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Policy Title: Statement of Guiding Principles for Personnel Code No. 400

The goal of the Board of Directors of the GMG Community School District is to provide an educational program of the highest standards possible. Success in attaining this goal is dependent in large measure upon the competency of the professional staff and of those who serve in direct supporting positions to the instructional program of the school.

The relationship of certified and non-certified employees should be that of partners working together to provide the best possible learning situation for the students of this school district.

It shall be the policy of the Board of Directors to recruit and retain the highest caliber of professional personnel and non-certified employees. It shall be the policy of the Board of Directors to appoint personnel only upon the recommendation of the Superintendent of Schools or the interviewing committee. Dismissal of personnel shall be considered only upon the recommendation of the Superintendent of Schools.

January 13, 2014
January 19, 2009
January 12, 2004

Approved: June 1989 Reviewed: January 1995 Revised: April 1995

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Employees may use school district credit cards for the actual and necessary expenses incurred in the performance of work-related duties. Actual and necessary expenses incurred in the performance of work-related duties include, but are not limited to, fuel for school district transportation vehicles used for transporting students to and from school and for school-sponsored events, payment of claims related to professional development of the board and employees, and other expenses required by employees and the board in the performance of their duties.

Employees and officers using a school district credit card must submit a detailed receipt in addition to a credit card receipt indicating the date, purpose and nature of the expense for each claim item. Failure to provide a proper receipt shall make the employee responsible for expenses incurred. Those expenses shall be reimbursed to the school district no later than ten working days following use of the school district's credit card. In exceptional circumstances, the superintendent or board may allow a claim without proper receipt. Written documentation explaining the exceptional circumstances shall be maintained as part of the school district's record of the claim.

The school district may maintain a school district credit card for actual and necessary expenses incurred by employees and officers in the performance of their duties. It shall be the responsibility of the superintendent to determine whether the school district credit card use is for appropriate school business.

The superintendent shall be responsible for developing administrative regulations regarding actual and necessary expenses and use of a school district credit card. The administrative regulations shall include the appropriate forms to be filed for obtaining a credit card.

NOTE: School district that have credit cards must have a board policy. School district that have only a gasoline credit card should amend this policy to reflect their practice.

January 13, 2014

January 19, 2009

Approved: September 2002

Reviewed: January 12, 2004

Legal Reference: Iowa Constitution, Art. III. & 31.
Iowa Code && 279.8,.29,.30 (1999).
281 I.A.C. 12.3 (1)

Cross Reference: 832 - Purchasing and Bidding
426 - Mileage
834 - Requisitions/Purchase Orders

1. Certified Personnel - A person who possesses a teacher certificate and who is currently employed in the GMG School District as a teacher or auxiliary person (Librarian, guidance, principal, etc.)
2. Classified Employee - A person who does not possess a valid teacher's certificate or who is serving the GMG Community School District in a non-teacher or ancillary role (secretaries, custodians, teacher aids, cooks, etc.)

The term Classified Personnel shall include the following employees whether full-time or part-time.

- a. Custodial or maintenance employees
- b. Clerical employees
- c. Lunchroom employees
- d. Bus Drivers
- e. Extra help for summer maintenance
- f. Teacher aides

Job specifications and job descriptions shall be established by the school administration for all positions that require classified personnel. All job descriptions and job specifications shall be approved by the Board of Directors.

3. Full-Time Employee - A classified person who is employed for a period of nine (9) or more months at thirty (30) or more hours per week.

January 13, 2014

January 19, 2009

January 12, 2004

Approved: June 1989

Reviewed: January 1995

Revised: April 1995

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Policy Title: Drug and Alcohol Testing Code No. 403.7

Employees who operate school vehicles are subject to drug and alcohol testing if a commercial driver's license is required to operate the school vehicle and the school vehicle transports sixteen or more persons including the driver or the school vehicle weighs twenty-six thousand pounds or more. For purpose of the drug and alcohol-testing program, the term "employee" includes applicants who have been offered position to operate a school vehicle.

The employees operating a school vehicle as described above are subject to pre-employment drug testing and random, reasonable suspicion, post-accident, return-to-duty and follow-up drug and alcohol testing. Employees operating school vehicles shall not perform a safety-sensitive functions within four hours of using alcohol. Employee governed by this policy shall be subject to the drug and alcohol testing program beginning the first day they operate or are offered a position to operate school vehicles and continue to be subject to the drug and alcohol testing program as long as they may be required to perform a safety-sensitive function as it is defined in the administrative regulations. Employees with questions about the drug and alcohol-testing program may contact the school district contact person, superintendent of schools at the GMG School Central Office.

Employees who violate the terms of this policy may be subject to discipline up to and including termination. Employees who violate this policy may be required to successfully participate in a substance abuse evaluation and if recommended, a substance abuse treatment program. Employees required to participate in and who fail to or refuse to successfully participate in a substance abuse evaluation or recommended substance abuse treatment program may be subject to discipline up to and including termination.

It is the responsibility of the superintendent to develop administrative regulations to implement this policy. The superintendent shall also inform applicants of the requirement for drug and alcohol testing in notices or advertisements for employment, in the application form and personally at the first interview with the applicant.

The superintendent shall also be responsible for publication and dissemination of this policy and its supporting administrative regulations to employees operating school vehicles. The superintendent shall also oversee a substance-free awareness program to educate employees about the dangers of substance abuse and notify them of available substance abuse treatment resources and programs.

January 13, 2014

January 19, 2009

January 12, 2004

Approved: Dec. 1995

Reviewed: Jan. 1995

Revised: Dec. 1995

Legal Reference: Omnibus Transportation Employee Testing Act of 1991, 42 U.S.C. §§ 12101 et seq. (Supp. 1990), 41 U.S.C. §§ 701-707 (1988), 49 C.F.R. Pt. 40; 382; 391.81-123 (1994), 34 C.F.R. Pt. 85 (1993), Local 301, Internat'l Assoc. of Fire Fighters, AFL-CIO, and City of Burlington, PERB No.3876 (3-26-91), Iowa Code §§ 124; 279.8; 730.5 (1993).

Cross Reference: 403.6 Substance-Free Workplace, 409.2 licensed Employee Personal Illness Leave, 414.2 Classified Employee Personal Illness Leave

Related Administrative Rules and Regulations: _____

This administrative regulation supports the Drug and Alcohol Testing Program policy. It also establishes and explains the requirements of the school district's drug and alcohol testing program required for employees operating school vehicles. Note the Drug and Alcohol Testing Program Definitions, Code No. 403.7-R2.

- A. Questions regarding the drug and alcohol testing program policy, its supporting administrative regulations or the drug and alcohol testing program may be directed to the school district contact person:
- Superintendent
 - GMG Community School
 - 306 Park Street
 - Garwin, Iowa 50632
 - Telephone (515) 499-2005
- B. Covered Drivers.
1. The following requirements apply for a driver to be covered by the drug and alcohol testing program:
 - a. Drive a vehicle transporting sixteen or more persons, including the driver, OR drive a vehicle weighing over twenty-six thousand one pounds; and
 - b. Require a commercial driver's license to hold the driver position.
 2. Covered drivers include:
 - a. Applicants seeking a position as a driver.
 - b. Full time, regularly employed drivers;
 - c. Casual, intermittent, occasional or substitute drivers;
 - d. Leased drivers and independent, owner-operator contractors who are either directly employed by or under lease to a school district or who operate a school vehicle at the direction of or with the consent of a school district.
 3. Drivers are subject to the drug and alcohol testing program and its requirements throughout the year, including the times when school is not in session or when the driver is on leave.
- C. Prohibited Driver Conduct.
1. Drivers shall not report to duty or remain on duty with a 0.04 breath alcohol concentration or greater.
 2. Drivers shall not report for duty or remain on duty when using any drug except when a physician has advised the driver that the drug does not adversely affect the driver's ability to safely operate a school vehicle and the school district is informed in writing of the medication and doctor's opinion.
 3. Drivers shall not use alcohol at least four hours prior to, or during the performance of a safety-sensitive function.
 4. Drivers shall not possess alcohol while on duty. This includes possessing prescriptions and over-the-counter medicines containing alcohol unless the packaging seal is unbroken.
 5. Drivers required to take a post-accident alcohol test shall not use alcohol within eight hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first.
 6. Drivers shall not refuse to submit to a drug or alcohol test. A refusal to test is considered a positive test result requiring the driver to undergo a substance

abuse evaluation and subjecting the driver to discipline up to and including termination.

7. Drivers shall not report for duty or remain on duty performing a safety-sensitive function if the driver has a positive drug test result.

D. Alcohol Breath Testing Procedures.

1. Driver's breath is tested for alcohol.
2. Evidentiary breath testing devices are used to conduct the screening test and, if necessary, the confirmation alcohol test.
 - a. The screening alcohol breath test determines whether the driver's breath alcohol concentration is less than 0.02.
 - (1) A screening alcohol test result of less than 0.02 breath alcohol concentration allows the driver to continue to perform a safety-sensitive function.
 - (2) An initial alcohol test result of 0.02 breath alcohol concentration or greater requires a confirmation test.
 - b. The confirmation alcohol breath test determines whether the driver can continue to perform a safety-sensitive function.
 - (1) A confirmation alcohol test result of less than 0.02 breath alcohol concentration allows the driver to continue to perform a safety-sensitive function.
 - (2) A confirmation alcohol test result of 0.02 breath alcohol concentration but less than 0.04 breath alcohol concentration requires the driver to cease performing a safety-sensitive function for 24 hours.
 - (3) A confirmation alcohol test result of 0.04 breath alcohol concentration or greater requires the driver to cease performing a safety-sensitive function and undergo a substance abuse evaluation.
3. Alcohol testing is conducted at collection sites which provide privacy to the driver and contain the necessary equipment, personnel and materials.
 - a. Alcohol testing is conducted at a designated nonschool district facility unless the situation requires another location.
 - b. In the event privacy cannot be assured, privacy will be provided to the extent practical.
4. Screening alcohol testing steps.
 - a. Once the driver is notified to submit to an alcohol test, the driver must complete the Alcohol/Drug Test Notification Form and proceed immediately to the collection site. Collection site personnel contact the (school district contact person) immediately when a driver does not arrive at the specified time. Failure to arrive at the collection site in a timely manner is considered a refusal to test.
 - b. Upon arrival, the driver must provide a photo identification. Repeated failure of the driver to produce a photo identification is considered insubordination as well as a refusal to test.
 - c. The testing procedure is explained to the driver by the collection site person.
 - d. The collection site person, the breath alcohol technician (BAT), or the

screening test technician and the driver complete and sign the appropriate sections of the alcohol testing form.

- (1) Refusal of the driver to sign the form prior to the screening alcohol test is considered a refusal to test.
- (2) The school district is notified immediately of the driver's refusal to sign.

e. Evidentiary breath device procedures

- (1) The driver forcefully blows into the mouth piece for at least six seconds or until an adequate amount of breath has been obtained.
- (2) The breath alcohol test is stopped when the driver fails twice to provide an adequate amount of breath. In that case:
 - (a) A physician analyzes the driver's inability to provide adequate breath.
 - (b) failure to provide adequate breath is considered a refusal to test, unless the physician determines a medical condition caused the failure to provide adequate breath.
 - (c) A refusal of the driver to try a second time to provide adequate breath is considered a refusal to test.
- (3) The results of the screening alcohol test are shared with the driver.

f. Saliva alcohol testing procedures.

- (1) The driver and the collection site person review the expiration date of the saliva alcohol testing device, and if the date is valid, the packaging is opened.
- (2) The driver or collection site person places the swab in the driver's mouth until the swab is completely saturated. If the alcohol test is started again, only the collection site person may place the swab in the driver's mouth.
- (3) The saliva alcohol testing device is activated with the saturated swab in place.
- (4) The saliva alcohol test is stopped when the driver fails twice to provide an adequate amount of saliva. In that case:
 - (a) The school district is informed
 - (b) The driver must submit to a breath alcohol test immediately.
- (5) The saliva testing device results are read after two minutes and no more than 15 minutes, after the saliva testing device was activated.
- (6) The results are shared with the driver.

g. The driver and breath alcohol technician must sign the alcohol testing form following completion of the alcohol test. Failure to sign the form after the alcohol test is not considered a refusal to test. However, in the remarks section of the form, the breath alcohol technician notes the driver's refusal to sign.

h. Screening alcohol test results.

- (1) An alcohol test result of less than 0.02 breath alcohol

concentration is reported to the school district in a confidential manner and the driver may continue to perform a safety-sensitive function.

- (2) An alcohol test result of 0.02 breath alcohol concentration or more requires a confirmation alcohol test between 15 and 20 minutes of the screening test.
- (3) The breath alcohol technician provides the (school district contact person) with a copy of the breath alcohol testing form if written communication was not used to report the test results.

i. Potentially incomplete or invalid breath alcohol tests are repeated with corrected procedures.

5. Confirmation alcohol testing steps.

a. The confirmation alcohol test is done between fifteen and twenty minutes of the screening alcohol test whether or not the driver followed the requirements to not eat, drink, put any object or substance in his or her mouth, and, to the extent possible, not belch during the fifteen-minute waiting period to avoid accumulation of mouth alcohol leading to an artificially high reading.

b. If a different collection site is used, the driver must be under the observation of the collection site person or school district person while in transit to the confirmation alcohol testing site or while waiting for the confirmation alcohol test.

c. If a different collection site person is used for the confirmation alcohol test, the driver must again provide photo identification.

d. The testing procedure is explained to the driver by the collection site person.

e. The collection site person, a breath alcohol technician and the driver complete and sign the appropriate sections of the alcohol testing form.

(1) Refusal of the driver to sign the form prior to the confirmation alcohol test is considered a refusal to test.

(2) The school district is notified immediately of the refusal to sign.

f. The driver forcefully blows into the evidentiary breath testing device mouthpiece for at least six seconds or until an adequate amount of breath has been obtained.

g. The confirmation alcohol test results, which are the final and official test results, are shared with the driver.

h. The driver and breath alcohol technician must sign the alcohol testing form following completion of the alcohol test. Failure to sign the form after the alcohol test is not considered a refusal to test. However, in the remarks section of the form, the breath alcohol technician notes the driver's refusal to sign.

i. The breath alcohol technician informs the (school district's contact person) of the results of the test in a confidential manner.

(1) An alcohol test result of less than 0.02 breath alcohol concentration is reported to the school district in a confidential manner and the driver may continue to perform a safety-sensitive function.

(2) The breath alcohol technician notifies the (school district contact

- person) immediately of confirmation alcohol test results of 0.02 breath alcohol concentration or more.
- (3) The collection site person provides the (school district contact person) with a copy of the breath alcohol testing form if written communication was not used to report the test results.
- j. Potentially incomplete or invalid breath alcohol tests are repeated with corrected procedures.
 - k. The breath alcohol test is stopped when the driver fails twice to provide an adequate amount of breath. In that case:
 - (1) A physician analyzes the driver's inability to provide adequate breath.
 - (2) Failure to provide adequate breath is considered a refusal to test unless the physician determines a medical condition caused the failure to provide adequate breath.
 - (3) A refusal of the driver to try a second time to provide adequate breath is considered a refusal to test.

E. Drug Testing Procedures.

- 1. Driver's urine is tested for marijuana, cocaine, opiates, amphetamines and phencyclidine.
- 2. A split specimen urine drug test, often called "split sample test," is used to conduct the drug test.
 - a. A negative drug test result allows the driver to continue to perform a safety-sensitive function.
 - b. A positive drug test result on the primary sample requires the driver to be removed from performing a safety-sensitive function.
 - c. A positive drug test result on the primary sample allows the driver an opportunity to request the split sample be tested by another certified laboratory for the specific drug found in the primary sample. A negative drug test result on the split sample results in a negative drug test result.
 - d. A positive drug test result requires the driver to undergo a substance abuse evaluation.
- 3. Drivers taking medication at a doctor's direction may perform a safety-sensitive function if the doctor determines there is not an adverse affect on performing a safety-sensitive function and the school district is informed in writing of the medication and doctor's opinion.
- 4. Drug testing is conducted at collection sites which provide privacy to the driver and where the necessary equipment, personnel and materials are located.
 - a. Drug testing is conducted at a designated nonschool district facility unless the situation requires another location. Public restrooms can be used as collection sites in exceptional circumstances.
 - b. In the event privacy cannot be assured, privacy is provided to the extent practical. However, direct observation is allowed if:
 - (1) Reasons exist to believe the driver may alter or substitute the specimen.
 - (2) The driver presents a specimen with a temperature outside the allowed range and does not provide an oral body temperature or the oral body temperature varies from the specimen provided.

- (3) The last specimen provided by the driver was determined by the laboratory to not meet specific gravity and urine concentration criteria.
 - (4) The collection site person observes conduct of the driver to substitute or adulterate the specimen.
 - (5) The driver has previously been determined to have used a drug without medical authorization and the particular test is for follow-up testing upon or after return to duty.
 - c. Direct observation is approved by the supervisor of the collection site person or the designated school district representative. Non-medical personnel performing direct observation must be of the same gender as the driver.
5. Drug testing steps.
 - a. Once the driver is notified to submit to a drug test, the driver must complete the Alcohol/Drug Test notification Form and proceed immediately to the collection site. The collection site person contacts the (school district contact person) immediately when a driver does not arrive at the specified time. Failure to arrive at the collection site in a timely manner is considered a refusal to test.
 - b. Upon arrival, the driver must provide a photo identification. Repeated failure of the driver to produce a photo identification is considered insubordination as well as a refusal to test. The driver may require the collection site person to provide proof of identification.
 - c. The driver may keep his or her wallet but must remove any unnecessary outer garments, purses, briefcases and similar items at the request of the collection site person.
 - d. Immediately prior to providing a urine sample, the driver must wash his or her hands.
 - e. The driver must then provide forty-five milliliters of urine and deliver it immediately to the collection site person.
 - (1) Drivers who cannot provide an adequate amount of urine receive instructions for drinking water and trying again.
 - (2) The drug test is stopped when the driver fails twice to provide an adequate amount of urine.
 - (3) Failure to provide adequate urine is considered a refusal to test unless the physician determines a medical condition caused the failure to provide adequate urine.
 - f. The specimen is kept in view of the driver and the collection site person.
 - g. Upon receipt of the specimen, the collection site person immediately, and in no event later than four minutes from the time of urination, measures the temperature of the specimen.
 - h. The driver may volunteer to have his or her oral temperature taken to provide evidence against alteration or substitution if there is some question about the temperature of the specimen.
 - i. The collection site person inspects the specimen for color and other signs of contaminants and notes any unusual findings.
 - j. Another specimen is required as soon as possible under direct observation if adulteration or substitution is suspected by the collection

- site person.
 - k. The specimen is divided into the primary and the split specimen, sealed and labeled. The label is initialed by the driver.
 - l. The driver is required to read and sign the statement on the chain of custody form certifying the specimens are the driver's.
 - m. The collection site person is required to note on the chain of custody form any unusual behavior or appearance of the driver and any failure to cooperate.
 - n. The collection site person completes the chain of custody form and the driver signs the form indicating the collection is complete.
 - o. The specimens are packaged for shipping to the laboratory and are shipped immediately or placed in secure storage until they can be shipped.
6. Laboratory.
- a. The laboratory used by the school district's drug and alcohol testing program is certified by the U.S. Department of Health and Human Services (DHHS). Certified laboratories meet the testing procedures, personnel and record keeping requirements of the law.
 - b. Upon arrival of the specimen at the laboratory, the split specimen is stored and the primary specimen is tested.
 - (1) A positive drug test result on the initial test of the primary specimen requires a confirmation drug test of the primary specimen.
 - (2) The split specimen is discarded if the primary specimen has a negative drug test result.
7. Medical Review Officer (MRO) reviews drug test results.
- a. The MRO may release drug testing records of a driver to unauthorized individuals only with the written consent of the driver.
 - b. The MRO keeps a record of negative drug test results and reports negative drug test results to the school district, usually within two working days.
 - c. The primary role of the MRO is to review and interpret positive drug test results to determine whether a legitimate explanation exists for the positive drug test result.
 - (1) After reviewing the chain of custody form and the laboratory drug test results, the MRO contacts the driver to discuss the positive drug test result prior to notifying the school district and to ask whether the driver requests a drug test of the split sample. The driver's request for a drug test of the split sample must be made within seventy-two hours of talking with the MRO.
 - (2) Upon request of the driver, the split specimen is sent to a second certified laboratory for drug testing.
 - (3) The MRO contacts the (school district contact person) for assistance if the driver cannot be reached.
 - (4) The (school district contact person) must confidentially inform the driver to contact the MRO.
 - (5) Upon contacting the driver, the (school district contact person) must inform the MRO that the driver was contacted.

(6) Drivers who cannot be contacted are placed on temporary medically unqualified status or medical leave.

d. The MRO may verify a positive drug test without talking to the driver if:

- (1) The driver declines the opportunity to discuss the positive drug test.
- (2) The driver fails to contact the MRO within five days after the (school district contact person) has contacted the driver.
- (3) MRO verification of positive drug test results under these circumstances can be challenged by the driver if the driver presents the MRO with information documenting a serious illness, injury or other circumstances unavoidably preventing the driver from timely contacting the MRO. The MRO, based on this additional information, may find a legitimate explanation for the positive drug test result and declare the drug test negative.

e. The driver is notified of the drugs found in a positive drug test result by the MRO, the (school district contact person) or by certified mail to the driver's last known address.

f. The school district receives a written report of the negative and positive drug test results from the MRO.

F. Substance Abuse Professional.

1. A substance abuse evaluation by a substance abuse professional is required when a driver has:

- (1) A positive drug test;
- (2) A positive alcohol test of 0.04 breath alcohol concentration or greater; or
- (3) Otherwise violated the drug and alcohol testing program policy, its supporting regulations or the law.

2. The substance abuse evaluation determines what assistance, if any, the driver needs in resolving problems with alcohol misuse and/or drug use.

3. A list of available substance abuse professionals to provide assistance to bus drivers is available through the (employee assistance program/school district contact person).

G. Pre-employment Testing.

1. Drivers shall submit to a drug test if a job offer is made. The job offer is contingent upon:

- a. A negative drug test result; and
- b. A signed written statement authorizing former employers to release all information on the driver related to drugs and alcohol.

2. Prior to allowing a driver to perform a safety-sensitive function, and no later than 14 days after performing a safety-sensitive function, the following information must be obtained about the driver during the preceding two years from the date of the application:

- a. An alcohol test results of 0.04 breath alcohol concentration or greater;
- b. Positive drug test results; and
- c. Refusals to be tested.

H. Random Testing.

1. Annually, twenty-five percent of the average number of drivers for random alcohol tests and fifty percent of the average number of drivers for random drug tests are selected.
2. The drivers' identification numbers are selected by a scientific method giving each driver an equal chance to be selected.
3. Random tests are unannounced and spread throughout the year.
4. Drivers selected for random alcohol testing are notified just before, during or just after performing a safety-sensitive function. The school district documents why some, if any, drivers were selected but not notified.

5. Drivers selected for random drug testing are notified at any time. The school district must document why some, if any, drivers were selected but not notified.

6. Once the driver is notified of being selected for a random test, the driver must proceed immediately to the collection site. However, drivers performing a safety-sensitive function must safely stop and proceed to the collection site as soon as possible.

I. Reasonable Suspicion Testing.

1. A driver may be required to submit to a reasonable suspicion drug test at any time.
2. A driver may be required to submit to a reasonable suspicion alcohol test just before, during or just after the driver performs a safety-sensitive function or just before, during or just after the time the driver is required to be in compliance with the drug and alcohol testing program policy, its supporting administrative regulations or the law.
 - a. A reasonable suspicion alcohol test is performed within two hours and no later than eight hours of determining reasonable suspicion.
 - b. If the alcohol test is not given within two hours, the reasons for the delay must be documented.
 - c. If the alcohol test is not given within eight hours, attempts to test are stopped and the reason for not testing must be documented.
3. A reasonable suspicion test request is made by an employee who received training to determine reasonable suspicion. The reasons for the reasonable suspicion must be documented within twenty-four hours or prior to the release of the test results. If more than one employee trained to determine reasonable suspicion observes the driver, that employee must also document their reasons.

J. Post-accident Testing.

1. Drivers are subject to both post-accident drug and alcohol testing as soon as possible after an accident in which:
 - a. The driver received a citation and;
 - (1) Bodily injury occurred to a person who, as a result of the injury, required immediate medical treatment away from the scene of the accident; or
 - (2) One or more motor vehicles incurred disabling damage as a result of the accident, requiring the vehicle to be transported away from the scene by a tow truck or other vehicle; or

- b. A fatality occurred.
 2. Drivers must remain readily available for post-accident testing.
 - a. Drivers who leave the scene or who do not remain readily available are deemed to have refused to test.
 - b. Necessary medical treatment cannot and should not be denied to a driver waiting to complete post-accident drug and alcohol tests.
 3. Alcohol testing requirements.
 - a. The alcohol test is administered within two hours and no later than eight hours of the accident.
 - b. The reasons for administering the test later than two hours after the accident must be documented.
 - c. The reasons for not administering the test within eight hours of the accident must be documented.
 - d. Drivers are prohibited from consuming alcohol for eight hours after the accident or until the alcohol test is completed.
 4. Drug testing requirements.
 - a. The drug test is administered as soon as possible and no later than 32 hours after the accident.
 - b. The reasons for not administering the test must be documented.
 5. Results of drug or alcohol testing conducted by law enforcement officers or other officials on the scene with independent authority to conduct such tests are presumed valid if the testing conforms with the law. The school district must receive a copy of the results to use them.

K. Return-to-duty/Follow-up Testing.

1. Prior to returning to duty after a positive drug test, a positive alcohol test of 0.04 breath alcohol concentration or greater, or otherwise violating the drug and alcohol testing program policy, its supporting regulations or the law:
 - a. The driver must be re-evaluated by a substance abuse professional to determine that the driver has properly followed any treatment program prescribed.
 - b. The driver must submit to the tests required by the substance abuse professional. The substance abuse professional may require a return-to-duty test for drugs, alcohol or both.
 - c. The return-to-duty test must have a negative drug test result and/or an alcohol test result of less than 0.02 breath alcohol concentration before the driver can return to duty and perform a safety-sensitive function.
2. After returning to duty, the driver is subject to a minimum of six unannounced follow-up tests within 12 months for alcohol, drugs or both, as determined by the substance abuse professional.
 - a. The substance abuse professional can terminate the follow-up testing requirement after the first six tests have been completed or continue the follow-up testing for up to 60 months from the date of the driver's return to duty.
 - b. Alcohol follow-up testing is done just before, during or just after performing a safety-sensitive function.

L. School district responsibilities.

1. Provide drivers with information on the drug and alcohol testing requirements of the drug and alcohol testing program policy, its supporting administrative regulations and the law, including the driver's obligations.
2. Supervisors of drivers or employees designated to determine reasonable suspicion must receive sixty minutes of training on alcohol misuse and sixty minutes of training on drug use. The training must address the physical, behavioral, speech and performance indicators of probable alcohol misuse and drug use.
3. Provide drivers with instructions prior to the driver operating a school vehicle to enable the driver to comply with the drug and alcohol testing requirements.
4. Disallow drivers to report to work or perform a safety-sensitive function when the school district has actual knowledge of a driver's drug use whether or not a drug test was conducted.
5. Disallow drivers to report to work or perform a safety-sensitive function when the school district has actual knowledge of a driver with 0.02 breath alcohol concentration or greater whether or not an alcohol test was conducted.
6. Ensure, through the school district's drug and alcohol testing program service provider, that the quality assurance plan, developed by the manufacturer and approved by the National Highway Traffic Safety Administration (NHTSA) for the evidentiary breath testing device used for alcohol testing of its drivers, describes the inspection, maintenance and calibration requirements and intervals for the device.
7. Ensure, through the school district's drug and alcohol testing program service provider, that the collection site person using an evidentiary breath testing device is a certified breath alcohol technician.

M. Consequences of violating the drug and alcohol testing program policy, its supporting administrative regulations or the law.

1. Each violation is dealt with based on the circumstances surrounding the violation. The following consequences may result from a violation.
 - a. Drivers may be disciplined up to and including termination.
 - b. Drivers may not be permitted to perform safety-sensitive functions.
 - c. Drivers may be advised of the resources available to them in evaluating and resolving problems associated with the misuse of alcohol or use of drugs.
 - d. Drivers may be required to undergo a substance abuse evaluation to determine what assistance, if any, the driver needs in resolving problems associated with the misuse of alcohol or use of drugs and be required to follow any recommended substance abuse treatment program.
 - e. Prior to returning to duty, the driver is required to have a negative drug and/or alcohol test result and be subject to the follow-up drug and/or alcohol testing determined necessary based on the circumstances surrounding the incident.
 - f. Drivers refusing to submit to drug and/or alcohol testing are considered insubordinate and are subject to discipline up to and including termination.
 - g. Drivers/applicants who refuse to submit to or cooperate with the drug and/or alcohol testing process and requirements shall be disqualified

from further consideration.

2. Nothing in the drug and alcohol testing program policy, its supporting administrative regulations or the law relating to drug and alcohol testing limits or restricts the right of the board or superintendent to discipline, up to and including termination, a driver for conduct which violates the school district's policies, supporting administrative regulations and procedures.

N. Drug and alcohol testing records.

1. Drug and alcohol testing records are stored in locked files at limited access locations separate and apart from the driver's general personnel records.
2. The records are released only with the written consent of the driver. Only those records specifically authorized for release may be released. However:
 - a. Records may be released to appropriate government agencies without a written consent.
 - b. Records may be released to appropriate school district employees without written consent.
 - c. School districts may, without written consent, make a driver's drug and alcohol test records available to a decision maker in a lawsuit, grievance or other proceeding initiated by or on behalf of the driver and arising from the result of an alcohol or drug test under the drug and alcohol testing program policy, its supporting regulations or the law or from the school district's determination that the driver violated the drug and alcohol testing program, its supporting regulations, or the law.
3. With a written request, drivers may access and copy their drug and alcohol test records in accordance with the board policy related to employee records. A driver is not denied access to these records for failure to pay fees associated with other records.
4. The school district will have a personnel file for each driver's drug and alcohol testing related records. At a minimum this file should contain:
 - Drug and alcohol related information obtained from prior employers if the driver was hired after Jan. 1, 1996.
 - A "sign off" sheet signed by the driver indicating they have received the drug and alcohol testing program policy and related information and they agree to participate in the drug and alcohol testing program.
 - The chain of custody form for each of the driver's drug tests.
 - The alcohol test form and results for each of the driver's alcohol tests.
 - Any accident information related to the driver.
 - MRO report of drug test results.
 - Any reasonable suspicion information related to the driver.
 - Any substance abuse professional evaluation and treatment information related to the driver.
 - Any other information related to drug and alcohol testing particular to the driver.
5. The following records of the school district's drug and alcohol testing programs are maintained for the time period indicated.
 - a. One year:
 - (1) Records of negative and canceled drug test results and alcohol test results of less than 0.02 breath alcohol concentration.

- (2) Records related to the drug and alcohol testing process.
 - (3) Records related to a driver's test results.
 - (4) Records related to other violations of the law.
 - (5) Records related to substance abuse evaluations.
 - (6) Records related to education and training.
- b. Two years:
- (1) Records related to the alcohol and drug collection process, except calibration of evidentiary breath testing devices, and training.
- c. Five years:
- (1) Alcohol test results of 0.02 breath alcohol concentration and greater;
 - (2) Verified positive drug test results;
 - (3) Documentation of refusals to take required alcohol and/or drug tests;
 - (4) Evidentiary breath testing device calibration documentation;
 - (5) Driver substance abuse evaluations and referrals; and
 - (6) Annual calendar year summary.

Cross Reference: Drug and Alcohol Testing, Code No. 403.7

Air blank: a reading by an evidentiary breath testing device (EBT) of ambient air containing non alcohol.

Alcohol: the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.

Alcohol concentration (or content): the alcohol in a volume of breath expressed in terms of grams of alcohol per two hundred ten liters of breath as indicated by an evidentiary breath test under the law.

Alcohol use: the consumption of any beverage, mixture or preparation, including any medication, containing alcohol.

BAC: breath alcohol concentration.

Breath Alcohol Technician (BAT): an individual who instructs and assists drivers in the alcohol testing process and operates an evidentiary breath testing device.

Canceled or invalid test: in drug testing it is a drug test that has been declared invalid by a Medical Review Officer or a specimen that has been rejected for testing by a laboratory. In alcohol testing it is a test that is deemed to be invalid under the law. A canceled test drug or alcohol test is neither a positive nor a negative test.

Chain of Custody: Procedures to account for the integrity of each urine or blood specimen by tracking its handling and storage from point of specimen collection to final disposition of the specimen. With respect to drug testing, these procedures require that an appropriate drug testing custody form be used from time of collection to receipt by the laboratory and that upon receipt by the laboratory an appropriate laboratory chain of custody form(s) account(s) for the sample or sample aliquots within the laboratory.

Collection site: a place where drivers present themselves for the purpose of providing body fluid or a tissue sample to be analyzed for specific drugs or breath alcohol concentration.

Confirmation test: for alcohol testing it is a second test following a screening test with a result of 0.02 breath alcohol concentration or greater that provides quantitative data of alcohol concentration. For drug testing it is a second analytical procedure (GC/MS) to identify the presence of a specific drug or metabolite which is independent of the initial test and which uses a different technique and chemical principle from that of the initial test in order to ensure reliability and accuracy.

Controlled substances/Drugs: marijuana, cocaine, opiates, amphetamines and phencyclidine.

Driver: any person who operates a school vehicle. This includes, but is not limited to: full time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent, owner-operator contractors who are either directly employed by or under lease to the school district or who operate a school vehicle at the direction of or with the consent of the school district. For the purposes of pre-employment/pre-duty testing only, the term "driver" includes applicants for drivers of school vehicles positions.

Initial test (or screening test): in drug testing it is an immunoassay screen to eliminate "negative" urine specimens from further consideration. In alcohol testing it is an analytic procedure to determine whether a driver may have a prohibited concentration of alcohol in a breath specimen.

Medical Review Officer (MRO): a licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by an employer's drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate a driver's confirmed positive test result together with the driver's medical history and any other relevant bio-medical information.

Non-suspicion-based post-accident testing: testing of a driver after an accident without regard to whether there is any reasonable suspicion of drug usage, reasonable cause to believe that driver has been operating the school vehicle while under the influence of drugs, or reasonable cause to believe the driver was at fault in the accident and drug usage may have been a factor.

Performing a safety-sensitive function: a driver is considered to be performing a safety-sensitive function during any period in which the driver is actually performing, ready to perform, or immediately available to perform an safety-sensitive function.

Random Selection Process: when drug tests are unannounced and every driver has an equal chance of being selected for testing.

Reasonable suspicion: when the school district believes the appearance, behavior, speech or body odors of the driver are indicative of the use of drugs or alcohol.

Refusal to test: when a driver (1) fails to provide adequate breath for alcohol testing without a valid medical explanation after he or she has received notice of the requirement for breath testing in accordance with the provisions of the law, (2) fails to provide adequate urine for drug testing without a valid medical explanation after he or she has received notice of the requirement for urine testing in accordance with the provisions of the law, or (3) engages in conduct that clearly obstructs the testing process. A refusal to test is treated as a positive drug test result or an alcohol test result of 0.04 breath alcohol concentration or greater.

Safety-sensitive function: all time from the time when a driver begins to work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work.

School vehicle: a vehicle owned, leased, and/or operated at the direction or with the consent of the school district which transports sixteen or more persons, including the driver, or weighs over twenty-six thousand one pounds and requires the driver to have/possess a commercial driver's license in order to operate the vehicle.

Split specimen/split sample: the division of the urine specimen into thirty milliliters in a specimen bottle (the primary sample) and into at least fifteen milliliters in second specimen bottle (the split sample).

Substance abuse professional (SAP): a licensed physician (medical doctor or doctor of osteopathy) or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of, and clinical experience in, the diagnosis and treatment of alcohol and controlled substances-related disorders.

Policy Title: Distribution of Personnel Policies

Code No. 404

All rules and regulations concerning school personnel shall be in writing and made available to all personnel.

The duties and responsibilities of school personnel shall be clearly defined and made known to each member of the professional staff. Each staff member shall be held accountable for those duties assigned to him.

January 13, 2014

January 19, 2009

January 12, 2004

Approved: June 1989

Reviewed: January 1995

Revised: June 1989

Legal Reference:

Cross Reference:

Related Administrative Rules and Regulations:

Policy Title: Certification Code No. 406

Certified personnel shall be certified or licensed for the position they hold with the school district. The certification shall meet the requirements set out by the State Department of Education. Each certified employee must present a copy of their current certificate or license to the board secretary annually prior to payment of salary.

January 13, 2014
January 19, 2009
January 12, 2004

Approved: June 1989 Reviewed: January 1995 Revised: June 1989

Legal Reference: _____

Cross Reference: Personnel File _____

Related Administrative Rules and Regulations: _____

Licensed employees who wish to be released from an executed contract must give at least twenty-one days notice to the superintendent. Licensed employees may be released at the discretion of the Board. Only in unusual and extreme circumstances will the Board release a licensed employee from a contract. The Board will have sole discretion to determine what constitutes unusual and extreme circumstances.

Release from a contract will be contingent upon finding a suitable replacement. Licensed employees requesting release from a contract after it has been signed and before it expires may be required to pay the District for expenses incurred to locate and hire a suitable replacement. Upon written mutual agreement between the employee and the superintendent, the costs may be deducted from the employee’s salary. Payment of these costs is a condition for release from the contract at the discretion of the Board. Failure of the licensed employee to pay these expenses may result in a cause of action being filed in small claims court.

The superintendent is authorized to file a complaint with the Board of Educational Examiners against a licensed employee who leaves without proper release from the Board.

NOTE: School districts may charge employees for costs incurred in finding a replacement. Employees can only be charged costs, not “penalties.” The costs cannot be withheld from money owed the employee unless the employee agrees. If costs are not withheld from moneys owed to the employee, the school district must bill the employee. If the employee fails to pay the school district’s only option is to file a claim in small claims court. The school district also has the option of filing a complaint with the Board of Educational Examiners stating the employee has engaged in unprofessional conduct.

February 10, 2014

January 19, 2009

Approved: April 7, 2003

Reviewed: January 12, 2004

Revised _____

Legal Reference: Iowa Code §§ 216;272; 279.13, .19A, .46 (1999). 1978 Op. Att’y Gen. 247. 1974 Op. Att’s Gen. 11, 322.

Cross Reference 486 Voluntary Early Retirement

Policy Title: Provisions for all Employees Code No. 408

Employees shall become familiar with all provisions of board policy, employee handbooks, student handbooks, and other rules and regulations of the school.

February 10, 2014

February 9, 2009

February 11, 2004

Approved: June 1989 Reviewed: January 1995 Revised: June 1989

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Unpaid family and medical leave will be granted up to twelve (12) weeks per year to assist employees in balancing family and work life. For purposes of this policy, year is defined as July 1 to June 30. Requests for family and medical leave shall be made to the superintendent

Employees may be allowed to substitute paid leave for unpaid family and medical leave with paid sick leave, vacation, and/or personal leave, as applicable to other leave policies. Upon expiration of paid leave, the family and medical leave for the serious health conditions of an employee's family member shall be unpaid.

Employees eligible for family and medical leave must comply with the family and medical leave administrative rules prior to starting family and medical leave. It shall be the responsibility of the superintendent to develop administrative rules to implement this policy.

FAMILY AND MEDICAL LEAVE NOTICE TO EMPLOYEES

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 or 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 with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation 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 service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

BENEFITS AND PROTECTION

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.

JOB ELIGIBILITY REQUIREMENTS

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

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 three 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.

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;
- 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.

February 10, 2014

February 9, 2009

February 11, 2004

March 10, 2014

Approved: June 1989

Reviewed: Jan. 1995

Revised: April 1995

Legal Reference: Whitney v. Rural Ind. School District 232 Iowa 61, 4 N.W. 2d 394 (1942), 26 U.S.C. 2601 et seq. (Sup p.1993), 29 C.F.R. Pt. 825 (1993), Iowa Code 20: 85.33, .34, .38(3): 216: 219.40 (1993), 1180 Op. Att'y Gen. 605, 1972 Op. Att'y Gen. 117.353, 052 Op. Atty Gen. 91.

Cross Reference: _____

Related Administrative Rules and Regulations: _____

1. Employee's Name

2. Patient's Name (if different from employee)

3. The attached sheet describes what is meant by a "serious health condition" under the Family and Medical Leave Act. Does the patient's condition, for which the employee is taking FMLA leave, qualify under any of the categories described? If so, please check the applicable category.

(1) _____ (2) _____ (3) _____ (4) _____ (5) _____ (6) _____
or _____ None of the above.

4. Describe the medical facts which support your certification, including a brief statement as to how the medical facts meet the criteria of one of these categories:

5. a. State the approximate date the condition commenced, and the probable duration of the condition (and also the probable duration of the patient's present incapacity, i.e. inability to work, attend school or perform other regular activities due to the serious health condition, treatment therefore, or recovery wherefrom, if different):

b. Will it be necessary for the employee to take work only intermittently or to work on a less than full schedule as a result of the condition (including for treatment described in Item 6 below)?

If yes, give the probable duration:

c. If the condition is a chronic condition (condition #4) or pregnancy, state whether the patient is presently incapacitated and the likely duration and frequency of episodes of incapacity:

6. a. If additional treatments will be required for the condition, provide an estimate of the probable number of such treatments:

If the patient will be absent from work or other daily activities because of treatment on an intermittent or part-time basis, also provide an estimate of the probable number of and interval between such treatments, actual or estimated dates of treatment if known, and period required for recovery if any:

b. If any of these treatments will be provided by another provider of health services (e.g., physical therapist), please state the nature of the treatments:

c. If a regimen of continuing treatment by the patient is required under your supervision, provide a general description of such regimen (e.g. prescription drugs, physical therapy requiring special equipment):

7. a. If medical leave is required for the employee's absence from work because of the employee's own condition (including absences due to pregnancy or a chronic condition), is the employee unable to perform work of any kind?
- b. If able to perform some work, is the employee unable to perform any one or more of the essential functions of the employee's job (the employee unable to perform any one or more of the essential functions of the employee's job (the employee or the employer should supply you with information about the essential job functions)?)

If yes, please list the essential functions the employee is unable to perform.

- c. If neither a. nor b. applies, is it necessary for the employee to be absent from work for treatment?
8. a. If leave is required to care for a family member of the employee with a serious health condition, does the patient require assistance for basic medical or personal needs or safety, or for transportation?
- b. If no, would the employee's presence to provide psychological comfort be beneficial to the patient or assist in the patient's recovery?
- c. If the patient will need care only intermittently or on a part-time basis, please indicate the probable duration of this need:

(Signature of Health Care Provider)

(Type of Practice)

(Address)

(Telephone Number)

Cross Reference: Family and Medical Leave, Code No. 409.3

A serious health condition means an illness, injury impairment, or physical or mental condition that involves one of the following:

1. Hospital care - In patient care (i.e. an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity or subsequent treatment in connection with or consequent to such inpatient care.
2. Absence Plus Treatment - A period of incapacity of more than three consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that also involves:
 - a. treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider or by a provider of health care services (e.g. physical therapist) under the orders of, or on referral by, a health care provider; or
 - b. treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.
3. Pregnancy - Any period of incapacity due to pregnancy or for prenatal care.
4. Chronic conditions Requiring Treatments - A chronic condition which:
 - a. requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;
 - b. continues over an extended period of time (including recurring episodes of a single underlying condition); and
 - c. may cause episodic rather than a period of incapacity (e.g. asthma, diabetes, epilepsy, etc.).
5. Permanent/Long-term conditions Requiring Supervision - A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by a health care provider. Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease.
6. Multiple Treatments (Non-chronic conditions) - Any period of absence to receive multiple treatments (including any period of recovery wherefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment such as cancer (chemotherapy), radiation, etc.), severe arthritis (physical therapy) and kidney disease (dialysis).

Administrative Code: LICENSED EMPLOYEE FAMILY AND 409.3C
MEDICAL LEAVE CERTIFICATION FORM

To be completed by the employee needing family leave to care for a family member. State the care you will provide and an estimate of the period during which care will be provided, including a schedule if leave is to be taken intermittently or if it will be necessary for you to work less than a full schedule:

(Employee Signature)

(Date)

(Address)

(Telephone Number)

Cross Reference: Family and Medical Leave, Code No. 409.3

Persons interested in a licensed position will have an opportunity to apply and qualify for licensed positions in the school district without regard to age, race, creed, color, sex, national origin, religion, sexual orientation, gender identity or disability. Job applicants for licensed positions will be considered on the basis of the following:

- Training, experience, and skill;
- Nature of the occupation;
- Demonstrated competence; and
- ***Possession of, or ability to obtain, state license if required, for the position.***

Announcement of the position is in a manner which the superintendent believes will inform potential applicants about the position. Applications for employment may be obtained from and completed applications are returned to the school district administrative office. Whenever possible, the preliminary screening of applicants will be conducted by the administrator who will be directly supervising and overseeing the person being hired.

The Board will employ licensed employees after receiving a recommendation from the superintendent. The superintendent, however, will have the authority to employ a licensed employee on a temporary basis until a recommendation can be made and action can be taken by the Board on the position.

The requirements stated in the Master Contract between employees in the certified collective bargaining unit and the Board regarding qualifications, recruitment and selections of such employees will be followed.

Legal Reference: 29 U.S.C. §§ 621-634 (2010).
42 U.S.C. §§ 2000e, 12101 *et seq.* (2010).
Iowa Code §§ 20; 35C; 216; 279.13 (2011).
281 I.A.C. 12.
282 I.A.C. 14.
1980 Op. Att'y Gen. 367.

Approved: June 1989

February 10, 2014
January 14, 2013
February 9, 2009
February 11, 2004
Reviewed: January 1995

February 11, 2013
December 2000
Revised: April 1995

Classified employees are employees who are not administrators or employees in positions which require an Iowa Department of Education teaching license and who are employed to fulfill the duties listed on their job description on a monthly or hourly basis. Classified employees will include, but not be limited to, teacher and classroom aides, custodial and maintenance employees, clerical employees, food service employees, bus drivers, and temporary help for summer or other maintenance. The position may be full-time or part-time. It is the responsibility of the superintendent to establish job specifications and job descriptions for classified employee positions. Job descriptions may be approved by the board.

Classified employees required to hold a license for their position must present evidence of their current license to the board secretary prior to payment of wages each year.

Persons interested in a classified employee position will have an opportunity to apply and qualify for classified employee positions in the school district without regard to age, race, creed, color, sex, national origin, religion, sexual orientation, gender identity or disability. Job applicants for classified employee positions will be considered on the basis of the following:

- Training, experience, and skill;
- Nature of the occupation;
- Demonstrated competence; and
- ***Possession of, or ability to obtain, state or other license or certificate, if required, for the position.***

Announcement of the position will be through means the superintendent believes will inform potential applicants about the position. Applications for employment may be obtained from and completed applications will be returned to the central administration office. Whenever possible, the preliminary screening of applicants will be conducted by the administrator who directly supervises and oversees the position.

The superintendent will recommend employment of classified employees to the board for approval. The superintendent has the authority to temporarily hire, without board approval, bus drivers, custodians, education associates, maintenance staff, clerical personnel, and food service workers, pending later board approval

Legal Reference: Iowa Code 35C; 216; 279.8; 294.1 (2011).

Approved February 11, 2013

Reviewed February 10, 2014

Revised _____

The board encourages certified personnel to attend and participate in professional development activities to maintain, develop, and extend their skills.

The Boards shall maintain and support an in-service program for certified personnel.

Requests for attendance or participation in a development program, other than those development programs sponsored by the school district, shall be made to the superintendent. Approval of the superintendent must be obtained prior to attendance by a certified employee in a professional development program.

The superintendent or designee shall have the discretion to allow or disallow certified employees to attend or participate in the requested event. When making this determination, the superintendent will consider the value of the program for the employee and the school district, the effect of the employee's absence, on the education program and school district operations and the school district's budget as well as other factors deemed relevant in the judgment of the superintendent.

February 10, 2014
February 9, 2009
February 11, 2004

Approved: June 1989 Reviewed: January 1995 Revised: April 1995

Legal Reference: _____

Cross Reference: Iowa Code 279.8 (1989), 670 Iowa Adm. Code 3.7, 281 Iowa Adm. Code 12.7 (new standards)

Related Administrative Rules and Regulations: _____

Policy Title: Materials Created by Certified Personnel Code No. 413

Materials created by certificated personnel shall be the property of the school district if school materials and/or time were used in their creation and/or such materials were created in the scope of the certificated personnel's employment. These materials shall remain at the school whenever the certified personnel leave employment.

February 10, 2014
February 9, 2009
February 11, 2004

Approved: June 1989 Reviewed: January 1995 Revised: April 1995

Legal Reference: Iowa Code 279.8 (1989)

Cross Reference: 401.3 General Personnel Conflict of Interest, 408.3 Certificated Personnel Tutoring

Related Administrative Rules and Regulations: _____

Policy Title: Hazardous Chemical Disclosure Code No. 414

The board authorizes the development of a comprehensive hazardous chemical communication program for the school districts to disseminate information about hazardous chemicals in the workplace.

Each school district employee shall review this information about hazardous substances annually. Further, when a new school district employee is hired, the information and training, if necessary, shall be included in the orientation of the employee. When an additional hazardous substance enters the workplace, information about it shall be distributed and training shall be conducted for the appropriate employees. The superintendent shall maintain a file indicating when training and informing takes place.

School district personnel, who will be instructing or otherwise working with students, shall disseminate information about the hazardous chemicals they will be working with as part of the instructional program. School district personnel are required to disseminate the information when the materials are used in the instructional program.

It shall be the responsibility of the superintendent to develop administrative regulations regarding this program.

February 10, 2014

February 9, 2009

February 11, 2004

Approved: June 1989 Reviewed: January 1995 Revised: April 1995

Legal Reference: Iowa Code 88, 89B (1989), 29 C.F.R. 1910, 1200 et seq. 547 Iowa Admin. Code 110, 530 Iowa Admin. Code 130, 281 Iowa Admin. Code 12.3(9) (new standards)

Cross Reference: _____

Related Administrative Rules and Regulations: _____

The district will have a written Hazard Communication Program. The following are guidelines for plan review:

- The plan must be reviewed by the administrative team. This review should occur prior to the start of school each year.
- The plan will be reviewed by an outside professional at least once every five years.

Staff members will receive training relating to the Hazard Communication Plan on the following schedule:

- Within 30 days of employment, new staff members will receive "Right to Know" training. This training must contain building specific information.
- At least every three years, staff members will receive update training on the district's "Right to Know" plan and information.

Questions regarding the district's Hazard Communication Plan should be directed to the school superintendent.

Policy Title: Communicable Diseases- Employees

Code No. 416

School district personnel with a communicable disease will be allowed to perform their customary employment duties as long as they are able to perform the tasks assigned to them and as long as their presence does not create a substantial risk of illness transmission to the students or other personnel.

The term “Communicable disease” shall mean an infectious or contagious disease spread from person to person or animal to person or as defined by the State Department of Health.

The health risk to immuno-depressed school district personnel shall be determined by their personal physician. The health risk to others in the school environment from the presence of employees with a communicable disease shall be determined on a case-by-case basis by public health officials.

Since there may be greater risks of transmission of a communicable disease for some persons with certain conditions than for other persons infected with the same disease, these special conditions, the risk of transmission of the disease, the effect upon the education program, the effect upon the person and other factors deemed relevant by public health officials of the superintendent shall be considered in assessing school district personnel’s continued presence and performance of their employment responsibilities. The superintendent may require medical evidence that school district personnel with a communicable disease are able to perform their assigned duties.

Health data of an employee is confidential and it shall not be disseminated.

It shall be the responsibility of the superintendent, in conjunction with the school nurse, to develop administrative regulations stating the procedures for dealing with school district personnel with a communicable disease.

February 10, 2014

February 9, 2009

February 11, 2004

Approved: June 1989 Reviewed: January 1995 Revised: April 1995

Legal Reference: School Board of Nassau County v. Arline 107, S.Ct. 1123 (1987) Iowa Code 139 (1989), 29 U.S.C.S. 701 et seq. (1986), 45 C.F.R/ 84.3, 470 Iowa Admin. Code 1.2-1.5, 7, 146.1(2)

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Policy Title: Education Aide Code No. 418

The board may employ education aides or other instructional support personnel to assist certified personnel in on-teaching duties, including, but not limited to:

1. Managing and maintaining records, materials, and equipment
2. Attending to the physical needs of children
3. Performing other limited services to support teaching duties when such duties are determined and directed by the teacher

Education aides who hold a teaching certificate shall be compensated at the rate of pay established for their position as an education aide. It shall be the responsibility of the principal to supervise education aides.

February 10, 2014

February 9, 2009

February 11, 2004

Approved: June 1989 Reviewed: January 1995 Revised: April 1995

Legal Reference: Iowa Code 279.8, 280.3, .14, (1989), 670 Iowa Admin. Code 3.4 (5), 3.7 (1), 281 Iowa Admin. Code 12.4(9) (new standards)

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Policy Title: Insurance after Retirement Code No. 420

School personnel can continue on the school Group Health and Accident insurance program after retirement, provided the individual pays the total premium themselves. Premiums are to be paid before the first of each month.

February 10, 2014
February 9, 2009
February 11, 2004

Approved: June 1989 Reviewed: January 1995 Revised: April 1995

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Policy Title: Payroll Deductions Code No. 422

Payroll deductions are authorized for withholding taxes, IPERS, FICA, Tax Sheltered Annuities, State Association dues, pre-tax authorized programs, and the Board's authorized insurance program.

February 10, 2014
February 9, 2009
February 11, 2004

Approved: June 1989 Reviewed: January 1995 Revised: April 1995

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Policy Title: Insurance Code No. 424

Group health and accident insurance premiums may be deducted from the salaries of certified and non-certified personnel. The school district may contribute to the amount of the premium. (At the present time, the school district pays the premium for the individual employee.) The amount of insurance, toward which the school district shall contribute, shall be determined annually and approved by the Board of Education.

Certified staff - See Master Contract related article

Classified staff - the School Board will provide medical insurance for all full-time employees “working thirty (30) hours a week or more. Coverage will begin on the first month coinciding with or the next month following the date of employment and terminate at the end of the month in which employment ceases.

As long as 75% of the eligible staff (Certified and Classified) requests employee coverage, then an eligible employee can elect to receive a tax sheltered annuity in the employee’s name in lieu of the insurance or cash payment. The amount of TSA or cash payment will be set by the master contract. Participation in the tax sheltered annuity option will be determined by seniority of those waiting to elect a tax-sheltered annuity. If employees are presently covered and their benefits are changed by this policy, employee benefits will remain the same.

February 10, 2014

February 9, 2009

February 11, 2004

Approved: June 1989 Reviewed: February 1998 Revised: May 1998

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Policy Title: Mileage Code No. 426

School personnel will be reimbursed at the state rate per mile for use of their personal automobile for approved travel on school business.

February 10, 2014
February 9, 2009
February 11, 2004
March 8, 2004
Approved: June 1989 Reviewed: January 1995 Revised: April 1995

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Policy Title: Use of School Owned Car, Station Wagon, or Van

Code No. 427

A staff member attending a meeting, conference, or other travel required by the district, should use the school car if available.

February 10, 2014
February 9, 2009
February 11, 2004

Approved: June 1989 Reviewed: January 1995 Revised: April 1995

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Policy Title: Resignation Code No. 428

Resignations shall be in writing signed by the resigning party and directed to the Superintendent of Schools and referred by him/her to the Boards of Directors with his/her recommendation.

Certified staff refer to Master Contract for related article.

February 10, 2014

March 9, 2009

March 8, 2004

Approved: June 1989 Reviewed: January 1995 Revised: April 1995

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Policy Title: Paid Holiday Code No. 430

The district will pay holidays for identified staff. Staff members receiving holiday pay will be all staff members working more than the identified student contact days and staff development days.

1. Certified Staff: The following holidays are days with pay for all certified personnel if the holiday falls within the contract year.
 - Labor Day
 - Thanksgiving
 - Christmas
 - New Years
 - Memorial Day
 - July 4th

2. Classified: Same as above plus
 - Good Friday
 - Day before or after July 4th
 - Day before or after Thanksgiving
 - Day before or after Christmas

February 10, 2014
March 9, 2009
March 8, 2004

Approved: June 1989 Reviewed: February 1998 Revised: May 1998

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Policy Title: Classified Employee Tax Shelter Programs

Code No. 433

The board authorizes the administration to make a payroll deduction for classified employees' tax sheltered annuity premiums purchased from a company or program chosen by the board.

Classified employees wishing to have payroll deductions for tax sheltered annuities will make a written request to the superintendent.

Approved: April 6, 2009

Reviewed: March 10, 2014

Revised: _____

Legal Reference: Small Business Job Protection Act of 1996, Section 1450(a), repealing portions of
IRS REG § 1.403(b)-1(b)(3).
Iowa Code §§ 20.9; 260C; 273; 294.16 (2007).
1988 Op. Att'y Gen. 38.
1976 Op. Att'y Gen. 462, 602.
1966 Op. Att'y Gen. 211, 220.

Cross Reference: 840 Payroll Periods

Policy Title: Acknowledgements Code No. 434

The Board of Education authorizes the administration to send flowers, cards, messages, etc. to individuals and groups, as they deem appropriate.

March 10, 2014
March 9, 2009
March 8, 2004

Approved: June 1989 Reviewed: January 1995 Revised: April 1995

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Policy Title: Payments of Services _____ Code No. 436

Payments for services will be on the regular payroll on or before the 20th day of each month.

March 10, 2014

March 9, 2009

March 8, 2004

Approved: June 1989 Reviewed: January 1995 Revised: April 1995

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Policy Title: Physical Examinations Code No. 438

- 1) Certified/Classified Employees
Good health is important to job performance. Employees shall present evidence of good health in the form of a written physical examination report from qualified medical personnel prior to their employment with the school district. Employees, whose physical or mental health, in judgment of the administration, may be in doubt, shall submit to additional examinations at the expense of the school district when requested to do so.
- 2) Bus Driver/Additional Requirement
School bus drivers shall present evidence of good health every two years in the form of a physical examination report.
- 3) District Payment
The district will pay \$50.00 toward the cost of an employee's physical examination that is not covered by insurance.

March 10, 2014

March 9, 2009

December 13, 2006

March 8, 2004

January 8, 2007

Approved: June 1989

Reviewed: February 1998

Revised: May 1998

Legal Reference: Iowa Code 20.9, 279.8 (1989), 670 Iowa Admin. Code 3.4(14), 22.15- .20, 281 Iowa Admin. Code 12.4(14) (new standards)

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Policy Title: Certified Personnel File Code No. 440

All certified personnel are required by the Board of Education to have the following items on file in the Superintendent's office prior to the opening of school:

- ANNUAL:
1. Transcripts of all college work.
 2. Current certification.
 3. Physical Examination upon initial employment

March 10, 2014

March 9, 2009

December 13, 2006

March 8, 2004

January 8, 2007

Approved: June 1989

Reviewed: January 1995

Revised: April 1995

Legal Reference: _____

Cross Reference: Physical Examinations, Certification _____

Related Administrative Rules and Regulations: _____

Policy Title: Workmen's Compensation Code No. 442

All employees of the GMG Community School Districts are covered by Workmen's Compensation if injured on the job. If such an injury occurs, it is imperative to contact the Superintendent's office to relate necessary information concerning the accident. If it is necessary to consult a physician or receive treatments of any kind in connection with the injury, the Superintendent will provide information to file a claim for reimbursement and for payment options. All injuries must have an injury report completed within 48 hours of the accident.

March 10, 2014

March 9, 2009

March 8, 2004

Approved: June 1989 Reviewed: January 1995 Revised: April 1995

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Policy Title: Substitute Teachers Code No. 445

The board recognizes the need for substitute teachers. Substitute teachers shall be certificated to teach in Iowa.

It shall be the responsibility of the building principal to maintain a list of substitute teachers who may be called upon to replace regular contract certificated personnel. Individuals whose names do not appear on this list will not be employed as a substitute without specific approval of the superintendent. It shall be the responsibility of the building principal to fill absences with substitute teachers immediately.

Substitute teachers will be paid at a rate approved by the board. The rate will change after 10 consecutive days of teaching in the same assignment. Substitute teachers are expected to perform the same duties as the regular teachers.

March 9, 2009

March 8, 2004

Approved: June 1989 Reviewed: January 1995 Revised: April 1995

Legal Reference: Fitzgerald V. Saydel Consolidate School District, 345 N.W. 2d (Iowa 1984) Association of School Boards and Iowa State Education Association v. PERB, 400 N.W. 2d 571 (Iowa 1989), Iowa Code 20.1, .4(5), .9, .13(2). (1989), 281 Iowa Admin. Code 11.5, 281 Iowa Admin. Code 12.5

Cross Reference: 405.1 Certificated Personnel Defined, 405.2 Certificated Personnel Qualifications, Recruitment, Selection, 405.9 Certificated Personnel Probationary Status, 406 Certificated Personnel Compensation and Benefits

Related Administrative Rules and Regulations: _____

Policy Title: Certified Personnel Related Considerations School Days Code No. 446

The normal workday for teachers is 8:00 a.m.-4:00 p.m. Exceptions may be made by the principal when the assignment or situation warrants.

March 10, 2014
March 9, 2009
March 8, 2004

Approved: June 1989 Reviewed: January 1995 Revised: April 1995

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Policy Title: Vacations - Classified Code No. 448

After 12 months of employment and every year thereafter, full-time classified employees are entitled to vacation with pay according to the following schedule:

1 Year	1 week vacation
2 Years or more	2 weeks vacation
10 Years or more	3 weeks vacation

Full-time classified personnel must arrange their vacation with the Superintendent. Up to five days vacation time may accrue from one year to the next. A week shall be defined as a five (5) day workweek.

Employees will be notified by May 15th of each year regarding the number of vacation days remaining for the current year. Employees will acknowledge their understanding of the number of vacation days remaining and the number of days that can be carried over.

March 10, 2014
March 9, 2009
March 8, 2004

Approved: June 1989 Reviewed: April 1996 Revised: May 1997

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Policy Title: Other Employment Code No. 450

All certified personnel may be engaged in other employment, unless such activities directly infringes upon the employees professional services to the school district.

March 10, 2014
March 9, 2009
March 8, 2004

Approved: June 1989 Reviewed: January 1995 Revised: April 1995

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Policy Title: Gifts to Employees Code No. 451

Employees may receive a gift on behalf of the school district. Employees shall not, either directly or indirectly, solicit, accept or receive any gift, series of gifts or an honorarium unless the donor does not meet the definition of “restricted donor” stated below or the gift or honorarium does not meet the definition of gift or honorarium stated below.

A “restricted donor” is defined as a person or other entity which:

- Is seeking to be, or is a party to, any one or any combination of sales, purchases, leases or contracts to, from or with the school district;
- Will be directly and substantially affected financially by the performance or nonperformance of the employee’s official duty in a way that is greater than the effect on the public generally or on a substantial class of persons to which the person belongs as a member of a profession, occupation, industry or region; or
- Is a lobbyist or a client of a lobbyist with respect to matters within the school district’s jurisdiction?

A “gift” is the giving of anything of value in return for which something of equal or greater value is not given or received. However, “gift” does not include any of the following:

- Contributions to a candidate or a candidate’s committee;
- Information material relevant to an employee’s official function, such as books, pamphlets, report documents, periodicals or other information that is recorded in a written, audio or visual format;
- Anything received from a person related within the fourth degree by kinship or marriage, unless the donor is acting as an agent or intermediary for another person not so related;
- An inheritance;
- Anything available or distributed to the general public free of charge without regard to the official status of the employee;
- Items received from a charitable, professional, educational or business organization to which the employee belongs as a dues paying member if the items are given to all members of the organization without regard to an individual member’s status or positions held outside of the organization and if the dues paid are not inconsequential when compared to the items received;
- Actual expenses of an employee for food, beverages, travel and lodging for a meeting, which is given in return for participation in a panel or speaking engagement at the meeting when the expenses relate directly to the day or days on which the employee has participation or presentation responsibilities;
- Plaques or items of negligible resale value are given as recognition for public service;
- Nonmonetary items with a value of less than three dollars that are received from any one donor during one calendar day;
- Items or services solicited or given to a state, national or regional organization in which the state of Iowa or a school district is a member or solicited by or given for the same purposes to state, national or regional

government organizations whose memberships and officers are primarily composed of state or local government officials or employees;

- Items or services received by members or representative of members as part of a regularly scheduled event that is part of a business or educational conference, seminar or other meeting that is sponsored and directed by any state, national or regional government organization in which the state of Iowa or a political subdivision of the state of Iowa is a member or received at such an event by members or representatives of members of state, national or regional government organizations whose memberships and officers are primarily composed of state or local government officials or employees;
- Funeral flowers or memorials to a church or nonprofit organization;
- Gifts, which are given to an employee for the employee's wedding or twenty-fifth or fiftieth wedding anniversary;
- Payment of salary or expenses by the school district for cost of attending a meeting of a subunit of an agency when the employee whose expenses are being paid serves on a board, commission, committee, council or other subunit of the agency and the employee is not entitled to receive compensation or reimbursement of expenses from the school district for attending the meeting; or
- Gifts other than food, beverages, travel and lodging received by an employee which are received from a person who is a citizen of a country other than the United States and is given during a ceremonial presentation or as a result of a custom of the other country and is of personal value to the employee.

An "honorarium" is anything of value that is accepted by, or on behalf of, an employee as consideration for an appearance, speech, or article. An honorarium does not include any of the following:

- Actual expenses of an employee for registration, food, beverages, travel or lodging for a meeting, which is given in return for participation in a panel or speaking engagement at a meeting when the expenses relate directly to the day or days on which the employee has participation or presentation responsibilities;
- A nonmonetary gift or series of nonmonetary gifts donated within thirty days to a public body, an educational or charitable organization or the Iowa department of general services; or
- A payment made to an employee for services rendered as part of a private business, trade or profession in which the employee is engaged if the payment is commensurate with the actual services rendered and is not being made because of the person's status as an employee of the district, but, rather, because of some special expertise or other qualification.

It shall be the responsibility of each employee to know when it is appropriate to accept or reject gifts or an honorarium.

March 10, 2014

March 9, 2009

March 8, 2004

Approved: June 1989 Reviewed: January 1995 Revised: April 1995

Legal Reference: Iowa Code ch. 68B (1993), Iowa Code Supp. ch. 68B (1993), 1972 Op. Att'y Gen. 276, 1970 Op. Att'y Gen. 319.

Cross Reference: Gifts to Board of Directors, Employee Conflict of Interest

Related Administrative Rules and Regulations: _____

Policy Title: Relations to Pupils and Public Code No. 452

In general, students are the responsibility of the certified staff. However, under the following conditions, classified personnel should assume authority over students:

1. A bus driver is responsible for the students on his/her bus when he/she alone is in charge of the students.
2. At any time of the day or night when a certified staff member is not present.

March 10, 2014

March 9, 2009

March 8, 2004

Approved: June 1989 Reviewed: January 1995 Revised: April 1995

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Policy Title: Salary Schedule Code No. 454

See Master Contract related article.

March 10, 2014

April 6, 2009

April 5, 2004

Approved: June 1989

Reviewed: January 1995

Revised: April 1995

Legal Reference:

Cross Reference:

Related Administrative Rules and Regulations:

Students, parents of students, employees, and applicants for employment in the GMG Community School District will have the right to file a formal complaint alleging discrimination under federal or state regulations requiring non-discrimination in programs and employment.

Level One - Principal or other Immediate Supervisor

Employees with a complaint of discrimination based upon their gender, race, national origin, creed, religion, sexual orientation, gender identity, or disability are encouraged to first discuss it with their immediate supervisor, with the objective of resolving the matter informally. An applicant for employment with a complaint of discrimination based upon their gender, race, national origin, creed, religion, age, sexual orientation, gender identity, or disability are encouraged to first discuss it with the personnel contact person. This paragraph is for employees and "marital status" isn't a protected class for employees.

A student, or a parent of a student, with a complaint of discrimination based upon their gender, race, national origin, creed, religion, marital status, sexual orientation, gender identity, or disability are encouraged to discuss it with the instructor, counselor, supervisor, building administrator, program administrator or personnel contact person directly involved.

Level Two - Superintendent/Administrator

If the complaint is not resolved at Level One, the grievant may appeal it to Level Two by presenting a written appeal to the superintendent within five working days after the grievant receives the report from the Principal/Immediate Supervisor. The grievant may request a meeting with the Superintendent. The superintendent may request a meeting with the grievant to discuss the appeal. A decision will be rendered by the superintendent within a reasonable time after the receipt of the written appeal. If, in cases of disability grievances at the elementary and secondary level, the issue is not resolved through the grievance process, the parents have a right to an impartial hearing to resolve the issue.

This procedure in no way denies the right of the grievant to file formal complaints with the Iowa Civil Rights Commission, the U. S. Department of Education Office for Civil Rights or Office of Special Education Programs, the Equal Employment Opportunity Commission, or the Iowa Department of Education for mediation or rectification of civil rights grievances, or to seek private counsel for complaints alleging discrimination.

Level Three - Appeal to Board

If the grievant is not satisfied with the superintendent's decision, the grievant can file an appeal with the Board within five working days of the decision. It is within the discretion of the Board to determine whether it will hear the appeal.

April 7, 2014

April 6, 2009

April 5, 2004

May 12, 2014

December 2000

Approved: Oct. 1992

Reviewed: February 1998

Revised: May 1998

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Policy Title: Grievance - Certified Employee Code No. 458

See Master Contract related article.

April 7, 2014
April 6, 2009
April 5, 2004

Approved: June 1989 Reviewed: January 1995 Revised: April 1995

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Policy Title: Jury Duty Code No. 460

Employees required to serve on jury duty shall be released from their assignment to so serve. Employees required by law to testify in criminal or civil court shall be released from assignment to so testify when the appearance, so required, is related to the performance of the employee's contract duties or is a non-job related appearance in which the employee is not a plaintiff or defendant.

Any fees or remuneration the employee receives during such leave shall be turned over to the district.

April 7, 2014

April 6, 2009

April 5, 2004

Approved: June 1989

Reviewed: January 1995

Revised: April 1995

Legal Reference:

Cross Reference:

Related Administrative Rules and Regulations:

Policy Title: Educational Advancement Code No. 462

See Master Contract related article.

April 7, 2014
April 6, 2009
April 5, 2004

Approved: June 1989 Reviewed: January 1995 Revised: April 1995

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Policy Title: Family Emergency Leave/Certified and Classified Code No. 464

See Master Contract related article.

April 7, 2014
April 6, 2009
April 5, 2004

Approved: June 1989 Reviewed: January 1995 Revised: April 1995

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Policy Title: Bereavement Leave/Certified and Classified Code No. 466

See Master Contract related article.

April 7, 2014
April 6, 2009
April 5, 2004

Approved: June 1989 Reviewed: January 1995 Revised: April 1995

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Policy Title: Personal Leave/Certified and Classified Code No. 468

See Master Contract related article.

April 7, 2014
April 6, 2009
April 5, 2004

Approved: June 1989 Reviewed: January 1995 Revised: April 1995

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Policy Title: Teacher Absences and Substitutes Code No. 470

Each teacher should report his/her inability to attend classes to the principal. The principal is to be called by 6:30 AM, if a staff member is not able to attend classes that day. If the teacher remains away from school for more than three days he or she may be required to have a doctor's statement. Teachers are not to employ their substitutes.

April 7, 2014

April 6, 2009

April 5, 2004

Approved: June 1989

Reviewed: January 1995

Revised: April 1995

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____

[Policy Title: Public Service Code No. 472

All certified and classified personnel may engage in public service activities unless such activity directly infringes upon the employee's services to the school district. Public service required by state or federal law will be permitted, regardless of conflicts with district employment.

April 7, 2014

April 6, 2009

April 5, 2004

Approved: June 1989 Reviewed: February 1998 Revised: May 1998

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Policy Title: Harassment Code No. 474

Harassment of employees and students will not be tolerated in the school district. School district includes school district facilities, school district premises, and non-school property if the employee or student is at any school sponsored, school approved or school related activity or function, such as field trips or athletic events where students are under the control of the school district or where the employee is engaged in school business.

Harassment shall include, but not be limited to, racial, religious, color, creed, gender, marital status, national origin, age, disability and sexual harassment. Harassment by board members, administrators, employees, parents, students, vendors, and other doing business with the school district is prohibited. Employees whose behavior is found to be in violation of this policy will be subject to the investigation procedure which may result in discipline, up to and including, discharge or other appropriate action. Other individuals whose behavior is found to be in violation of this policy will be subject to appropriate sanctions as determined and imposed by the superintendent or board.

Sexual harassment shall include, but not be limited to, unwelcome sexual advances, requests for sexual favors, written or verbal harassment or abuse, repeated remarks with sexual implications, unwelcome touching, and other verbal or physical conduct of a sexual nature when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or grades
- submission to or rejection of such conduct by an individual is used as the basis for employment or grading decisions affecting such individual; or
- such conduct has the purpose or effect of unreasonable interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.
- such conduct has the purpose or effect of unreasonably interfering with a student's education or personal life or creating an intimidating, hostile, or offensive school environment.

Other types of harassment may include, but not be limited to, demeaning jokes or stories, pictures or objects that are offensive, verbal or written remarks that intend to alarm, annoy, abuse or demean individuals and groups.

Employees and students who believe they have suffered sexual harassment, shall report such matters to the designated Level I investigation, who shall be the investigator for harassment complaints. However, claims regarding harassment may also be reported to the alternate Level I investigator.

April 7, 2014
May 18, 2009
June 14, 2004

Approved: June 1989 Reviewed: January 1997 Revised: May 1997

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____

The board believes individuals who file an application should be given consideration for employment, if they meet or exceed the qualifications set by the board, administration, and State Department of Education for the class or position for which they apply. In employing school district personnel, the board shall consider the qualifications, credentials, and records of all applicants without regard to race, religion, sex, national origin, disability or age . The board shall consider the veteran status of applicants. In addition, GMG Community School does not discrimination on the basis of disability with regard to admission, access to services, treatment, or employment in its programs and activities.

April 7, 2014

May 18, 2009

June 14, 2004

December 2000

Approved: June 1989 Reviewed: February 1998

Revised: May 1998

Legal Reference: 29 U.S.C.S. 621-634 (May 1986), 42 U.S.C.S. 2000et seq. (May 1986), 42 U.S.C.S. 2000e et seq. (May 1986), Iowa Code 20, 70, 279.8 601A (1987 & Supp. 1987), 670 Iowa Admin. Code 3, 4, 13-17, 670 Iowa Admin. Code 4.4 (proposed rules).

Cross Reference: Recruitment-Qualifications-Selection of Certified Personnel, Recruitment-Qualifications-Selection of Support Personnel

Related Administrative Rules and Regulations: _____

Policy Title: Suspension of Personnel-Certified/Classified Code No. 480

Employee shall perform their assigned job, respect board policy and obey the law. The superintendent is authorized to suspend an employee pending board action on a discharge, for investigation of charges against the employee, or for disciplinary purposes. Suspension without pay may be used for disciplinary purposes provided no discharge proceeding has been initiated. It shall be within the discretion of the superintendent to suspend an employee with or without pay.

In the event of a suspension, appropriate due process shall be followed.

It shall be the responsibility of the superintendent to develop administrative regulations regarding this policy, including the due process procedures to be followed, which meet the provision of work rules, administrative procedures and labor agreements.

April 7, 2014
May 18, 2009
June 14, 2004

Approved: June 1989 Reviewed: January 1995 Revised: April 1995

Legal Reference: Northeast Community Education Association v. Northeast Community School District, 408 N.W. 2d 46 (Iowa 1987), McFarland v. Board of Education of Norwalk Community School District 277 N.W. 2d 901 (Iowa 1979), Iowa Code 20.7, .24, 279.13, 279.15-.19, .27 (1987)

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Policy Title: Recognition for Services Code No. 482

The board recognizes and appreciates the service of its employees. Employees, who have served the school district faithfully and who retire or resign may be honored by the board, administration and staff in a manner fitting to the retiring or resigning employee.

It shall be the responsibility of the superintendent to determine the appropriate form of honor for the resigning or retiring employee. If school district funds will be used, the superintendent's guidepost in making this determination shall be the reasonableness of the expenditure.

If the form of honor thought appropriate by the superintendent involves unusual expense to the school district, the superintendent shall seek prior approval from the board.

May 12, 2014

May 18, 2009

June 14, 2004

Approved: June 1989 Reviewed: January 1995 Revised: April 1995

Legal Reference: Iowa Code 273.1, 279.8, 721.2(1), (5) (1987 & Supp. 1987), 1980 Op. Att'y Gen 102, 1976 Op. Att'y Gen. 69

Cross Reference: _____

Related Administrative Rules and Regulations: _____

The board expects the school district and its employees to remain substance free. No employee will unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of, in the workplace, any narcotic drug, hallucinogenic drug, amphetamine, barbituate, marijuana or any other controlled substance or alcoholic beverage as defined by federal or state law. "Workplace" includes school district facilities, school district premises or school district vehicle, also includes nonschool property if the employee is at any school-sponsored, school-approved or school-related activity, event or function, such as field trips or athletic events where students are under the control of the school district or where the employee is engaged in school business.

If an employee is convicted of a violation of any criminal drug offense committed in the workplace, the employee will notify the employee's supervisor of the conviction within five days of the conviction.

The superintendent will make the determination whether to require the employee to undergo substance abuse treatment or to discipline the employee. An employee who violates the terms of this policy may be subject to discipline up to and including termination. *[An employee who violates this policy may be required to successfully participate in a substance abuse treatment program approved by the board.]* If the employee fails to successfully participate in a program, the employee may be subject to discipline up to and including termination.

The superintendent is responsible for publication and dissemination of this policy to each employee. In addition, the superintendent will oversee the establishment of a substance-free awareness program to educate employees about the dangers of substance abuse and notify them of available substance abuse treatment programs.

It is the responsibility of the superintendent to develop administrative regulations to implement this policy.

Legal Reference: 41 U.S.C. §§ 701-707 (2010).
42 U.S.C. §§ 12101 *et seq.* (2010).
34 C.F.R. Pt. 85 (2010).
Iowa Code §§ 123.46; 124; 279.8 (2011).

	May 12, 2014	
	November 12, 2012	
	May 18, 2009	December 10, 2012
	June 14, 2004	December 2000
Approved: <u>June 1989</u>	Reviewed: <u>January 1995</u>	Revised: <u>April 1995</u>

Policy Title: Notice to Employees Regarding
Drug-Free Workplace

Code No. 484.1

YOU ARE HEREBY NOTIFIED that it is a violation of the policy of this school district for any employee to unlawfully manufacture, distribute, dispense, possess or use on or in the workplace any alcohol, narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance, as defined in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation at 21 CFR 1300.11 through 1300.15 and Iowa Code Chapter 204.

“Workplace” is defined as the site for the performance of work done in the capacity as a school district employee. That includes a school building or other school premise; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; and off school property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district.

YOU ARE FURTHER NOTIFIED that it is a condition of your continued employment that you comply with the above policy or the school district will notify your supervisor of your conviction of any criminal drug statute for a violation occurring in the workplace, no later than five (5) days after such conviction.

Any employee who violates the terms of the school district’s drug-free workplace policy shall successfully participate in a drug abuse assistance or rehabilitation program approved by the board. If the employee fails to successfully participate in such program the employee’s contract shall not be renewed or the employee’s employment may be suspended or terminated at the discretion of the board.

May 12, 2014

May 18, 2009

June 14, 2004

December 2000

Approved: June 1989 Reviewed: January 1995

Revised: April 1995

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____

Policy Title: Smoking in School District Facilities Code No. 484.2

It is the goal of the board to have a smoke free environment in all school district owned and operated motor vehicles and buildings. This policy will take effect on July 1, 1991.

All school district owned and operated motor vehicles and buildings, including, but not limited to all school-sponsored events, shall be off limits for smoking. This ban extends to all school personnel and visitors. Persons violating this policy shall be asked to refrain from smoking. Persons failing to abide by this policy request shall be required to leave the school district premises immediately.

It shall be the responsibility of all school personnel to enforce this policy. It shall be the responsibility of the superintendent to develop administrative regulations in concert with this policy.

May 12, 2014

May 18, 2009

June 14, 2004

Approved: Dec. 1990 Reviewed: January 1995 Revised: April 1995

Legal Reference: Iowa Code, Chap. 98A, 279.9 (As amended by H.F. 79. 72nd G.A. 1st session

Cross Reference: _____

Related Administrative Rules and Regulations: _____

LICENSED EMPLOYEE EARLY RETIREMENT

The GMG Community School District offers an early retirement plan for full-time licensed employees. Licensed employees are employees licensed by the Iowa Board of Educational Examiners who are currently performing their assigned duties within the school district. A licensed employee is eligible under the early retirement plan when the licensed employee:

- Is between the ages of 55 and 65 prior to the start of the next school year.
Completes a total of eight years of service as a full-time licensed employee to the school district;
- Submits an application to the superintendent for participation in the plan on or before February 1 of the year in which the licensed employee wishes to retire. Applications submitted after February 1 may be considered at the discretion of the board depending on the circumstances for the late application;
- Submits a written resignation. The resignation may be contingent upon approval by the board of participation in the voluntary early retirement plan; and,
- Receives board approval of the licensed employee's application for participation in the early retirement plan, of the licensed employee's resignation and of the disbursement of early retirement incentive to the licensed employee.
- The early retirement benefit/s described herein are available to a maximum of seven eligible certified employees in the district in a given school year. If more than seven individuals submit for early retirement, the number of full time years served in the GMG Community School District (including the Green Mountain and Garwin school districts prior to consolidation) will determine eligibility.

Approval by the board of the licensed employee's early retirement application shall constitute a voluntary resignation. Approval by the board of the licensed employee's early retirement application will also make the licensed employee eligible for disbursement of the early retirement incentive the sooner of July 1 following the licensed employee's approval for early retirement or a date mutually agreed upon by the school district and the licensed employee. Failure of the board to approve the licensed employee's early retirement application will make the licensed employee's current contract with the board continue in full force and effect.

The licensed employee may choose either, or a combination of the following options:

Option 1 Cash Benefit Option - Percentage of Pay

The early retirement incentive for each eligible licensed employee approved by the board will be based on the licensed employee salary schedule in effect the last year of the licensed employee's employment with the school district. The employee will receive 40 percent of the current year's salary less supplemental pay or extended contract pay; however, the maximum benefit amount for any individual will be \$23,000. That amount is the lump sum amount of early retirement incentive the licensed employee will receive.

Option 2 Continuation of Insurance Benefits At School District's Expense

Upon retirement, the licensed employee is eligible to continue participation in the school district's group insurance plan at the school district's expense by meeting the requirements of the insurer. The district's expense shall end, however, when an amount equivalent to the employee's earned retirement benefit (40 percent of the current year's salary less supplemental pay or extended contract pay, up to a maximum of \$23,000) has been paid. The employee may then continue coverage at the employee's expense.

This insurance coverage will cease when the licensed employee/retiree reaches age sixty-five, secures other employment in which the employer provides insurance coverage, or dies. If dependent insurance coverage is carried, that coverage may continue beyond the employee's/retiree's sixty-fifth birthday for a period of up to five years or until the dependent reaches age sixty-five.

Beneficiary Option

In the event of the death of the licensed employee prior to payment of the early retirement incentive but after the licensed employee's retirement has begun, the early retirement incentive will be paid to the designated beneficiary in one lump sum payment. In the event no beneficiary is designated, the incentive will be paid to the licensed employee's estate in one lump sum payment.

Continuance of Early Retirement Plan

The board has discretion to offer or not to offer an early retirement plan for employees. The board may discontinue the school district's early retirement plan at any time. As such, the GMG licensed employee early retirement plan will discontinue effective June 30 of the current fiscal school year.

Legal Reference: 29 U.S.C. §§ 621 *et seq.* (2010).
Senate File 2366, 77th General Assembly, 2nd Reg. Sess. (1998).
Iowa Code §§ 97B; 216; 279.46; 509A.13 (2011).
1978 Op. Att'y Gen. 247.
1974 Op. Att'y Gen. 11, 322.

November 13, 2014
November 11, 2013
November 12, 2012
May 18, 2009
June 14, 2004
Approved: March 1990

Reviewed: February 1998

December 8, 2014
December 9, 2013
December 10, 2012
March 5, 2001
Revised: May 1998

LICENSED EMPLOYEE EARLY RETIREMENT APPLICATION

The undersigned licensed employee is applying for early retirement pursuant to board policy 486, Licensed Employee Early Retirement. Please complete the following information:

(Full legal name of licensed employee) (Social Security Number)

(Current job title) (Date of birth) (Years of service)

Please specify the date desired for payment of the early retirement benefit and the reason for the date if a date other than September 1 of the year in which the undersigned licensed employee retires is desired.

(Date) _____
(Reason for date other than September 1)

Please attach a letter of resignation effective June thirtieth of the year in which the undersigned licensed employee intends to retire.

The undersigned licensed employee acknowledges that application and participation in the early retirement plan is entirely voluntary.

The undersigned licensed employee acknowledges that the school district recommends that the licensed employee contact legal counsel and the employee’s own personal accountant regarding participation in the early retirement plan.

Should the licensed employee die prior to full payment of an early retirement benefit, the licensed employee designates either the following individual as beneficiary of the licensed employee’s estate

_____ Beneficiary _____ Estate

Beneficiary

Beneficiary address

Licensed employee Date

Witness Date

LICENSED EMPLOYEE EARLY RETIREMENT ACKNOWLEDGEMENT OF RECEIPT

The undersigned licensed employee acknowledges receipts of the early retirement plan documents stated below, for the licensed employees consideration:

- early retirement policy (plan description);
- early retirement application.

The undersigned licensed employee acknowledges that the application and participation in the early retirement plan is entirely voluntary.

The undersigned licensed employee acknowledges that the school district recommends the licensed employee contact legal counsel and the employee's personal accountant regarding participation in the early retirement plan.

Licensed employee

Date

Policy Title: Bloodborne Pathogens Code No. 488

The GMG Community School District will have a written exposure control plan designed to eliminate or minimize employee exposure to bloodborne pathogens.

The administration shall establish this plan by the start of the 1992-1993 school year and shall review and update it at least annually and whenever necessary to reflect new circumstances.

May 12, 2014
May 18, 2009
June 14, 2004

Approved: Oct. 1992

Reviewed: January 1995

Revised: April 1995

Legal Reference: _____

Cross Reference: _____

Related Administrative Rules and Regulations: _____