

**LENNOX SCHOOL DISTRICT**

**CLASSIFIED EMPLOYEE  
HANDBOOK**

**2018-2019**

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## **Statement of Purpose**

The purpose of the Employee Handbook is to provide the classified employees of the Lennox School District 41-4 with information relevant to employment. The handbook provides a variety of information for classified employees ranging from school board policies, procedures, and regulations, to salary, salary-related items and benefits.

It shall be the responsibility of the classified employee to be familiar with the contents of the handbook and to adhere to the rules and regulations described herein. All classified employees should be aware that this handbook is not meant to create nor should it be construed as creating a contract of employment. Therefore, all employment is at will and that as such, may be terminated at any time without cause.

## **POLICIES AND PROCEDURES**

The subsequent information in this handbook provides frequent School Board policy information and procedures. This is not a comprehensive list and you are encouraged to review all School Board Policies, especially those included in the 400 series policies labeled, Employees. If you have questions regarding the succeeding information, you should contact your immediate supervisor for clarification.

## **Lennox School District 41-4 Mission Statement**

**“In partnership with parents and our communities, we will foster a creative population of learners who overcome challenges with hard work, innovation and collaboration to become responsible and contributing members of society.”**

### **Equal Employment Opportunity**

The Board subscribes to the fullest extent to the principle of the dignity of all people and of their labors and will take action to ensure that applicants are employed, assigned, and promoted without regard to their age, race, creed, color, sex, marital status, religion, political affiliation, or national origin. Every available opportunity will be taken in order to assure that each applicant for a position is selected on the basis of qualifications, merit and ability.

#### **Nepotism**

The employment by the Board of more than one (1) individual in a family shall be based on the qualifications, credentials and record of the individual.

No person will directly supervise immediate family members. Immediate family shall be defined as: parent, child, spouse, brother, sister, parent-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandchild or grandparent.

Should a situation occur that causes a violation of this policy, one of the immediate family members will be transferred as soon as practical to a vacancy for which he/she is qualified with no loss in pay. If no vacancy exists, direct supervision shall be transferred to another administrator in the same building.

Advertisements and notices for vacancies within the district shall contain the following statement:

**“The Lennox School District 41-4 is an equal employment opportunity employer.”**

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity laws and policies shall be directed to the Superintendent of Schools, Lennox School District 41-4, PO Box 38, Lennox SD 57039 or by telephoning 605 647 2203. An inquiry or complaint to the federal office may be filed in lieu of an inquiry or complaint at the local level.

*Reference: Policy Code 400.1 Equal Employment Opportunity*

### **Chain of Command in Absence of the Superintendent:**

In the case of inclement weather, proceed in the following order:  
Superintendent’s discretion with Director of Transportation input

### **Chain of Command by Building:**

High School: Principal, Dean of Students, Guidance Counselor  
Lennox Elementary: Principal, Assistant Principal, Guidance Counselor  
LWC Intermediate School: Principal, Assistant Principal, Guidance Counselor  
LWC Junior High: Principal, Dean of Students, Guidance Counselor  
Worthing Elementary: Principal, Secretary

## **Conditions of Employment**

### **Purpose**

The purpose of this classified handbook is to provide individuals, who are in a classified position, **as an at will employee** information they would need to carry out their assigned duties. This is not all inclusive, but contains the Board and Administration's expectations to assist classified personnel more effectively.

### **Statement of Guiding Principles for Staff Personnel and Faculties**

In order to provide the best possible **educational facilities and support services**, it is the goal of the Board of Education to recruit and retain the highest caliber of classified staff available. It is the policy of the Lennox School District 41-4 not to discriminate on the basis of race, national origin, creed, age, marital status, or physical disability in its educational programs, activities, or employment policies as required by Title VI and VII of the 1974 Civil Rights Act, Title IX of the 1972 Educational Amendments, and the Federal Rehabilitation Act of 1973. The term "classified personnel" shall include classified staff, whether full-time or regular part-time.

*Reference: Code 400.0 Guiding Principles and Goals for Employees*

### **Recruitment and Selection of Classified Personnel**

Recruitment and selection of classified personnel shall be the responsibility of the administration. The Superintendent shall have the authority to delegate recruitment and selection responsibilities to supervisors. Whenever possible, the preliminary screening of candidates shall be conducted by the supervisor(s) who will be directly in charge of the person being hired as an at will employee. Selection shall be based upon the merits of the candidates without regard to age, race, creed, color, sex, national origin, religion, or disability. Selection shall be based upon training, experience, and skill; demonstrated competence; suitability for the position; and the possession of, or the ability to obtain, a state license if one is required for the position.

*Reference: Code 402.1 Classified Employee-Qualifications, Recruitment and Selection*

### **Classified Employee Evaluation**

The Board delegates to the Superintendent or his or her designee the responsibility to develop evaluation procedures for all support personnel. Such procedures are subject to Board approval. At the beginning of each contract period, each support staff employee shall receive a copy of the evaluation procedures and criteria.

Support personnel will receive written evaluations at least annually by their supervisor. Additional evaluations may be made as often as once a month for employees needing assistance and improvement.

Probationary employees will be evaluated at least twice during the probationary period, and at least annually thereafter.

To the extent applicable to the position, the evaluation criteria may include, but is not limited to, the following components:

- Working knowledge of areas of responsibility.
- Professional growth.
- Judgment, logical thinking, creativity, and imagination.
- Fulfillment of assigned responsibility without neglecting some areas.
- Adheres to policies of the Board.
- Fulfills, to the extent applicable with the position, responsibilities related to scheduling, contracting, curriculum/program/project development and implementation.
- Staff relations.
- Student relations.
- Community relations.
- Communication skills.
- Ability to adjust to unplanned situations.
- Use of available financial resources, building, grounds, and other materials in the area of responsibility.

Pursuant to state law, any record or document, regardless of physical form, created by the District in connection with the evaluation of certified staff constitutes personnel information and is not open to inspection or copying.

*Reference: Code 402.10 Classified Employee Evaluation*

### **Criminal Background Check**

**All** new classified employees **must** have a criminal background check completed prior to employment, which shall be reimbursed by the district providing there are no disqualifying events on the CHRI. Any adverse report which may appear regarding the employee which could affect the safety or well-being of the students or other employees shall be grounds for possible dismissal or non-consideration for employment.

*Reference: Code 400.7 Criminal Background Checks*

### **Medical Provisions**

#### A. Physical

Bus Drivers have mandated physicals every two years which are paid in full or reimbursed by the school district. The district reserves the right to request that an employee have a physical examination if a classified employee

is suspected to have a health-related problem or condition that may impact on the health and the safety of the employee and/or others. The cost of the physical examination shall be paid by the school district or performed by a district-appointed physician. It is the responsibility of the employee to notify the district of any physical or health impairments which could or may hinder or curtail the employee's ability to carry out the normal duties of their assignment.

#### B. Drug and Alcohol Testing of Employees

In accordance with school board policy Code 900.8 for bus drivers and Code 400.16 for other classified employees, all classified personnel will make themselves available immediately for drug or alcohol testing after an on-the-job accident or at the request of their immediate supervisor or the superintendent of schools. An employee is prohibited from refusing to take a required test.

*Reference: Code 400.20 Staff Health and Safety  
Code 900.8 Drug and Alcohol Testing for Bus Drivers  
Code 400.16 Drug and Alcohol Testing for Employees*

### **General Items**

#### A. Probationary Period

All newly hired employees shall have a one hundred eighty (180) day probationary period, which may be extended at the discretion of the supervisor. Employees hired late in the year will have the probationary period carried over into the next work year.

*Reference: Code 402.5 Classified Employee Probationary Status*

#### B. Workweek

The normal workweek shall be forty (40) hours in a five (5) day week, Monday through Friday. Employees will be assigned duty hours, per their work agreement, by the appropriate supervisor. Any change in duty hours must be approved by the appropriate supervisor and the superintendent.

*Reference: Code 402.6 Classified Employee Wage and Overtime Compensation*

#### C. Overtime

Any overtime rate of time and one-half (1 1/2) will be paid to the classified employee for work beyond forty (40) hours of work per week. **All overtime must be approved in advance by the Administrator/Supervisor and Superintendent of Schools.** If an employee works unauthorized overtime, the employee shall be notified, in writing, to cease the practice. If the unauthorized overtime continues, the employee may be terminated.

*Reference: Code 402.6 Classified Employee Wage and Overtime Compensation*

#### D. Pay Differential Job Assignments/Night Differential

A classified employee who is assigned the responsibilities of a position by their supervisor/principal which is delegated to another classified employee whose base hourly wage is more than their assigned wage classification as indicated in the Classified Employee Handbook, shall after 240 continuous hours be paid the differential between the two (2) assignments. The differential pay shall begin on the 241<sup>st</sup> hour and shall not exceed 480 hours. The supervisor/principal shall keep an accounting of said hours and notify the business manager in writing.



The superintendent must approve any extension beyond the 480 hours prior to actual need to continue position change.

Custodians working the evening shift will be paid a fifty cent (\$.50) per hour night differential.

*Reference: Code 402.7 Classified Pay Differential Job Assignments*

#### E. Breaks

Each full-time employee is entitled to two (2) paid breaks of fifteen (15) minutes each during their regular work day. Employees employed at less than full-time, but more than four (4) continuous hours per day, will have one (1) paid break of fifteen (15) minutes during the regular workday. Breaks are to be scheduled through the immediate supervisor.

All employees working five and one half (5 1/2) or more consecutive hours per day are expected to take, a half-hour unpaid lunch break near the midpoint of their daily shift, unless this is further qualified by the needs of the specific job, to adjust up or down by thirty (30) minutes and approved by the classified employee's immediate supervisor.

#### F. Electronic Timekeeping

**All employees are to keep an accurate record of hours worked.** The district uses the Time Management System for all classified employees. All employees shall be instructed on how to check in and out of the system. If you are absent for any reason a leave request must be completed and approved by your supervisor for the absence. These requests must be submitted to the Business Office within five (5) days of the end of the pay period. You are responsible for checking your time card monthly for missing punches and informing the Business Office within five (5) days of the end of the pay period.

#### G. Pay Period

Employees shall receive paychecks on the 20th day of the month. If the 20th falls on a weekend or a bank holiday, paychecks shall be issued on the Friday preceding the weekend or holiday. Classified employees paid over a ten (10) month period shall be paid starting in September and ending in June.

#### H. Aide Differential Pay

In the absence of the classroom teacher and if the aide assumes the regular teaching duties of the classroom teacher, the aide shall be paid at an additional hourly rate of \$1.00 per hour. It shall be the responsibility of the aide to denote these hours in a manner accepted by the business manager.

### **Grievance Procedure**

In the event that a classified employee is concerned with an administrative/supervisor/board policy, decision or rule, said employee may register a complaint within **fifteen (15)** days of the decision or rule in the following manner:

1. Meet with the immediate supervisor and discuss the employee's concerns.
2. If not satisfied with the supervisor's resolution the employee will make a formal written complaint within **five (5)** calendar days with the appropriate immediate supervisor.
3. The supervisor will provide the employee with a written response within **five (5)** working days. Appealing the immediate supervisor's written decision can be made to the superintendent of school in writing within **five (5)** calendar days.

4. The superintendent of schools will make a written decision within **ten (10)** calendar days and such decision shall be final.

No reprisals of any kind shall be taken by any party against any other participant in the grievance procedure by reason of such participation. All parties in interest may be represented at all steps of the grievance procedure by legal counsel.

*Reference: Code 400.14 Staff Complaints and Grievances*

### **Transfers, Promotions, and Resignations**

#### **A. Transfers**

Due to the needs of the school district the administration may involuntarily transfer a classified employee. When opportunities for transfer and/or promotion become available the classified employee may apply **in writing** for a transfer. The **administration** shall give due consideration to the merits of each employee presently employed **and select a final candidate**. If and when applicants are judged to be equal, administrative determination will be the deciding factor. The District will not be bound to promote from within the ranks, nor will the district be incumbent to show cause why a transfer/promotion from within was not followed.

*Reference: Code 401.12 Classified Employee Assignment and Transfers*

#### **B. Promotion**

When a promotion from within the district is made, the classified employee promoted shall be considered on probationary status for six (6) months in the new classification. However, if the classified employee assumes the responsibilities of the new position, and is not able to meet the expectations of the new position, an effort will be made to employ the person elsewhere in the school district.

#### **C. Resignation**

If a classified employee desires to terminate employment, he/she is expected to give the district a ten (10) calendar day notice. Intent to terminate employment shall be given in writing to the Superintendent of Schools.

*Reference: Code 402.13 Classified Employee Resignation*

### **Classified Employee Retirement**

Classified employees who will complete their current work agreement with the board may apply for retirement. No classified employee will be required to retire at any specific age.

Application for retirement will be considered made when the classified employee states in writing to the superintendent their intent to retire. The letter must state the employee's desire to retire, the proposed date of the last day of employment and be witnessed by another but not their supervisor, principal or the superintendent. The classified employee may apply for early retirement between the ages of 55 to 65 if they meet the stipulations determined by the South Dakota Retirement system and coverage by the district health insurance carrier for the continuation in the district health insurance program.

Classified employees and their spouses and dependents who have group insurance coverage through the school district may be allowed to continue coverage of the school district's group health insurance program, at their own expense, by meeting the requirements of the insurer.

Board action to approve a classified employee's application for retirement or early retirement shall be final, and such action constitutes termination of the employee's services effective the day of the employee's requested retirement as approved by the board

*Reference: Code 402.14 Classified Employee Retirement*

### **Classified Staff Development**

A classified employee has an obligation to update the skills needed in his/her area of responsibility. This can be accomplished by reading literature, attending seminars, workshops, or meetings, at the expense of the district. All staff-development must be approved by their immediate supervisor.

*Reference: Code 402.3 Classified Employee Licensing/Certification*

### **Termination or Non-renewal of Agreements**

The classified employee is hired **as an at-will employee**. The position may be terminated, for any reason, upon two (2) weeks written notice provided by the superintendent or the school board. Payment of two (2) weeks wages may be provided in lieu of two (2) weeks' notice. Immediate termination without severance can be imposed for failure to perform assigned duties, insubordination or violation of district **policy or state and federal laws**

Said employees may appeal the non-renewal or termination notice to the board of education. The board of education may, at its discretion, agree to hear the employee's version of the facts resulting in non-renewal or termination. The decision of the board of education shall be final.

### **Disciplinary Action Affecting Employees**

When it becomes necessary for administrative supervisory personnel to discipline the classified employee they supervise, the following disciplinary actions will be taken, however; one or more levels of discipline may be omitted, depending on the severity of the incident.

1. A verbal reprimand
2. A written reprimand. Written, dated and signed reprimands will be placed in the employee's personnel file. An affected employee will be afforded the opportunity to write a response to the written reprimand to be placed in their personnel file. A copy of the written reprimand will be given to the employee. The employee must respond to the written reprimand within **ten (10)** days of receiving the reprimand.
3. Suspension from duty with pay for an indefinite period of time, at the discretion of the superintendent.
4. Suspension from duty without pay for a determined length of time, at the discretion of the superintendent.
5. Termination

Employees facing possible disciplinary action shall be given an opportunity to present their version of the facts. The school board may discipline employees in the same manner listed above. This procedure does not limit the employee's right of appeal, either through school district policy or codified South Dakota Law.

*Reference: Code 402.11 Classified Employee Suspension  
Code 402.12 Classified Employee Dismissal  
Code 402.15 Classified Employee Reduction in Force*

### **Classified Staff Hiring Schedule 2018-2019**

<b>Position</b>	<b>Base Hiring Rate</b>
<b>Custodians/Maintenance</b>	<b>\$16.00</b>
<b>Custodians</b>	<b>\$13.25</b>
<b>Custodians Night Differential</b>	<b>\$.50/hr.</b>
<b>Administrative Secretaries</b>	<b>\$13.65</b>
<b>Secretaries</b>	<b>\$12.60</b>
<b>Educational Assistants</b>	<b>\$13.50</b>
<b>Aide Differential Pay</b>	<b>\$1.00</b>
<b>OST Site Coordinator</b>	<b>\$14.40</b>
<b>OST Aide</b>	<b>\$10.60</b>
<b>Food Service Cook</b>	<b>\$12.50</b>
<b>Food Service Head Cook- Serve Safe Differential</b>	<b>\$.50</b>

<b>Transportation Personnel</b>	<b>Base Hiring Rate</b>
<b>Overnight Trips</b>	<b>\$85.00</b>
<b>Extra-Curricular Activity/ Special Education per hour</b>	<b>\$13.00</b>
<b>Route Driver</b>	<b>\$21.92 per hr. (2 hour guarantee)</b>

## Classified Staff Benefits

All benefits provided for classified employees are predicated for full-time employee status of an **eight (8)** hour day and **forty (40) hour** workweek.

### Health Insurance

All employees who qualify for district employee benefit insurance programs are eligible to enroll. Continuation of enrollment is contingent upon remaining qualified as stipulated by the insurance carrier. Health insurance is available to employees under the prevailing district-endorsed group policies. If they so elect, and are eligible for coverage, employees who work the equivalent of thirty hours per week or more shall receive health insurance benefits. The district agrees to pay a portion of the premium as per Addendum II. Under no circumstances will the employer's payment exceed the stipulated premium cost of the single or family health plan coverage selected by the employee. Employees are eligible for insurance coverage the first day of employment by the district, upon approval of the insurance carrier. Employees have all rights as provided by state and federal regulations, regarding health and dental insurance.

Dual Employment: When a husband and wife are both employed by the school district, they have several insurance options.

1. the district will pay the full family premium; for employees that become eligible for the dual employment option after July 1, 2005, the premium paid by the district will be the sum of the district's share of the premium for each employee (certified or classified), not to exceed the full cost of the insurance premium; or
2. the individual employee may choose the single coverage

The Lennox School District shall permit retirees and dependent spouses to remain in the group insurance plan upon retirement, until age 65, and within the conditions required by the District's health insurance carrier:

The retiree must be a current employee of the district and must have a minimum of **twelve (12)** continuous years of service, immediately prior to retirement, and was an active member of the Lennox School District health insurance plan.

The district is not cognizant of all requirements of the Affordable Care Act. When said requirements and regulations become known to the district, it will be necessary for the district to implement same.

### Dental Insurance

Dental insurance is available to eligible classified employees who work a minimum regular assignment of **twenty (20)** hours or more per week. If they so elect, and are eligible for coverage, as stipulated by the insurance carrier, they shall receive dental insurance benefits prorated on the basis of a forty (40) hour workweek.

### Life Insurance

Classified employees that work **twenty (20)** or more hours per week and meet the requirements of the insurance carrier are eligible for a supplemental life insurance benefit. Supplemental insurance is available, as the expense of the employee, at a premium to be determined by the insurance carrier.

Dependent coverage is also available, at the employee's expense, at a premium to be determined by the insurance carrier. Employees participating in the group health insurance plan may be provided a \$10,000 life insurance benefit.

### **South Dakota State Retirement**

All classified employees who work **twenty (20)** or more hours per week **are required** to participate in the state retirement plan. Classified employees become eligible for benefit payments upon retirement provided that the employee has reached the appropriate age determined by the South Dakota Retirement System.

### **Social Security and Worker's Compensation**

These benefits are fixed by regulations and are available to each employee beginning with the first day of his/her employment. Any employee injured in the performance of his/her duties shall immediately report the injury, circumstances, and name of witnesses to the employee's supervisor and to the business manager. Any injury not reported within **twenty-four (24) hours may not be eligible** for compensation.

All accidents will be documented on the official accident report form to insure that the employee receives all benefits to which he/she is entitled. Classified employees who are injured while working for the Lennox School District are entitled to worker's compensation. His/Her wages shall be the amount of the worker's compensation payment per the statute.

*Reference: Code 402.8 Classified Employee Group Insurance Benefits  
Code 400.20 Staff Health and Safety*

## **Classified Staff Leave Policies**

### **Classified Sick Leave**

The school board reserves the right to cancel or revise any provisions of the schedule and has no legal obligation to retain this leave plan.

- New classified employees shall be granted sick leave of **Twenty (20)** days which will be prorated according to length of time on the job for their first year of employment. All new employees, upon completing thirty (30) regular working days, shall be entitled to the regular sick leave and sick leave assistance program benefits.
- An eligible employee is defined as an employee who has worked **ten (10)** or more hours per week and is employed in the district for a defined position during the school term or the fiscal year. Returning employees shall be granted an additional **ten (10)** days or prorated to hours worked, with the exception of twelve (12) month employees who shall be granted **thirteen (13)** days. All sick leave is computed in the business office and shall be credited to the employees account.
- Sick leave can accumulate to a maximum of **ninety (90)** days at the end of each year.
- Employees may use accumulated sick leave for care of an ill family member. "Family" shall be defined as parent, child, step-child, spouse, brother, sister, grandchild, grandparent, parent-in-law, son-in-law, daughter-in-law. Classified staff will be granted one (1) day for a brother-in law, sister-in-law, niece or nephew.

- A classified employee may use one (1) sick day in the event their daycare is closed due to sickness.
- Sick leave can only be used during the work year of the employee.
- An employee's absence in excess of **two (2)** assigned work days will have the hours credited as sick leave only upon the presentation to the business office of a physician's written statement, if requested by the immediate supervisor, that the illness was of sufficient seriousness to prevent the employee from working.

Excessive short-term interruptions of illness may also require a physician's written statement. Unapproved sick leave shall be deducted from the employee's next regular payroll check and could result in termination. Deductions will be made from the employee's wage for additional hours of absence due to illness. The amount of the deduction will be determined by the employee's hourly wage.

- Unused sick leave—employees shall be granted a stipend of **\$150.00** if none of their available sick leave is used at the end of the employee's yearly employment period. Newly hired employees must have worked the entire employment year to receive the stipend. The stipend shall be included in the June payroll check. The hours contributed to the Sick Leave Assistance Program shall not be counted as sick leave used for the purpose of payment under this section.
- Employees are not paid for unused sick leave upon termination or resignation of employment.

Abuse or misuse of this provision by an employee could result in that employee losing all accumulated sick leave time accrued from previous years of employment or employment termination. The interpretation and application of the sick leave rules shall be vested in the superintendent of schools.

### **Sick Leave Assistance Program**

In the event a qualified employee has used all accumulated sick leave and for health reasons is unable to work or is confined either at home or in the hospital for an extended time, the employee may request hours for the Sick Leave Assistance Program. The business manager and superintendent shall make the determination in allowing the leave.

The Sick Leave Assistance Program is established only for classified employees of the Lennox School District. All classified personnel working ten (10) or more hours per week and employed for a defined position during the school or fiscal year, and who contribute to the program are eligible to request additional sick leave. **The Sick Leave Assistance Program is for the classified employee only and may not be used for family illness or other purposes.**

A minimum contribution equal to one day's scheduled work hours must be given to be eligible to participate in this Sick Leave Assistance Program.

- A personnel form must be completed by **September 10<sup>th</sup>** or within thirty (30) days of employment indicating the appropriate number of days contributed. Zero (0) days must be entered if participation is not desired and returned to the business manager. If the employee does not join within the grace period, they must wait until September 10<sup>th</sup> of the following work year to join.

- If needed the Lennox School District may request more days donated to restore any or all of those used from classified employees reserve for the assistance program or if the reserve days are underfunded or totally depleted, the board shall dissolve the leave assistance program if employees do not contribute additional days.
- In the event of prolonged illness of an employee who exhausts his/her sick leave, the employee may request days from the assistance program not to exceed **forty (40)** days. This benefit is available on a yearly basis only. The Sick Leave Assistance Program shall not be used for members of the employee's family or for maternity leave. Unused days granted within the Sick Leave Assistance Program shall revert back to the Sick Leave Assistance Program as addressed above.
- Application for sick leave assistance shall be reviewed by the sick leave assistance committee, composed of four (4) classified employees who volunteer to serve on the committee from the ranks of the classified employees and the business manager.
  1. The committee must have a written statement from the applicant's doctor stating the medical need and the date the employee may return to work.
  2. The committee shall meet to consider the requested leave and inform all appropriate parties of its decision in writing and submit the leave approval to the business manager with all documentation attached.
  3. In the event the assistance committee denies the request the employee may appeal to the superintendent of schools whose decision will be final.

### **Family Medical Leave**

The Lennox School District shall abide by and comply with all applicable provisions of the Federal Family and Medical Leave act and amendments, and provide said benefits to the classified staff. Copies of the regulations are available at the administrative office and will be distributed upon written request.

*Reference: Code 400.17 Family and Medical Leave (FMLA Leave)*

### **Holidays**

Each twelve (12) month employee shall be granted the following paid holidays each year: Labor Day, Thanksgiving, Christmas Eve, Christmas Day, New Year's Eve, New Year's Day, President's Day, Good Friday, Memorial Day and Independence Day. If any of the holidays should fall on Sunday the following Monday shall be considered the holiday; if any of the holidays should fall on a Saturday the preceding Friday shall be considered the holiday. If it is not in the District's best interest to follow this schedule, the employee shall be provided time off equivalent to their work schedule within the next ten (10) working days.



## Vacation

**Twelve-(12) month, full time**, classified employees shall earn vacation leave according to the following schedule:

<u>Years of Service</u>	<u>Vacation Leave Earned</u>
1-3	10 days
4-10	15 days
11+	20 days

- Vacation leave may not be taken during the one hundred eighty (180) day probation period unless pre-arranged with supervisor's approval.
- Vacation may only be taken after it is earned and is computed on a monthly basis.
- Employees with less than a full year of full-time service as of June 30<sup>th</sup> shall have their vacation time prorated accordingly.
- The specific date of vacation shall be cooperatively worked out between the employee and his/her supervisor/administrator.
- If an employee resigns employment with a two (2) week notice, accrued, unused vacation leave that has been earned through the last day of active employment will be paid at the employee's base rate of pay in their final paycheck. If an employee resigns employment with no notice, all vacation time will be forfeited.
- If an employee is terminated, the decision to pay out accrued, unused vacation leave will be made by the Business Manager and Superintendent.

The supervisor/administrator will strive to honor the wishes of the employee based on the following criteria: Needs of the district as determined by the supervisor/administrator, date the request was submitted to the supervisor/administrator and the number of requests submitted over that time period. **Earned vacation time shall be taken during the twelve (12) month period of July 1 to June 30. All classified employees may carry over no more than 5 vacation days past this 12 month period.**

**All classified employees employed more than 3 years may request to be compensated for up to 5 days of vacation time. These days will be reimbursed at a daily rate. The request for vacation payout must be in writing and submitted by June 1.**

## Bereavement Leave

An employee may receive ten (10) days leave per occurrence, prorated for part-time employees, in case of a death in the employee's family. Employee's family shall be defined as spouse and child.

Five (5) days shall be allowed, per occurrence, in the employee's family to be defined as a parent, brother, sister, parent-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandchild, grandparent and grandparent-in-law.

Leave for a maximum of three (3) days per work year may be allowed for the classified employee to attend the funeral of other relatives or close friends.

### **Civic Leave**

A classified employee may receive leave and may be excused at the discretion of the superintendent to discharge civic responsibilities in which the employee has achieved leadership. Not over two (2) days, prorated for part time employees, shall be granted to any employee for this purpose in any work year; however the total number of days shall not exceed **five (5) days** for all classified employees.

### **Unpaid Leave**

An employee may receive additional hours of leave, up to **three (3) days** for full-time employees, prorated for part time employees, as "leave without pay", under the following provisions:

- A leave request stating reasons for leave is submitted to the immediate supervisor and the superintendent for approval.
- In the event of an emergency the employee must notify his/her supervisor and complete the leave form upon their return to work. The employee will not be paid for the unpaid leave.
- All appeals made by the employee shall be acted upon by the superintendent whose decision shall be final.

### **State Activities Leave**

An employee may receive **one (1) day** tournament/contest leave, based on full-time employment, prorated for part time employees, for attendance at all level state events, (i.e. chorus, band, volleyball, basketball, football, track, cross country, etc.) in which Lennox students are participating and is sponsored by the South Dakota High School Activities Association or South Dakota Special Olympics. This is conditioned upon the availability of substitutes if applicable. Activities leave is not to be used for travel time to an event.

### **Personal Leave**

Two (2) days, or prorated to the actual work day, of personal leave will be granted without loss of pay to classified employees who do not have paid vacation privileges. Personal leave must be requested at least twenty-four (24) hours in advance, unless there is an emergency. In the event of an emergency the employee may notify his/her supervisor and complete the form upon their return to work. A classified employee may choose to carry over one (1) of their personal days to the next year. In no such year shall there be more than three (3) personal days used. Staff must notify the business manager by June 1 if they choose to be paid for a personal day or their day will automatically carry over to the following year. Days to be paid or carried over will be done in full or ½ day increments. Personal leave may be used to extend a vacation or holiday period, but not during the first five (5) or last five (5) working days of the school year. Classified staff may request an exception to the five (5) day rule up principal and superintendent approval. Personal leave is not to be used in less than one half (1/2) of the time allocation of the employee's actual work shift hours (i.e. eight (8) hour work shift take four (4) hours of personal time). Personal Leave is conditioned upon the availability of substitutes if applicable. Classified staff shall be

granted a \$100 bonus for each of their personal days that are not used by the end of the school year. A limit of two (2) unused personal days will be paid out per school year.

### **Jury and Witness Duty**

An employee who is required to respond to a call for jury duty or who has been subpoenaed as a witness in a court case not involving the employer or for a personal court appearance, shall be excused from work. Classified employees that serve on jury duty shall have the amount of the fee received for jury duty deducted from their next payroll check or the employee may submit the jury reimbursement to the district and no deduction will be made from the employee's check.

### **Workday/Staff Dismissals**

For the purposes of early dismissal, classified aides are defined as follows:

Clerical aide: primary duties do not require classroom student contact (i.e. office aide, library aide)

Student aide: primary duties require classroom or other direct student contact. (i.e. preschool, resource or 1:1 aides)

### **Inclement Weather**

#### **Closed Days**

On days when school is not in session due to inclement weather, classified personnel (only Custodians and Business Office Administrative Secretaries) will be expected to be on duty, unless otherwise instructed by their immediate supervisor. All other classified personnel do not need to report. If the classified employee does not report to work, the employee will have the choice of using a vacation day or a day without pay. Employees who have not been notified, but have reported to work, will be paid for a minimum of two (2) hours.

#### **Delayed Start/ Early Dismissal**

If the start of school is delayed or has an early dismissal for hazardous weather or any other emergency situation the employee will be paid for their full shift.

Emergency Dismissal and/or School Closing shall be defined as any situation that constitutes a clear and present danger to the health, safety, and welfare of the students, teachers, and district employees in the school. Reporting times for delayed starts and dismissal times for early dismissals will be determined by the building principal or supervisor.

#### **Early Dismissal Days**

Classified staff who are defined (as indicated above) as a clerical aide are required to complete their regular shift on early dismissal days due to in-service, conferences or end-of-the-quarter. Staff defined as student aides will leave **fifteen (15)** minutes after the student's dismissal time. However, on common planning days with an early student dismissal, aides will remain for their entire shift and complete tasks as assigned by the classroom teacher or program administrator. If the classified employee leaves early or is excused by their immediate supervisor, they will check out on the time clock and be paid based on those hours worked.

## **In-Service Days**

An employee required to attend mandatory in-service session will be paid according to the hours worked. The employee will clock in or remain on the work schedule until the in-service session is concluded.

## **Transportation Personnel**

### **School Vehicle (Bus) Drivers:**

“Regular Transportation” is defined as those trips designed to transport students from residence to school of primary assigned attendance at the beginning of their regular school day and return them to their residence at the regular or designated closing of the regular school day. Scheduled “late bus” runs are considered “regular transportation” for compensation purposes.

A “Bus Route/Run” is defined as the a.m. /p.m. route which the district vehicle takes from the time it departs the Bus Garage until it returns to the Bus Garage and is parked and cleaned. Special trips include all curricular, extracurricular, field trips, activity runs, charter runs, etc. The total time for regular transportation to or from school in either the AM or PM shall be listed as part of the wage scale.

If the total time for the special assignment accumulates to less than what the driver can earn on the hourly rate, the driver will be guaranteed one hour’s pay at prevailing rate for special trips.

Drivers will be reimbursed for their road and written tests after successfully passing the tests.

In advance of out-of-town trips, the immediate supervisor will determine if meal allowances will be granted at state rates as the maximum amount allowed per meal. Receipts must be included on time sheets and turned into the Business Manager.

**All** overnight trips’ terms are set on the wage schedule. Any alterations must be approved by the Business Manager and/or Superintendent. A summary of the economic terms shall be committed to writing with each party receiving a copy.

*Reference: Code 900 Student Transportation Services  
Code 900.1 School Bus & Vehicle Scheduling and Routing  
Code 900.3 Student Transportation for Extracurricular Activities & Field Trips*

## **Classified Employees Responsibilities**

### **Advertising**

Agents are not allowed to solicit or otherwise interfere with employees in or about the school buildings at any time. Agents wishing to speak to an employee or discuss a product are to check with the District Business Office for clearance or actual purchasing approval.

*Reference: Code 902.3 Public Solicitations/Advertising in District Schools*

## **Reporting Child Abuse**

Any teacher or other school employee, who suspects that a child under 18 years of age has been neglected or abused by a parent or other person, will report orally or in writing this information to the building Principal, building Counselor, or Superintendent. The Principal, Counselor, or Superintendent shall immediately report this information to the state's attorney, the department of social services, or to local law enforcement. The teacher or other school employee who witnessed the disclosure or evidence of the abuse or neglect must be available to answer questions when the initial report is made. If the Principal, Counselor, or Superintendent does not confirm to the teacher or other employee within 24 hours that the report has been submitted, the employee will report the information directly to the state's attorney, the department of social services, or to local law enforcement.

The report will contain the following information:

- Name
- Address
- Age of child
- Name and address of parent or caretaker
- Nature and extent of injuries or description of neglect
- Any other information that might help establish the cause of injuries or condition.

School employees, including administrators, will not contact the child's family or any other persons to determine the cause of the suspected abuse or neglect. It is not the responsibility of the school employees to prove that the child has been abused or neglected, or to determine whether the child is in need of protection, but only to report suspicions of abuse or neglect.

Anyone who participates in making a report in accordance with the law and in good faith is immune from any civil or criminal liability that may otherwise arise from the reporting, or from any resulting judicial proceeding, even if the suspicion is proved to be unfounded.

Information or records concerning reports of suspected abuse or neglect are confidential. The release to persons other than those provided by law is a class one misdemeanor. Failure to make a report of abuse or neglect is a class one misdemeanor.

*Reference: Code 400.36 Child Abuse Reporting Regulation*

## **Dangerous Weapons in School**

Schools should be an example of what is taught regarding the observance and respect of law. School must be highly conscious of the health and welfare of students, staff and the public.

Board policy forbids any person to bring dangerous and/or illegal weapons or look alikes to school or school sponsored activities. Dangerous weapons taken from students shall be reported to the building principal and the student's parents. Anyone possessing weapons will be treated as dangerous and reported to the police. Confiscation of weapons will be reported to the police. Appropriate disciplinary and/or legal action shall be pursued by the building principal or superintendent.

A dangerous and/or deadly weapon is defined as any firearm, knife, or device, instrument, material, or substance, whether animate or inanimate, which is calculated or designed to inflict death or serious bodily harm.

No firearms are permitted on any school premises, school vehicle or any vehicle used for school purposes, in any school building or premises used for school functions. An exception would be weapons under the control of law enforcement personnel, starting guns while in use at athletic events, firearms or air guns at fire ranges and supervised school training sessions for the use of firearms.

Legal Reference: SDCL 13-32-7; 22-1-2

Reference: *Code 502.7 Weapons*

## **Security**

Reminder to all employees---be sure workstations are locked up when you leave. Remove all temptations and causes of theft. Keep your valuable belongings out of sight and your school keys safely out of reach.

It is your responsibility to see that outside doors are locked upon leaving the building. Activity coaches are responsible for any and all security doors used during their practices. Security also means that coaches are not to leave practice areas unattended and are to be the last to leave. All outside access doors will be locked during the school day except those designated as entry doors.

Reference: *Code 803 Buildings and Grounds Security*

## **Public Relations**

Support Staff Relations to Pupils and Public - In general, students are the responsibility of the certified staff.

Except, as noted below, support personnel should assume only moderate responsibility over students. Concern should always be for the life and safety of students and others when it is evident that conditions are threatening, classified employees should intervene.

- A custodian is in charge of a building during “off” hours when he/she is present when other **certified** staff are not present to supervise.
- Any classified staff member may intervene during “off” hours when he/she is present when other **certified** staff are not present to supervise.
- **Classified staff are to report ALL incidents with students or others to their immediate administrator/supervisor as soon as possible and shall make a written report within forty-eight (48) hours.**

## **Visitors**

Visitors are always welcome in the Lennox School District. However, in order to insure the health, safety, and well-being of the students and staff, each person will be required to stop at the main office to indicate his/her purpose for being in the school building and must have permission to visit classrooms or students from the building principal or secretary.

Reference: *Code 901.2 Visitors to School District Buildings & Sites*

### **Injury to Individuals (procedures to follow)**

- A. If an injury to an individual occurs, inform the school nurse, building principal, supervisor, or designated person. If the illness or the injury is not serious, send them to the nurse's office with a responsible person and/or contact the office using the intercom and/or send another responsible person.
- B. The office will contact the parents/guardian, or responsible party, if necessary, using the emergency information found in the building office.
- C. Stay with the ill or injured party until relieved by the school nurse, building principal or his/her designee; or in the case of a student, the above individual(s) or his/her parent(s)/guardian.
- D. NO medication is to be administered.
- E. ALL accidents, no matter how minor, will be recorded on the accident forms provided in the school building site or the administrative office.

*Reference: Code 507.5 Student Illness or Injury at School*

### **Emergency Situations**

When drills of any kind are taking place, and students are instructed to react to the drill, the classified staff person should participate by simulating what he/she is to do during an actual occurrence of the drill.

When an emergency arises that directly affects the learning environment or the safety and welfare of the individual in the building, the following shall supersede the classified employee's regular schedule:

Any classified staff member shall do all in his/her power to correct the emergency as needs dictate. If he/she is unable to correct or control the emergency, immediately report the situation to the building principal or to the staff member's immediate supervisor or to the school nurse.

*Reference: Code 507.6 Emergency Drills*

### **Loan of School Equipment**

Equipment of the school district shall not be loaned to any person or group for use off district property without the approval of the principal or superintendent. When any equipment is to be used at school or in a school building, appropriate school personnel shall operate or supervise the use. Where a cost is involved or equipment is damaged, it shall be paid by the organization using the equipment. The proper form shall be used to check out equipment owned by the school district. This form is available at the administration office.

*Reference: Code 400.29 Equipment Loan Agreement*

### **Disposal of Property**

Classified staff are not to dispose of District or student supplies, equipment, clothing, etc., unless directed by their supervisor or building principal.

## **Tobacco Use – Health and Safety Policy**

The use of tobacco products in school buildings, on school grounds, at school sponsored activities, in school district vehicles and in school district provided transportation is prohibited.

This prohibition applies to all individuals, including students, employees, persons present in school buildings or on school grounds and persons attending school sponsored activities.

As used in this policy, the term tobacco products means cigarettes, cigars, pipes, chewing tobacco, snuff and other forms of tobacco. All buildings and grounds shall be posted as areas in which tobacco use is prohibited.

An individual who violates this policy may be referred to legal authorities at any time in this process if acts violate state statutes, or refuses to adhere to this policy.

### **A. Employees**

1. The building principal/supervisor who becomes aware of the fact an employee is not complying with this policy will verbally reprimand the employee of this policy and ask the employee to abide by the policy in the future. A copy of the policy shall be provided to the employee.
2. When it becomes necessary for the building principal/supervisor to discipline an employee, the following disciplinary actions may be taken:
  - a. A verbal reprimand
  - b. Written reprimand-written, dated and signed reprimands will be placed in the employee's personnel file. An affected employee will be afforded the opportunity to write a response to the reprimand to be placed in their personnel file. A copy of the written reprimand will be given to the employee. The employee must respond to the written reprimand within ten (10) days of receiving the written reprimand.
  - c. Suspension from duty with pay for an indefinite period of time, at the discretion of the superintendent.
  - d. Suspension from duty without pay for a determined length of time, at the discretion of the superintendent.
  - e. Termination

### **B. Public Events-Spectators**

1. Persons who use tobacco in school buildings, on school grounds, at school sponsored activities, in school district vehicles, or in school district provided transportation will be informed of prohibition contained in this policy against the use of tobacco products and will be directed to comply with the policy.
2. Persons who refuse to comply with this policy or who refuse to extinguish or dispose of the tobacco products will be directed to leave the building, grounds or activity immediately.
3. Persons who continually violate this policy shall be notified in writing to discontinue their actions or be denied admittance to school district home activities.

*Reference: Code 400.25 Tobacco Use-Health and Safety Policy*



## **Substance-Free Workplace**

The board expects the school district and its employees to remain substance free. No employee shall unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any drug, alcoholic beverage or other controlled substance in the workplace as defined by federal or state law. "Workplace" includes school district facilities, school district premises or school district vehicles. "Workplace" includes non-school 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 or outside of the workplace, the employee shall notify the employee's supervisor of the conviction within five (5) 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. **Any employee who violates this policy shall be required to successfully participate in a substance abuse treatment program approved by the board if the superintendent chooses not to utilize other discipline measures.** If the employee fails to successfully participate in a program, the employee may be subject to discipline up to and including termination.

The superintendent shall be responsible for publication and dissemination of this policy to each employee.

*Reference: Code 400.24 Substance-Free Workplace*

## **Harassment**

Harassment of employees, vendors, visitors and students will not be tolerated on school property or on non-school property if the employee or student is at any school sponsored, school approved, or school related activity or function where students are under the control of the school district or where the employee is engaged in school business.

School district officers, employees and students are responsible for maintaining a working and learning environment free from harassment. Workshops and activities will be provided by the school district to explain the policy and laws. Careful scrutiny will be undertaken of all allegations of sexual harassment. False allegations that are malicious or ill-founded may constitute libel or slander. Copies of the policy will be available at all administrative offices.

Harassment includes, but is not limited to, comments which are racial, religious, national origin, age, disability or sexual in nature or intent. Harassment by board members, administrators, employees, parents, students, vendors and others doing business with the school district is prohibited.

Employees whose behavior is alleged to be in violation of this policy will be subject to the investigative procedure that may result in discipline, up to and including termination. Other individuals whose behavior is alleged to be 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,

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;
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual or;
- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Other types of harassment may include, but not be limited to comments, jokes, stories, pictures or objects that are offensive, tend to alarm, annoy, abuse, or demean certain protected individuals and groups.

Any employee, student, vendor, or visitor who believes that he/she has been a subject of harassment by a district employee or officer during, at or after school hours should report this incident immediately. The reporting shall be as follows:

- Employees shall report to his/her immediate supervisor. If the immediate supervisor is involved in the activity, the violation should be reported to the superintendent.
- Vendors or visitors shall report the incident to the building principal and/or superintendent.
- Students should report such incidents to the guidance counselor and/or the responsible administrator.
- If the superintendent is involved in the activity, the violation should be reported to the board president. The incident will be investigated by his/her designee.

All reported incidents will be thoroughly investigated and subject to disciplinary action. Confidentiality consistent with due process will be maintained. If an employee or student files a written complaint because of dissatisfaction with the handling of the complaint, he or she may utilize any applicable grievance procedure.

Upon receiving a complaint, the investigator shall confer with the complainant to obtain an understanding and a statement of the facts. It shall be the responsibility of the investigator to promptly and reasonably investigate claims of harassment and to convey in writing the findings on to the superintendent who shall complete such further investigation as deemed necessary and take such final action as deemed appropriate. Information regarding an investigation shall be confidential to the extent possible, and those individuals who are involved in the investigation shall not discuss information regarding the complaint outside the investigation process.

No one shall retaliate against an employee or student because they have filed a harassment complaint, assisted or participated in a harassment investigation, proceeding, or hearing, or because they have opposed language or conduct that violates this policy.

It shall be the responsibility of the board members, administrators, certified and classified employees, students, and others having business or other contact with the school district to act appropriately under this policy. It shall be the responsibility of the superintendent and the investigator to inform and educate employees or students and others involved with the school district about harassment and the school district's policy prohibiting harassment.

Supervisors are to investigate all harassment complaints thoroughly and file a written report with the superintendent. Failure to do so will result in one or more of the following:

- verbal reprimand
- written reprimand to be placed in the employee's personnel file
- suspension from duty without pay for a period of time determined by the board of education

- termination of employment contract

An employee guilty of harassment shall be disciplined in one or more of the following ways:

- verbal reprimand
- written reprimand to be placed in the employee's personnel file
- suspension from duty with or without pay for a period of time to be determined by the superintendent.
- termination of employment contract as approved by the board.

Any student guilty of harassment shall be disciplined in one or more of the following ways:

- verbal reprimand
- suspension by a school administrator
- expulsion by the board of education for a period of time determined by the board

*Reference: Policy Code 400.15 Sexual Harassment-Title IX  
Policy Code 400.15 Sexual Harassment Investigation Procedure*