SHAWNEE MISSION
SCHOOL DISTRICT

PERSONNEL POLICIES FOR EXEMPT CLASSIFIED EMPLOYEES

2026-2027

SHAWNEE MISSION SCHOOL DISTRICT
8200 W. 71st St.
SHAWNEE MISSION, KANSAS 66204 913-993-6200

NOTICE OF NON-DISCRIMINATION

The Shawnee Mission School District is strongly committed to maintaining an educational environment and workplace that is free from discrimination, harassment, and retaliation in admission or access to, or treatment or employment in, its programs, services, activities, and facilities. The District will provide equal opportunity in all areas of education, recruiting, hiring, retention, promotion, and contracted service. The District strictly prohibits discrimination and harassment against students, employees, or others on the basis of race, creed, religion, color, national origin, ancestry, age, sex, sexual orientation, gender identity, disability, genetic information, or any statutorily prohibited basis. Any form of discrimination or harassment toward any person associated with the District, regardless of where the conduct occurs, is a violation of Board policy. The District also strictly prohibits retaliatory actions against those who engage in protected activities.

The District's non-discrimination policy (Policy AC) can be found on its website: https://www.smsd.org/about/board-of-education

The following people are designated to jointly serve as the District's Compliance Coordinator. Questions about filing a complaint or the grievance process, and reports or questions about discrimination, harassment, or retaliation, may be directed to the Compliance Coordinator.

Robert Shackelford Director of Student and Family Services 8200 W. 71st Street Shawnee Mission, KS 66204 (913) 993-6200 robertshackelford@smsd.org	Rachel England General Counsel 8200 W. 71st Street Shawnee Mission, KS 66204 (913) 993-6200 rachelengland@smsd.org

All employees are required to immediately report any conduct that could constitute discrimination, harassment, or retaliation to the Compliance Coordinator.

All students, parents, visitors, community members, contractors, and others must immediately report any conduct that could constitute discrimination, harassment, or retaliation to the Compliance Coordinator, or to any District employee with whom they are comfortable discussing the conduct.

Inquiries or reports of discrimination, harassment, or retaliation also may be made to:

U.S. Department of Education Office for Civil Rights (OCR)
Phone: 816-268-0550
Fax: 816-268-0559
TTY: 800-877-8339
E-mail: OCR.KansasCity@ed.gov

U.S. Equal Employment Opportunity Commission (EEOC)
Phone: 800-669-4000
TTY: 800-669-6820
E-mail: info@eeoc.gov

U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights
Phone: 866-632- 9992
Fax: 202-690-7442
TTY: 800-877-8339
E-mail: CR-INFO@ascr.usda.gov

U.S. Department of Justice
Phone: 877-292-3804
Fax: 202-514-8337
TTY: 202-514-0716
E-mail: AskDOJ@usdoj.gov

Kansas Human Rights Commission (KHRC)
Phone: 785-296-3206
Fax: 785-296-0589
TTY: 785-296-0245
Email: khrc@ks.gov

PERSONNEL POLICIES FOR EXEMPT CLASSIFIED EMPLOYEES

Nothing in these policies is intended, nor should be construed, as a contract of employment, nor shall these policies be deemed to create any promise or expectation of continued employment on the part of any employee. This policy book is not all-inclusive and is intended as a set of guidelines.

STAFF - STUDENT RELATIONS BOARD POLICY GAF

Staff members shall maintain professional relationships with students which are conducive to an effective educational environment. Staff members shall not submit students to bullying, harassment, or discrimination, prohibited by board policy. Staff members shall not have any interaction of a romantic and/or sexual nature with any student at any time regardless of the student’s age or consent.

TABLE OF CONTENTS

I. PERSONNEL POLICY PROVISIONS 1

II. GENERAL EMPLOYMENT PROVISIONS 2

A. DEFINITIONS 2

B. EMPLOYMENT REQUIREMENTS AND PROCEDURES 2

C. NEW EMPLOYEE ORIENTATION 4

D. ADMINISTRATIVE TRANSFERS AND REASSIGNMENTS 4

E. VACANCY POSITIONS 4

F. INTERNAL APPLICATIONS 4

G. INTERVIEWS AND SELECTIONS 5

H. EMPLOYEE PERFORMANCE EVALUATIONS 6

I. EMPLOYEE PERSONNEL FILES 7

III. SALARY ADMINISTRATION AND PAY PROCEDURES 7

A. PLACEMENT ON SALARY SCHEDULE 7

B. CLASSIFICATION OF NEW POSITIONS 7

C. DESIGNATED WORK DAY, WEEK AND YEAR 8

D. PAYCHECKS WILL BE ISSUED MONTHLY 8

E. PERSONNEL/PAYROLL INFORMATION CHANGES 8

F. LONGEVITY PAY SCHEDULE 8

IV. EMPLOYEE GUIDANCE AND DISCIPLINE 9

A. GENERAL PROVISIONS 9

B. EMPLOYEE DISCIPLINE 9

V. EMPLOYEE RESPONSIBILITIES 9

A. REQUIREMENTS AND PROCEDURES UPON SEPARATION FROM EMPLOYMENT 9

B. NO SHOW/NO CALL RESIGNATIONS 10

C. EMERGENCY SCHOOL CLOSINGS 10

D. ABSENCE REPORTING 11

E. ATTENDANCE 12

F. DUTY TO REPORT CRIMINAL OFFENSES 12

VII. EMPLOYEE BENEFITS 12

A. INSURANCE 12

B. CASH OPTION 13

C. KPERS 13

D. 403(B) AND 457 PROGRAMS-TAX SHELTERED ANNUITIES/MUTUAL FUNDS 13

E. LIABILITY INSURANCE 13
F. PAID HOLIDAYS 13
G. REIMBURSEMENT OF PERSONAL PROPERTY 14
VIII. EMPLOYEE LEAVE 14
A. ACCUMULATIVE TEMPORARY LEAVE 14
1. GENERAL PROVISIONS 14
2. APPLICATION FOR TEMPORARY LEAVE 15
3. ACCUMULATIVE TEMPORARY LEAVE IS TO BE USED FOR THE FOLLOWING 15
A) SICK LEAVE 15
B) USE OF ACCUMULATED VACATION LEAVE IN LIEU OF SICK LEAVE 15
C) HOLIDAYS OCCURRING DURING PERIOD OF ILLNESS 15
D) PHYSICIAN'S WRITTEN STATEMENT 16
E) USE OF SICK LEAVE TO CARE FOR FAMILY MEMBERS 16
B. PERSONAL LEAVE 16
C. VACATION LEAVE 18
D. NON-ACCUMULATIVE LEAVE 19
1. BEREAVEMENT LEAVE 19
2. JUDICIAL LEAVE (WITH SALARY ADJUSTMENT) 20
3. MILITARY LEAVE 20
4. FAMILY AND MEDICAL LEAVE (FMLA) 21
5. PROFESSIONAL LEAVE 21
6. ADMINISTRATIVE LEAVE 21
E. WORKERS' COMPENSATION LEAVE 22
F. PUBLICATION 420 24

This information pertains to the exempt classified employees of Unified School District No. 512, Johnson County, State of Kansas, hereafter referred to as Shawnee Mission School District or the district.

I. PERSONNEL POLICY PROVISIONS

1. The procedures and guidelines established by these policies shall not constitute nor be considered as an employment contract. The terms and provisions of these policies may be changed, altered, amended or deleted at any time, with or without notice, at the sole discretion of the Shawnee Mission School District Board of Education. Each employee is responsible for becoming and remaining informed with regard to the contents of this manual. Clarifying questions should be directed to the immediate supervisor or an appropriate administrator.

2. Shawnee Mission School District has and retains all rights to manage its business whether heretofore or hereafter exercised and regardless of the frequency or infrequency of its exercise, including but not limited to the exclusive right in accordance with its judgment and subject to applicable statutes and regulations to:

    A. reprimand, suspend, discharge, or otherwise discipline employees;

    B. hire, promote, demote, transfer, assign, layoff, and recall employees to work;

    C. judge the employee's skill, efficiency, effectiveness and qualifications;

    D. determine the employee's work schedule and the annual work calendar;

    E. revise, eliminate, combine or establish jobs and classifications;

    F. maintain the efficiency of employees, control and regulate the use of equipment and other property of the district;

    G. determine the number, size, location, and operation of facilities and sections, departments, groups or divisions thereof;

    H. subcontract and determine the services to be rendered, bought or sold;

    I. determine the assignment of work and the size and composition of the workforce;

    J. make change, and enforce policies, rules, procedures and practices;

    K. establish work performance standards, evaluate employees' work performance, and establish employees' compensation; and

    L. introduce technological changes, new, improved or modified work methods, techniques, and equipment, and otherwise generally manage, direct and supervise the work force.

3. Violation of any policy shall be grounds for disciplinary action including demotion or dismissal.

4. Any employee who believes that a policy contained herein has been violated or misinterpreted by district administrative action may file a complaint in accordance with the complaint procedures established with these policies. The complaint procedure is not applicable for disciplinary action or termination of employment.

5. The superintendent of schools, at any time deemed necessary or proper for the purpose of implementation or enforcement of these policies, may adopt, amend, or rescind written administrative rules, procedures, or practices consistent with these guidelines and procedures. Such written rules, procedures, or practices shall be effective on the date(s) specified by the superintendent of schools (or designee). Copies of such written rules, procedures, or practices shall be located within each school, facility and department within the district and placed on record in the classified personnel office together with these guidelines and procedures.

II. GENERAL EMPLOYMENT PROVISIONS

A. Definitions

1. The “exempt classified personnel” of the Shawnee Mission School District shall include all persons employed in positions which are assigned to one of the established exempt classified salary schedules.

2. These positions have been designated as exempt in accordance with the provisions of the Fair Labor Standards Act. This determination was made based upon the duties and responsibilities of the position and reviewed by the manager of human resources.

3. Exempt employees are not required to receive overtime pay or compensatory time off for working in excess of forty (40) hours in any workweek.

4. Exempt employees are paid on an established monthly salary basis, and their pay is not reduced for partial day absences.

B. Employment Requirements and Procedures

1. All employees new to the district are required to provide the classified personnel office the following information and documents after acceptance of an employment offer, and prior to beginning work:

    a. Certificate of health for school personnel;

    b. Employee’s withholding allowance certificate form W-4 and K-4;

c. Immigration and naturalization service form I-9, and/or other required documents;

d. social security card;

e. oath or affirmation of officer or employee;

f. personal data information;

2. The following forms must be returned to the benefit office within ten (10) days of beginning employment:

a. Shawnee Mission School District compensation reduction agreement (if eligible for the Section 125 employee benefits plan);

b. Shawnee Mission School District medical/death benefit enrollment form (if eligible) and

c. State of Kansas Public Employees' Retirement System school enrollment application (if eligible).

d. Physical examination requirements, K.S.A. 72-5213 (2004). Certification of health for school personnel:

"Every board of education shall require all employees of the school district, who come in regular contact with the pupils of the school district, to submit a certification of health on a form prescribed by the secretary of health and environment and signed by a person licensed to practice medicine and surgery under the laws of any state, or by a person who is licensed as a physician assistant under the laws of this state when such person is working at the direction of or in collaboration with a person licensed to practice medicine and surgery, or by a person holding a certificate of qualification to practice as an advanced registered nurse practitioner under the laws of this state when such person is working at the direction of or in collaboration with a person licensed to practice medicine and surgery. The certification shall include a statement that there is no evidence of physical condition that would conflict with the health, safety, or welfare of the pupils; and that freedom from tuberculosis has been established by chest x-ray or negative tuberculin skin test. If at any time there is reasonable cause to believe that any such employee of the school district is suffering from an illness detrimental to the health of the pupils, the school board may require a new certification of health."

The expense of obtaining certification of health will be borne by the school

employee. The employee may attend orientation prior to the completion of their health form however, they are not permitted to report to their work assignment nor will they be paid until the classified personnel office receives the completed form.

C. New Employee Orientation

1. The Personnel Policies for Exempt Classified Employees will be posted on-line and the location will be given to all new employees at orientation. It is the responsibility of the employee to read and become familiar with all information contained in these policies.

2. Each new classified employee must attend an orientation conducted by the classified personnel office or designee prior to beginning work.

3. Other special orientation sessions may also be required, as determined by the administration.

D. Administrative Transfers and Reassignments

1. Transfers of employees to a different position, building, or work assignment may be recommended by the building principal or department head to the Director of Classified Human Resources or department designee if the administrator feels the best interests of the district would be served by such transfer. The district reserves the right to make such transfers at any time with or without cause.

2. Proposed transfers of employees must be approved prior to the effective date by the Director of Classified Human Resources or department designee.

3. All employees to be transferred will be given at least five (5) working days' notice of the transfer except in emergency situations. If an emergency occurs and a transfer must be made immediately, the employee(s) involved will be notified by the office of classified personnel at once and will be provided written notice of the transfer by the Director of Classified Human Resources or department designee within five (5) working days of the effective date.

E. Vacancy Postings

1. In most instances, regular classified position vacancies will be posted on the district web site for a period of at least five (5) working days, until the position has been filled. However, the district reserves the right not to post all vacancies.

F. Internal Applications

1. A person currently employed by the district who wishes to apply for a currently posted classified job vacancy may do so by submitting an internal application on

the district website.

2. Employees may only be considered for vacancies if they comply with the requirement for written notification and if they meet the minimum qualifications for the vacant position to which they want to be considered.

3. Employees must have satisfactorily completed the 90-day performance trial period in their current position in order to be eligible to apply for a current vacancy. This policy can only be waived by the Director of Classified Human Resources or designee.

4. The employee's internal application only entitles them to be considered for an interview for the vacant position. Internal applications will only apply to the stated position vacancy and will not be used in consideration for other positions. Lateral internal applications may not be accepted three weeks prior to the first day of school and three weeks after the first day of school unless approved by the Director of Classified Human Resources or department designee. Lateral positions are defined as any position within the same job classification. However, current employees may apply for promotional opportunities during this time.

5. The hiring administrator will contact selected applicants to schedule individual interviews.

6. When an internal candidate is selected to fill a vacant position, their supervisor will be notified by the classified personnel office. No transfers will be made in less than two weeks unless the two administrators involved agree to a different time period.

G. Interviews and Selections

1. Candidates may have skills tests administered which are job related and appropriate to the position(s).

2. The appropriate hiring administrator will determine which applicants they will consider for the vacancy, including current employees who have submitted an internal application.

3. The appropriate hiring administrator or supervisor will conduct interviews and determine the applicant (internal or external) who best meets the current needs associated with the vacancy.

4. When a selection decision has been made, the hiring administrator will forward a recommendation to hire and require reference check forms to the classified personnel office. All other documentation concerning the screening and interview

process will be retained by the hiring administrator for three (3) years. The classified personnel office will make the job offer to the successful candidate in accordance with board policies. No person is authorized to make job offers other than staff members of the Human Resources Department. The Director of Classified Human Resources or department designee shall determine the beginning salary to be offered to the successful candidate.

H. Employee Performance Evaluations

The Shawnee Mission School District is interested in employing and retaining the best personnel possible. In order to maintain a high standard of performance, an employee performance evaluation system has been established.

1. A ninety (90) calendar day initial evaluation period for new employees is required. This initial performance evaluation period has been established to assess the new employee's ability to competently perform the responsibilities of their position. Successful completion of the initial evaluation does not change the employee's status from that of an employee at will. Initial evaluations which indicate that the employee has failed to meet district standards will be sent to the Director of Classified Human Resources or department designee with a written recommendation for termination of employment. A meeting will be scheduled, if deemed necessary, by the Director of Classified Human Resources or department designee. Employees who are transferred or promoted within the district will also serve an initial performance evaluation period of the duration indicated above.

2. Employees who are transferred or promoted to another position in the district will be evaluated by their immediate supervisor and receive a written performance appraisal no later than the end of the 90-day evaluation period in their new position.

3. All employees who have successfully completed their initial evaluation trial period in their current position will be evaluated by their immediate supervisor and receive at least one written performance appraisal each year by April 15. Employees who are hired and begin employment after January 1, will only be required to have a 90-day evaluation prior to April 15.

4. Written performance appraisals will be reviewed and discussed with the employee by the evaluator. The appraisal will be reviewed and signed by the department head prior to being presented to the employee. Both the evaluator and the employee are to sign and date the appraisal form or document. The employee's signature does not necessarily indicate agreement with the contents of the appraisal, but is to verify that it has been reviewed, discussed, and that the employee has received a copy and is aware that it will be placed in their official personnel file. Employees may submit a written response to the appraisal for inclusion with the appraisal in their official personnel file.

5. Written performance appraisals will be made on the format authorized by the Human Resources Department and available on the district website.

I. Employee Personnel Files

Documents which employees wish to be included should be sent, with instructions, to the classified personnel office. It is the responsibility of each employee to provide any documentation desired for inclusion in their official personnel file. This pertains to all job-related documents including but not limited to in-service training, educational classes, seminars, correspondence, workshops, and professional organizations. The Human Resources Administrator will determine what information is appropriate for inclusion in the personnel file.

III. SALARY ADMINISTRATION AND PAY PROCEDURES

A. Placement on Salary Schedule

1. All salary schedules are subject to the approval of the board of education and placement of employees on salary schedules are subject to budget limitations. The current exempt classified salary schedules will be posted on the district website.

2. Placement of employees on the appropriate salary schedule will be determined by the Director of Classified Human Resources or department designee for all classified employees. Such salary schedule placement shall be made based upon consideration of the experience, qualifications, and skills of the successful candidate, consideration of internal salary equity, market skills and consideration of budgetary limitations.

3. Employees with a beginning date of district employment prior to April 1 shall be eligible for a step increase at the beginning of the next fiscal year. (July 1) If the beginning date of district employment is April 1 or later, the employee will remain on their current step for the next fiscal year.

4. No employee will be paid more than the maximum rate of the salary range to which their position is assigned. Exceptions to this policy require the approval of the superintendent of schools.

B. Classification of New Positions

A job description for a new position will be prepared by the appropriate administrator and submitted to the Director of Classified Human Resources or department designee. The Director of Classified Human Resources or department designee recommends the

assignment of new positions to the classified salary schedules and grades. New positions will not be posted or filled until the job description has been provided and all paperwork has been finalized.

C. Designated Work Day, Week and Year

1. The workday for each employee will be determined by the immediate supervisor.

2. The work year is defined within the district's fiscal year, beginning July 1 each year and concluding June 30 each year. The number of working days for each position is based on the requirements of the position.

D. Paychecks Will Be Issued Monthly

E. Personnel/Payroll Information Changes

1. It is the employee's responsibility to notify their immediate supervisor, and the classified personnel office in writing of any changes in name, address, or telephone number. Failure to do so may result in misdirection or delay in sending and processing paychecks, income tax forms, or employee benefits information.

2. Any changes in deductions or cancellations of deductions must be submitted in writing and received in the payroll office prior to the cutoff date for the specific pay period for which the change is made effective.

F. Longevity Pay Schedule

To recognize the past and future contribution made by the long-term classified employee to the district, a classified employee will be provided a longevity bonus. The longevity bonus will be paid in one lump sum in the spring of the calendar year the employee qualifies.

The bonus will be:

$300 after 10 years of employment
$350 after 15 years of employment
$400 after 20 years of employment
$450 after 25 years of employment
$500 after 30 years of employment
$550 after 35 years of employment
$600 after 40 years of employment
$700 after 45 years of employment

Years of service will be determined by the current hire date of the classified employee. Service must be continuous. The years of service will be calculated by subtracting the current hire date from the current year. If a classified employee was on an approved leave of absence, this time will be considered and counted towards the years of service.

VII. EMPLOYEE GUIDANCE AND DISCIPLINE

A. General Provisions

1. In instances of substandard work performance or misconduct by exempt classified employees, guidance and/or disciplinary actions may be necessary. In some instances the performance level or misconduct may be deemed to warrant immediate dismissal.

2. Each situation in which guidance or discipline may be necessary is unique. Therefore, supervisors are expected to identify and consider all pertinent aspects of each individual situation, such as mitigating circumstances, employee explanations, the employee's past record, and the seriousness of the present situation. These factors should be reviewed and considered by supervisors while determining which actions are appropriate to recommend and/or implement. Guidance, or discipline when necessary, should always be appropriate to the problem or incident.

3. A conference between the supervisor and the employee is suggested before any guidance is provided or disciplinary action is taken or recommended. During such a conference, the supervisor and employee should openly discuss the facts and circumstances related to the problem or incident.

4. The Director of Classified Human Resources or department designee should be consulted before proceeding with any type of disciplinary action including suspensions with or without pay and terminations.

B. Employee Discipline

When an employee demonstrates inappropriate conduct and/or inadequate performance , a disciplinary process may become necessary, including any or all of the actions below.

1. A written building, department, or district summary of conference
2. A written building, department or district reprimand
3. Suspension with pay
4. Suspension without pay
5. Termination

VIII. EMPLOYEE RESPONSIBILITIES

A. Requirements and Procedures Upon Separation From Employment

1. The district expects a written notice of resignation from an employee to be given to their immediate supervisor and the classified personnel office at least two (2) weeks

prior to the last day of attendance at work, which is considered the final day of employment.

2. In case of resignation or termination of an employee, it is expected that all district property will be returned to the employee's immediate supervisor or the classified personnel office.

3. According to K.S.A. 44-315, the following will apply: "Whenever an employer discharges an employee, or whenever an employee quits or resigns, the employer shall pay the employee's earned wages not later than the next regular payday upon which the employee would have been paid if still employed as provided under K.S.A. 44-314, either through the regular pay channels or by mail postmarked within the deadlines herein specified if requested by the employee."

4. Upon termination of employment, an employee may apply after the last day on the payroll for a return of contributions made to the Kansas Public Employees' Retirement System (KPERS).

B. No Show/No Call Resignations

1. Any exempt classified employee who fails to report for work for three (3) consecutive scheduled workdays, and who fails to properly notify their immediate supervisor of the reasons(s) for such absence from work may be deemed to have voluntarily resigned from employment with the district.

C. Emergency School Closings

1. In the event that the Superintendent determines severe weather conditions require district buildings to be closed, non-essential staff members will not report to work but will receive their normal daily pay. This provision, for non-essential staff, shall be limited to the number of "emergency closing days" built into the district calendar or as determined necessary by the Superintendent of Schools. Those determined, based on weather conditions and/or district needs, to be essential staff members (most commonly custodial, maintenance and grounds staff), will report for duty according to their regular shift start time unless otherwise notified by their immediate supervisor.

Plan A Emergency School Closing

Classified staff members determined, based on weather conditions and/or district needs, to be essential staff members (most commonly custodial, maintenance and grounds staff), will report for duty once travel conditions have been determined safe enough to do so. These staff members (reporting to work) will be compensated for 8 hours of Admin Leave, in addition to one and one-half their normal hourly rate of pay or compensatory time for the amount of hours they work that day. When the compensatory time option is selected, staff members will work with their immediate supervisor to ensure time earned is used appropriately.

Plan B Emergency School Closing

Classified classroom support staff (paraprofessionals and aides) and food service will not report to work.

Building secretarial staff and CAA staff will work remotely at the discretion of their supervisor.

Maintenance and custodial staff should report to work at their regular shift start time unless otherwise notified by their immediate supervisor.

In the event it is determined that weather conditions allow, and it is in the district's best interest for additional staff to report, staff members will be notified accordingly and will be compensated in accordance with their regular contract pay. Additional staff may include classroom teachers (and other licensed staff), classified, instructional support, language interpreter staff and office/clerical support staff.

Plan C Emergency School Closing

Maintenance, custodial and food service staff will receive information regarding their shift start time from their immediate supervisor.

All other classified staff members should report to work 2 hours after their normal shift start time. A maximum of 2 hours of "admin leave" will be applied to the employee's timecard for the work day.

2. In the event that students are dismissed early during the school day, all employees are expected to remain on their regular daily work schedule (unless otherwise determined – see below).

3. With the approval from the Superintendent, if the building administrator, manager or director feels it is necessary for safety reasons to release teachers, secretarial/clerical staff, aides, language interpreters, paraprofessionals and/or other employees from duty early, such decisions shall be announced to all employees. However, employees may not be released from duty until all students have exited the campus, or in the case of extra-curricular activities, are properly supervised. For the purpose of this procedure, "early release" is defined as any release of employees from work prior to the end of the employee's daily work shift. In an "Emergency Early Release of Students and Staff", administrative, certified and classified personnel will be released from duty without loss of pay for their full, regularly scheduled workday.

D. Absence Reporting

1. Exempt classified employees are required to use the current Shawnee Mission School District Attendance Management System to record their absences.

2. Absences must be reported to a supervisor as instructed, in addition to reporting absences in the system.

3. Proper written approvals are also required as explained elsewhere in policy.

E. Attendance

1. Employees must report to work regularly and on time.

F. Duty to Report Criminal Offenses

1. Per board policy GAPB - All employees are required to immediately (within 24 hours) notify the Associate Superintendent of Human Resources in writing if they are arrested, charged with, or convicted of any misdemeanor or felony. Minor traffic citations issued while driving a personal vehicle do not have to be reported, but traffic citations related to driving under the influence are considered a criminal offense that must be reported. In accordance with Policy EDAA, employees must report all accidents and/or citations issued by law enforcement officials that occur while the employee is using a district-owned vehicle to his or her immediate supervisor.

2. The district will evaluate all instances in which an employee has been arrested, charged with, or convicted of any misdemeanor or felony and determine whether the employee can continue to be actively employed in his/her current position.

IX. EMPLOYEE BENEFITS

A. Insurance

1. Employees working 20 hours or more per week are eligible to participate in the district's group health insurance plan. These employees are eligible for the district to pay an amount determined by the board toward any district group health insurance plan. Eligibility begins the first day of the calendar month following 30 calendar days of eligible employment.

2. Employees working 20 hours or more per week are eligible to participate in any of the district's group insurance plans. Eligibility begins the first day of the calendar month following 30 calendar days of eligible employment. The district does not contribute to any of these plans. Employee paid premiums are treated as Section 125 Cafeteria contributions. Those plans include:

    - Dental
    - Vision
    - Medical/Child Care Reimbursement Plans

B. Cash option

1. Employees hired prior to 7-1-1990 had the option to take cash in lieu of health insurance. They may continue to have that option and receive $1200 per year. If they choose to switch to Plan B for the district paid health insurance they may not switch back.

C. Kansas Public Employees Retirement System (KPERS)

1. Membership is mandatory for all regular employees working three and one-half hours (3.5) per day or at least 630 hours per year. Employee contributions to the system are fixed by statute. Go to www.kpers.org for additional KPERS information.

D. 403(b) and 457 Programs - Tax Sheltered Annuities/Mutual Funds

1. Employees working 20 hours or more per week are eligible to participate in the district's 403(b) and 457 programs. Amounts contributed will not be subject to federal or state income taxes at the time of the contributions. See the district website for further information.

E. Liability Insurance

1. The board of education shall provide a comprehensive liability insurance coverage for all employees while acting within the scope of their duties.

F. Paid Holidays

1. Exempt classified employees working 261 or more work-day calendars will be paid for the holidays designated below which occur within their work schedule as set forth by the approved school calendar each year:

Labor Day	Memorial Day
Martin Luther King's Birthday	Christmas Eve
Wednesday Before	Juneteenth
Thanksgiving Day	Christmas Day
President's Day	Independence Day
Thanksgiving Day and the	New Year's Eve
Friday after	New Year's Day

2. If any of the designated holidays fall on Saturday or Sunday, the employee will be granted one (1) day preceding or following the holiday. If any of the above holidays fall on Tuesday, the employee will be given the Monday immediately preceding the holiday, and if any of the above holidays fall on Thursday, the employee will be given Friday

immediately following the holiday, as an extension of the holiday. Christmas and New Year's holidays are an exception to this rule and will not be extended regardless of which day of the week they may fall.

3. In order to receive payment for the holiday, or the extension of the holiday as defined above, employees must work on the workday immediately preceding and the workday immediately following the holiday or the extension of the holiday, unless the employee is not scheduled to work on those days. However, approved leave may be used on the workday immediately preceding and /or the workday immediately following the holiday or the extension of the holiday. Holidays occurring within the period of vacation leave shall not be charged against vacation leave. If the employee is ill on the workday immediately preceding or following the holiday and has accumulated sick leave, the employee shall be paid for the holiday. In addition, a physician's note may be requested by the supervisor.

G. Reimbursement of Personal Property

1. The Board will reimburse any classified employee for clothing or other personal property damaged, destroyed or stolen as a result of violence, assault, or battery sustained in the course of employment while on District property, not to exceed $400 for each incident. This section shall not be construed to be an admission of liability on the part of the District. Request for reimbursement shall be made to the associate superintendent in the area in which the incident occurred, whose determination of whether the particular circumstances involved justify any assistance from the Board, shall be final.

VII. EMPLOYEE LEAVE

A. Accumulative Temporary Leave

1. General Provisions
   Provisions have been made by the board of education for absence from duty by exempt classified employees for temporary leave.

   Temporary leave is earned at the rate of one day per month worked. Exempt classified employees will have their yearly allowance of temporary leave credited at the beginning of the fiscal year (July 1).

   Employees shall be allowed to accumulate any unused portion of their current earned temporary leave without limit, which will be credited as of June 30 of each year. If an employee leaves the district before the end of the year, having used more temporary leave days than the one per month earned, their pay will be adjusted for the prorated amount.

2. Application for Temporary Leave

Each exempt classified employee is responsible for verifying available leave time prior to requesting to use temporary leave. Supervisors may verify available leave time as needed to make decisions regarding leave requests.

Each exempt classified employee is required to have supervisor approval in advance of each period of absence except in the case of sick leave. Leave may not be taken until approval has been received from the appropriate supervisor.

Each exempt classified employee is responsible for reporting the absence in the current Shawnee Mission School District Attendance Management System in a timely fashion.

3. Accumulative temporary leave is to be used for the following purposes:

A. Sick leave

Except as provided elsewhere in these policies, temporary leave granted during each fiscal year (July 1 through June 30) shall be used for absences necessitated because of (1) personal illness, (2) illness or severe injury of employee's spouse or minor dependent children and dependent handicapped adult children when other arrangements cannot be made, or (3) quarantine under the laws of the State of Kansas.

It is the responsibility of all exempt classified employees to notify their immediate supervisors when they are ill and cannot report to work. If an employee is ill and does not properly report their absence , the absence may be handled as an unexcused and unauthorized absence, resulting in a pay dock for the entirety of the missed shift

Absence due to personal injury which occurred in the course of employment duties does not require use of sick leave and is covered elsewhere in these policies under item D of this section, workers' compensation leave.

B. Use of accumulated vacation leave in lieu of sick leave

Any employee having available vacation credit at the time of personal injury or illness may elect to use that vacation credit in lieu of sick leave, provided the request to do so is approved by the supervisor.

C. Holidays occurring during period of illness

Holidays occurring within an employee's period of absence shall not be charged against current or cumulative temporary leave.

D. Physician's written statement

If an employee is absent for any period of time because of personal injury (regardless of whether or not that injury was suffered within the scope of his or her employment), or if an employee is absent due to illness, such employee may be required to present a written physician's statement to the employee's immediate supervisor stating that the employee is physically and/or mentally able to return to duty and verifying the period of incapacity. This statement must be forwarded to the classified personnel office. This procedure shall be followed by all employees at the request of their supervisor or department head.

E. Use of sick leave to care for family members

A maximum of five (5) sick leave days per year may be used to care for an employee's parent who is ill when other arrangements cannot be made. An additional five (5) days of sick leave may be used to care for an ill parent or to care for another family member not listed in 3a. above, on a case-by-case basis as approved by the Director of Classified Human Resources or department designee. In addition, the supervisor may request a physician's statement for verification.

F. Personal Leave

All exempt classified employees are allowed to use Temporary Leave to conduct personal business. All personal leave days will be charged to temporary leave. Personal leave is subject to the following provisions:

(1) Temporary Leave for personal business must be requested at least five (5) calendar days in advance of the leave dates and approval of requested leave days is at the discretion of the employee's immediate supervisor.

(2) Temporary Leave for personal business, except for appearance in a court of law as a litigant when sincere but unsuccessful efforts have been made to reschedule an appearance, is not available under the following conditions for those employees who work less than a 261 day schedule:

(a) the day before or the day following any non-duty or holiday unless the day before or the day following is a non student contact day

(b) during the first and last week of employee's work schedule

(c) work days identified as Professional Learning for classified employees

(d) the last contract day prior to Thanksgiving, Winter and Spring breaks or a holiday

(e) the first contract day following Thanksgiving, Winter and Spring

breaks or a holiday

(f) the Monday following NFL Super Bowl Sunday

(g) because of severe weather when school is in session

(h) in combination with deduct days to extend or circumvent above exemptions

(3) Notwithstanding paragraph (2) above, personal leave may be available:

(a) to attend a high school graduation ceremony of an employee's child or stepchild

(b) to attend a college graduation ceremony of an employee, employee's spouse, or an employee's child or stepchild

(c) to attend a military graduation ceremony or an overseas military deployment ceremony of an employee's spouse, child or stepchild

(d) to attend a classified employee's own wedding or the wedding of a child, step-child, parent, brother, sister, step-brother, step-sister, niece, nephew, or the same relative of the classified employee's spouse or resident of the classified employee's household, or to attend a wedding in which the classified employee's dependent is a member of the wedding party

(4) Unused temporary leave benefits forfeited upon separation

Any employee who separates from employment with the school district will forfeit all temporary leave benefits earned; and, if re-employed by the school district, will start earning benefits as a new employee, subject to approved policy.

(5) Transfers and promotions

An exempt classified employee who transfers or who is promoted within the district automatically transfers any unused accumulative temporary leave.

(6) Payment of unused temporary leave days

An exempt classified employee shall be eligible to receive a $60.00 per day payment for each unused day of current accumulative temporary leave if:

(1) The exempt classified employee has used less than ten (10) days of current temporary leave as of June 30 of the current year; and,

(2) By May 1 of the current year in which application for such credit is made, the exempt classified employee has at least fifty (50) days of accumulated temporary leave, counting unused current temporary leave and temporary leave accumulated prior to the current year; and,

(3) On or before May 1, the eligible exempt classified employee applies online to receive payment for unused current temporary leave credited to his/her account that year. Payment shall be issued by the district within sixty (60) days of the end of the school year.

Temporary leave used by an exempt classified employee during the current year shall first be deducted from current temporary leave (until such leave is exhausted) and then from previously accumulated leave, if any. In no event shall an exempt classified employee in any year receive credit for more than ten (10) days of unused current temporary leave or $600.00.

An eligible exempt classified employee shall not accumulate temporary leave for any leave day for which he/she has been paid a credit.

An eligible exempt classified employee who fails to make application for unused temporary leave credits as provided herein shall thereafter forfeit all rights to claim payment for such credits. A classified employee may accumulate any unused temporary leave for which the classified employee has not been paid a credit.

No payment shall be made to an exempt classified employee for accumulative temporary leave other than as provided in this policy.

B. Vacation Leave

1. Exempt classified employees will have a designated work year of twelve (12) months. Individual positions will be allowed paid vacation of 31 days. The days that the district offices are closed for winter and spring break will be charged to the exempt classified employee's vacation balance, if the employee does not work those days.

2. Individual scheduling of vacation time is done by the employee with the supervisor, and employees may be restricted from taking vacation time during certain periods of time, or for longer than two consecutive weeks, depending on the needs of the department.

3. Paid vacation time may not be allowed unless the employee's request for vacation time is approved by the appropriate supervisor prior to the start of the vacation.

4. Classified exempt employees will have their yearly vacation allowance credited at the start of the fiscal year (July 1). An employee who leaves employment with the district during the year will receive pay for unused vacation on a prorated basis or will have pay deducted for vacation already used in excess of the prorated amount. Classified exempt employees may accumulate vacation days, not to exceed 51 days.

5. An exempt classified employee who transfers or who is promoted within the district automatically transfers any accumulated vacation leave. If an employee is transferred or promoted from a position in which vacation leave is earned to a position which does not earn vacation leave, the employee will be paid out for the vacation time.

6. A current employee who transfers into a position including paid vacation time from a position which does not have vacation eligibility will receive service credit for additional vacation time based on their district seniority.

7. When an employee transfers from a non-exempt vacation eligible position to an exempt position, they bring their accumulated vacation with them to the new position but are still subject to the 51-day accumulation limit.

C. Non-Accumulative Leave

1. Bereavement leave

Employees may use:

- Up to five (5) days for wife, husband, mother, father, sister, brother, daughter, son, or the same relative of the Professional Employee's spouse or resident of the classified employee's household
- Up to three (3) days for step-mother, step-father, daughter-in-law, son-in-law, step-sister, step-brother, grandparent, grandchild, aunt, uncle, niece, nephew, or the same relative of the classified employee’s spouse or resident of the classified employee’s household.
- Use of bereavement leave in excess of the above allotment per occurrence, shall be charged to accumulated temporary leave. Up to a total of five (5) days, per occurrence, may be used without loss of pay until accumulated temporary leave is exhausted. Any exception to this policy would need approval by the Director of Classified Human Resources or department designee. Additionally, documentation may be required by the employee's immediate supervisor.

An employee may be absent for either a full day or a half-day to attend the funeral services of a relative other than those listed above and/or friends, and such leave may be charged to temporary leave. If additional time is needed for travel the employee may use vacation time as available.

A classified employee may be excused without loss of pay, for a period of up to four (4) hours to attend the funeral services of a building coworker. Such absence will not be charged to any Temporary Leave. Leave requests must be approved by the building principal/supervisor.

The employee shall report the bereavement absence giving the relationship for which the bereavement leave was used.

2. Judicial leave (with salary adjustment)

An employee shall be granted leave for jury duty or to appear in a court of law as a subpoenaed witness. The difference between the employee's salary and pay for judicial leave will be paid by the district. Written notification must be made to the personnel/payroll office prior to judicial leave and a written statement of pay received must be submitted at the completion of the leave. No deduction of temporary leave is made for judicial leave.

3. Military leave

A. Leave for military or alternate civilian service, as provided by law or in the regulations of the selective service system will be granted, without pay, to any regular classified employee who is inducted or who enlists in active military or civilian services. This leave shall continue for the duration of the period of actual service and for legally specified period immediately following the honorable discharge or separation of the employee.

B. Within the legally specified period following the honorable discharge or separation, each person desiring reinstatement shall notify the classified personnel office and shall provide evidence of physical fitness and mental competence necessary to fulfill the requirements of the position held at the time leave was granted, or to do such work as may be available.

C. The basis of compensation for any reinstated classified employee shall be the same as that to which the exempt classified employee would have been entitled on the salary schedule for their regular assignment(s) if no leave of absence had been granted and the classified employee had remained in the continuous service of the Shawnee Mission Schools.

D. This leave does not include or guarantee any assignment in addition to, or independent of, the employee's regular classified assignment(s).

E. Every possible consideration and preference in assignment shall be accorded to persons returning to district employment from the armed services.

F. This leave applies only to persons who enter military service, and does not apply to persons who voluntarily seek employment in war industries or other governmental positions.

4. Family and medical leave (FMLA)

Employees may need an extended period of time away from work to care for a family member, care for a covered Service member, to address issues associated with military exigencies, or to recuperate from a serious health condition. If you find yourself in these circumstances, you may request unpaid leave under the Family and Medical Leave Act of 1993 (FMLA). For more information regarding family, medical, or Service member leave, please reference Board Policy on the district website. A notice of employee rights and responsibilities under the Family and Medical Leave Act is included at the end of this handbook.

5. Professional Leave

When arrangements for the employee's absence can be made so that job duties are adequately handled, short periods of professional leave with pay may be allowed to attend educational meetings or conferences. When an employee is a program participant for a professional meeting, or an officer of the organization holding the professional meeting, professional leave will be allowed if:

a) The professional meeting is directly related to the employee's job classification.

b) The request is approved by the employee's immediate supervisor.

Application for professional leave shall be at least two (2) weeks in advance of the planned absence on the approved leave and travel form. Such leave, if approved, will not be charged to the employee's temporary leave.

6. Administrative Leave

There are occasions in which the Superintendent may grant administrative leave to Classified employees for an early dismissal day. In order to be eligible, an employee must report to work for a minimum of 2 hours that day. With supervisor approval, the employee may use personal leave, comp time or vacation leave in combination with the administrative leave for the remainder of their work day, not to exceed their normally scheduled hours. This policy does not apply to Emergency School Closings.

D. Workers' Compensation Leave

All employees are covered by the workers' compensation benefits paid for by the Shawnee Mission School District. If an employee suffers an "on-the-job" accident, the employee must report it without delay to his/her immediate supervisor. All injuries require you to complete an on-line incident report no later than two days after the injury. K.S.A. 44-520 provides that lack of notice within 20 days of the accident may be grounds for the denial of the claim under the workers compensation act.

The board shall have the right to have the employee examined by a physician designated by the board to assist in determining whether the employee is entitled to workers' compensation benefits, and/or to assist in determining the period during which the employee is temporarily unable to perform assigned duties.

Injury leave may be granted to protect an employee against temporary loss of salary when he/she sustained an injury arising out of and during the course of employment which is not the result of the employee's own negligence as determined by the district. In the event of an on-the-job injury to an employee which is determined to be compensable under the current workers' compensation law, the employee will continue to receive their regular wages for the first five (5) regularly scheduled work days following the date of the injury if temporarily unable to perform assigned duties. After the first five (5) working days following the date of injury, the employee has two options if they are unable to return to work due to such injury, unless such injury was caused by a battery in which case the employee will follow #3 below:

1) The employee may elect to use accumulated sick or vacation leave to supplement their income beyond the workers' compensation payments or award made for temporary disability because of said injury. If the employee elects to use accumulated leave, then the employee will have their accumulated leave bank charged on the basis of the supplemental income paid divided by the employee's regular daily pay rate; however, in no case will the leave amount charged exceed one half (1/2) day for each day of absence;

2) The employee may accept only workers' compensation payments or awards, in which case sick or vacation leave will not be charged.

Family and medical leave (FMLA) will be run concurrently with the workers' compensation leave until the twelve (12) weeks allowed are exhausted.

When an employee who is determined to have been injured on-the-job has no accumulated vacation or sick leave available, or has elected to accept only workers' compensation payments or awards as described above, and continues to be unable to perform assigned work, the employee will be placed on a medical leave of absence without pay. This medical leave of absence without pay shall be granted only until such time as the employee is determined to be medically able to perform assigned work, not to exceed one (1) year.

While on such medical leave of absence without pay, the employee may elect to continue group health insurance coverage through the district's current program at the employee's own expense, conditioned upon the district's timely receipt of each monthly premium from the employee.

3) Whenever an employee is absent and receiving temporary total disability benefits under Kansas Workers' Compensation law, as a result of personal injury caused by battery arising out of or in the course of employment, the district shall not charge sick leave. To be eligible for this benefit, the claimant will be expected to submit an affidavit describing the battery and attaching a police report, if such a report has been filed.

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- for incapacity due to pregnancy, prenatal medical care or child birth;
- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son, daughter or parent, who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service-member during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

***The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition".**

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months*, and if at least 50 employees are employed by the employer within 75 miles.

***Special hours of service eligibility requirements apply to airline flight crew employees.**

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA; and
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulation 29 C.F.R. § 825.300(a) may require additional disclosures.

For additional information:
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627
WWW.WAGEHOUR.DOL.GOV

U.S. Department of Labor | Wage and Hour Division

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