BISMARCK PUBLIC SCHOOLS

Support Staff Manual

Revised: July 2026

Equal Employment and Educational Opportunities (Non-Discrimination Notice)

The Bismarck Public School District does not discriminate on the basis of race, color, religion, national origin, ancestry, sex, disability, age, or other status protected by law in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. BPS administrative policy AAC (Nondiscrimination and Anti-Harassment) and regulations AAC-AR1 (Discrimination and Harassment Grievance Procedure) and AAC-AR2 (Title IX Sexual Harassment Grievance Procedure) may be reviewed online at https://www.bismarckschools.org/school-board/district-administrative-policies.

The following person has been designated to handle inquiries regarding the non-discrimination policies and grievance procedures: Stacey Geiger, Human Resource Director/Title IX Coordinator/Section 504 Coordinator 128 Soo Line Drive, Bismarck, ND 58501 Telephone number: (701) 323-4070 or Stacey_Geiger@bismarckschools.org.

Contents

Contents 2

FUNCTIONS OF THIS MANUAL 5

EMPLOYMENT 6

- CONFIDENTIALITY (DEBA) 6
- DRUG- AND ALCOHOL-FREE WORKPLACE (DEAA) 6
- DRUG AND ALCOHOL TESTING FOR EMPLOYEES (DBBA) 6
- EMPLOYEE RELATIONS WITH VENDORS (DEBE) 7
- GIFTS TO DISTRICT PERSONNEL (DEBC) 7
- NONDISCRIMINATION AND ANTI-HARASSMENT (AAC, AAC-AR1, AAC-AR2) 7
- PHYSICAL EXAMINATIONS (DBBB) 8
- POLITICAL ACTIVITIES (ABBDA) 8
- PROMOTION (DFB) 8
- RECRUITMENT, HIRING AND BACKGROUND CHECKS FOR NEW CLASSIFIED PERSONNEL (DBAA) 9
- STAFF CONFLICT OF INTEREST (DEBB) 9
- STAFF INVOLVEMENT IN DECISION MAKING (DGF) 9
- TRANSFERS AND REASSIGNMENT (DFC), (DFC-AR) 10
- TOBACCO FREE SCHOOLS (ABBA) 10

COMPENSATION AND BENEFITS 10

- ABSENCE FROM WORK (DD) 10
- COBRA (DKBE) 11
- EMPLOYEE ASSISTANCE (DGB) 11
- EXPENSE REIMBURSEMENT (DCAD) 11
- INSURANCES 12
- OVERTIME PAY (NON-EXEMPT EMPLOYEES) (DCB) 12
- PAY DAY 12
- PLACEMENT ON THE SALARY SCHEDULE 13
- RETIREMENT CONTRIBUTIONS 14
- LEAVES AND ABSENCES (DD) 14
- CHEMICAL DEPENDENCY LEAVE (DDAC) 15
- FAMILY AND MEDICAL LEAVE (DDAA) 15

JURY AND WITNESS DUTY (DDEA) 15
MILITARY LEAVE (DDBD) 16
POLITICAL LEAVE (DDCA & DDCA-BR) 16
ADMINISTRATIVE LEAVE AND SUSPENSION (DED) 16
TERMINATION OF EMPLOYMENT 17
GENERAL INFORMATION 18
BULLYING (ACEA) 18
EMERGENCY CLOSING/TELEWORK PROCEDURES (ACAA, ACAA-AR1, ACAA-AR2) 18
EVALUATION 19
GENERAL LIABILITY INSURANCE 19
INCIDENT REPORT 19
NURSING MOTHERS 20
OCCUPATIONAL SAFETY (DEAF) 20
PERSONAL PROPERTY REIMBURSEMENT 21
PUBLIC ACCESS TO PERSONNEL RECORDS (DI) 21
RESPONSIBLE USE OF TECHNOLOGY (ACDA & DEAD) 22
RETURN TO WORK PROGRAM 23
SAFETY PROGRAM (ID) 23
SANITARY CLEANUP AND DISPOSAL (ACBB-AR2) 23
SIGNIFICANT CONTAGIOUS DISEASES (ACBB) 24
STAFF DRESS CODE (DEAC) 24
STAFF POWER-DIFFERENTIATED FRATERNIZATION (DEBI) 24
STAFF-STUDENT RELATIONS (NON-FRATERNIZATION) (DEBD) 24
STUDENT CONDUCT, DISCIPLINE, AND CORPORAL PUNISHMENT PROHIBITION (FF) 25
UNEMPLOYMENT INSURANCE 25
VEHICLE INSURANCE 25
VIOLENT AND THREATENING BEHAVIOR (ACE) 25
WEAPONS PROHIBITION ON DISTRICT PROPERTY (DEAG) 26
WELLNESS (ABCC) 26
WHISTLEBLOWER PROTECTION: PROHIBITION AGAINST RETALIATION (ACF) 26
WORKERS COMPENSATION AND OCCUPATIONAL SAFETY (DCABC & DEAF) 27

SUPERINTENDENT'S LETTER TO SUPPORT STAFF

To: Support Staff

Re: Personnel Policies

Bismarck Public Schools has developed a policy manual for support employees in an effort to assist support staff in understanding expectations.

This manual is a guide and reference only. It should not be interpreted as being an amendment, change, or enlargement of any person's agreement with the Bismarck Public School District.

Employees and their supervisors must translate the ideas and principles in this manual into action.

Each support staff employee must familiarize him or herself with the contents of this manual to ensure that all personnel policies are followed fairly and effectively.

Thank you.

FUNCTIONS OF THIS MANUAL

Introduction

This Personnel Policy Manual provides an outline of the basic personnel policies, practices, and procedures in the Bismarck Public School District. It contains general statements of district policy and should not be interpreted as including detailed descriptions of each policy. It does not constitute an express or implied contract or promise that the policies will be applied in all cases, nor should it be seen as altering, amending, or extending any terms of any written employment contract between the employee and the district. The school district reserves the right to add, revoke, or modify policies as needed. While management will strive to keep the manual current, policy changes may occur before this material is revised and re-published. An up-to-date set of policies is available for review online at Bismarck Public Schools Policies.

The Bismarck Public School District publishes the Personnel Handbook as a service to staff. It serves as a useful reference for providing information and answering questions relating to personnel concerns and the operation of the district. The manual provides a brief overview of policy; for more detailed information, please refer to the specific policy. Capitalized letters following some headings indicate the reference code for policies and procedures contained in the policy manual adopted by the Bismarck Public School Board. Policy manuals are available online on the Bismarck Public School website. Links are included with each policy summary, along with links to specific forms mentioned in the policy.

The policies described here are not conditions of employment, and the language is not intended to create a contract between the Bismarck Public School District and its employees.

Policy Management

1. **Responsibility for Manual**: The Human Resources Director is responsible for maintaining and providing access to the manual on the district website.
2. **Policy Review and Updates**: Given the importance of personnel policies and practices, central administration and the School Board will continually review and recommend changes to the district's personnel policies, employee benefit programs, and salary administration programs. Employee input on policies is always welcome and encouraged.
3. **Employee Recommendations**: Any employee may recommend policy changes to the Human Resources Director. Additionally, matters not covered by the manual should be brought to the attention of the Human Resources Director for potential policy formulation if necessary.

EMPLOYMENT

CONFIDENTIALITY (DEBA)

District employees must follow confidentiality requirements under The Family Education Rights and Privacy Act (FERPA) and Individuals with Disabilities Education Act (IDEA). Information considered harmful, an invasion of privacy, or that is personally identifiable information can only be released by the building administrator within the parameters of the law. The release of all directory information must be approved by the Community Relations Director.

DRUG- AND ALCOHOL-FREE WORKPLACE (DEAA)

The District maintains a drug-and alcohol-free workplace and enforces the Drug-Free Workplace Act. The District prohibits employees from:

1. Unlawfully manufacturing, distributing, dispensing, possessing or using a controlled substance or alcohol on district property and grounds, in any vehicle belonging to the District, and at any school-related activity;
2. Knowingly or intentionally aiding or abetting in any of the above activities.

As a condition of employment, each employee shall agree to abide by this policy. Employees shall immediately (or as soon as reasonably practicable, but no later than five days) inform their immediate supervisor or Superintendent when the employee has been [arrested, charged, adjudicated, or] convicted of any drug- or alcohol-related crime or offense. The violation of this policy may result in mandatory participation in the employee assistance program, disciplinary action, including termination and the notification of law enforcement.

All information received by the district as a result of this policy is confidential.

DRUG AND ALCOHOL TESTING FOR EMPLOYEES (DBBA)

Staff who drive district vehicles and transport students are covered by the requirements of the Omnibus Transportation Employee Testing Act. All covered employees are prohibited from using controlled substances and are subject to pre-duty, on-duty, and post-accident alcohol use restrictions contained in federal law.

Employees who violate this policy will be removed from safety sensitive positions and may be terminated from their position with the Bismarck Public School District.

EMPLOYEE RELATIONS WITH VENDORS (DEBE)

Employees are prohibited from endorsing a product on behalf of the District and all purchases must be authorized by the school board or board policy.

Employees cannot make personal purchases through the District or through individual schools.

GIFTS TO DISTRICT PERSONNEL (DEBC)

District employees will not accept an offer of reward or a reward for purchase from individuals or companies who are attempting to do business with the District.

NONDISCRIMINATION AND ANTI-HARASSMENT (AAC, AAC-AR1, AAC-AR2)

The Bismarck Public School District is committed to maintaining a learning and working environment free from discrimination and harassment in all employment and educational programs, activities, and facilities. The District prohibits discrimination and harassment based on a student's, parent's, guardian's, or employee's race, color, religion, sex, national origin, ancestry, disability, age, or other status protected by law. The District also provides equal access to the Boy Scouts and other designated youth groups, as required by federal law.

It is a violation of this policy for any district student, parent, guardian, employee, or third party to discriminate against or harass another district student or employee, based on any status protected by law, if the conduct occurred within the context of an education program or activity, or if the conduct had a continuing effect in the educational setting of a program or activity occurring on or off school district property. The District will not tolerate discrimination or harassment of a district student or employee by a third party. The District also prohibits aiding, abetting, inciting, compelling, or coercing discrimination or harassment; discriminating against or harassing any individual affiliated with another who is protected by this policy and/or law; knowingly making a false discrimination and/or harassment report; and retaliation against individuals who report and/or participate in a discrimination and/or harassment investigation, including instances when a complaint is not substantiated.

The District explicitly prohibits harassment or discrimination based on cultural expressions and practices, including but not limited to cultural attire, language or dialect, traditions, and appearance. This includes protection of culturally significant hairstyles such as braids, locs, twists, long hair, and other styles commonly associated with Indigenous, African American, and other racial, ethnic, or cultural identities. Any verbal, nonverbal, or physical conduct that demeans, mocks, or targets individuals based on these cultural expressions will be treated as a violation of this policy.

The District shall promptly investigate any discrimination, harassment, or retaliation complaint and act on findings as appropriate, or as required by law. Outcomes may include disciplinary measures

such as termination of employment or student expulsion in accordance with administrative policy, law, and, when applicable, the negotiated agreement. Students and employees are expected to fully cooperate in the investigation process. The District will take steps to prevent recurrence of discrimination, harassment, or retaliation and remedy discriminatory effects on the complainant and others, if appropriate.

The following person has been designated to handle inquiries regarding the non-discrimination policies:

Stacey Geiger, Human Resource Director/Title IX Coordinator/Section 504 Coordinator
128 Soo Line Drive, Bismarck, ND 58501
Telephone number is (701) 323-4071.

PHYSICAL EXAMINATIONS (DBBB)

At the post-offer stage of the employment process, the District may require certain categories of final candidates as delineated below and in regulations to submit to a physical, or in the case of commercial bus drivers, furnish valid proof of medical fitness for duty. If the District requires a physical exam, a final job offer shall be contingent on the results of the exam, with the employment decision being made in a nondiscriminatory manner.

Bus Drivers will need to meet all of the health requirements established by law and provide the Assistant Director of Transportation with a copy of their driving record annually.

POLITICAL ACTIVITIES (ABBDA)

The District recognizes that district employees, students, volunteers, and Board members have certain civic rights (e.g., the right to be an active member of a political party of choice; the right to seek, campaign for, and serve in public office; the right to vote). However, in accordance with law, the District prohibits the use of school property, school time and school service for political purposes except as authorized by law and Board approval. Use of the school delivery system for political purposes is also prohibited. Employees shall not use on-duty hours for political purposes and shall observe state law prohibiting political activities by public employees. No District employee or volunteer shall exploit students for political purposes.

PROMOTION (DFB)

It is the policy of the Bismarck Public School Board to consider competent and faithful employees within the district whenever they are qualified for the position. All openings for promotion and/or new positions will be posted on the district website and Human Resources Office and qualified personnel will be given adequate opportunities to make application for such positions. Existing employees are not eligible for Veteran's Preference when applying for internal positions.

RECRUITMENT, HIRING AND BACKGROUND CHECKS FOR NEW CLASSIFIED PERSONNEL (DBAA)

The District is committed to hiring individuals who will best meet the needs of the District to ensure student and staff safety, and in compliance with state and federal law. All classified employees are hired on an hourly rate and not on a contract. The employment of a classified employee shall be at-will.

The District uses a competitive personnel system, after conducting the qualifications screening, which meets the requirements of the Veteran Preference law (NDCC 37-19.1.02). Job offers will be based on the administrators screening process which will include a screening to determine if the applicant meets the minimum qualification, a review of the education, work experience, work history background, fit with position and the district, and a criminal history records check.

STAFF CONFLICT OF INTEREST (DEBB)

Staff must adhere to all state and federal laws regarding conflict of interest. In addition, they need to be alert to and avoid situations which have the appearance of a conflict of interest.

Staff in supervisory roles who possess purchasing authority will sign a Conflict-of-Interest waiver annually. This requirement helps ensure transparency and integrity in the procurement process, preventing any personal or financial interests from influencing business decisions. By signing the waiver, supervisors acknowledge their responsibility to act in the best interest of the district, free from any potential conflicts.

STAFF INVOLVEMENT IN DECISION MAKING (DGF)

The Bismarck Public School Board believes that its major policy decisions should be reached with meaningful participation by the staff in a process which culminates in a recommendation to the Board by the Superintendent. This participation is to be interpreted as contributing to the establishment of policy rather than as setting it, which is a right ultimately reserved to the citizen members of the Board.

Further, the Bismarck School Board believes that major decisions of the administration regarding the overall school program, including curriculum, instruction, and budget, should also be reached with meaningful participation by the staff in the decision-making process. Staff participation in the decision-making process is to be interpreted as non-binding recommendations to decisions by the administration pursuant to the authority delegated by the Bismarck Public School Board.

The Bismarck Public School Board believes that participation by staff in the decision-making process should be conducted in a spirit of cooperation.

The Superintendent will assure that each administrator establishes a written process by which meaningful participation by the staff is sought during the decision-making process on major decisions.

TRANSFERS AND REASSIGNMENT (DFC), (DFC-AR)

Staff interested in transferring to an open position in the District for which they are qualified shall use the online application system. Qualified applicants will be given consideration for vacancies.

Reassignment may occur due to an instruction or district need. The Superintendent or designee has authority to make transfer decisions as outlined in policy.

TOBACCO FREE SCHOOLS (ABBA)

The Bismarck Public School Board is dedicated to providing a healthy environment for staff, students and citizens. Because the use of tobacco is a highly addictive habit usually begun in the adolescent and teen years, the most effective means toward achieving a tobacco-free generation will be prevention of tobacco use by youth through education, positive adult role models and aggressive action to limit and confine available tobacco areas.

Smoking and the use of tobacco products is prohibited in all district buildings and school property, including district-owned vehicles. This also includes buildings and property rented by the school district.

COMPENSATION AND BENEFITS

The type of position to which employees are assigned determines the Support Staff rate of pay. Support Staff positions are categorized by a classification system, which offers a beginning rate and a maximum rate. Benefits are determined by the number of hours per week and the number of weeks per year assigned to a positon. Salary and benefit schedules may be obtained from the employee's supervisor or the Human Resources Office. Salary Schedules

Employees hired after April 1st will not be eligible for pay increases for the next school year.

ABSENCE FROM WORK (DD)

Absence for the employee's own illness, disability, or death in the immediate family shall be charged against his/her cumulative sick leave. "Immediate family" shall be interpreted to include: spouse, son, daughter, father, mother, brother, sister, grandparents, grandchildren, sons or daughters-in-law, uncles or aunts of the employee and employee's spouse or any relative residing in the immediate family of the employee. The employee may, upon specific approval of the

Superintendent, be absent for the purpose of attending the funeral of a close family friend. Time used in this manner will be deducted from accumulated sick leave.

When any member of the immediate household as defined above, is seriously ill, undergoing surgery, or involved in a critical accident, the employee may use sick leave to be with that person.

The employee may find it necessary to be absent from work for such things as dental surgery, broken fillings, repair or replacement of glasses which qualify him/her for sick leave.

COBRA (DKBE)

The federal law, Consolidated Omnibus Budget Reconciliation Act, referred to as "COBRA," allows employees and dependents whose medical insurance would otherwise terminate, to continue the same medical coverage for a specific period of time under certain conditions. Depending on the circumstance, employees and/or their dependents can continue medical coverage for up to 18, 29 or 36 months. Some of the qualifying events are: termination of employment, reduction of hours, divorce, or dependent child is no longer eligible as a dependent under the health plan's eligibility rules. Additional information and cost is on InsideBPS. BCBS COBRA Premium Costs

EMPLOYEE ASSISTANCE (DGB)

The Employee Assistance program, The Standard, provides employee assistance services to all eligible employees and their immediate family members. The Employee Assistance Program (EAP) is a confidential assessment, counseling, and referral service staffed by trained professionals who can help employees and their family members evaluate problems and take positive action to resolve them. The Employee Assistance Program provides up to 6 counseling sessions per incident without cost to employees or their family. Employees can contact the EAP 24 hours a day, 7 days a week by calling 1-888-293-6948.

More information can be found on InsideBPS.

EXPENSE REIMBURSEMENT (DCAD)

Personnel and district officials who incur expenses in carrying out their authorized duties will be reimbursed by the district upon submission of a properly filled out and approved voucher and such supporting receipts in accordance with state law.

All travel reimbursements for mileage, lodging and miscellaneous travel expenses for the current fiscal year must be submitted prior to July 15th each year. Expenses submitted after July 15th will not be reimbursed.

If the hotel and/or conference you are attending offer free meals, you are not eligible to request expense reimbursement from the District. Travel and mileage expense forms may be found in iVisions > District Forms

INSURANCES

Bismarck Public Schools provides a comprehensive program of insurance benefits. The benefits are designed to help meet the needs of the employee and his/her family for protection against health care costs.

Specific details for health care costs and other insurances are available at the Human Resources Office and on InsideBPS. Benefits

OVERTIME PAY (NON-EXEMPT EMPLOYEES) (DCB)

Non-exempt employees, who exceed 40 hours of worktime in a work week, will be compensated at the rate of time and one half. Paid leave, such as holiday, sick or vacation pay, does apply toward work time. Employees who are required to work on a paid holiday, will be compensated at the rate of time and one half.

The workweek begins on 12:00 a.m. on Sunday morning and ends at 11:59 p.m. on Saturday night. The District does not pay overtime based on the hours worked in a single day. Supervisors and employees have the ability to flex an employee's 40 hours within the work week.

The principal or appropriate supervisor shall determine whether it is necessary for nonexempt employees to work overtime hours. Nonexempt employees shall be required to perform all overtime hours assigned to them by their supervisor. Overtime is to be preapproved except in cases of emergency, in which case it must be approved the next workday. Unapproved overtime shall be compensated, but employees may be disciplined for not following the guidelines above.

Support Staff Employees must use the web clock system to track their hours. TimeClock Plus Link

PAY DAY

All support staff are paid every two weeks. The payday schedule can be viewed in iVisions under Payroll/HR forms. iVisions Login

Direct deposit of pay checks is required. Pay stubs are online and can be accessed from the iVisions Login.

PLACEMENT ON THE SALARY SCHEDULE

All new support staff employees will be placed at year 1 on the salary schedule. Support staff employees do not receive credit for prior work experience for placement on the salary schedule. If a support staff employee leaves the District and does not return for a full school year, the employee would be placed at year 1 on the salary schedule. If the support staff employee returns within the year they left employment along with remaining in a similar position, they would receive credit for prior work experience.

Current support staff employees moving to a different type of position, salary schedule placement will be determined by the HR Manager.

Instructional Aide employees who are promoted to a similar position will be placed on the schedule at the new step at the closest hourly rate, which isn't less than their current hourly rate. (Example moving from Instructional Aide I to an Instructional Aide II).

Support staff employees who transfer to a new similar position will be placed on the schedule at the new step at the closest hourly rate, which isn't less than their current hourly rate. (Example moving from Secretary II to Secretary III).

Support staff hired on/after April 1, or beginning a new position on/after April 1, will not be eligible to step for the next fiscal year beginning July 1. They will remain at the step placed when hired.

To remain competitive in a challenging labor market and strengthen recruitment efforts, the district will recognize relevant prior experience for certain hard-to-fill skilled positions, bus drivers, plumbers, HVAC technicians, and electricians. Candidates hired into these roles may be granted credit for verified, directly related experience when determining initial placement on the salary schedule. This approach is intended to address current market conditions, reduce hiring delays, and ensure the district can attract and retain qualified professionals in these critical operational areas.

Bus Drivers, HVAC, Plumber and Electrician positions:

Like Experience:		Lower Level to Higher Level	
2-3 years	Step 3	3-5 years	Step 3
4-5 years	Step 4	6-8 years	Step 4
6 or more years	Step 5	9 or more years	Step 5

RETIREMENT CONTRIBUTIONS

Support Staff are members of the North Dakota Public Employees Retirement System. The rate of contribution is determined by the North Dakota State Legislature.

Non-certified staff currently contribute 7% of salary and the district contributes 9.26% of salary.

Employees hired before January 1, 2020, employee contribution 7% and the district contribution is 8.12% & 1.14% towards health credit (total 9.26%)

ONLY for Employees hired after January 1, 2025, employee contribution (required) 4% and the district contribution (required) 5.26%. Within the 1st 30 days of employment, the employee may elect to increase their contribution up to an additional 3% (total 7%), the district will match up to the additional 3% (total 8.26%).

For more information, contact either the Human Resources Office at the CAB or the NDPERS at 328-3900. Public Employees Retirement System (PERS)

LEAVES AND ABSENCES (DD)

Support staff employees are covered by various leave policies. They include sick leave, vacation leave, personal leave, absence from work, leave of absence and leave without pay. The type and amount of leave depends on the specific position.

New 9-11 month hourly staff employees shall not be granted use or payment of personal leave within the first eight weeks of employment.

To assure the accuracy in daily scheduled hours, the personal leave balance will not be posted until November. Any personal leave taken prior to November, will be deducted from the balance issued.

Upon resignation/retirement, any personal leave balance less than 1 hour will not be paid out.

Additional information is also available on InsideBPS: Benefit Plans

Unpaid Leave

Support staff employees may be allowed to take unpaid leave for vacation with the preapproval of their principal/supervisor.

Employees must use all of their appropriate accrued paid leave prior to use of any unpaid leave.

CHEMICAL DEPENDENCY LEAVE (DDAC)

The District encourages and may mandate employees afflicted by alcoholism and/or a chemical dependency to seek rehabilitative assistance. Sick leave will be granted in accordance with the District's sick leave policy. An employee's return to work will also be handled in accordance with this policy. The district has an Employee Assistance Program to provide employees with resources in these situations.

FAMILY AND MEDICAL LEAVE (DDAA)

In accordance with federal law, eligible employees can take up to 12 weeks of Family and Medical Leave during the calendar year for the birth or placement of a child for adoption or foster care; to care for an immediate family member (spouse, child, or parent) with a serious health condition; or to take medical leave when the employee is unable to work because of a serious health condition.

The leave may be unpaid, paid or combinations of paid and unpaid leave depending on the circumstances. For additional information on eligibility and steps for requesting leave, contact the Human Resources office. In order to make the necessary arrangements to replace an employee during his/her absence, we request all employees contact the Human Resources office and their principal/administrator as soon as possible.

Employees can make the request for Family and Medical Leave using the online request form which can be found on InsideBPS Link to FMLA Fact Sheet.

JURY AND WITNESS DUTY (DDEA)

All employees of the Bismarck School District are subject to jury duty. When district personnel are required to serve on juries, thus taking them away from their regularly assigned duties, their regular school salary will continue to be paid, but deductions of the amount earned as a juror will be made from regular district paychecks excluding reimbursement for expenses accrued while serving as a juror. However, if an employee is on authorized personal or vacation leave while performing jury duty, the employee may retain the fee paid by the court and the employee's pay may not be reduced. Employees who are not selected to serve on jury duty, upon release, are asked to return to work or use available personal/vacation leave.

Witness Duty: An employee subpoenaed to appear in Court or hearing as a witness in a case not involving the District will be granted time off from work to appear in Court, however, employees will not be paid by the District unless they elect to use vacation/personal time.

Expert Testimony: Employees shall not voluntarily serve as an expert witness unless such service is not in conflict with the interests of the District and is preapproved by administration.

MILITARY LEAVE (DDBD)

Any employee of Bismarck Public Schools who is a member of the National Guard, member of the Armed Forces Reserve of the United States, subject to call in the federal service by the President of the United States, or shall volunteer for such service, when ordered by proper authority to active non-civilian employment, shall be entitled to a leave of absence in accord with state and federal legislation. For additional information refer to current state law (NDCC 37-01-25 and NDCC 37-01-25.1) and federal law (38 U.S.C.43).

POLITICAL LEAVE (DDCA & DDCA-BR)

Employees who are elected to legislative office will be granted leave without pay for the period of absence when the elected body is actually meeting in session. Employees can also take up to a maximum of 20 days for additional legislative work outside of the regular legislative session. Employees must submit a request for legislative leave to their principal or supervisor.

ADMINISTRATIVE LEAVE AND SUSPENSION (DED)

The Superintendent has the authority to place a support staff employee on administrative leave when an employee is under district and/or law enforcement investigation, and the Superintendent identifies a need to temporarily remove the employee from his/her duties and/or job placement to protect district students, property, school operations and/or other employees.

Administrative leave shall be with pay, and the employee shall not be required to take any applicable paid leave benefits as part of the administrative leave. The leave will be until the investigation is complete and it is determined the employee's potential threat has passed.

Disciplinary suspension for support staff should occur only after the district has verified the misconduct has occurred. Disciplinary suspensions should be unpaid, and support staff suspended for disciplinary reasons should not be entitled to back pay.

Support staff employees may be suspended during a period when termination for cause is being pursued. If the support staff employee is suspended without pay and later reinstated, the employee shall be entitled to back wages and accrual of any benefits that would have accumulated during the period of suspension.

TERMINATION OF EMPLOYMENT

All fringe benefits provided by the District to support staff employees are discontinued at the conclusion of employment with the school district. However, the termination date of fringe benefits may be extended to comply with provisions in the various group plans, companies provide coverage and federal regulations. Insurance benefits will terminate the last day of employment if last day worked is prior to the last day of school.

Under COBRA regulations employees can extend health, dental and vision insurance within the COBRA guidelines. Terminating employees will receive a COBRA notice mailed to their homes with their options.

All accrued personal leave or vacation leave balances greater than 1 hour will be paid to employees at their regular rate of pay upon termination.

Support staff employee may not use vacation to extend their employment with the district. Employees are not allowed to use vacation their last week of work with the district.

Accrual of Vacation for 12-month employees – individuals who've worked for a district in a position less 12 months will be able to use their years of service on the vacation accrual schedule. (Example 7 years in a nine-month position will put you on the accrual schedule at 7 years not 0 years.) If the employee is gone for one full school year, they will not receive previous sick, personal or vacation leave accrual.

GENERAL INFORMATION

BULLYING (ACEA)

Bullying is defined as conduct prescribed in NDCC 15.1-19-17.

Any school staff member with knowledge or suspicion of violation of this policy or who has received an oral or written report of a violation of this policy from a student, community member, or anonymously shall contact the building principal to inform him/her as soon as possible. If the alleged violation implicates the building principal, the school staff member shall report it to the Superintendent. If the alleged violation implicates the Superintendent, the school staff member shall file it with the Board President.

Anytime a school staff member has reasonable suspicion that a bullying incident constituted a crime, he/she should report it to law enforcement.

Should school administration determine that a school staff member knew of a or suspected a violation of this policy and failed to report it in accordance with the procedure above, the staff member may be subject to disciplinary consequences or, for sponsors of school-sanctioned activities, other corrective measures.

EMERGENCY CLOSING/TELEWORK PROCEDURES (ACAA, ACAA-AR1, ACAA-AR2)

The Superintendent may "close the schools in event of hazardous weather, epidemics, or other emergencies which threaten the safety or health of students or staff members."

If inclement weather (or other emergency) necessitates action to protect students or staff, the options available to the Superintendent will include, but not be limited to:

1. The Superintendent may close any or all schools in the district with no students or staff required to report, except for a skeleton crew consisting of the principal and/or the custodian and/or a facilities and transportation staff member.
    a. School day will be made up by students and staff on a storm day designated on the school calendar.
    b. School day will not be made up by students or staff.
    c. Noncontact day will be made up by staff prior to June 30 of the school calendar year.
2. The Superintendent may choose to have the schools open as usual, but direct that buses either run late (one or two hours) or not at all and/or dispatch early if needed.
3. The Superintendent may choose to close schools for instructional purposes with no students required to attend and staff reporting as usual.

All staff will be informed as quickly as possible when schools will be closed. Methods used may

include all or some of the following: e-mail, social media, district website, recorded phone message, local news media, etc.

EVALUATION

The fundamental purposes of evaluations are both quality assurances and professional development. The evaluation of staff performance is an important means of promoting excellence in education in the Bismarck Public Schools.

All support staff employees will be evaluated at least once per year.

GENERAL LIABILITY INSURANCE

Individuals who were, are now, or shall become employed by the school district are covered by liability insurance maintained by the school district for those claims caused by a negligent act or omission of an employee while acting within the scope of duties of the employee.

INCIDENT REPORT

As BPS is working to increase the safety and well-being for staff and students in our district, we are looking to collect data that would indicate trends on incidents that are happening within our schools. This information would provide us with the ability to better understand issues and allow us to support schools with training resources and support personnel. The incident report form will collect information when incidents that occur and what they look like. This may include but are not limited to:

- Times when an unregulated student poses a direct physical or verbal threat.
- Physical altercations such as: hitting, kicking, biting, spitting, throwing objects, etc.
- Destruction of classroom space and/or materials.

Examples of when you may complete the Incident Report Form:

***Ex #1**: A student who is supported in a general education classroom by an instructional aide, has an outburst of language and behavior. The student is on an IEP and has a behavior plan in place. This student hits and kicks the instructional aide. The aggression escalates to an unsafe situation and the CPI team is called by the teacher. The team escorts the student to the sensory room. What types of reports need to be completed?*

1. *New Incident Report*
2. *CPI Seclusion/Restraint Form (included on the incident report form above)*
3. *Report to Carol Pittman (WSI report) if the Instructional Aide or CPI Team member feels an injury may require medical care currently or in the future.*

***Ex #2**: A student who is in the general education classroom without an instructional aide, has an outburst which results in a personal threat to the teacher and the teacher also being spit on. What types of reports need to be completed?*

1. *New Incident Report*
2. *Report to Carol Pittman (WSI report) if the Instructional Aide or CPI Team member feels an injury may require medical care currently or in the future.*

Reports need to be made within 24 hours of the incident.

NURSING MOTHERS

Bismarck Public Schools participates with Burleigh County Nursing Services to provide employees covered under the Fair Labor Standards Act, a reasonable break period, a place (other than a bathroom) that is shielded from view and free from intrusion from coworkers and public to express breast milk for her nursing child for one year after the child's birth. Non-exempt employees are entitled to breaks to express milk. Exempt employees, the District allows time to express breast milk as would allowed for other personal reasons such as during lunch, prep period, recess, or before/after school. Each building in the District offers a folder of documentation providing information on rooms available for expressing breast milk.

OCCUPATIONAL SAFETY (DEAF)

The District has an occupational safety program which includes:

- An orientation program for new employees that provides an overview of duties, potential hazards and safeguards, district safety rules, location of fire extinguishers and other safety equipment, and emergency procedures.
- Issuance of personal protective safety equipment to employees as necessary. Employees required to wear safety equipment shall be instructed that failure to comply may cause the District to impose disciplinary consequences in accordance with policy and law.
- In-service safety training on appropriate topics.
- An occupational risk assessment program for identifying and projecting occupational risks.
- Installation of safety features on district equipment and in district facilities.

An employee injured or involved in an accident on the job shall report the injury/accident as soon as practical to his/her immediate supervisor and no later than 24 hours unless there is good cause for a delay in reporting. Failure to notify a supervisor about an injury/accident may result in disciplinary action in accordance with policy and law and may, according to law, result in denial of worker's compensation benefits.

PERSONAL PROPERTY REIMBURSEMENT

The District may reimburse employees who have personal property damaged by a student in the course of their job. Reimbursement will be limited to the replacement cost of the damaged/broken item(s). The District will only reimburse property that facilitates the performance of the employees' job duties. If an employee has a personal item that does not facilitate the performance of their job and a student causes damage to it, the District will not reimburse.

Eyeglasses, clothing, and accessories are automatically approved.

PERSONAL PROPERTY APPROVAL FORM

The employee must submit the following form to their direct administrator to request preapproval of personal items along with the receipt. This form must be retained at the building for potential reimbursement requests.

Employee Name: _____ Date: _____

Building: _____

List the personal items used at school. Items must facilitate job performance and have a receipt.

Item & Description	How does this item facilitate job performance?	Approximate Replacement Cost	Administrator Initials and Date

PERSONAL PROPERTY REIMBURSEMENT APPROVAL

If your personal property has been damaged, complete the form below and email it to bpsbusiness@bismarckschools.org for approval. A receipt must be included.

Item (from approval list)	Reason for Reimbursement	Replacement Cost (must have a receipt)	Administrator Initials and Date

PUBLIC ACCESS TO PERSONNEL RECORDS (DI)

Personnel records shall be maintained in two areas. The Business & Operations Manager will maintain those records required for payroll purposes and for record keeping under the Fair Labor Standards Act and other laws. All other personnel records will be maintained in the Human Resource Office. Public access shall be during normal business hours. Personnel files in locations described above shall be available for review by members of the public as outlined in the policy.

Records of medical treatment or use of employee assistance programs are not a part of the personnel records and shall not be released without the written consent of the employee.

RESPONSIBLE USE OF TECHNOLOGY (ACDA & DEAD)

The use of electronic resources, technologies, and the internet, whether district owned or personal, on district owned/rented/contracted property is a privilege not a right. All use must be in support of education and consistent with the educational goals, objectives, and priorities of the District. Staff has no reasonable expectation of privacy when using district technology or using technology on district property or at district affiliated events. All use may be monitored to maintain the integrity of the system and to ensure proper and responsible use. Teachers and administrators will exercise supervision of student use and educate students on responsible use.

An employee is solely responsible and shall be personally liable, legally, financially, or otherwise, for his or her own misuse of the district's systems/networks, district technology, and/or district internet. Disciplinary action associated with improper use, negligence, or loss of equipment may include being billed for repair or replacement costs, reducing or revoking technology use privileges, or termination.

Use of an electronic device in an area where others have a reasonable expectation of privacy such as a lavatory or locker room is strictly prohibited.

Bismarck Public Schools (BPS) defines social media as websites and applications that enable users to create and share content or to participate in social networking. Examples of social media include, but are not limited to: Facebook, Twitter, Snapchat, Instagram, YouTube, TikTok, special interest apps such as fitness (FitBit, Strava), music (Playlist, Bandlab), hunting/fishing (Fishbrain), etc. Reference policy DEAD for further Social Media guidance.

All employees are prohibited from conducting district business through the use of electronic devices while driving.

Staff members are encouraged to use any available communication device in the event of an emergency that threatens the safety of students, staff, or other individuals.

RETURN TO WORK PROGRAM

Bismarck Public Schools has a return to work program for all of its employees. A Return-To-Work (RTW) program is intended to help employees get back to work as soon as they are able, following an injury or illness. Based on the injuries and restrictions set by the treating physician, a modified job duty is designed for the employee able to return to work. This may include, but is not limited to:

- Returning to your same position
- Returning to your same position, with restrictions
- Returning to another position within BPS, possibly at another location

Under no circumstances will an employee be requested to perform any activity that exceeds those restrictions set by their treating physician. BPS is committed to assisting you in returning to work as **quickly** and **safely** as possible after a workplace injury occurs.

SAFETY PROGRAM (ID)

The Bismarck Public School District safety program is to protect the safety and health of our employees. Injuries and property loss through accidents are needless, costly and preventable. The Bismarck Public School District works to eliminate all accidents and health hazards by the establishment of a safety and health program, which is adapted to fundamental safety concepts and proven management performance. The reduction of accidents and claims is a goal of the administration.

Each employee has the responsibility for his/her own safety, as well as the safety of his/her fellow employees. It is only by each employee becoming familiar with the hazards of his/her job and doing what is necessary to insure their safety that the district can achieve the safe working conditions deserved by all its employees.

Employees with safety concerns or suggestions should contact their supervisor or the Safety Coordinator. Safety website

SANITARY CLEANUP AND DISPOSAL (ACBB-AR2)

School personnel should practice hygienic procedures when disposing of all human secretions and excretions since they may contain infectious agents capable of spreading disease and since carriers of infectious or contagious diseases are often unknown.

SIGNIFICANT CONTAGIOUS DISEASES (ACBB)

No one will be denied employment with the District solely because they have or they are perceived to have a significant contagious disease. The District prohibits harassment and/or discrimination against an individual diagnosed as having a significant contagious disease. Complaints alleging harassment/discrimination based on a significant contagious disease shall be handled in accordance with the District's Harassment and Discrimination Grievance Procedure.

All information concerning an affected person's condition that is given to an employee or official of the District shall remain confidential. No employee of the District may inform anyone of an affected individual's infection. No employee may release information to the public either confirming or denying the presence within the District of a person who has contracted a significant contagious disease. An employee violating these prohibitions shall be subject to disciplinary consequences in accordance with policy, law, and when applicable, the negotiated agreement.

Employees will be receive appropriate training that addresses significant contagious disease prevention. The training will include the proper use of universal precautions.

STAFF DRESS CODE (DEAC)

As role models, staff should always be conscious of how their dress and grooming affects students. All staff shall wear attire appropriate to their profession and the occasion, and which provides protection and safety as necessary.

STAFF POWER-DIFFERENTIATED FRATERNIZATION (DEBI)

It is the policy of BPS to ensure that the work environment is free from intimate, romantic, or dating relationships between supervisors and their subordinates or between employees involved in a power-differentiated work relationship. The district is concerned these relationships can lead to concerns with sexual harassment and may negatively impact the moral and operations of the district.

If employees are involved in these types of relationships, they need to report them to human resources department or another management official. The district will work with the individuals involved in the personal relationship to modify the working relationship or assignments.

STAFF-STUDENT RELATIONS (NON-FRATERNIZATION) (DEBD)

Employees, volunteers, and students are expected to treat one another with respect and professionalism. Support staff must exercise good judgement and maintain professional boundaries when interacting with students at all times, on and off school property.

Any behavior of a harassing or sexual nature towards students is strictly prohibited. Individuals aware of any prohibited behaviors are expected to report such actions to a building administrator or the Superintendent.

STUDENT CONDUCT, DISCIPLINE, AND CORPORAL PUNISHMENT PROHIBITION (FF)

Students are expected to conduct themselves in a manner fitting their age level and maturity, and in a manner that will not impede on the orderly conduct of the district. Students are expected to be reasonably prepared for all their classes and to comply with student conduct standards and prohibitions contained in district policies and regulations.

Consequences for misconduct will be fair and developmentally appropriate in light of the circumstances. Disciplinary measures will be as positive as possible, involving the student in defining acceptable behavior.

Reasonable physical force may occasionally be necessary to guard the safety and well-being of students or employees or to deliver a student to an administrator's office; however, the use of corporal punishment, defined as the willful infliction of physical pain on students, is not allowed.

UNEMPLOYMENT INSURANCE

Staff employees are entitled to unemployment insurance. Eligibility and benefit amounts are determined individually based on a percentage of yearly earnings, up to the allowable maximum. ***Unemployment insurance is not available for the summer months when nine or ten month personnel are not working.***

VEHICLE INSURANCE

All school system vehicles are protected by the district's liability insurance carrier. Employees who transport students in school vehicles are required to participate in the district's random drug testing program.

VIOLENT AND THREATENING BEHAVIOR (ACE)

A true threat is a statement made orally, in writing, or using another medium that would be perceived by a reasonable person to be a serious expression of intent to harm, commit assault, or damage school property.

An employee who has knowledge of a threat must report it to the building principal or Superintendent. Failure to report a known threat may result in disciplinary consequences up to and including termination of employment, in accordance with policy, and law.

The District prohibits all acts of violence and aggression, including, but not limited to, possession of a weapon or dangerous instrument, physical assault, vandalism of district property, stalking, gang affiliation and/or activity, or terroristic acts. Violators of this policy shall be subject to disciplinary consequences, determined by the seriousness of the act, including but not limited to, discharge and exclusion from school premises. In addition, the District may take legal action against the perpetrator.

Employees may also be subject to the filing of criminal charges and/or referred to counseling services for treatment.

WEAPONS PROHIBITION ON DISTRICT PROPERTY (DEAG)

Employees, district contractors and/or their employees, and district volunteers shall not possess a dangerous weapon or firearm on district property or at school-sponsored events, including those individuals who may otherwise be permitted by law to carry such weapons.

Employees in violation of this policy will be subject to discipline up to and including dismissal in accordance with any applicable law. A referral to law enforcement may be made by appropriate school officials.

WELLNESS (ABCC)

The District works to promote the following nutrition goals through the curriculum and other promotional methods:

1. Provide a health education curriculum that is aligned with state standards and requirements and is aimed at influencing students' knowledge, attitudes, and eating habits.
2. Provide overall school environment that encourages students to make healthy food choices.
3. Identify and implement methods to educate family members about district nutrient standards and goals and involve them in program development and implementation.

The District has a wellness committee which will help develop a list of activities to help the District and each individual school achieve their wellness goals. The wellness committee will also help with the monitoring and enforcement of building-level compliance of the wellness policy.

WHISTLEBLOWER PROTECTION: PROHIBITION AGAINST RETALIATION (ACF)

District employees will not be asked nor should they violate federal, state, or district policy through practice, policy, act or omission. Under this policy, District employees are protected from reprisal,

retaliation, or discrimination (including, but not limited to: discharge, threats, or penalizing compensation, work conditions, locations, or privileges or employment) if they:

1. In good faith, made or intends to make a report that the school board, school employee or an entity/person with who the school district has business relationship has violated federal, state, or local law/administrative rules or district policy through practice, policy, act, or omission.
2. Participates in a Bismarck Public School District-related investigation, hearing, or inquiry; or
3. Refuses to carry out a directive that the employee believes is a violation of state or federal law, rule, or regulation or poses a substantial or specific danger to public health and safety, provided the employee has an objective basis for that belief and informs the employer that the directive is being refused for that reason.

The District will comply with the Federal False Claims Act (FCA) and expects all employees to follow the requirements of FCA. Employees who in good faith file a claim under FCA will not face any reprisal, retaliation, or discrimination due to filing a claim.

Anyone covered by the above protections who reasonably believes that this policy has been violated by a district employee, contractor, or other authorized district agent may file a grievance in accordance with the district's applicable complaint or grievance policy. In the absence of policy or if policy is not applicable given the nature of the grievance, the individual should report to the Superintendent who shall investigate. If a grievance under this policy concerns the Superintendent or a school board member, the complainant should report to the Board President or Board Vice President (if the report concerns the Board President) who shall investigate. If the grievance concerns the entire school board, it should be filed with the Burleigh County School Superintendent for investigation.

WORKERS COMPENSATION AND OCCUPATIONAL SAFETY (DCABC & DEAF)

Bismarck Public Schools furnishes workers compensation insurance coverage for all employees. Workers compensation insurance is intended to provide medical care and pay for lost time resulting from injuries on the job and those illnesses caused by the employee's work.

Employees must report any accident to their supervisor immediately. The employee is also responsible for contacting the District Safety Coordinator immediately after an incident. Failure to do so could result in disciplinary action. Employees should also report a near miss or close call, which occurred to them or they witnessed. Reports must be on all accidents not just those resulting in an injury.

Employees who are reimbursed by Work Force Safety and Insurance for days absent from work cannot have sick leave payments or any other district provided insurance exceed their regular earnings.

As part of the North Dakota Workers Compensation Risk Management Plan, the Bismarck Public School District selected Work Life and Sanford OccMed as its primary designated medical providers. Any employee who is injured on the job and requires attention must report to Work Life at Mid Dakota Clinic at 401 N 9th St or Sanford OccMed at 2603 E Broadway. If an employee wants a medical provider not associated with WorkLife or OccMed approval must be designated prior to the work-related injury. Contact the District Safety Coordinator for approval.