

Basic Work Week (Auxiliary Staff) Code No. 700.00

The days and hours per day (and length of the work year) for auxiliary staff shall be set annually by the Superintendent of Schools and approved by the School Board. When conditions warrant, the Superintendent has the authority to alter these schedules as needed. (e.g. The assignment of duty evenings for school activities and whenever the buildings or portions of the buildings have been rented. The Superintendent also has the authority to reduce hours or change schedules when, in the opinion of the Superintendent, conditions warrant such actions.)

*Adopted: 10/16/01*

*Revised: 3/19/02*

*Revised: 5/21/02*

Jury Duty (Auxiliary Staff) Code No. 705.00

An auxiliary staff member who is selected for jury duty shall be granted the day or days necessary as stipulated by the Court, to discharge this responsibility without any salary deduction or loss of basic leave allowance. The compensation received for jury duty service shall be remitted to the School District.

*Adopted: 10/16/01*

*Revised: 3/19/02*

*Revised: 5/21/02*

Sick Leave (Auxiliary Staff) Code No. 710.00

Sick leave is granted to auxiliary staff employees at the rate of 15 days per year (accrues 1.25 days per month) based on their normal or usual workday, cumulative to 70 days per employee. Sick leave shall be pro-rated at a daily rate in accordance with each individual's contracted yearly, monthly or hourly salary. Up to 3 sick leave days may be used per school year in the event of school cancellations. An Employee Leave Request must be completed, signed by the employee, and presented to the administration for each absence.

*Adopted: 10/16/01*

*Revised: 3/19/02*

*Revised: 5/21/02*

*Revised 7/15/13*

Donation of Sick Leave (All Staff) Code No. 711.00

An employee may donate up to 2 days (days are based on the employee's regular hours) of their accumulated sick leave per year to another employee. Said employee is not limited to how many other employees he/she may donate to. However, any employee receiving donated sick leave time shall be limited to 20 days maximum per year not to extend for more than 2 years.

*Adopted: 2/17/15*

Bereavement Leave (Auxiliary Staff) Code No. 712.00

Up to five (5) days shall be allowed for a death in the employee's immediate family. These days shall be deducted from the employee's accumulated sick leave. Immediate family is defined as spouse, parents, siblings, children, grandparents and grandchildren and those of the spouse. Additional days may be granted at the discretion of the Superintendent, depending upon the circumstances relating to said death and shall also be deducted from the staff employee's

accumulated sick leave. One day shall be granted for each incident for the death of a non-immediate family member or that of a friend. These days shall be deducted from the employee's accumulated sick leave.

*Adopted: 10/16/01*

*Revised: 3/19/02*

*Revised: 5/21/02*

Personal Day (Auxiliary Staff) Code No. 713.00

One (1) day of personal leave shall be provided each year to be used for the employee's personal business. Such leave shall be granted under the following guidelines:

1. An Employee Leave Request must be submitted to the Superintendent/Administration at least three (3) working days in advance of the requested leave. (This item may be waived in emergency situations with approval of the Superintendent/administration.)
2. No more than one (1) person per department in each building may be gone on the same day.
3. Personal leave will not be granted for the day before or after holidays and vacations, on the first or last days of the student school year, and during the last ten (10) days of the school year or summer work schedule unless the reason put in writing on an employee's leave request form and approved by the Superintendent.

*Adopted: 10/16/01*

*Revised: 3/19/02*

*Revised: 5/21/02*

Serious Illness in the Immediate Family Code No. 714.00

Leave will be allowed to auxiliary staff employees in cases of a serious illness to a member of the employee's immediate family. Immediate family is defined as spouse, parents, siblings, children, grandparents and grandchildren and those of the spouse. These days shall be deducted from the employee's accumulated sick leave. If sick leave runs out or is not available, the day(s) will be unpaid leave. The specific amount of leave for this purpose shall be granted as determined by the Superintendent.

*Adopted: 10/16/01*

*Revised: 3/19/02*

*Revised: 5/21/02*

Vacation (Auxiliary Staff) Code No. 715.00

Auxiliary staff personnel employed on a 12 month basis shall be granted vacation at a pro-rated amount in accordance with each individual's normal work schedule. All other employees will not receive a paid vacation. Vacation days shall be granted as follows:

1. After one year of employment – 5 days;
2. After two years of employment – 10 days;
3. After ten years of employment – 15 days;
4. After twenty years of employment – 20 days.

All requests for vacation days must be submitted in writing to the Superintendent of Schools at least five (5) working days prior to the request for vacation leave. The Superintendent has the authority to approve or alter vacation schedules according to the needs of the District.

Employees need to use their vacation days from the preceding year by October 1<sup>st</sup> (2000-2001 must be used by October, 2001) or the days will be lost.

*Adopted: 10/16/01*

*Revised: 3/19/02*

*Revised: 5/21/02*

Holidays (Auxiliary Staff)

Code 720.00

Twelve (12) month employees shall have the following holidays off with pay: New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Eve Day and Christmas Day. In the event that the holiday falls on a Sunday, the following Monday shall be observed for that holiday or if any of the above holidays fall on a Saturday, the preceding Friday. School closing due to emergency conditions will be regarded as regular workdays for 12 month employees.

*Adopted: 10/16/01*

*Revised: 3/19/02*

*Revised: 5/21/02*

Group Health Insurance (Auxiliary Staff)

Code No. 725.00

Group health insurance is available to all auxiliary staff personnel who work 20 or more hours per week and who qualify for such coverage according to the provisions of the policy as written between the School District and insurance carrier and who are enrolled in the School District plan subject to the following provisions:

1. Auxiliary staff employed on a full-time 12 month contract shall receive the same health insurance coverage as the teaching staff receives. Full time is determined to mean a regular schedule of 40 hours per week and shall be referred to as one (1) FTE
2. Auxiliary staff employed on a full time 9 month contract shall be determined to mean three-quarter (3/4) or .75 FTE. \*
3. Auxiliary staff employed more than 20 hours but less than 40 hours will receive a district contribution towards premium proportionate to the equivalent FTE. For example, a 20 hour employee is considered ½ time and will receive ½ of the premium benefit awarded to a full time FTE.

\*The maximum cost of the minimum value health insurance plan (Group no. 1027344) to 9 month contract auxiliary staff will be calculated on an annual basis to be in compliance with Affordable Care Act requirements. This amount will be approved by the School Board annually.

*Adopted: 10/16/01*

*Revised: 3/19/02*

*Revised: 5/21/02*

*First Reading Revision – June 21, 2004*

*Second Reading Adoption – July 19, 2004*

*Revised: First Reading – Oct. 16*

*Second Reading – Nov.20*

Group Life Insurance Code No. 728.00

All auxiliary staff employees who work 20 hours or more per week will be provided with a \$10,000.00 term life insurance policy paid by the District.

*Adopted: 10/16/01*

*Revised: 3/19/02*

*Revised: 5/21/02*

Personnel Retirement (Auxiliary Staff) Code No. 730.00

Auxiliary personnel will be retired according to state statutes governing such matters.

*Adopted: 10/16/01*

*Revised: 3/19/02*

*Revised: 5/21/02*

Job Description (Auxiliary Staff) Code No. 735.00

All auxiliary staff personnel will be provided with a job description for their assigned areas of duty.

*Adopted: 10/16/01*

*Revised: 3/19/02*

*Revised: 5/21/02*

Personnel Evaluation (Auxiliary Staff) Code No. 740.00

No later than the May meeting of the School Board, the Superintendent of Schools shall present to the Board, an evaluation of each employee not being recommended for retention unless circumstances dictate a different time frame for such a recommendation.

*Adopted: 10/16/01*

*Revised: 3/19/02*

*Revised: 5/21/02*

Discipline, Suspension & Dismissal of School District Employees Code No. 745.00

**Purpose:** The purpose of this policy is to achieve the effective operation of the school district's program through the cooperation of all employees under a system of policies and rules applied fairly and uniformly.

**General Statement of Policy:** The disciplinary process described herein is designed to utilize progressive steps, where appropriate, to produce positive corrective action. While the school district intends that in most cases progressive discipline will be administered, the specific form of discipline chosen in a particular case and/or the decision to impose discipline in a manner otherwise, is solely within the discretion of the school district.

**Discipline:**

**Violation of School Laws and Rules:** The form of discipline imposed for violations of school laws and rules may vary from an oral reprimand to termination of employment or discharge depending upon factors such as the nature of the violation, whether the violation was intentional, knowing and/or willful and whether the employee has been the subject of prior disciplinary action of the same or a different nature. School laws and rules to which this provision applies:

1. policies of the school district;

2. directives and/or job requirements imposed by administration and/or the employee's supervisor; and
3. federal, state and local laws, rules and regulations, including, but not limited to, the rules and regulations adopted by federal and state agencies.

**Substandard Performance:** An employee's substandard performance may result in the imposition of discipline ranging from an oral reprimand to termination of employment or discharge. In most instances, discipline imposed for the reason of substandard performance will follow a progressive format and will be accompanied by guidance, help and encouragement to improve from the employee's supervisor and reasonable time for correction of the employee's deficiency.

**Misconduct:** Misconduct of an employee will result in imposition of discipline consistent with the seriousness of the misconduct. Conduct which falls into this category includes, but is not limited to:

1. unprofessional conduct;
2. failure to observe rules, regulations, policies, and standards of the school district and/or directives and orders of supervisors and any other act of an insubordinate nature;
3. continuing neglect of duties in spite of oral warnings, written warnings and or other forms of discipline;
4. personal and/or immoral conduct;
5. use of illegal drugs, alcohol or any other chemical substance on the job or any use off the job which impacts on the employee's performance;
6. deliberate and serious violation of the rights and freedom of other employees, students, parents or other persons in the school community;
7. activities of a criminal nature relating to the fitness or effectiveness of the employee to perform the duties of the position;
8. failure to follow the canons of professional and personal ethics;
9. falsification of credentials and experience;
10. unauthorized destruction of school district property;
11. other good and sufficient grounds relating to any other act constituting inappropriate conduct;
12. neglect of duty;
13. violation of the rights of others as provided by federal and state laws related to human rights.

**Forms of Discipline:**

The forms of discipline that may be imposed by the school district include, but are not limited to:

1. oral warning;
2. written warning or reprimand;
3. probation;
4. disciplinary suspension, demotion or leave or absence with pay;
5. disciplinary suspension, demotion or leave of absence without pay; and
6. dismissal/termination or discharge from employment.

Other forms of discipline, including any combination of the form described in the preceding paragraph may be imposed if, in the judgment of the administration, another form of discipline

will better accomplish the school district's objective of stopping or correcting the offending conduct and improving the employee's performance.

**Procedures for Administering Policy:** In an instance where any form of discipline is imposed, the employee's supervisor will:

1. advise the employee of any inadequacy, deficiency or conduct which is the cause of the discipline, either orally or in writing. If given orally, the supervisor will document the fact that an oral warning was given to the employee specifying the date, time and nature of the oral warning.
2. provide directives to the employee to correct the conduct or performance.
3. forward copies of all writings to the administrator in charge of personnel for filing in the employee's personnel file;
4. allow a reasonable period of time, when appropriate, for the employee to correct or remediate the performance or conduct;
5. specify the expected level of performance or modification of conduct to be required from the employee.

The school district retains the right to immediately discipline, terminate or discharge an employee as appropriate, subject to relevant governing law and collective bargaining agreements where applicable.

*Adopted: 10/16/01*

Veteran's Preference; Hiring

Code No. 750.00

**Purpose:** The purpose of this policy is to comply with Minnesota Law mandating preference points for veterans applying for employment with political subdivisions.

**General Statement of Policy:** It is the school district's policy to comply with Minnesota Law regarding veteran's preference rights and the mandating of preference points to veterans and spouses of deceased veterans or disabled veterans.

Veteran preference points will be applied pursuant to applicable law as follows:

1. there shall be added to the competitive open examination rating of a non-disabled veteran, who so elects, a credit of five points provided that the veteran obtained a passing rating on the examination without the addition of the credit points;
2. there shall be added to the competitive open examination rating of a disabled veteran, who so elects, a credit of ten points provided that the veteran obtained a passing rating on the examination without the addition of the credit points;
3. there shall be added to the competitive promotional examination rating of a disabled veteran, who so elects, a credit of five points provided that the veteran obtained a passing rating on the examination without the addition of the credit points and the veteran is applying for a first promotion after securing public employment.

Eligibility for veteran's preference and definition of veteran will be pursuant to applicable law.

It is the school district's policy to use a 100-point hiring system to enable allocation of veteran preference points.

*Adopted: 10/16/01*

## Employment Background Checks

Code No. 755.00

**Purpose:** The purpose of this policy is to maintain a safe and healthful environment in the school district in order to promote the physical, social and psychological well being of its students. To that end, the school district will seek a criminal history background check for applicants who receive an offer of employment with the school district or such other background checks as provided by this policy. The cost of the background check to be the expense of the employee. The school district may also elect to do background checks of volunteers in the school district.

**General Statement of Policy:** The school district shall require that applicants for school district positions who receive an offer of employment submit to a criminal history background check. The offer of employment shall be conditioned upon a determination by the school district that an applicant's criminal history does not preclude the applicant from employment with the school district.

The school district specifically reserves any and all rights it may have to conduct background checks regarding current employees or applicants without the consent of such individuals.

Adherence to this policy by the school district shall in no way limit the school district's right to require additional information, or to use procedures currently in place or other procedures to gain additional background information concerning employees, applicants and volunteers.

**Procedures:** Normally an individual will not commence employment until the school district receives the results of the criminal history background check. The school district may conditionally hire an individual pending completion of the background check, but shall notify the individual that the individual's employment may be terminated based on the results of the background check. Background checks are currently performed by Trusted Employees, however, the school district reserves the right to also have criminal history background checks conducted by other organizations or agencies.

An individual who is offered employment will be sent a link to the Trusted Employees web site where they must complete the information necessary for district to conduct a criminal history background check. Payment should be made on line at the time the information is provided. If the individual fails to provide complete the information requested in the link, the individual will be considered to have voluntarily withdrawn the application for employment.

When required, candidates must provide fingerprints to assist in a criminal history background check. If the fingerprints provided by the candidate are unusable, the candidate will be required to submit another set of prints.

Copies of this policy shall be available in the school district's employment office and will be distributed to applicants for employment upon request. The need to submit to a criminal history background check may be included with the basic criteria for employment in the job posting and job advertisements.

The applicant will be informed of the results of the criminal background check to the extent required by law.

If the criminal background check precludes employment with the school district, the individual will also be so advised.

The school district may apply these procedures to volunteers as though they were applicants for employment.

*Adopted: 10/16/01*

*Revised: 2/17/15*

Employee Right to Know – Exposure to Hazardous Substances Code No. 760.00

**Purpose:** The purpose of this policy is to provide school district employees a place of employment and conditions of employment free from recognized hazards that are likely to cause death or serious injury or harm.

**General Statement of Policy:** It is the policy of this school district to provide information and training to employees who may be routinely exposed to a hazardous substance, harmful physical agent or infectious agent.

**Target Job Categories:** Training will be provided to all full and part-time employees who are routinely exposed to a hazardous substance, harmful physical agent or infectious substance as set forth above.

**Training Schedule:** Training will be provided to employees before beginning a job assignment as follows: (a) any newly hired employee assigned to a work area where he or she is determined to be “routinely exposed” under the guidelines above; and (b) any employee reassigned to a work area where he or she is determined to be routinely exposed under the above guidelines.

*Adopted: 10/16/01*

Family and Medical Leave Policy Code No. 765.00

**Purpose:** The purpose of this policy is to provide for family and medical leave to school district employees in accordance with Family & Medical Leave Act and also with parenting leave under state law.

**General Statement of Policy:**

**Twelve Week Leave.** Regular full time and part-time employees who have been employed by the school district for at least 12 months and have worked at least 1250 hours during the 12 month period immediately preceding the commencement of the leave are entitled to a total of 12 work weeks of unpaid family or medical leave during the applicable 12 month period as defined below, plus any additional leave as required by law. Leave may be taken for one or more of the following reasons in accordance with applicable law: (1) birth of the employee’s child; (2) placement of an adopted or foster child with the employee; (3) to care for the employee’s spouse, son, daughter, or parent with a serious health condition; and/or (4) the employee’s serious health condition makes the employee unable to perform the functions of the employee’s job.

For the purpose of this policy, “year” is defined as a rolling 12 month period measured backward from the date an employee uses any leave.

A “serious health condition” typically requires either inpatient care or continuing treatment by or under the supervision of a health care provider, as defined by applicable law. Family & medical

leave generally is not intended to cover short term conditions for which treatment and recovery are very brief.

Eligible spouses employed by the school district are limited to an aggregate of twelve weeks of leave during any 12 month period for the birth or adoption of a child, the placement of a child for foster care or to care for a parent. This limitation for spouses employed by the school district does not apply to leave taken by one spouse to care for the other spouse who is seriously ill, to care for a child with a serious health condition, or because of the employee's own serious health condition.

Depending on the type of leave, intermittent or reduced schedule leave may be granted in the discretion of the school district or when medically necessary. However, part-time employees are only eligible for a pro-rata portion of leave to be used on an intermittent or reduced schedule basis, based on their average hours worked per week. Where an intermittent or reduced schedule leave is foreseeable based on planned medical treatment, the school district may transfer the employee temporarily to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave than does the employee's regular position and which has equivalent pay and benefits.

If an employee requests a leave for the serious health condition of the employee or the employee's spouse, child or parent, the employee will be required to submit sufficient medical certification. In such a case, the employee must submit the medical certification within 15 days from the date of the request or as soon as practicable under the circumstances.

If the school district has reason to doubt the validity of a health care provider's certification, it may require a second opinion at the school district's expense. If the opinions of the first and second health care providers differ, the school district may require certification from a third health care provider at the school district's expense. An employee may also be required to present a certification from a health care provider indicating that the employee is able to return to work.

Requests for leave shall be made to the school district. Employees must give 30 days written notice of a leave of absence where practicable. Employees are expected to make a reasonable effort to schedule leaves resulting from planned medical treatment so as not to disrupt unduly the operations of the school district, subject to and in coordination with the health care provider.

During the period of a leave permitted under this policy (which does not exceed a total of 12 work weeks in the applicable 12 month period), the school district will provide health insurance under its group health plan under the same conditions would have been provided had the employee not taken the leave. The employee will be responsible for payment of the employee contribution to continue group health insurance coverage during the leave. An employee's failure to make necessary and timely contributions may result in termination of coverage.

The school district may request or require the employee to substitute accrued paid leave for any part of the 12 week period. Employees may be allowed to substitute paid leave for unpaid leave by meeting the requirements set out in the administrative directives and guidelines established for implementation of this policy, if any. Employees eligible for leave must comply with the family and medical leave directives and guidelines prior to starting leave. It shall be the responsibility of the superintendent to develop directives and guidelines as necessary to

implement this policy. Such directives and guidelines shall be submitted to the school board for annual review. The school district shall comply with written notice requirements as set forth in federal regulations.

Employees returning from a leave permitted under this policy (which does not exceed a total of 12 work weeks in the applicable 12 month period) are eligible for reinstatement in the same or an equivalent position as provided by law. However, the employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the leave.

An employee who does not return to work after leave may, in some situations, be required to reimburse the school district for the cost of the health plan premiums paid by it.

The provisions of this policy are intended to comply with applicable law including the Family and Medical Leave Act of 1993 and applicable regulations. Any terms used from the FMLA will have the same meaning as defined by the Act and/or applicable regulations. To the extent that this policy is ambiguous or contradicts applicable law, the language of the applicable law will prevail.

The requirements stated in the collective bargaining agreement between employees in a certified collective bargaining unit and the school district regarding family and medical leaves (if any) shall be followed.

Six Week Leave. An employee who does not qualify for leave under the Twelve Week Leave section may qualify for a six week unpaid parenting leave for birth or adoption of a child. The employee may qualify if he or she has worked for the school district for at least 12 consecutive months and has worked an average number of hours per week equal to one-half full time equivalent. This leave is separate and exclusive of the family and medical leave described in preceding paragraphs.

**Special Rules for Instructional Employees.** An instructional employee is one whose principle function is to teach and instruct students in a class, a small group, or an individual setting. This includes, but is not limited to, teachers, coaches, driver's education instructors, and special education assistants.

Instructional employees who request foreseeable medically necessary intermittent or reduced work schedule leave greater than twenty percent of the work days in the leave period may be required to: (1) take leave for the entire period or periods of the planned medical treatment; or (2) move to an available alternative position for which the employee is qualified, and which provides equivalent pay and benefits, but not necessarily equivalent duties.

Instructional employees who request continuous leave near the end of a semester may be required to extend the leave through the end of the semester. The number of weeks remaining before the end of a semester does not include scheduled school breaks, such as summer, winter or spring break.

1. If an instructional employee begins leave for any purpose more than five weeks before the end of a semester and it is likely the leave will last at least three weeks,

the school district may require that the leave be continued until the end of the semester.

2. If an employee begins leave for a purpose other than the employee's own serious health condition during the least five weeks of a semester, the school district may require that the leave be continued until the end of the semester if the leave will last more than two weeks or if the employee's return from leave would occur during the last two weeks of the semester.
3. If the employee begins leave for a purpose other than the employee's own serious health condition during the last three weeks of the semester and the leave will last more than five working days, the school district may require the employee to continue taking leave until the end of the semester.

The entire period of leave taken under the special rules will be counted as leave. The school district will continue to fulfill the school district's leave responsibilities and obligations, including the obligation to continue the employee's health insurance and other benefits, if an instructional employee's leave entitlement ends before the involuntary leave period expires.

*Adopted: 10/16/01*

Mandated Reporting of Child Neglect or Physical or Sexual Abuse Code No. 770.00

**Purpose:** The purpose of this policy is to make clear the statutory requirements of school personnel to report suspected child neglect or physical or sexual abuse.

**General Statement of Policy:** It is the policy of the school district to fully comply with M.S. 626.556 requiring school personnel to report suspected child neglect or physical or sexual abuse.

It shall be in violation of this policy for any school personnel to fail to report instances of child neglect or physical or sexual abuse when the school personnel knows or has reason to believe a child is being neglected or physically or sexually abused or has been neglected or physically or sexually abused within the preceding three years.

**Reporting Procedures:** A mandated reporter as defined herein shall immediately report the neglect or physical or sexual abuse which he or she knows or has reason to believe is happening or has happened within preceding three years to the local welfare agency, police department or county sheriff (within 24 hours).

If the immediate report has been made orally, by telephone or otherwise, the oral report shall be followed by a written report within 72 hours (exclusive of weekends or holidays) to the appropriate policy department, the county sheriff, or local welfare agency. The written report shall identify the child, any person believed to be responsible for the abuse or neglect of the child if the person is known, the nature and extent of the abuse or neglect and the name and address of the reporter.

A person mandated by Minnesota Law and this policy is to report who knows or has reason to believe that a child is neglected or physically or sexually abused, as defined by Minnesota Law and this policy, or has been neglected or physically or sexually abused within the preceding three years, and fails to report is guilty of a misdemeanor, and such a failure to report may result in discipline.

Submission of a good faith report under Minnesota Law and this policy will not adversely affect the reporter's employment or the child's access to school.

Any person who knowingly or recklessly makes a false report under the provisions of applicable Minnesota Law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury, and the reckless making of a false report may result in discipline. The court may also award attorney's fees.

**Investigation:** The responsibility for investigating reports of suspected neglect or physical or sexual abuse rests with the appropriate county agency or agencies. The investigating agency may interview the child at school. The interview may take place outside the presence of a school official. The investigating agency, not the school, is responsible for either notifying or withholding notification of the interview to the parent, legal guardian, or guardian the contents of the notification or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation or assessment has been concluded.

When the investigating agency determines that an interview should take place on school property, written notification of intent to interview the child on school property will be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct an interview on school property.

Except where the alleged perpetrator is believed to be a school official or employee, the time and place, and manner of the interview on school premises shall be within the discretion of school officials, but the local welfare or law enforcement agency shall have the exclusive authority to determine who may attend the interview. The conditions as to time, place and manner of the interview set by the school officials shall be reasonable and the interview shall be conducted not more than 24 hours after the receipt of the notification unless another time is considered necessary by agreement between the school officials and the local welfare or law enforcement agency. Every effort must be made to reduce the disruption of the educational program of the child, other students, or school employees when an interview is conducted on school premises.

Where the alleged perpetrator is believed to be a school official or employee, the school district shall conduct its own investigation independent of the local welfare or law enforcement agency.

**Physical or Sexual Abuse as Sexual Harassment or Violence:** Under certain circumstances, alleged physical or sexual abuse may also be sexual harassment or violence under Minnesota Law. If so, the duties relating to the reporting and investigation of such harassment or violence may be applicable.

*Adopted: 10/16/01*

#### Drug and Alcohol Testing

Code No. 775.00

**Purpose:** The school board recognizes the significant problems created by drug and alcohol use in society in general, and the public schools in particular. The school board further recognizes the important contribution that the public schools have in shaping the youth of today into the adults of tomorrow.

It is the belief of the school board that a work environment free of drug and alcohol use will not only be safer, healthier, and more productive, but will also be more conducive to effective learning. Therefore, to provide such an environment, the purpose of this policy is to provide authority so that the school board may require all employees and/or job applicants to submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in federal law and M.S. 181.950 through 181.957.

**General Statement of Policy:** All school district employees and job applicants whose positions require a commercial driver's license will be required to undergo drug and alcohol testing in accordance with federal law and the applicable provisions of this policy.

The school district may request or require that any school district employee or job applicant, other than an employee or applicant whose position requires a commercial driver's license, submit to drug and alcohol testing in accordance with provisions of this policy and as provided in M.S. 181.950 through 181.957.

The use, possession, sale, purchase, transfer or dispensing of any drugs not medically prescribed is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school sponsored program or event. Use of drugs which are not medically prescribed is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of drugs which are not medically prescribed are prohibited from entering or remaining on school district property.

The use, possession, sale, purchase, transfer or dispensing of alcohol is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school sponsored program or event. Use of alcohol is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of alcohol are prohibited from entering or remaining on school district property.

Any employee who violates this section shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge.

*Adopted: 10/16/01*

#### Gifts to Employees

Code No. 780.00

**Purpose:** The purpose of this policy is to avoid the appearance of impropriety or the appearance of a conflict of interest with respect to gifts given to school district employees. "Gift" means money, real or personal property, a service, a loan, a forbearance or forgiveness of indebtedness, or a promise of future employment, that is given without something of equal or greater value being received in return.

**General Statement of Policy:** The school district recognizes that students, parents and others may wish to show appreciation to school district employees. It is the policy of the school district, however, to discourage gift giving to employees, and to encourage donors instead to write letters and notes of appreciation or to give small tokens of gratitude as memorabilia.

It shall be a violation of this policy for any employee to solicit, accept or receive either by direct or indirect means, a gift from a student, parent or other individual or organization of greater than nominal value.

It shall be a violation of this policy for any employee to solicit, accept or receive a gift from a person or entity doing business with or seeking to do business with the school district. Employees may accept items of insignificant value of a promotional or public relations nature. The superintendent has discretion to determine what value is "insignificant".

Teachers may accept from publishers free samples of textbooks and related teaching materials.

This policy applies only to gifts given to employees where donor's relationship with the employee arises out of the employee's employment with the school district. It does not apply to gifts given to employees by personal friends, family members, other employees or others unconnected to the employee's employment with the school district.

Any employee considering the acceptance of a gift shall confer with the administration for guidance related to the interpretation and application of this policy.

*Adopted: 10/16/01*

#### Equal Employment Opportunity

Code No. 785.00

**Purpose:** The purpose of this policy is to provide equal employment opportunity for all applicants for school district employment and school district employees.

**General Statement of Policy:** It is the school district's policy to provide equal employment opportunity for all applicants and employees. The school district does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, age, family care leave status or veteran status. The school district also makes reasonable accommodations for disabled employees.

The school district prohibits the harassment of any individual for any of the categories listed above. For information about the types of conduct that constitute impermissible harassment and the school district's internal procedures for addressing complaints of harassment, please refer to the school district's policy on harassment and violence.

This policy applies to all areas of employment including hiring, discharge, promotion, compensation, facilities or privileges of employment.

It is the responsibility of every school district employee to follow this policy.

Any person having questions regarding this policy should discuss it with the Superintendent of Schools.

*Adopted: 10/16/01*

#### Disability Nondiscrimination Policy

Code No. 790.00

**Purpose:** The purpose of this policy is to provide a fair employment setting for all persons and to comply with state and federal laws.

**General Statement of Policy:** The school district shall not discriminate against qualified individuals with disabilities, because of the disabilities, with regard to job application procedures, hiring, advancement, discharge, compensation, job training, or any other term, condition, or privilege of employment.

The school district shall not engage in contractual or other arrangements that have the effect of subjecting its qualified applicants or employees with disabilities to discrimination on the basis of disability. The school district shall not exclude or otherwise deny equal jobs or job benefits to a qualified individual because of the known disability of an individual with whom the qualified individual is known to have a relationship or association.

The school district shall make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless accommodations would impose undue hardship on the operation of the business of the school district.

Any job applicant or employee wishing to discuss the need for a reasonable accommodation, or other matters relating to a disability or the enforcement and application of this policy, should contact the Superintendent of Schools.

*Adopted: 10/16/01*

#### Public and Private Personnel Data

Code No. 795.00

**Purpose:** The purpose of this policy is to provide guidance to school district employees as to the data the school district collects and maintains regarding its personnel.

**General Statement of Policy:** All data on individuals collected, created, received, maintained or disseminated by the school district, which is classified by statute or federal law as public, shall be accessible to the public pursuant to the procedures established by the school district.

All other data on individuals is private or confidential.

**Public Personnel Data:** The following information on employees, including volunteers and independent contractors, is public:

1. name, actual gross salary, salary range, contract fees, actual gross pension;
2. the value and nature of employer paid fringe benefits;
3. the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary;
4. job title, job description, education and training background;
5. previous work experience, date of first and last employment;
6. the existence and status of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in a disciplinary action;
7. the final disposition of any disciplinary action, as defined in M.S. 13.43, Subd. 2(b), together with the specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the school district;
8. the terms of any agreement settling any dispute arising out of the employment relationship, including superintendent buyout agreements, except that the

- agreement must include specific reasons for the agreement if it involves the payment of more than \$10,000 of public money;
9. work location, work telephone number, badge number, honor and awards received;
  10. payroll time sheets or other comparable data that are used only to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other not public data; and
  11. city and county of residence.

Personnel data may be disseminated to labor organizations to the extent the school district determines it is necessary for the labor organization to conduct its business or when authorized by the Commissioner of the Bureau of Mediation Services.

The following information on applicants for employment or advisory board/commission is public:

1. veteran status, relevant test scores, rank on eligible list, job history;
2. education and training and work availability.

Names of applicants are private data except when certified as eligible for appointment to a vacancy or when they become finalists for an employment position.

Names and home addresses of applicants for appointment to and members of an advisory board/commission are public.

Regardless of whether there has been a final disposition as defined in M.S. 13.43, Subd. 2(b), upon completion of an investigation of a complaint or charge against a public official, as defined in M.S. 13.43, Subd. 2(e), or if a public official resigns or is terminated from employment while the complaint or charge is pending, all data relating to the complaint or charge are public, unless access to the data would jeopardize an active investigation or reveal confidential sources.

**Private Personnel Data:** All other personnel data is private and will only be shared with school district staff whose work requires such access. Private data will not be otherwise released unless authorized by law or by the employee's informed written consent.

Data created, collected or maintained by the school district to administer employee assistance programs are private.

Parking space leasing data is private.

The school district may display a photograph of a current or former employee to prospective witnesses as part of the school district's investigation of any complaint or charge against the employee.

The school district may, if the responsible authority or designee reasonably determines that the release of personnel data is necessary to protect an employee from harm to self or to protect another person who may be harmed by the employee, release data that are relevant to the concerns for safety to: (1) the person who may be harmed and to the attorney representing the person when the data are relevant to obtaining a restraining order; (2) a pre-petition screening

team conducting an investigation of the employee under M.S. 253B.07, Subd. 1; or (3) a court, law enforcement agency or prosecuting authority.

A complainant has access to a statement provided by the complainant to the school district in connection with a complaint or charge against an employee.

The school district shall make any report to the board of teaching or the state board of education as required by M.S. 125.09, Subd. 4, and shall, upon written request from the licensing board having jurisdiction over a teacher's license, provide the licensing board with information about the teacher from the school district's files, any termination or disciplinary proceeding, and settlement, or compromise, or any investigative file in accordance with M.S. 125.09, Subd. 4.

**Multiple Classifications:** If data on individuals is classified as both private and confidential by Chapter 13 or any other state or federal law, the data is private.

**Change in Classifications:** The classification of data in the possession of the school district shall change if it is required to do so to comply with other judicial or administrative rules pertaining to the conduct of legal actions or with a specific statute applicable to the data in the possession of the disseminating or receiving agency.

**Responsible Authority:** The school district has designated the Superintendent of Schools as the authority responsible for personnel data. If you have any questions call the Superintendent's office at 320-848-2233.

**Employee Authorization/Release Form:** An employee authorization form is included as an addendum to this policy.

**EMPLOYEE AUTHORIZATION FOR RELEASE OF INFORMATION**

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RE: Personnel Records of \_\_\_\_\_  
\_\_\_\_\_  
(Date of Birth and/or Social Security Number)

This is your full and sufficient authorization, pursuant to Minn. Stat. Sec. 13.05, Subd. 4 and Minn. Rules 1205.1400, Subd. 4, to release to **Buffalo Lake – Hector - Stewart School, #2159**, their representatives or employees, all information pertaining to (describe)

\_\_\_\_\_ maintained by the employer school district, with the following exceptions: \_\_\_\_\_

\_\_\_\_\_ The information is needed for the purpose of (specify) \_\_\_\_\_

This authorization specifically includes records prepared prior to the date of this authorization and records prepared after the date of this authorization, such records to be used only for the purpose specified. I do not authorize re-release of this information by the third party.

I understand that I may revoke this consent in writing at any time. Upon the fulfillment of the above-stated purpose, this consent will automatically expire without my express revocation. A photocopy of this authorization will be treated in the same manner as the original.

Dated: \_\_\_\_\_  
\_\_\_\_\_  
Signature of Employee

ATTENTION PUBLIC FACILITIES: Minnesota Statutes Section 13.05 requires automatic expiration of this authorization one (1) year from the date of authorization.