 30-day advance notice of their need. When the need for leave is not foreseeable, employees must contact the Superintendent's Office as soon as possible. Employees may be required to provide the following:~~

- ~~• Medical certification from a qualified health care provider supporting the need for leave due to a serious health condition affecting the employee or an immediate family member;~~
- ~~• Second or third medical opinions and periodic recertification of the need for leave;~~
- ~~• Periodic reports during the leave regarding the employee's status and intent to return to work;~~
- ~~• Medical certification from a qualified health care provider at the conclusion of leave of an employee's ability to perform the essential job functions.~~

~~Employees requiring family and medical leave should contact the Payroll Clerk for details on eligibility, requirements, and limitations.~~

#### **PEST CONTROL TREATMENT**

Notices of planned pest control treatment will be emailed and posted in the district building 48 hours before the treatment begins. ~~Notices are generally located on the front door of the building to be treated. Pest control information sheets are available from campus principals or facility managers upon request. Employees are prohibited from applying any pesticide or herbicide without appropriate training and prior approval of school's principal. Any application of pesticide or herbicide must be done in a manner prescribed by law.~~

#### **SAFETY REQUIREMENTS**

All employees shall wear their identification badges and adhere to District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.

#### **TOBACCO USE**

~~Tobacco use is strictly prohibited on all District properties under all circumstances. Employees shall not use tobacco products on District premises, in District vehicles, nor in the presence of students at school or school-related activities.~~

#### **VISITORS IN THE WORKPLACE**

All visitors are expected to enter any district facility through the main entrance and sign in or report to the building's main office. Authorized visitors will receive directions or be escorted to their destination. Employees are prohibited from allowing visitors to enter through any other doors but the main door. Employees who observe an unauthorized individual on the district premises should immediately direct him or her to the building office or contact the administrator in charge.

#### **IDENTIFICATION AND RIGHT TO REJECT**

~~Identification may be required of any person on school property. The Board or its designee may refuse to allow persons having no legitimate business to enter school property, and may reject any undesirable person from the property upon his refusal to leave peaceably on request.~~