



Inspiring Today's Students To Meet  
Tomorrow's Challenges

**EMPLOYEE HANDBOOK**

**2019/2020**

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## **PREFACE**

The material covered within this employee handbook is intended as a communication to employees regarding general District information, rules and regulation and is not intended to either enlarge or diminish any Board policy, administrative regulation or collective bargaining agreement. Material contained herein may therefore be superseded by such Board policy, administrative regulation, collective bargaining agreement or changes in state or federal law.

Any information contained in this staff handbook is subject to unilateral revision or elimination from time to time without notice.

No information in this document shall be viewed as an offer, expressed or implied or as a guarantee of any employment of any duration.

## **EQUAL OPPORTUNITY AND NON DISCRIMINATION**

Equal employment opportunity and treatment shall be practiced by the District regardless of an individual's perceived or actual race, color, national or ethnic origin, religion, sex, sexual orientation, age, marital status, pregnancy, familial status, economic status, veterans' status, genetic information or mental or physical disability, if the employee, with or without reasonable accommodation, is able to perform the essential functions of the position.

The following staff have been designated to coordinate compliance with these legal requirements, including: Title VI, Title VII, Title IX and other civil rights or discrimination issues; the Americans with Disabilities Act; [Health Insurance Portability and Accountability Act (HIPPA);] Section 504 of the Rehabilitation Act of 1973; and may be contacted at the District Office for additional information and/or compliance issues:

Mark, Greif, Director of Human Resources

## GENERAL INFORMATION

### ***ASSOCIATIONS***

The Klamath County Education Association (KCEA) represents the bargaining unit for all licensed staff. The local OEA/Uniserv Representative is Ryan Olds, (503)421-4535. The President of the KCEA is Mark Nevala (541)880-4994.

The Klamath County Association of Classified Employees represents the bargaining unit for all classified staff. The local OEA/Uniserv Representative is Ryan Olds, (503)421-4535. The President for the KCACE is Crystal Hanseth (541)892-3247.

### ***BOARD MEMBERS***

The Legislature of the state of Oregon delegates to the Board responsibility for the conduct and governance of district schools. Board members, as elected by residents of this District, are as follows:

John Rademacher	Position 1 Chiloquin/Gilchrist Zone	(541)783-2577
Robert Moore	Position 2 Henley Elementary/Keno Zone	(541)850-2381
Denise Kandra	Position 3 Bonanza/Lost River Zone	(541)798-5123
Steve Lowell	Position 4 Ferguson/Shasta Zone	(541)884-4812
Jill O'Donnell	Position 5 Peterson/Stearns Zone	(541)883-3909

### ***BOARD MEETINGS/COMMUNICATIONS***

Regular Board meetings are held on the third Thursday of the month at the District Office. Meetings begin at 5:00 p.m. All regular, special, and emergency meetings of the Board are open to the public unless as otherwise provided by law.

All staff members are invited to attend Board meetings. All formal communications or reports to the Board are to be submitted through building supervisors and administrators to the superintendent in accordance with established lines of authority, as approved by the Board. This does not restrict protected labor relations communication of bargaining unit members.

All official Board communications, policies and information of staff interest will be communicated to staff through the Superintendent to local building supervisors and administrators.

The Board meeting dates for the 2019/2020 school year are:

July 18, 2019 (3:00 p.m.)	District Office
August 15, 2019 (3:00 p.m.)	District Office
September 19, 2019	District Office
October 10, 2019	District Office
November 21, 2019	District Office
December	No Meeting Scheduled
January 9, 2020	District Office
February 20, 2020	District Office
March 12, 2020	District Office
April 16, 2020	District Office
May 21, 2020	District Office
June 18, 2020	District Office

Note: Dates in italics are different than the normal "third Thursday of the month."

## ***DISTRICT OFFICE HOURS***

The District Office is open during the course of the school year between the hours of 7:30 a.m. and 4:00 p.m., weekdays.

During summer months and other times during the school year when school is not in session, please call for hours of operation.

## **STAFF OPERATIONS**

### ***ABSENCES***

Paid and unpaid leaves are provided in accordance with collective bargaining agreements, established Board policy and law.

**Classified staff** members unable to report to work for any reason must notify their building principal or district supervisor prior to their scheduled work time.

**Certified staff** members unable to report to work for any reason must submit their absence in AESOP at [www.aesoponline.com](http://www.aesoponline.com) or call AESOP at 1-800-942-3767 to account for their leave and to ensure appropriate substitute arrangements are made. Substitutes are assigned on a daily basis unless a longer duration is specified. Absences can be scheduled in Full Days= 7:30-3:30, Half Days 7:30-11:30 (AM), 11:30-3:30 (PM) or custom times via AESOP. If you schedule a custom time, you must speak to your Administrator to determine if a substitute is needed or if internal coverage is available. If a substitute is needed for a custom time absence the Administrator/Secretary will schedule a substitute for your absence via AESOP.

When practical, please schedule all absences on days/times that would cause minimal disruption to student learning.

Final decisions regarding substitute use or nonuse will be made by the District. Under no circumstances may staff members arrange coverage through personal arrangements with substitutes or others either for all day or temporary absences from their duties.

### **Federal Family and Medical Leave Act (FMLA)/Oregon Family Leave Act (OFLA)**

#### Eligibility

In accordance with federal law, staff members employed by the district for the previous 12 months and who have worked at least 1,250 hours during the year preceding the start of the leave may be eligible for FMLA leave. Staff members employed by the district at least 180 days prior to the first day of the family medical leave of absence and who have worked an average of 25 or more hours per week may be eligible for OFLA leave. There is no minimum average number of hours worked per week when determining employee eligibility for parental leave under OFLA.

#### Length/Purpose of Leave

Employees eligible for FMLA leave under federal law and/or OFLA leave under state law are entitled to take 12 work weeks of leave within a 12-month period for the:

1. Birth of the employee's child and for bonding with a newborn (eligibility expires 12 months after the birth);

2. Placement of a child with the employee for adoption or foster care or for bonding with a newly placed child when the child is under 18 years of age (eligibility expired 12 months after placement), or when a child older than 18 if incapable of self-care because of mental or physical disability;
3. Care of a family member with a serious health condition;
4. The staff member's own serious health condition
5. Eligible employees may take FMLA leave for qualifying exigency while the employee's spouse, son, daughter or parent is on covered active duty or called to covered active duty status during the deployment with Armed Forces to a foreign country (CFR sections 825.126(a)(1 and 2); Federal Register Vol. 78, No. 25, Page 8917);
6. Injured Service Member Leave, allows an employee leave to care for a covered service member who is the employee's spouse, son, daughter, parent or next of kin who has been injured in the line of duty as a member of the Armed Forces;
7. State law allows employees to take leave for the care of a sick or injured child who requires home care but is not suffering from a serious health condition. The district is not required to grant leave for routine medical or dental appointments; (OFLA only)
8. State law allows employees to take leave for the death of a family member to attend the funeral or alternative to a funeral of the family member, make arrangements necessitated by the death of the family member or to grieve the death of a family member; (OFLA only)
9. Military Family Leave, allows leave for a spouse or domestic partner of a military personnel per each deployment of the spouse or domestic partner when the spouse or domestic partner has either been notified of an impending call to active duty, has been ordered to active duty or has been deployed or on leave from deployment (OFLA only).

Contact the Director of Human Resources for additional information regarding length of leave, intermittent leave and alternative duty under state and federal law and provisions governing two family members eligible for FMLA or OFLA leave.

A serious health condition is defined differently under federal and state law. Contact the Human Resources Office for details.

#### Calculating the 12-Month Period for Leave

The District will use the same method for calculating the 12-month period in which the 12 work week FMLA and OFLA leave entitlement occurs for all employees. The District will use the 12-month period measured forward from the date the employee's leave begins.

Leaves to care for covered service members has its own 12-month year beginning on the first day of leave regardless of the district's method of calculating the 12-month period for leave.

#### Paid/Unpaid Leave

Family leave under federal and state law is generally unpaid. The District requires the employee to use any accrued paid leave, including personal and sick leave or accrued vacation leave before taking FMLA and/or OFLA leave without pay for the leave period. The employee may select the order in which the paid leave is used.

The district will notify the employee that the requested leave has been designated as FMLA and/or OFLA leave and, if required by the district, that accrued paid leave shall be used during the leave period. In the event the district is aware of an OFLA qualifying exigency, the district shall notify the employee of the intent to designate the leave as such regardless of whether a request has been made by the employee. Such notification will be given to the employee prior to the commencement of the leave or within two working days of the employee's notice of an unanticipated or emergency leave.

When the District does not have sufficient information to make a determination of whether the leave qualifies as FMLA or OFLA leave, the District will provide the required notice promptly when the information is available but no later than two working days after the District has received the information. Oral notices will be confirmed in writing no later than the following payday. If the payday is less than one week after the oral notice is given, written notice will be provided no later than the subsequent payday.

### Application

Under federal and state law, an employee requesting FMLA and/or OFLA leave shall provide at least 30 days' notice prior to the leave date if the leave is foreseeable. The notice shall be written and include the anticipated start, duration and reasons for the requested leave. The employee must make a reasonable effort to schedule treatment, including intermittent leave and reduced leave, so as not to unduly disrupt the operation of the District.

When an employee is able to give advance notice and requests leave, an employer may request additional information to determine that the leave qualifies for designation as FMLA/OFLA leave. The employer may designate the employee as provisionally on FMLA/OFLA leave until sufficient information is received to make a determination. An employee able to give advance notice of the need to take FMLA/OFLA leave must follow the employer's known, reasonable and customary procedures for requesting any kind of leave.

If advance notice is not possible, for example due to a change in circumstances or medical emergency, an employee eligible for FMLA leave must provide notice as soon as practicable. "As soon as practicable," under federal law means the employee generally must comply with the employer's normal call-in procedures.

An employee eligible for OFLA leave is required, under state law, to provide oral or written notice within 24 hours of commencement of the leave in unanticipated or emergency leave situations. The employee may designate a family member or friend to notify the District during that period of time.

In either case, proper documentation must be submitted no later than three working days following the employee's return to work.

Failure of an employee to provide the required notice for FMLA leave may result in the district delaying the employee's leave for up to 30 days after the notice is ultimately given.

Failure of an employee to provide the required notice for leave covered by OFLA may result in the District deducting up to three weeks from the employee's unused OFLA leave in that one-year leave period. The employee may be subject to disciplinary action for not following the District's notice procedures.

### Medical Certification

If the staff member provides 30 or more days' notice when applying for FMLA and/or OFLA leave, they may be required to provide medical documentation when appropriate to support the request for leave. The District will provide written notification to employees of this requirement within three working days of the staff member's request for leave. If the staff member provides less than 30 days' notice, they may be required to submit such medical certification no later than 15 calendar days after receipt of the District's notification that medical certification is required.

If the leave is for the purpose of an employee's own serious health condition, they may also be required to provide a fitness-for-duty medical release from the health-care provider before returning to work.



The District may require a staff member using OFLA leave to care for a sick child to provide medical certification after the use of more than three days of such leave in a one-year period.

#### Continuation of Health Insurance Benefits

Under federal and state law, group health insurance benefits and premium payments must be continued on the same basis as coverage would have been provided and premiums paid in the absence of the leave. The District will continue to pay the District's contribution toward the employee's premium. The employee will continue to pay the employee's share of premiums, if any.

#### Return to Work

Following an FMLA or OFLA leave, a staff member is generally entitled to be returned to their former position or to an equivalent job with equivalent benefits, pay and other terms and conditions of employment, with certain exceptions. See the Human Resources Director for details of this or any other provision of FMLA or OFLA leave.

This topic is covered in depth in the District's board policies GCBDA/GDBDA and their associated administrative regulations.

### ***ANIMALS IN DISTRICT FACILITIES***

Only service animals serving persons with a disability and animals approved by the superintendent or designee that are part of an approved district curriculum or cocurricular activity are allowed in district facilities. Approved animals must be adequately cared for and appropriately secured. Only the teacher or students designated by the teacher are to handle the animals. If animals are to be kept in the classroom on days when classes are not in session, arrangements must be made for their care. Animals, except those service animals serving persons with a disability, may not be transported on a school bus.

### ***BREAKS***

Scheduled breaks are provided to all nonexempt employees to ensure safety, efficiency and to meet the requirements of law. All classified staff members will have one paid fifteen (15) minute break period every two (2) consecutive hours of work. Where practical, break periods will be scheduled as close to the middle of the employee's work period as possible. If the employee's work duties or personal needs make it impractical to schedule the break in the middle of work periods, then reasonable variations are appropriate. Generally, breaks will not be combined or scheduled at the beginning or end of the work day. However, supervisors may, at their discretion, grant occasional requests by employees for such variations in order to accommodate the employee's personal needs. If a supervisor or employee has trouble scheduling appropriate break times or getting away from work to take scheduled breaks, then the supervisor, the employee and a KCACE representative will meet to agree on a workable schedule. If a workable schedule cannot be agreed upon the Human Resources Director will make a decision.

Any teacher assigned for more than two (2) consecutive hours of student contact without provision for a personal break shall, upon request, be provided a personal break of at least ten (10) minutes.

Nonexempt (e.g. includes some confidential) employees are expected to adhere to the break schedule established by their supervisor. Deviation from the regularly scheduled break period requires prior supervisor approval.

## ***CHECKOUT***

### **Workday Checkout**

Teachers may leave the building and district grounds during lunch, as necessary. Departures during preparation periods must be approved by the building administrator.

Classified staff are permitted to leave the building and district grounds during their lunch break.

All staff are required to sign out/in with the office. This will enable office staff to respond appropriately in the event of message and emergency situations that may arise.

### ***CHILD ABUSE REPORTING***

All staff will be required to participate in annual training in the prevention and identification of child abuse and the obligations of reporting.

Any staff member who has reasonable cause or reasonable suspicion to believe that any child under 18 years of age with whom he/she has come in contact has suffered abuse or neglect, or that any adult with whom he/she is in contact has abused a child, shall immediately orally report to the Oregon Department of Human Services, Community Human Services, or local law enforcement agency. The building principal is also to be immediately informed.

Written documentation of this report must be completed and submitted to the building principal. Forms are available in the office.

Oregon law recognizes these types of abuse:

1. Physical;
2. Neglect;
3. Mental injury;
4. Threat of harm;
5. Sexual abuse or sexual exploitation.

Failure to report a suspected child abuse or to comply with the confidentiality of records requirements is a violation punishable by law and by district disciplinary action up to and including dismissal.

A staff member who, based on reasonable grounds, participates in the good faith making of a child abuse report shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed as provided by law.

Intentionally making a false report of child abuse is a Class A violation.

## ***COMPLAINTS***

### **Student/Parent Complaints**

The District recognizes that complaints regarding staff performance, discipline, grades, student progress and homework assignments will be made by students and parents from time to time. Every effort will be made to ensure that such complaints are handled and resolved informally and as close to their origin as possible. Students,

parents and others with complaints will be encouraged to discuss the complaint directly with the staff member. All such meetings should be held in confidence and not in the presence of others.

If the complaint is not informally resolved, staff should advise the complainant that they may submit the matter directly to the building principal or immediate supervisor, as appropriate. The complainant will be provided with necessary formal complaint procedure guidelines in accordance with Board policy and applicable provisions of collective bargaining agreements.

When a complaint is made directly to the Board as a whole or to an individual Board member, it will be referred to the Superintendent for appropriate building administrator follow-up.

All staff members should familiarize themselves with Board policy and applicable provisions of administrative regulations and collective bargaining agreements regarding the handling of complaints.

### Staff Complaints

It is an unlawful employment practice for an employer to discharge, demote, suspend or in any manner discriminate or retaliate against an employee with regard to promotion, compensation or other terms, conditions or privileges of employment for the reason that the employee has in good faith reported information in a manner as to disclose employer violations of any federal or state law, rule or regulation, mismanagement, gross waste of funds, abuse of authority, or substantial and specific danger to public health and safety.

The superintendent or designee will develop a complaint procedure which will be available for all employees who contend they have been subject to a violation, misinterpretation or inappropriate application of district personnel policies and/or administrative regulations. The complaint procedure will provide an orderly process for the consideration and resolution of problems in the application or interpretation of district personnel policies.

The complaint procedure will not be used to resolve disputes and disagreements related to the provisions of any collective bargaining agreement, nor will it be used in any instance where a collective bargaining agreement provides a dispute resolution procedure. Disputes concerning an employee's dismissal, contract nonrenewal or contract nonextension will not be processed under this procedure.

Reasonable efforts will be made to resolve complaints informally.

Administrative regulations will be developed to outline procedural timelines and steps under this policy, as necessary.

### **COMPUTER USE**

Staff may be permitted to use the District's electronic communications system for personal use, in addition to official District business, consistent with Board policy, general use prohibitions/guidelines/etiquette and other applicable provisions of this administrative regulation. Personal use of District-owned computers including Internet and E-mail access by employees is prohibited during the employee's work hours. Additionally, Board member and employee use of District-owned computers may be permitted only when such use does not violate the provisions of ORS 244.040 and use is under the same terms and conditions that access is provided to the general public under the District's policy governing use of District equipment and materials. District equipment and materials may not be removed from KCSD facilities without prior authorization. Staff who violate general system user prohibitions shall be subject to discipline up to and including dismissal in accordance with Board policy, collective bargaining agreements and applicable provisions of law. Violations of law will be reported to law enforcement officials and may result in criminal or civil sanctions. Violations of applicable Teacher Standards and Practices Commission (TSPC), Standards for Competent and Ethical Performance of Oregon

Educators will be reported to TSPC as provided by OAR 584-020-0041. Violations of ORS 244.040 will be reported to TSPC.

### ***COPYRIGHT***

A variety of machines and equipment for reproducing materials to assist staff in carrying out their educational assignments is available to staff in both the school and home setting.

Infringement on copyrighted material, whether prose, poetry, graphic images, music, audiotape, video or computer-programmed materials, is a serious offense against federal law, a violation of Board policy and contrary to ethical standards required of staff and students. All reproduction of copyrighted materials shall be conducted strictly in accordance with applicable provisions of law. Unless otherwise allowed as “fair use” under federal law, permission must be acquired from the copyright owner prior to reproduction of material in any form.

Employees in violation of copyright law may be required to remunerate the District in the event of loss due to litigation and may be subject to discipline up to and including dismissal.

This topic is covered in depth in the District’s Board Policies, EGAAA and EGAAA-AR.

### ***CRIMINAL RECORDS CHECKS/FINGERPRINTING***

All employees, as required by law, including those individuals contracting with the District and its employees, who have direct, unsupervised contact with students shall be required to submit to a nationwide criminal records check and fingerprinting. The Board may require an Oregon criminal history check for screening applicants for employment or other individuals considered for use as volunteers for the District who have direct, unsupervised contact with students. The District shall not begin the employment of an individual or terms of a district contractor before the return and disposition of criminal records checks and/or fingerprinting. The service of a volunteer may begin on a probationary basis pending the return and disposition of a criminal records check. An individual who has failed to disclose the presence of criminal convictions that would not otherwise prevent his/her employment with the District as provided by law may be allowed to recertify with the Oregon Department of Education (ODE). Criminal records checks and fingerprinting fees as required by the Teacher Standard and Practices Commission shall be paid by the individual. Fees as required by ODE for individuals currently employed by the District and not requiring licensure shall be paid by the District. Fees as required by ODE for all other individuals subject to such checks and/or fingerprinting shall be paid by the District. Fees required by Fieldprint will be paid by the employee.

In a continuing effort to further ensure the safety and welfare of students and staff, the district shall require all newly hired full-time and part-time employees not requiring licensure to undergo a criminal records check and/or fingerprinting. Other individuals, as determined by the district, that will have direct, unsupervised contact with students shall submit to criminal records checks and/or fingerprinting as required by law.

"Direct, unsupervised contact with students" means contact with students that provides the person opportunity and probability for personal communication or touch when not under direct supervision.

As required by state law, a criminal records check and/or fingerprinting shall be required of the following individual or individuals (subject individuals and requirements are further outlined in GCDA/GDDA-AR - Criminal Records Checks and Fingerprinting):

1. All district contractors and/or their employees, whether employed part-time or full-time, considered by the district to have direct unsupervised contact with students;
2. All district contractors and/or their employees who provide early childhood special education or early intervention services in accordance with rules established by the Oregon Department of Education, Child Care Division;

3. Any community college faculty member providing instruction at the site of an early childhood education program or at a school site as part of an early childhood program, or at a grade K through 12 school site during the regular school day;
4. Any individual who is an employee of a public charter school and not requiring licensure; and
5. Any individual considered for volunteer service with the district who is allowed to have direct, unsupervised contact with students.

The identity of an individual requiring fingerprinting will be provided by the district to the authorized fingerprinter for verification.

An individual shall be subject to fingerprinting only after acceptance of an offer of employment or contract.

The district shall begin the employment of subject individual or terms of a district contractor on a probationary basis pending the return and disposition of the required criminal records checks and/or fingerprinting.

The service of a volunteer with direct, unsupervised access to students will not begin before the return and disposition of a criminal records check.

A subject individual who has failed to disclose the presence of convictions that would not otherwise prohibit his/her employment with the district as provided by law may be employed or contracted with by the district. The district's use of criminal history must be relevant to the specific requirements of the position, services or employment.

An individual who knowingly made a false statement as to the conviction of any crime on district volunteer forms, as determined by the district, may result in immediate termination from the ability to volunteer in the district.

Fees associated with a criminal records check and/or fingerprinting may be charged.

### ***DISCLOSURE INFORMATION***

Authorized district officials may disclose information about a former employee's job performance to a prospective employer. District officials are immune from civil liability for such disclosures under the following conditions:

1. The disclosure of information regarding the former employee's job performance is upon request of the prospective employer of the former employee. This disclosure is presumed to be in good faith.
2. Presumption of good faith is rebutted by showing the information disclosed was:
  - a) Knowingly false;
  - b) Deliberately misleading;
  - c) Rendered with malicious purpose; or
  - d) Violated civil rights.
3. The disclosure is of the disciplinary records<sub>1</sub> of a district employee who has been convicted of a crime listed in ORS 342.143. These records are not exempt from disclosure under ORS 192.501 or ORS 192.502 and shall be released to any person upon request. Prior to the disclosure of a disciplinary record an education provider shall remove any personally identifiable information from the record that would disclose the identity of a child, a crime victim or a school employee who is not the subject of the disciplinary record.

4. The disclosure is the result of a request from a law enforcement agency, the Department of Human Services or the Teachers Standards and Practices Commission regarding the records of investigations of suspected child abuse by a district employee.
5. Not later than 20 days after receiving a request under ORS 339.374, an education provider that has or has not had an employment relationship with the applicant shall disclose the information requested and any disciplinary records that must be disclosed as provided by ORS 339.388(7).

### ***DRUG AND ALCOHOL TESTING – TRANSPORTATION PERSONNEL***

The district is committed to the establishment of a drug use and alcohol misuse prevention program that meets all applicable requirement of the Omnibus Transportation Employee Testing Act of 1991(OTETA).

Accordingly, all employees subject to commercial driver’s license (CDL) requirements shall be prohibited from:

The use of drugs, unless a written prescription from a licensed doctor or osteopath is provided, including a statement advising that the substance does not adversely affect the driver’s ability to safely operate a commercial motor vehicle;

The use of alcohol including:

While on duty;

Eight hours before driving, in accordance with Oregon Administrative Rules;

Eight hours following an accident;

Consumption resulting in prohibited levels of alcohol in the system.

“Drugs” as used in this policy refers to controlled substances as covered by the OTETA, including marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP).

All covered individuals offered employment with the district and district employees transferring to positions subject to the OTETA shall be required to submit to pre-employment drug testing. Additionally, covered employees will be subject to reasonable suspicion, random and post-accident alcohol and drug testing. Return to duty and follow-up testing may also be required.

Pre-employment drug testing costs will be paid for by the district. All drug and alcohol testing of district employees, including reasonable suspicion, random, post-accident, return to duty and follow-up testing costs, as applicable, will be paid for by the district. The district will comply with collective bargaining agreement provisions.

All offers of employment or transfer to covered positions with the district will be made contingent upon testing results. An individual who tests positive for drugs will not be hired or transferred. The offer of employment or transfer will be immediately withdrawn.

An offer of employment or transfer will also be immediately withdrawn from any individual who refuses drug testing.

Covered employees who, under the district’s reasonable suspicion, random, post-accident, return to duty or follow-up testing program, test positive for drugs or test with a breath alcohol content level of 0.02 or higher, will be subject to immediate disciplinary action up to and including dismissal in accordance with Board policy. Employees who refuse to comply with testing requirements will also be regarded as testing positive for drugs or testing with a breath alcohol content level of 0.02 or higher. Notification of available resources for evaluation and

treatment will be made as required by law. Additionally, employees may be subject to CDL prohibitions and penalties under the OTETA and applicable Federal Motor Carrier Safety Administration (FMCSA) regulations.

## ***DRUG-FREE WORKPLACE***

### 1. Definitions

- a. **Controlled substance:** A controlled substance shall include any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or other controlled substance.
- b. **Alcohol:** Alcohol shall include any form of alcohol for consumption, including beer, wine, wine coolers, or liquor.
- c. **Conviction:** A finding of guilt (including a plea of no contest) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes.
- d. **Criminal drug statute:** A Federal or State criminal statute involving the manufacture, distribution, dispensation, possession, or use of any controlled substance or alcohol.
- e. **Drug-free workplace:** A site for the performance of work at which employees are prohibited from engaging in the manufacture, distribution, dispensation, possession, or use of a controlled substance or alcohol.

### 2. Purpose

The purpose of these procedures is to promote safety, health, and efficiency by prohibiting, in the workplace, the manufacture, distribution, dispensation, possession, or use of a controlled substance or alcohol.

### 3. Applicability

These procedures apply to all employees, including, but not limited to, those exempt, unclassified, management service, classified, licensed, and temporary employees who are paid directly or indirectly from funds received under a Federal grant or contract.

### 4. Prohibitions

An employee shall not, on or in the workplace, manufacture, distribute, dispense, possess, or use a controlled substance or alcohol.

### 5. Compliance with this Policy

An employee shall, as a condition of employment, abide by the provisions of these procedures.

### 6. Sanctions and Remedies

- a. The district, upon determining that an employee has engaged in the manufacture, distribution, dispensation, use, or possession of a controlled substance or alcohol or upon having reasonable suspicion, under Section VII of these procedures, of employee use of a controlled substance or alcohol in the workplace, shall, take action with regard to the employee determined to be appropriate which may include transfer, granting of leave with or without pay, suspension with or without pay, or dismissal.
- b. Within 30 days of an employee's criminal drug statute conviction for a violation occurring in the workplace, the district shall:

- (1) Take action with regard to the employee determined to be appropriate which may include discipline up to and including dismissal and/or;
- (2) Require satisfactory participation by the employee in a drug abuse assistance or rehabilitation program approved for such purpose by a Federal, State, or local health, law enforcement, or other appropriate agency.

#### 7. Basis for Reasonable Suspicion of Employee Use of Controlled Substance/Alcohol

Reasonable suspicion of employee use of a controlled substance or alcohol shall be based upon any of the following:

- a. Observed abnormal behavior or impairment in mental or physical performance (for example, slurred speech or difficulty walking).
- b. Direct observation of use in the workplace.
- c. The opinion of a medical professional.
- d. Reliable information concerning use in the workplace, the reliability of any such information shall be determined by employer.
- e. A work-related accident in conjunction with a basis for reasonable suspicion as listed above.

#### 8. Reasonable Suspicion Testing

The district shall conduct reasonable suspicion drug and alcohol testing as follows:

- a. The district will test employees whenever there is reasonable suspicion to believe that the employee has engaged in drug use or alcohol use or misuse;
- b. Reasonable suspicion will be based on specific contemporaneous, articulable observations made by a supervisor, concerning appearance, behavior, speech or body odors indicative of employee use of drugs or the misuse of alcohol. Observations of drug use may include indications of chronic and withdrawal effects of drugs and noticeable degradation of job performance that may be associated with the use of drugs;
- c. Hearsay or second hand information is not sufficient to require an employee to submit to testing;
- d. Alcohol testing may be authorized only if observations resulting in reasonable suspicion are made during, just preceding, or just after, the period of the workday that the employee is required to be in compliance with this policy and these administrative regulations. The observing supervisor should normally not perform the alcohol test on the employee;
- e. If alcohol testing is not administered within two hours, the district will prepare and maintain on file a record stating the reasons the test was not promptly administered;
- f. If alcohol testing is not administered within eight hours, the district will cease attempts to administer an alcohol test and will prepare and maintain a record specifying why the test was not administered;
- g. A written record shall be made of the observations leading to a reasonable suspicion drug test and signed by the administrator and/or supervisors within 24 hours of the observed behavior or before the results of the drug test are released, whichever is earlier;
- h. The district will ensure that the employee under reasonable suspicion is transported to the designated collection or testing site.
- i. A refusal to submit to alcohol testing (breathalyzer) or drug testing (urinalysis), upon reasonable suspicion, shall result in a presumption and a determination by the district that the employee was under the influence of alcohol or drugs, as appropriate, and may result in the discipline or dismissal of the employee.

#### 9. Referrals, Evaluation and Treatment



The district shall provide information related to referrals, evaluation and treatment as follows:

- a. The district shall advise covered employees, who violate the drug and alcohol prohibitions, of referral services available for evaluating and resolving problems associated with the use of drugs and the misuse of alcohol. Such information will include the names, addresses and telephone numbers of substance abuse professionals (SAPs) and counseling and treatment programs;
- b. An employee who engages in such prohibited conduct shall be evaluated by a SAP;
- c. The SAP will determine what assistance if any the employee needs in resolving problems associated with drug use and alcohol misuse;
- d. This requirement shall not be interpreted to require the district to provide or pay for any rehabilitation costs, to hold a job open for an employee with or without salary, or to refrain from disciplining or dismissing the employee.
- e. SAPs, as referred to in these administrative regulations, mean:
  - (1) Licensed physicians with knowledge of and clinical experience in the diagnosis and treatment of alcohol-related disorders;
  - (2) Licensed or certified psychologists, social workers or employee assistance professionals with like knowledge; and
  - (3) Alcohol and drug abuse counselors certified by the National Association of Alcoholism and Drug Abuse Counselors (“NAADAC”). This does not include state-certified counselors.

10. Results of Positive Test(s)

A positive controlled substance test or an alcohol test of 0.02 alcohol concentration or greater will be considered a violation of district policy and the employee will be subject to immediate dismissal.

11. Drug and Alcohol Testing Procedures

The district, in cooperation with contracted collection and testing facilities shall maintain drug and alcohol testing procedures as follows:

a. Drugs

- (1) The employee reports to the district designated collection site and provides positive identification;
- (2) A urine sample for drug testing is provided. A “split sample” (second urine specimen bottle) is collected;
- (3) Following completion of a chain of custody form, both specimen bottles are forwarded to the Department of Health and Human Services (DHHS) certified laboratory for analysis. The second specimen is stored at the laboratory for later testing as may be necessary. Initial testing is performed only on one specimen bottle;
- (4) Testing results are reported to the district-selected Medical Review Officer (MRO) by mail or electronic transmission. Results may not be given over the phone;
- (5) The laboratory will report the verified negative testing results to the district;
- (6) The MRO will report verified positive testing results to the applicant or employee, discuss the type of illegal substance found and determine whether there is any valid medical reason for the positive testing results;
- (7) A verified valid medical reason for a positive testing result will be reported as a negative testing

result to the district. Possession of a medical marijuana card shall not be considered to be a “valid medical reason” for a positive test result indicating a presence of marijuana (THC metabolites);

- (8) If no legitimate medical reason exists for positive testing, the MRO will report verified positive testing and identity of the substance(s) to the district;
- (9) The employee may request within 72 hours of a positive test notice that the second specimen sample be tested. Such retesting costs will be paid for by the employee;
- (10) The MRO will report results of the retesting to the employee and the district;
- (11) Detailed drug testing procedures may be obtained by contacting the district’s drug and alcohol misuse prevention coordinator or designee.

a. Alcohol

- (12) The employee reports to the district-designated testing site and provides positive identification;
- (13) Under the alcohol testing rule, an alcohol test result will be considered positive even if over-the-counter or legally prescribed medication is involved;
- (14) All alcohol screening tests will be conducted by:
  - (a) A certified breath alcohol technician using evidential breath testing devices; or
  - (b) Human Resources Director or designee.
- (15) Testing may be conducted at a Department of Health and Human Services (DHHS) certified laboratory or other location including mobile facilities equipped for such testing;
- (16) District supervisors should generally not be used as a breath alcohol technician for covered employees. Under certain circumstances, a properly trained district supervisor may conduct such testing in the absence of another breath alcohol technician;
- (17) The employee submits to breath testing;
- (18) If the result of the testing indicates an alcohol concentration rate of 0.02 or greater, a second confirmation breath testing is administered as soon as possible after the initial testing;
- (19) The breath alcohol technician will report any invalid tests in which the initial positive test and the confirmation test do not match, confirmed positive and negative results to the district;

An employee’s refusal to sign forms as required shall be considered as refusal to be tested;

The breath alcohol technician will meet all legal requirements including such testing procedures, Breath Alcohol Testing form and confidentiality requirements as may be required;

Detailed alcohol testing procedures may be obtained by contacting the district’s drug and alcohol misuse prevention program coordinator or designee.

### ***EMERGENCY CLOSURES***

In case of hazardous or emergency conditions, the Superintendent may alter district and transportation schedules as are appropriate to the particular emergency. Such alterations include closure of all schools, closure of selected schools or grade levels, delayed openings of schools, and early dismissal of students. The Superintendent will develop and maintain such plans and procedures as are necessary to carry out alternate school and bus schedules. At the beginning of each school year, students, parents, and staff will be informed of the procedures used to notify them in case of an emergency closure.

The District shall use all reasonable efforts to notify employees in the event of school closure. Automated calling and /or media announcements shall be deemed to be a proper notice for all employees.

In the event school days are canceled due to inclement weather, certified staff shall be paid for the days as if they were worked, but they shall not be required to work. The District shall, however, have the right to schedule make-up days for any days lost due to inclement weather without providing additional compensation for such days.

In regards to certified staff, an employee who had requested and been granted personal, sick, or compensatory leave for a half or full school day shall have the leave restored. Such leave will only be credited back in four hour (half day) or eight hour (full day) increments.

**Example:** If school is canceled at 2pm, the employee would not be credited any leave back as school was not canceled for at least four hours.

The above provisions do not pertain to employees who are out on an approved extended leave, LOA, FMLA, OFLA, Workers' Compensation, etc.

In regard to classified staff, employees shall be paid for the days as if they were worked, but shall not be required to report to work. One building secretary, custodians, and maintenance personnel, shall be required to report to work at the request of their building supervisor or other designee. The employees required to work will be paid at their regular hourly rate for any hours worked in addition to their day's regular pay.

In the event of delayed start or in cases where the announcement to delay or cancel school is made after the start of an employee's work day, the employee shall be granted compensatory time (hour for hour) for the hours worked prior to the announcement of the delay or closure. These compensatory hours can be used in the following: one (1) hour late arrival or longer lunch on said day(s) or within the next five (5) working days with administrative approval of the schedule.

In the event an employee does not receive notification of school closure and reports for work, he or she will receive two (2) hours' pay (may be required to work the two (2) hours before being released from duty).

An employee who had requested and been granted personal leave for a canceled day shall have the personal leave restored.

In case of an emergency, all classified employees may be required to work. The employees shall receive time and one-half pay for each hour worked, and will be paid for no less than two (2) hours.

It is understood and agreed that the procedures outlined previously are applicable for no more than four (4) days. The District reserves the right to notify employees not to report for work or to receive pay if the number of days goes beyond the four (4) days set forth.

### ***EMPLOYEE ASSISTANCE PROGRAM***

As an employment benefit, KCSD employees and their families may be eligible for cost free confidential counseling through OEBC's Employee Assistance Program. For more information call 1-866-750-1327.

### ***EVALUATION OF STAFF***

An effective evaluation program is essential to a quality educational program. It is an important tool to determine the current level of a teacher's performance of the teaching responsibilities. It is also an important assessment of classified employees and current performance of their job assignments. Under Board policy, administrators are charged with the responsibility of evaluating the staff. An evaluation program provides a tool for supervisors who

are responsible for making decisions about promotion, demotion, contract extension, contract nonextension, contract renewal or nonrenewal, dismissal and discipline.

#### Licensed Staff

The evaluations for licensed staff shall be based on the core teaching standards adopted by the Oregon State Board of Education. The standards shall be customized based on collaborative efforts with teachers and any exclusive representatives of the licensed staff. Evaluation and support systems established by the district for teachers must be designed to meet or exceed the requirements defined in the Oregon Framework for Teacher and Administrator Evaluation and Support Systems, including:

1. Four performance level ratings of effectiveness;
2. Classroom-level student learning and growth goals set collaboratively between the teacher and the evaluator;
3. Consideration of multiple measures of teacher practice and responsibility which may include, but are not limited to:
  - a. Classroom-based assessments including observations, lesson plans and assignments;
  - b. Portfolios of evidence;
  - c. Supervisor reports; and
  - d. Self-reflections and assessments.
4. Consideration of evidence of student academic growth and learning based on multiple measures of student progress, including performance data of students, which is both formative and summative. Evidence may also include other indicators of student success;
5. A summative evaluation method for considering multiple measures of professional practice, professional responsibilities and student learning and growth to determine the teacher's professional growth path; Evaluation of Staff - GCN/GDN 1-2
6. Customized by each district, which may include individualized weighting and application of standards.

An evaluation using the core teaching standards must attempt to:

1. Strengthen the knowledge, skills, disposition and classroom practices of teachers;
2. Refine the support, assistance and professional growth opportunities offered to a teacher, based on the individual needs of the teacher and the needs of the students, the school and the district;
3. Allow the teacher to establish a set of classroom practices and student learning objectives that are based on the individual circumstances of the teacher, including the classroom and other assignments;
4. Establish a formative growth process for each teacher that supports professional learning and collaboration with other teachers;
5. Use evaluation methods and professional development, support and other activities that are based on curricular standards and are targeted to the needs of the teacher; and
6. Address ways to help all educators strengthen their culturally responsive practices.

Evaluation and support systems established by the district must evaluate teachers on a regular cycle. The superintendent shall regularly report to the Board on implementation of the evaluation and support systems and educator effectiveness.

Each probationary teacher shall be evaluated at least annually, but with multiple observations. The purpose of the evaluation is to aid the teacher in making continuing professional growth and to determine the teacher's performance of the teaching responsibilities. Evaluations shall be based upon at least two observations and other relevant information developed by the district.

#### Classified Staff

All classified employees will be formally evaluated by their immediate supervisor at least once during their first year of employment and at least once each year thereafter.

### ***FAIR LABOR STANDARDS ACT***

Regular working hours for all classified staff will be set by the building principal/supervisor. Non-exempt staff (classified employees) are not to work before, beyond or outside their established working hours and are not to work overtime without prior authorization from the building principal/supervisor.

Failure to comply may result in disciplinary action in accordance with applicable provisions of Board policy, administrative regulations and collective bargaining agreements.

Administrators and supervisors shall give notification to nonexempt employees of the Board's following expectations:

- What constitutes nonexempt working hours;
- What constitutes normal working hours;
- That employees are not to work before, beyond or outside their normal working hours or are not to work overtime without prior authorization;
- That a written corrective statement be given to employees not complying with established procedures.

For classified employees, overtime is defined as all assigned work in excess of forty (40) hours in any workweek.

Fund-raising activities to raise money for a wide variety of school activities and equipment are held at various times throughout the school year and during the summer. All fund-raising activities must be conducted under the direct supervision of staff or other individuals authorized by the District and approved by the Superintendent or designee prior to the activity being initiated. Solicitation of funds is expressly prohibited without the Superintendent's consent.

Fund-raising requests must include an explanation or justification for the proposal consistent with building and/or District goals. Fund raising must not interfere with or disrupt school.

Fund-raising request forms are available in the office.

All money raised must be receipted and deposited with the District at the earliest opportunity or the next business day, whichever comes first.

Staff and students should take all reasonable precautions to provide for the security of any items/materials/products being sold. Staff members are directed to follow established building procedures for the depositing of funds collected. At no time should money collected be allowed to accumulate in classrooms, lockers or other unsecured areas, nor should it ever be deposited in personal banking accounts.

### ***GIFTS AND SOLICITATIONS***

Students and their parents shall be discouraged from giving gifts to district employees. The Board welcomes, as appropriate, the writing of letters by students to staff members expressing gratitude and appreciation. Individual employees will limit giving gifts to staff members who exercise any direct or indirect administrative or supervisory jurisdiction over them. Collecting money for group gifts is discouraged except in special circumstances such as bereavement, serious illness or retirement gifts. Staff-initiated "sunshine funds" are exempt from this policy. No staff member may solicit funds in the name of the school or district through the use of, including but not limited to, internet-sourced crowdfunding or other similar types of fund raising, without the approval of the principal and superintendent. Individual employees need to be accountable for maintaining

integrity and avoid accepting anything of value offered by another for the purpose of influencing his/her professional judgment. All employees are prohibited from accepting items of material value from companies or organizations doing business with the district. "Material value" is defined as \$50 from a single source in a single year. No organization may solicit funds from staff members within the schools, nor may anyone distribute flyers or other materials related to fund drives through the schools without the superintendent's approval. Staff members may not be made responsible or assume responsibility for collecting money or distributing any fund-drive literature within the schools without the superintendent's approval. The soliciting of staff by sales people, other staff or agents during on-duty hours is prohibited. Any solicitation should be reported at once to the principal or supervisor. Advertising is not allowed in the building without the superintendent's approval.

### ***GUEST SPEAKERS/CONTROVERSIAL SPEAKERS***

Guest speakers may be used by teachers from time to time, when such use is consistent with educational goals and with a demonstrable relation to the curricular or co-curricular activity in which the participating students are involved.

Prior building principal approval is required when having a guest speaker.

Guest speakers should represent various approaches or points of view on a given topic in order to afford students a more comprehensive understanding of the issue.

Prior to participation, guest speakers are to be informed of the following regulations:

1. Profanity, vulgarity and lewd comments are prohibited;
2. Tobacco use is prohibited;
3. Sexist, racial remarks or derogation of any group or individual is prohibited;
4. Any curriculum guidelines which address controversial subject matter (eg. religion, sexuality education, evolution).

Teachers need to remain with students during the entire presentation and have the right and obligation to interrupt or suspend the presentation if the conduct or content being presented is judged to be in poor taste, violates any of the above regulations or endangers the health and safety of students or staff.

### ***HAZING/HARASSMENT/INTIMIDATION/BULLYING/MENACING/CYBERBULLYING***

Hazing, harassment, intimidation, bullying, cyber-bullying or menacing by students, staff or third parties is strictly prohibited and shall not be tolerated by the District. Retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is also strictly prohibited. . Individuals may also be referred to law enforcement officials and staff will be reported to the Teacher Standards and Practices Commission (TSPC).

An employee who has knowledge of conduct in violation of Board policy JFCF – Hazing/Harassment/Intimidation/Bullying/Menacing/Cyberbullying/Teen Dating Violence/Domestic Violence – Student shall immediately report his/her concerns to the designated district official.

Failure of an employee to report an act of hazing, harassment, intimidation or bullying, menacing, cyberbullying or teen dating violence of a student to the designated district official may be subject to remedial action, up to and including dismissal.

## **IDENTIFICATION BADGES**

Klamath County School District is committed to provide a safe and healthy environment for students and staff in which to learn and work. To help ensure the protection of staff and students and reduce the possibilities of theft, vandalism and loss of District property, all District employees shall be issued and wear identification badges when on District property.

1. Identification badges are the property of the District for use by district employees. Any employee who duplicates or lends an identification badge will be subject to disciplinary action;
2. All identification badges are to be worn in plain sight when the employee is engaged in the performance of District duties while on District property;
3. A report of a lost or stolen badge must be made to the appropriate administrator immediately.

## **INJURY-ON THE JOB**

All injuries occurring on District property or during the course of school-sponsored activities, including field trips and other away events, are to be reported to the building principal/supervisor immediately.

Reports will cover property damage as well as personal injury.

### **WHEN AN INCIDENT OCCURS:**

- ✓ Complete the Accident/Incident Form provided. Once the form is complete, have your supervisor or designee fax them to the Risk Management office @ 541.885-3374 or scan and email to the Risk Management Officer (Steve Johnson) @ johnsonst@kcsd.k12.or.us.

### **IF YOU GO TO THE DOCTOR:**

1. Obtain the Doctor's Release to Return to Work Form and job description from your supervisor to bring with you to your appointment.
2. An 801 form will be generated by your supervisor for your signature and should be completed when possible before going to the doctor. The 801 Form is the form that officially opens your claim.
3. **NOTE:** If you are seriously injured and cannot complete the forms prior to seeking medical attention, you must contact your supervisor as soon as practical. Your supervisor will complete as much as he/she can on the forms and will ask you to complete your portion as soon as you are able.

### **DURING THE DOCTOR VISIT:**

- ❖ Give the Doctor Release to Return to Work Form to the doctor and ask him/her to complete the form.
- ❖ Be certain to discuss the physical requirements of your regular job duties with the doctor so he/she can decide on any duty restrictions and/or modifications. You can also ask your supervisor for a job description to take to your physician.
- ❖ Before leaving the doctor's office, obtain the completed and signed Doctor's Release to Return to Work form and copies of any other doctor notes or instructions.

### **AFTER THE DOCTOR VISIT:**

- ✓ **IMMEDIATELY** return to your supervisor:
  1. Completed and signed Doctors Release to Return to Work Form
  2. All doctor's notes and instructions

3. Signed/completed Occupational Injury Report. If you were unable to complete an 801 Form, please work with your supervisor to complete the 801 at your earliest opportunity.
- ✓ If doctor's release/notes/instructions indicate that you can work, but with modified duty, immediately discuss availability of modified duty with your supervisor.
  - ✓ Continue to provide all doctors' notes from subsequent appointments to your supervisor after every visit.

Should you have any concerns or questions regarding your claim, please contact the Risk Management office at 541.851.8768.

All necessary forms are available at each worksite.

If the employee misses work due to the injury:

- The first three (3) days off work are to be covered under sick leave;
- The building principal will contact payroll and risk management the first day that the employee is off work;
- A letter will be sent to the employee, from payroll, explaining that the first three (3) days off are covered by sick leave, the 4<sup>th</sup> day will be on dock status unless the employee wants to have 1/3 day sick leave pay, other 2/3 pay will be dock (per contract). The employee will be required to complete a leave form and return it to payroll in order for the 1/3 sick leave pay to occur.  
**NOTE:** SAIF pays approximately 2/3 pay on the 4<sup>th</sup> day.
- If SAIF denies the claim, the employee may take sick leave.

The above is explained in more detail in the KCSD Employee On-The-Job Injury Packet you should receive or can request from your supervisor when you report your injury.

### ***KEYS***

Keys are issued to staff by the building principal/supervisor. In order to protect property, students and staff and to ensure the building is adequately secured when no authorized personnel are present, all staff are expected to follow the following key-control procedures:

1. The duplication of keys is prohibited;
2. Keys are not to be left unattended. Avoid leaving keys on desks, tables, in mailboxes, unattended coat pockets, etc.;
3. Keys may not be loaned to students or to individuals not employed by the District. Under no circumstances should staff provide keys to students to "run errands", "unlock/lock" doors, etc.;
  - a. Lost or stolen keys must be reported to the building principal/supervisor within 24 hours of discovery of the loss or theft so that measures may be taken to protect District property
4. All keys are to be checked in at the end of the school year. Staff with summer duties necessitating building access may make arrangements with the building principal/supervisor to keep their keys, as appropriate.

### ***LESSON PLANS***

The quality of the instructional program reflects the effort invested by teachers in developing lesson plans consistent with District curriculum and appropriate to the individual needs of students.

Teachers are expected to prepare lesson plans on a weekly basis. Lesson plans are to be kept by teachers in a place known and accessible to the building principal. Teachers may be required to provide copies of lesson plans to the office at reasonable times and intervals as determined by the building principal.



Lesson plans should be of sufficient length and substance to allow a substitute teacher to carry on the course of study and to provide a means by which the building principal may monitor instruction to assure that the educational program in a particular class or activity is consistent with the District-approved course of study.

An up-to-date seating chart, class schedules and information identifying any classroom student aides or other special student needs should be included in all lesson plan books. In addition, evacuation plans, emergency drills and any supplemental documents as required by your building administrator should be made available.

General plans which cover the length of the course of study should also be prepared and readily available for building principal and/or student and parent review.

### ***LICENSE REQUIREMENTS***

The Board, in adhering to Oregon Revised Statutes, shall require all applicants to hold an Oregon license as a condition of employment. The district must be able to verify the current license of those offered employment before the Board will consider approving their employment. Applicants whose license cannot be verified prior to the beginning of school or the first day employment is to begin, will not be employed until such license is verified.

If an applicant's teaching license application with the TSPC is pending, the applicant may teach, with Board approval, for 90 calendar days after the date of submission of the application, if the applicant has: 1. Submitted an application in the manner and form required by the TSPC, including payment of all required fees;

2. Completed a background clearance conducted by the TSPC that includes having:
  - a. Furnished fingerprints, if required;
  - b. Provided satisfactory responses to character questions in the form and manner required by the TSPC; and
  - c. Completed a criminal records check pursuant to state law and a background check through the interstate clearinghouse for revoked or suspended licenses, and is eligible for a teaching license.

The district will complete a review of the applicant's employment history prior to beginning employment.

The district will verify the employee is properly licensed on the 91st calendar day after the application was submitted to the TSPC, if the employee's license application is pending and the employee is teaching in the district.

This 90-day teaching option will only be applied to those positions of high need, specialty areas or emergency assignments as determined by the district.

The verification of licensure includes all license endorsements. It shall be each licensed staff member's responsibility to keep all endorsements current and to submit them to the superintendent's office.

### ***MOTHER FRIENDLY WORKPLACE***

The district recognizes that a normal and important role for mothers is to have the option and ability to provide for [their child by breast-feeding or] expressing milk in the workplace. The Board directs the superintendent or designee to take measures and develop regulations to ensure that all district employees shall be provided with an adequate location for the expression of milk or breast-feeding.

The superintendent or designee shall see that the district makes a reasonable effort to provide a room or other location in close proximity to the employees' work area, other than a restroom, where an employee can breast-

feed her child or express milk in privacy. This policy directs the superintendent or designee to include the following in the development of a regulation to ensure the provisions for employees required by this policy:

1. The advice of a school nurse or health professional in determining the most reasonable facility accommodation;
2. The plan shall include an accessible, private room with a lock that would allow a mother:
  - a. To breast-feed a child brought in during a lunch or other break period; or
  - b. To pump breast milk to be stored for later use.
3. The room shall include:
  - a. Electrical outlets for electric pumps;
  - b. Sanitation facilities including a sink close by, for hand washing and the rinsing of containers; and
  - c. A sign-up sheet and a sign posting the room as “private during use.”

A reasonable effort will be made to provide a flexible work schedule in consideration of the requirements of the staff member’s responsibility.

The district shall provide the employee a 30-minute rest period to breast-feed or express milk during each 4-hour work period, or the major part of a 4-hour work period, to be taken by the employee approximately in the middle of the work period. If feasible, the employee will take the rest period at the same time as the rest periods or meal periods provided by the district.

The following locations have been identified in each facility for milk expression or breast-feeding:

Bonanza Schools: Room 21A  
Brixner Middle School: Multi-Purpose Room  
Chiloquin Elementary: Room 8  
Chiloquin High School: Girl’s Locker Room, Coaches Office  
District Office: Restroom adjacent to Superintendent’s Office  
Falcon Heights: Room 2 Office  
Ferguson Elementary School: Library (Workroom)  
Gearhart: Health Room  
Gilchrist School: Room 9  
Henley Elementary School: Music Room Office  
Henley High School: Counselor’s Office  
Henley Middle School: Counselor’s Office  
Keno Elementary School: Health Room  
Lost River Jr./Sr. High School: Coaches Office (Girls Locker Room)  
Malin Elementary School: Nurse’s Room  
Mazama High School: Nurse Office  
Merrill Elementary School: Nurse’s Room  
Peterson Elementary School: Vice Principal’s Office  
Shasta Elementary School: Nurse’s Room  
Stearns Elementary: Room 19  
Transitions: Changing/Toileting Room

## ***NONDISCRIMINATION***

The district prohibits discrimination and harassment on any basis protected by law, including but not limited to, an individual's perceived or actual race, color, religion, sex, sexual orientation<sup>1</sup>, national or ethnic origin, marital status, age, mental or physical disability or perceived disability, pregnancy, familial status, economic status, veterans' status, or because of the perceived or actual race, color, religion, sex, sexual orientation, national or ethnic origin, marital status, age, mental or physical disability or perceived disability, pregnancy, familial status, economic status, veterans' status of any other persons with whom the individual associates.

The district prohibits discrimination and harassment, including but not limited to, in employment, assignment and promotion of personnel; in educational opportunities and services offered students; in student assignment to schools and classes; in student discipline; in location and use of facilities; in educational offerings and materials; and in accommodating the public at public meetings.

The Board encourages staff to improve human relations within the schools, to respect all individuals and to establish channels through which citizens can communicate their concerns to the administration and the Board.

The superintendent shall appoint and make known the individuals to contact on issues concerning the Americans with Disabilities Act of 1990 and Americans with Disabilities Act Amendments Act of 2008 (ADA), Section 504 of the Rehabilitation Act of 1973, Title VI, Title VII, Title IX and other civil rights or discrimination issues<sup>2</sup>. The district will publish complaint procedures providing for prompt and equitable resolution of complaints from students, employees and the public.

The district prohibits retaliation and discrimination against an individual who has opposed any discrimination act or practice; because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing; and further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising any rights guaranteed under state and federal law.

The Klamath County School District does not discriminate on the basis of age, citizenship, color, disability, gender expression, gender identity, national origin, parental or marital status, race, religion, sex, or sexual orientation in its programs and activities. The following person has been designated to handle inquiries regarding discrimination: Mark Greif, Director of Human Resources, [greifm@kcsd.k12.or.us](mailto:greifm@kcsd.k12.or.us), 541-851-8751.

## ***PARTICIPATION IN POLITICAL ACTIVITIES***

Employees may exercise their right to participate fully in affairs of public interest on a local, county, state and national level on the same basis as any citizen in public or private employment and within the law.

All District employees are privileged within the limitations imposed by state and federal laws and regulations to choose any side of a particular issue and support their viewpoints as they desire by vote, discussion or persuading others. Such discussion and persuasion, however, will not be carried on during the performance of District duties, except in open discussion during classroom lessons that consider various candidates for a particular office or various sides of a particular political or civil issue consistent with District curriculum and assigned duties.

On all controversial issues, staff members are expected to make clear that the viewpoints they represent are personal and are not to be interpreted as the District's official viewpoint.

No employee will use District facilities, equipment or supplies in connection with their political activities, nor may they use any time during the working day for such political activities.

## ***PERSONAL COMMUNICATION DEVICES***

Staff possession or use of personal electronic devices on district property, in district facilities during the work day and while the staff is on duty in attendance at district-sponsored activities may be permitted subject to the limitations set forth in this policy and consistent with any additional school rules as may be established by the superintendent. At no time, whether on duty or off duty, will a personal electronic device be used in a manner that interferes with staff duty and responsibility for the supervision of students.

A “personal electronic device” is a device, not issued by the district, capable of electronically communicating, sending, receiving, storing, recording, reproducing, and/or displaying information and data.

Personal electronic devices shall be silenced during instructional or class time, while on duty or at any other time where such use of the device would cause a disruption of school activities or interfere with work assignment. Devices which have the capability to take photographs or record video or audio shall not be used for such purposes while on district property or while a staff member is on duty in district-sponsored activities, unless as expressly authorized by the principal or designee for a use directly related to and consistent with the employee’s assigned duties. Computers, tablets, iPads or similar devices brought to school will be restricted to academic activities during on duty time.

The district will not be liable for loss or damage to personal electronic devices brought to district property and district-sponsored activities.

Staff members, while on duty and off duty, will utilize social media websites, public websites and blogs, judiciously by not posting confidential information about students, staff or district business.<sup>1</sup> Staff may not post images of district facilities, staff, students, volunteers or parents without written authorization from persons with authority to grant such a release. Staff members, while on duty and off duty, will treat fellow employees, students and the public with respect while posting on social media websites, etc., in order to prevent substantial disruption in school. Communication with students using personal electronic devices will be appropriate and professional. Communication with students using personal electronic devices regarding non-school-related matters is prohibited during work hours and strongly discouraged at all other times. If communicating with students electronically regarding school-related matters, staff should use district e-mail, using mailing lists to a group of students rather than individual students. Texting students during work hours is discouraged. Texting students while off duty is strongly discouraged.

Exceptions to the prohibitions set forth in this policy may be made for health, safety or emergency reasons with superintendent or designee approval.

Staff are subject to disciplinary action up to and including dismissal for using a personal electronic device in any manner that is illegal or violates the terms of this policy. Staff actions on social media websites, public websites and blogs, while on or off duty, which disrupt the school environment, are subject to disciplinary action up to and including dismissal. A “disruption”<sup>1</sup> for purposes of this policy includes, but is not limited to, one or more parental threat(s) to remove their children from a particular class or particular school, actual withdrawal of a student or students from a particular class or particular school and/or a threatened or actual negative impact on the learning environment. The taking, disseminating, transferring or sharing of obscene, pornographic or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring or sharing obscene, pornographic or otherwise illegal images or photographs, will be reported to law enforcement and/or other appropriate state or federal agencies.

Licensed staff are subject at all times to the Standards of Competent and Ethical Performance for Teachers.

## **PERSONNEL RECORDS**

An official personnel file will be established for each person employed by the district. Personnel files will be maintained in a central location.

All records containing employee medical condition information such as workers' compensation reports and release/permission to return to work forms will be kept confidential, in a separate file from personnel records. Such records will be released only in accordance with the requirements of the Americans with Disabilities Act or other applicable law.

The superintendent will be responsible for establishing regulations regarding the control, use, safety and maintenance of all personnel records. Employees will be given a copy of evaluations, complaints and written disciplinary actions to be placed in their personnel file. All charges resulting in disciplinary action shall be considered a permanent part of a teacher's personnel file and shall not be removed for any reason. Employees may submit a written response to any materials placed in their personnel file.

Except as provided below, or required by law, district employees' personnel records will be available for use and inspection only by the following:

1. The individual employee. An employee or designee may arrange with the personnel office to inspect the contents of their personnel file on any day the personnel office is open for business;
2. Others designated in writing by the employee;
3. The comptroller or auditor, when such inspection is pertinent to carrying out their respective duties, or as otherwise specifically authorized by the Board. Information so obtained will be kept confidential. No files will be removed from their central location for personal inspection;
4. A Board member when specifically authorized by the Board. Information will be kept confidential. No files will be removed from their central location for personal inspection;
5. The superintendent and members of the central administrative staff;
6. District administrators and supervisors who currently or prospectively supervise the employee;
7. Employees of the personnel office;
8. Attorneys for the district or the district's designated representative on matters of district business;
9. The disciplinary records of a district employee convicted of a crime listed in ORS 342.143 are not 1 exempt from disclosure under ORS 192.345 or 192.355 and shall be released to any person upon request. Prior to the release of disciplinary records the district shall remove any personally identifiable information from the record that would disclose the identity of a child, a crime victim or a district employee who is not the subject of the disciplinary record;
10. Upon request from a law enforcement agency, the Department of Human Services or the Teachers Standards and Practices Commission, a district shall provide the records of investigations of suspected child abuse by a district employee.

The superintendent may permit persons other than those specified above to use and to inspect personnel records when, in their opinion, the person requesting access has a legitimate official purpose. The superintendent will determine in each case the appropriateness and extent of such access.

Release of personnel records to parties other than those authorized to inspect them will be only upon receipt of a court order.

## **Elementary**

Elementary teachers shall have preparation time of forty five (45) minutes per day in not less than thirty (30) minute and fifteen (15) minute blocks. This protected time is for preparation only. Teachers will not be assigned or contracted to other duties during preparation time with the exception of parent/student meetings, IEPs, and telephonic communications. Designation of when the preparation time will be scheduled is at the discretion of the District. The

District may use up to 30 minutes per week for the purpose of District directed meetings. Physical Education time of sixty (60) minutes and twenty (20) late starts are protected as well.

Elementary teachers will be granted prep time for four (4) hours prior to each parent conference day for a total of eight (8) hours. The total of eight (8) hours will not be reduced. Four (4) hours of time will be granted on each of the following days: the second day of fall conferences and the second day of spring conferences. If the District were to discontinue the elementary Physical Education program, the 13 ½ hours of late start prep time would be reinstated.

## **Secondary**

Preparation periods for secondary teachers (7-12) shall be scheduled during the student contact day each day. A preparation period shall be at least equal in length to a regular instructional period.

Secondary teachers will be granted sixteen (16) hours per year for additional time for individualized or collaborative professional learning community time, as determined by the building principal in collaboration with the teachers. Eight (8) hours of time will be granted on each of the following days: the second day of fall conferences and the second day of spring conferences. If the District were to discontinue the elementary physical education program, the thirteen and one half (13 ½) hours of late start professional development time would be reinstated; the use of the time is at management's discretion.

## ***PROFESSIONAL DEVELOPMENT (Licensed staff only)***

As part of the district continuous improvement plan, the district will establish a short- and long-term professional development plan for licensed staff in order to enhance professional performance and promote achievement of high standards for all students. The plan shall be developed in writing by district administration.

Professional development activities may include, but are not limited to, college courses, workshops, curriculum planning, individual research, travel, supervision of teacher trainees and other such activities.

All requests for District payment of college course work tuition require prior administrative approval.

All requests for release time from regular work duties for attendance at meetings or conferences will be decided based on such factors as availability of funds, consistency with District and building goals and job assignment. Requests require prior building principal approval. Forms are available in the office. Be sure to follow the procedures stated on the back of the application. Applications must be completed and approved prior to the start of the class(es) or workshop(s). Annual funds will be proportioned at \$12,500 each quarter. Any unused funds may be spent during a subsequent quarter during a school year. Teachers may request up to \$1000 per year (July 1 through June 30) which may be applied toward registration/tuition, books and materials, substitute costs and per diem amounts. Per diem is to be paid at \$150 per day for classes taken at least 100 miles from Klamath Falls and, in the case of Gilchrist applications, 100 miles from Gilchrist. A maximum of three days per diem may be used in any one year (July 1 – June 30). The guidelines for college credit/district credit will not be affected by the professional development committee. Reimbursement for approved fees, materials and books will be paid upon proof of course completion and receipts of expenditures. Receipts are not needed for per diem; however, reimbursement for per diem will be paid upon proof of course completion. All appeals and questions are to be handled through the Professional Development Committee. The Professional Development Committee will consist of six (6) members to be selected as follows: four (4) shall be appointed by the Association, one (1) from each junior high and high school level, two (2) from the elementary level and two (2) shall be appointed by the District. Professional Development Committee members will be eligible to apply for funds, but will not vote on their own application. Professional Development requests must align with the teacher's teaching assignment in the district and with the teacher's written goals. Courses required to obtain or maintain one's teaching license will be considered. Professional Development funds will be available to teachers for courses, except those that would directly apply to administrative certification or that would help prepare a teacher for a career other than teaching.

Each individual licensed employee is solely responsible for ensuring accurate completion of the professional development required for licensure. Once a licensed employee completes licensure requirements, the employee must submit evidence to the employee’s supervisor [or professional development advisor], who will verify that the licensed employee has successfully completed the professional development requirements to the superintendent [or designee], on the Teacher Standards and Practices Commission (TSPC) Professional Educational Experience Report (PEER) form.

Meetings or conferences for which district funds are contributed — whether for fees, travel or hiring of substitutes — shall directly relate to improved student learning. Where such meetings or conferences are devoted primarily or exclusively to organizational or business affairs of associations of educators, political workshops, training sessions for consultation committees and like activities, it is not considered appropriate for the Board to expend district funds or to approve the activity.

### ***PROHIBITED USE, POSSESSION, DISTRIBUTION OR SALE OF TOBACCO PRODUCTS AND INHALANT DELIVERY SYSTEMS***

The Board recognizes its responsibility to promote the health, welfare and safety of students, staff and others on district property and at school-sponsored activities. In light of scientific evidence that use of tobacco is hazardous to the health, and to be consistent with district curriculum and Oregon law, it is the intent of the Board to establish a tobacco-free environment. Consequently, student possession, use, distribution or sale of tobacco, including any smoking device, on district premises, at school-sponsored activities on or off district premises, in district-owned, rented or leased vehicles, or otherwise while the student is under the jurisdiction of the school, is prohibited. Tobacco use, distribution or sale by staff on district property, at district sponsored events, in district-owned, rented or leased vehicles, or otherwise while on duty on or off district premises is prohibited. Tobacco use, distribution or sale by others on district property, in district vehicles or at district sponsored events on or off district premises is also prohibited. Staff and/or all others authorized to use private vehicles to transport district students to school-sponsored activities are prohibited from using tobacco in those vehicles while students are under their care.

For the purpose of this policy, “tobacco product” is defined to include, but not limited to, any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, spit tobacco, also known as smokeless, dip, chew, or snuff, in any form, This does not include USFDA approved tobacco products or other therapy products used for the purpose of cessation.

“Inhalant delivery system” means a device that can be used to deliver nicotine or cannabinoids in the form of a vapor or aerosol to a person inhaling from the device; or a component of a device or a substance in any form sold for the purpose of being vaporized or aerosolized by a device, whether the component or substance is sold or not sold separately. This does not include USFDA-approved tobacco products or other therapy products marked and sold solely for the approved purpose.

Clothing, bags, hats and other personal items used by staff and students to display, promote or advertise tobacco products are prohibited on district grounds, at school-sponsored activities or in district vehicles. Tobacco advertising is prohibited in all school-sponsored publications in all school buildings and at all school-sponsored events. District acceptance of gifts or funds from the tobacco industry is similarly prohibited.

Student violations of this policy will lead to disciplinary action up to and including expulsion. Students may also be subject to removal from any or all extracurricular activities and/or denial or forfeiture of school honors or privileges (e.g., valedictorian, salutatorian, student body, class or club office positions, field trips, senior trip, prom, etc.). School and/or community service may be required. A referral to law enforcement may be made. Parents will be notified of all violations involving their student and action taken by the school.

Staff violations of this policy will lead to disciplinary action up to and including dismissal. When considering disciplinary action for a child with disabilities, the district must follow the requirements of Board policy JGDA/JGEA – Discipline of Disabled Students, including those involving functional behavioral assessment, change of placement, manifestation determination, and an interim alternative educational setting. Violations by others will result in appropriate sanctions as determined and imposed by the superintendent or Board.

Information about community resources and/or cessation programs to help staff and students overcome tobacco use will be provided.

The district will promote cessation resources and other positive alternatives to discipline. Tobacco use cessation programs may be established at district schools. Attendance or completion of tobacco use cessation programs by students may be allowed as a substitute to, or as a part of student discipline for possession, use, distribution or sale of tobacco at the discretion of the building principal.

Attendance at cessation programs not offered by the district is voluntary and related costs are the individual responsibility of the staff member, student and his/her parent and private health care system.

As part of the district's tobacco use prevention activities, the superintendent shall ensure that tobacco use instructional programs as recommended by the Oregon Department of Human Services, Health Services, Tobacco Prevention and Education Program and the Oregon Department of Education are an integral part of its drug and alcohol prevention curriculum. Programs must be integrated within the health education program and age- and developmentally-appropriate instruction provided at every level, pre-kindergarten through grade 12, with particular emphasis on grades six through eight. It is the expectation of the Board that tobacco use prevention concepts will be integrated into the instruction of other subject areas as practicable.

Staff responsible for teaching tobacco use prevention will be encouraged to collaborate with agencies and groups that conduct tobacco use prevention education and to participate in ongoing professional development activities that provide basic knowledge about the effects of tobacco use, effective instructional techniques and program-specific activities.

The superintendent shall consult with local officials to promote enforcement of law that prohibits the possession of tobacco by minors on or off district grounds.

The superintendent will develop administrative regulations as necessary to implement this policy, including provisions for notification of the district's policy, through such means as student/parent and staff handbooks, newsletters, inclusion on school event programs, signs at appropriate locations, disciplinary consequences; and procedures for filing and handling complaints about violations of the district's policy.

The superintendent shall ensure that the district's tobacco use prevention program, policies, curricula, training and cessation programs are evaluated at regular intervals. The input of students, staff, parents and others from the community will be encouraged.

### ***PUBLIC SOLICITATION IN DISTRICT FACILITIES***

Fund raising and solicitation by non-school agencies or for non-school activities during school hours will not be permitted without prior approval of the superintendent and/or principal.

Demonstrations of services or materials and canvassing of students or employees for the purpose of selling products or services shall not be permitted in either the district's schools or grounds, unless authorized by the superintendent and/or principal.



No non-school-sponsored organization or individual may solicit funds or sell tickets within the district without first securing permission through the superintendent and/or principal.

Whenever possible, solicitation should occur during non-classroom time.

The administration of surveys, questionnaires and requests for information by non-school-connected organizations are prohibited. Exceptions may be approved by the superintendent. In the event an exception is granted for the administration or distribution of a survey created by a third party, the district will provide an opportunity for the student's parent to inspect such survey upon request, before the survey is administered or distributed by a school to a student. Any district survey containing any "covered survey items"<sup>1</sup> may also be inspected by parents.

Parents may also request that their student be excused from participation in such surveys. Requests may be submitted in accordance with the provisions of Board policy KAB - Parental Rights and accompanying administrative regulation.

As required by law, the superintendent shall ensure that notification is provided to parents of students at least annually at the beginning of the school year or when enrolling students for the first time in school, of the specific or approximate dates during the school year when such surveys are scheduled or expected to be scheduled. The rights provided to parents under this policy transfer to the student when the student turns 18 years of age or is an emancipated minor under applicable state law.

### ***RESIGNATION OF STAFF***

A licensed staff member who wishes to resign from their position with the District must give written notice at least 60 days prior to the resignation date. The superintendent may accept the resignation effective the day it is received and either release the teacher immediately or inform the teacher that they must continue teaching for part or all of the 60-day period.

Where less than a 60-day notice is given, the Board may request the Teacher Standards and Practices Commission (TSPC) to suspend the teacher's license for the remainder of the school year. Exceptions due to emergency or other extenuating circumstances may be considered by the Board.

A classified staff member who wishes to resign from his/her position with the District must file a written notice with their immediate supervisor/administrator. The Superintendent or his designee is authorized to accept the resignation effective the day it is received.

### ***SEXUAL CONDUCT: REPORTING REQUIREMENTS REGARDING SEXUAL CONDUCT WITH STUDENTS***

Sexual conduct by district employees and contractors or agents of the district as defined by Oregon law will not be tolerated. All district employees are subject to this policy.

*"Sexual conduct" as defined by Oregon law is any verbal or physical or other conduct by a school employee that is sexual in nature; directed toward a kindergarten through grade 12 student; unreasonably interferes with a student's educational performance; and creates an intimidating, hostile or offensive educational environment. The definition for sexual conduct does not include behavior that would be considered child abuse as outlined by Oregon law and district Board policy JHFE and JHFE-AR - Reporting of Suspected Abuse of a Child.*

Any district/school employee, contractor or agent of the district who has reasonable cause to believe that another district/school employee or volunteer has engaged in sexual conduct with a student must immediately notify the person identified by the district to receive such reports (Director of Human Resources).

When the district receives a report of suspected sexual conduct by a district employee, the district may decide to place the employee on paid administrative leave or in a position that does not involve direct, unsupervised contact with students while conducting an investigation. When the district receives a report of suspected sexual conduct by a contractor or agent of the district, the district may decide to suspend services of that contractor or place the agent in a position that does not involve direct, unsupervised contact with students while conducting an investigation. An investigation is a detailed inquiry into the factual allegations of a report of suspected sexual conduct that is based on interviews with the complainant, witnesses, the district employee, the contractor, the agent of the district or the student who is the subject of the report. If the subject of the report is a district employee represented by a contract of a collective bargaining agreement, the investigation must meet any negotiated standards of an employment contract or agreement.

If, following the investigation, the report is substantiated, the district will inform the district, contractor, or agent of the district employee that the report has been substantiated and provide information regarding the appeal process. The employee, contractor or agent of the district may appeal the district's decision through the appeal process provided by the district's collective bargaining agreement. A substantiated report means a report of abuse or sexual conduct that: a) an educational provider has reasonable cause to believe is founded based on the available evidence after conducting an investigation; and b) involves conduct that the educational provider determines is sufficiently serious to be documented in the employee's personnel file or a student's education record, and in the administrative file for the contractor or agent of the district.

If the district employee, contractor or agent of the district decides not to appeal the determination or if the determination is sustained after an appeal, a record of the substantiated report will be placed in the employee's personnel file or in the administrative file for the contractor or agent of the district. The employee, contractor or agent of the district will be notified that this information may be disclosed to a potential employer. The district will not serve as a reference for a contractor or agent of the district that has a substantiated report.

The district will post in each school building the name and contact information of the person designated to receive sexual conduct reports, as well as the procedures the human resources director will follow upon receipt of a report. In the event that the designated person is the suspected perpetrator, the superintendent shall receive the report. When the superintendent takes action on the report, the person who initiated the report must be notified.

The initiation of a report in good faith about suspected sexual conduct may not adversely affect any terms or conditions of employment or the work environment of the complainant. If a student initiates a report of suspected sexual conduct by a district employee, contractor or agent of the district in good faith, the student will not be disciplined by the Board or any district employee.

The district will provide annual training to district employees, parents and students regarding the prevention and identification of sexual conduct. The district will provide to employees, contractor or agents of the district at the time of hire a description of conduct that may constitute sexual conduct and a description of records subject to disclosure if a sexual conduct report is substantiated.

Educational providers shall follow hiring and reporting procedures as outlined in ORS 339.374 for all district employees.

## ***SEXUAL HARASSMENT***

The Board is committed to the elimination of sexual harassment in District schools and activities. Sexual harassment of or by staff, students, Board members, school volunteers, parents, school visitors, service contractors or others engaged in District business is strictly prohibited and shall not be tolerated in the District. "District" includes District facilities, District premises and non-district property while a staff member or student is at any District-sponsored, District-approved or District-related activity or function, such as field trips or athletic events, in which students are under the jurisdiction of the District or where the staff member is engaged in District business. The prohibition also includes off duty conduct which is incompatible with district job responsibilities.

Sexual harassment of or by students and staff members or third parties 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:

1. The conduct or communication has the purpose or effect of soliciting sexual favors in exchange for benefits;
2. Submission to or rejection of the conduct or communication is used as the basis for educational decisions affecting a student or employment or assignment of staff members;
3. The conduct or communication is so severe, persistent or pervasive that it has the purpose or effect of unreasonably interfering with a student's educational performance or with a staff member's ability to perform job responsibilities; or creates an intimidating, offensive or hostile educational or working environment. Relevant factors to be considered will include, but not be limited to, did the individual view the environment as hostile; was it reasonable to view the environment as hostile; the nature of the conduct; how often the conduct occurred and how long it continued; age and sex of the complainant; whether the alleged harasser was in a position of power over the student or staff member subjected to the harassment; number of individuals involved; age of the alleged harasser; where the harassment occurred; and other incidents of sexual harassment at the school involving the same or other students or staff members or third parties.

Examples of sexual harassment may include, but not be limited to, physical touching or graffiti of a sexual nature, displaying or distributing of sexually explicit drawings, pictures and written materials, sexual gestures or obscene jokes, touching oneself sexually or talking about one's sexuality in front of others or spreading rumors about or rating other students or others as to appearance, sexual activity or performance.

All complaints about behavior that may violate this policy shall be promptly investigated. Any students, staff members or third parties who has knowledge of conduct in violation of this policy or feels they are a victim of sexual harassment must immediately report their concerns to the principal, compliance officer or superintendent, who has overall responsibility for all investigations. Students may also report concerns to a teacher, counselor or school nurse, who will promptly notify the appropriate district official.

Upon receipt of a complaint by a student, student's parents, a staff member or a third party alleging behavior that may violate this policy, the district shall provide written notice as required by Oregon Revised Statute (ORS) 342.704(4) to the complainant.

The student and/or the student's parents, the staff member or the third party who initiated the complaint shall be notified that the investigation has been concluded and as to whether a violation of this policy was found to have occurred to the extent allowable under state and federal confidentiality laws.

The initiation of a complaint in good faith about behavior that may violate this policy shall not adversely affect the educational assignments or study environment of a student complainant or any terms or conditions of employment or work environment of the staff complainant. There shall be no retaliation by the District against any person who, in good faith, reports, files a complaint or otherwise participates in an investigation or inquiry of sexual harassment.

It is the intent of the Board that appropriate corrective action will be taken by the District to stop the sexual harassment, prevent its recurrence and address negative consequences. Students in violation of this policy shall be subject to discipline up to and including expulsion and/or counseling or sexual harassment awareness training, as appropriate. The age and maturity of the student(s) involved and other relevant factors will be considered in determining appropriate action. Employees in violation of this policy shall be subject to discipline, up to and including dismissal and/or additional sexual harassment awareness training, as appropriate. Other individuals whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the Superintendent or Board.

Additionally, the District may report individuals in violation of this policy to law enforcement officials. Licensed staff and those participating in practicum programs, as specified by Oregon Administrative Rules, shall be reported to the Teacher Standards and Practices Commission.

The Superintendent shall ensure appropriate periodic sexual harassment training awareness or information is provided to all supervisors, staff and students and that annually, the name and position of district officials responsible for accepting and managing sexual harassment complaints, business phone numbers, addresses or other necessary contact information is readily available. This policy as well as the complaint procedure will be made available to all students, parents of students and staff in student/parent and staff handbooks. The District's policy shall be posted in all grade 7 through 12 schools. Such posting shall be by a sign of at least 8.5 by 11 inches.

Building principals, the compliance officer and the Superintendent have responsibility for investigations concerning sexual harassment. All complaints and reported incidents shall be investigated. The investigator shall be a neutral party having had no involvement in the complaint presented or reported incident.

### Step 1

Any sexual harassment information (i.e., complaints, rumors, etc.) shall be presented to the principal, compliance officer or superintendent. All such information shall be reduced to writing and will include the specific nature of the sexual harassment and corresponding dates.

The district official receiving the complaint shall cause the district to provide written notice from the district to the complainant that includes:

1. Their rights;
2. Information about the internal complaint processes available through the school or district that the complainant may pursue;
3. Notice that civil and criminal remedies that are not provided by the school or district may be available to the complainant through the legal system and that those remedies may be subject to statutes of limitation;
4. Information about services available to the student or staff member complainant through the school or district including any counseling services, nursing services or peer advising;
5. Information about the privacy rights of the complainants and legally recognized exceptions to those rights for internal complaint processes and services available through the school or district; and
6. Information about, and contact information for, state and community-based services and resources that are available to persons who have experienced sexual harassment.

This written notification must:

1. Be written in plain language that is easy to understand;
2. Use print that is of the color, size and font that allow the notification to be easily read; and
3. Include that this information is made available to students, students' parents, staff members and members of the public on the school or district website.

### Step 2

The district official receiving the information or complaint shall promptly initiate an investigation. The official will arrange such meetings as may be necessary to discuss the issue with all concerned parties within [five] working days after receipt of the information or complaint. All findings of the investigation, including the response of the alleged harasser, shall be reduced to writing. The district official(s) conducting the investigation shall notify the complainant in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law. The parties will have an opportunity to submit evidence and a list of witnesses.

A copy of the notification letter provided in step 1 and the date and details of notification to the complainant of the results of the investigation, together with any other documentation related to the sexual harassment incident, including disciplinary action taken or recommended, shall be forwarded to the superintendent.

### Step 3

If a complainant is not satisfied with the decision at Step 2, the complainant may submit a written appeal to the superintendent or designee. Such appeal must be filed within [10] working days after receipt of the Step 2 decision. The superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the complainant within [10] working days.

### Step 4

If a complainant is not satisfied with the decision at Step 3, the complainant may submit a written appeal to the Board. Such appeal must be filed within [10] working days after receipt of the Step 3 decision. The Board shall, within [20] working days conduct a hearing at which time the complainant shall be given an opportunity to present the appeal. The Board shall provide a written decision to the complainant within [10] working days following completion of the hearing.

Complaints against the principal may be filed with the superintendent. The superintendent will cause the notice requirements identified in step 1 to be completed. The superintendent will investigate the complaint and will notify the complainant in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law. If the complaint remains unresolved within [10] working days of receipt by the superintendent, the complainant may appeal to the Board in step 4.

Complaints against the superintendent may be referred to the Board chair on behalf of the Board. The Board chair will cause the notice requirements identified in step 1 to be completed. The Board chair shall present the complaint to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. The Board chair shall notify the complainant in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law. After receiving the results of the investigation, the Board shall decide, within [20] days, in open session what action, if any, is warranted.

Direct complaints related to employment may be filed with the U.S. Department of Labor, Equal Employment Opportunity Commission or Oregon Bureau of Labor and Industries. Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310, Seattle, WA 98174-1099. Additional information regarding filing of a complaint may be obtained through the principal, compliance officer or superintendent.

The initiation of a complaint in good faith about behavior that may violate the district's sexual harassment policy shall not adversely affect any terms or conditions of employment or work environment of the staff complainant.

A staff member whose behavior is found to be in violation of Board policy may be subject to discipline up to and including dismissal.

### ***SICK TIME***

Sick Time provisions:

1. Provides a minimum of 40 hours for full-time employees who work a full year or sick time accrued at 1 hour for every 30 hours worked.
2. Employees are eligible to use sick time on the 91st calendar day of employment.
3. Accrues based on actual time worked.
4. There is a 180-day window of time after the employee last works for an employer to retain eligibility, accrual, and balance of sick time.
5. Shall be used in one-hour increments, except Licensed Teaching Substitutes who will take leave in 4 and 8 hour increments.
6. Must notify workers at least quarterly of their sick time balance.
7. Sick time applies to hours worked after January 1, 2016.
8. BOLI imposed penalties will be enforced beginning January 2017.
9. Sick time may be used for the employee's or a family member's mental or physical illness, injury or health condition, need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventive care, or for reasons consistent with the Family Medical Leave Act (FMLA) or OFLA. Sick time may also be used in the event of a public health emergency.
10. When the reason for sick time is consistent with FMLA/OFLA leave, the sick time and the FMLA/OFLA leave may run concurrently.

### ***STAFF CONDUCT***

All staff are expected to conduct themselves in a manner that conforms with applicable job descriptions, Board policy and administrative regulations.

Additionally, all licensed staff are expected to adhere to the Standards for Competent and Ethical Performance of Oregon Educators as specified in Oregon Administrative Rules.

### **Application of Rules**

1. Oregon Administrative Rules were adopted by the Teacher Standards and Practices Commission (TSPC) in accordance with Oregon Revised Statutes.
2. Oregon Administrative Rules may be used as criteria by the TSPC in matters pertaining to the revocation or suspension of licenses issued by the commission under Oregon Revised Statutes or the discipline of any license holder or any person who has held a license at any time within five years prior to issuance of the notices of charges under Oregon Revised Statutes.

3. The commission determines whether an educator's performance is ethical or competent in light of all the facts and circumstances surrounding the educator's performance as a whole.
4. The commission will promptly investigate complaints:
  - a. The commission may, at its discretion, defer action to charge an educator against whom a complaint has been filed under ORS 342.176 when the investigation report indicates that disciplinary action against the educator is pending at the local district level or when criminal charges are pending or are likely to be filed against the educator. In considering whether to defer action to charge an educator, the commission shall consider all relevant circumstances including the nature and seriousness of the allegations and whether the educator is currently employed as a teacher or school administrator;
  - b. The executive secretary shall regularly inform the commission of the status of any complaints on which the commission has deferred action.

## **Definitions**

The following definitions apply to Oregon Administrative Rules unless otherwise indicated by context:

1. Administrator – Any supervisory educator who holds a valid Oregon administrative license or registration.
2. Competent – Discharging required duties as set forth in these rules.
3. Educator – Any licensed or registered person who is authorized to be engaged in the instructional program including teaching, counseling, administering and supervising.
4. Ethical – Conforming to the professional standards of conduct set forth in these rules.
5. Sexual contact – Includes:
  - a. The intentional touching of the breast or sexual or other intimate parts of a student;
  - b. Causing, encouraging or permitting a student to touch the breast or sexual or other intimate parts of the educator;
  - c. Sexual advances or requests for sexual favors directed toward a student;
  - d. Verbal or physical conduct of a sexual nature when directed toward a student or when such conduct has the effect of unreasonably interfering with a student's educational performance or creates an intimidating, hostile or offensive educational environment; or
  - e. Verbal or physical conduct which has the effect of unreasonably interfering with a student's educational performance or creates an intimidating, hostile or offensive educational environment.
6. Sexual harassment – Any unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:
  - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
  - b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
  - c. Such conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.
7. Teacher – Any person who holds a teacher's license as provided in ORS 342.125.

## **The Competent Educator**

The teacher demonstrates a commitment to:

1. Recognize the worth and dignity of all persons;
2. Encourage scholarship;
3. Promote democratic citizenship;
4. Raise educational standards;
5. Use professional judgment.

The competent educator measures success by the progress of each student toward realization of personal potential as a worthy and effective citizen. The competent educator stimulates the spirit of inquiry, the acquisition of knowledge and understanding and the thoughtful formulation of goals as they are appropriate for each individual.

The competent teacher demonstrates:

1. Use of state and district-adopted curriculum and goals;
2. Skill in setting instructional goals and objectives expressed as learning outcomes;
3. Use of current subject matter appropriate to the individual needs of students;
4. Use of students' growth and development patterns to adjust instruction to individual needs consistent with number of students and amount of time available;
5. Skill in the selection and use of teaching techniques conducive to student learning.

## **Supervision and Evaluation**

The competent educator is a student of human behavior and uses this knowledge to provide a climate that is conducive to learning and that respects the rights of all persons without discrimination. The competent educator assumes responsibility for the activities planned and conducted through the District's program and assists colleagues to do the same. The competent educator gathers relevant information and uses it in the planning and evaluation of instructional activities.

The competent teacher demonstrates:

1. Ways to assess progress of individual students;
2. Skill in the use of assessment data to assist individual student growth;
3. Procedures for evaluating curriculum and instructional goals and practices;
4. Skill in the supervision of students.

## **Management Skills**

The competent educator is a person who understands students and is able to relate to them in constructive ways. The competent educator establishes and maintains good rapport. The competent educator maintains and uses records as required and as needed to assist the growth of students.

The competent teacher demonstrates skills in:

1. Establishing and maintaining classroom management that is conducive to learning;
2. Using and maintaining District property, equipment and materials appropriately;
3. Using and maintaining student records as required by District policies and procedures;
4. Using District lawful and reasonable rules and regulations.



## Human Relations and Communication

The competent educator works effectively with others – students, staff, parents and patrons. The competent educator is aware of the ways the community identifies with the school, as well as community needs and ways the school program is designed to meet these needs. The competent educator can communicate with knowledge, clarity and judgment about educational matters, the school and the needs of students.

The competent teacher demonstrates:

1. Willingness to be flexible in cooperatively working with others;
2. Skill in communicating with students, staff, parents and other patrons.

## **The Ethical Educator**

The ethical educator is a person who accepts the requirements of membership in the teaching profession and acts at all times in ethical ways. In so doing, the ethical educator considers the needs of the students, the district and the profession.

The ethical educator, in fulfilling obligations to the student, will:

1. Keep the confidence entrusted in the profession as it relates to confidential information concerning a student and family;
2. Refrain from exploiting professional relationships with any student for personal gain or in support of persons or issues;
3. Maintain an appropriate professional student-teacher relationship by:
  - a. Not demonstrating or expressing professionally inappropriate interest in a student's personal life;
  - b. Not accepting or giving or exchanging romantic or overly personal gifts or notes with a student;
  - c. Reporting to the educator's supervisor if the educator has reason to believe a student is, or may be, becoming romantically attached to the educator.

The ethical educator, in fulfilling obligations to the District, will:

1. Apply for, accept, offer or assign a position of responsibility only on the basis of professional qualifications and will adhere to the conditions of a contract or the terms of the appointment;
2. Conduct professional business, including grievances, through established lawful and reasonable procedures;
3. Strive for continued improvement and professional growth;
4. Accept no gratuities or gifts of significance that could influence judgment in the exercise of professional duties;
5. Not use the District's or school's name, property or resources for non-educational benefit without approval of the educator's supervisor or the appointing authority.

The ethical educator, in fulfilling obligations to the profession, will:

1. Maintain the dignity of the profession by respecting and obeying the law, exemplifying personal integrity and honesty;

2. Extend equal treatment to all members of the profession in the exercise of their professional rights and responsibilities;
3. Respond to requests for evaluation of colleagues and to keep such information confidential, as appropriate.

### ***STAFF/PARENT RELATIONS***

The district encourages parents to be involved in their student's school experience. Teachers are advised that unless otherwise ordered by the courts, an order of sole custody on the part of one parent does not deprive the other parent of certain rights. It is the responsibility of the parent with sole custody to provide to the district any court order that curtails the rights of the noncustodial parent.

A noncustodial parent may receive and inspect the school records pertaining to his/her student and to consult with teachers concerning his/her student's welfare and education.

### ***STAFF RELIGIOUS DRESS AND GROOMING***

The Board believes that staff members set an example in dress and grooming for students and standards of professionalism for the district. A staff member who understands this precept and adheres to it enlarges the importance of his/her task, presents an image of professionalism and encourages respect for authority. These factors act in a positive manner towards the maintenance of discipline.

The district retains the authority to specify the following dress and grooming guidelines for staff that will prevent such matters from having an adverse impact on the educational process.

All staff when on duty shall:

1. Be physically clean, neat and well groomed;
2. Dress in a manner consistent with their assigned duties;
3. Dress in a manner that communicates to students a pride in personal appearance;
4. Be groomed in such a way that does not disrupt the educational process nor cause a health or safety hazard;
5. Be allowed to wear religious attire in accordance with the employee's sincerely-held beliefs, while maintaining religious neutrality and refraining from endorsing religion in the educational environment.

Staff are subject to disciplinary action up to and including dismissal for violating the terms of this policy.

### ***STAFF ETHICS***

No district employee will attempt to use their district position to obtain financial gain or avoidance of financial detriment for themselves, relatives, members of household or for any business with which the employee, a household member or relative is associated, if the financial gain or avoidance of financial detriment would not otherwise be available but for the district employee's employment with the district.

This prohibition does not apply to any part of an official compensation package as approved by the Board, honorarium, reimbursement of expenses, or unsolicited awards of professional achievement. Further, this prohibition does not apply to gifts from one without a legislative or administrative interest. Nor does it apply if the gift is under the \$50 gift limit for one who has a legislative or administrative interest in any matter subject to the decision or vote of the district employee.

The employee may receive district or school logo apparel as part of the employee's official compensation package.

District employees will not engage in, or have a personal financial interest in, any activity that raises a reasonable question regarding the use of their official position in regard to their duties and responsibilities as district employees. This would also apply to any personal financial benefit for the district employee's relative or member of household of the employee, or any business with which the district employee or a relative or member of the household of the district employee is associated.

This means that:

1. Employees, relatives or members of the district employee's household will not use the employee's position to obtain financial gain or avoidance of financial detriment from students, parents or staff;
2. Any device, publication or any other item developed during the employee's paid time shall be district property;
3. Employees will not further personal gain through the use of confidential information gained in the course of or by reason of position or activities in any way;
4. No district employee may serve as a Board or budget committee member in the district;
5. An employee will not perform any duties related to an outside job during his/her regular working hours or during the additional time that he/she needs to fulfill the position's responsibilities; nor will an employee use any district facilities, equipment or materials in performing outside work;
6. If an employee authorizes a public contract, the employee may not have a direct beneficial financial interest in that public contract for two years after the date the contract was authorized.

If a district employee has a potential or actual conflict of interest, the district employee must notify his/her supervisor in writing of the nature of the conflict and request that the supervisor dispose of the matter giving rise to the conflict. This must be done on each occasion the district employee is met with a conflict of interest.

"Potential conflict of interest" means any action or any decision or recommendation by a district employee that could result in a financial benefit or detriment for self or relatives or for any business with which the district employee or relatives are associated, unless otherwise provided by law.

"Actual conflict of interest" means any action or any decision or recommendation by a district employee that would result in a financial benefit or detriment for self or relatives or for any business with which the district employee or relatives are associated, unless otherwise provided by law.

In order to avoid violation of nepotism provisions and district policy, district employees must abide by the following when an employee's relative or member of the household of the district employee, is seeking and/or holds a position with the district:

1. A district employee may not appoint, employ, promote, discharge, fire, or demote or advocate for such an employment decision for a relative or a member of the household, unless he/she complies with the conflict of interest requirements of Oregon Revised Statute (ORS) Chapter 244. This rule does not apply to employment decisions regarding unpaid volunteer position, unless it is a Board-related position;
2. A district employee may not participate as a public official in any interview, discussion, or debate regarding the appointment, employment, promotion, discharge, firing, or demotion of a relative or a member of the household. An employee may still serve as a reference, provide a recommendation, or perform other acts that are part of the normal job functions of the employee;

3. More than one member of an employee's family may be hired as a regular district employee. In accordance with Oregon law, however, the district may refuse to hire individuals, or may transfer current employees, in situations where an appointment would place one family member in a position of exercising supervisory, appointment or grievance adjustment authority over another member of the same family. Employees who are members of the same family may not be assigned to work in the same building except by the superintendent's approval.

"Member of household" means any person who resides with the employee.

"Relative" means: the spouse, parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law of the employee; or the parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law of the spouse of the employee. Relative also includes any individual for whom the employee has a legal support obligation, whose employment provides benefits to the employee, or who receives any benefit from the employee's public employment.

### ***SUPERVISION OF STUDENTS***

Staff members are responsible for the supervision of all students while in school or engaged in school-sponsored activities.

All teachers are expected to be in their classrooms prior to the arrival of students.

Under no circumstances are classrooms or other areas where students are under the supervision of assigned staff to be left unattended while students are present. Teachers who may need to temporarily leave the classroom or their assigned duties in an emergency situation while students are present are expected to contact the office to arrange for temporary coverage.

No other staff member may leave their assigned group unsupervised except as appropriate supervision arrangements have been made to take care of an emergency.

During school hours, or while engaged in school-sponsored activities, students may be released only into the custody of parents or other authorized persons.

### ***UNMANNED AIRCRAFT SYSTEM***

Any employee, volunteer, or representative of the district operating a district unmanned aircraft system shall do so in accordance with this policy and all applicable Federal Aviation Administration (FAA) and Oregon Department of Aviation regulations.

An "unmanned aircraft system" (UAS) means an unmanned flying machine, commonly known as a drone, and its associated elements, including communication links and the components that control the machine.

The district recognizes the academic value of student operation of a UAS as one component of curricula pertaining to principles of flight, aerodynamics and airplane design and construction, which can also serve as an academic tool in other areas such as television, film production or the arts in general. Therefore, in compliance with the Federal Aviation Administration Modernization and Reform Act of 2012, Section 336, students may operate a UAS as part of a course requirement, as long as that student does not receive compensation directly or incidentally from such operation. District staff teaching a class that allows use of a UAS may assist a student in their operation of the UAS, provided the assistance is needed as part of the curriculum and assistance is to a student enrolled in the course. The staff member's participation must be limited to the student's operation of the UAS.

District employees shall work with administrators to ensure that proper insurance, registration and authorization are in place prior to adoption of curriculum that allows operation of a UAS as part of the curriculum.

A UAS shall be operated in accordance with the policies of the Oregon School Activities Association (OSAA)<sup>1</sup> at OSAA sanctioned events. Use of a UAS at other district-sponsored athletics or activities is prohibited.

A student in violation of this policy may be subject to disciplinary action, up to and including suspension and/or expulsion.

A staff member in violation of this policy may be subject to disciplinary action, up to and including dismissal.

All data gathered by the district as part of a UAS operation will belong to the district. The data gathering by the district will follow appropriate state and federal laws. Retention of such data will follow state and federal laws.

The superintendent shall develop procedures for the implementation of this policy.

The district shall post a copy of this policy, associated procedures and a copy of Oregon Revised Statute (ORS) 192.345 on the district's website.

### ***USE OF PRIVATE VEHICLES FOR DISTRICT BUSINESS***

The Board discourages the use of private vehicles for district business, including the transportation of students. Staff will use district-owned vehicles whenever possible and should schedule activities and transportation far enough in advance to avoid any nonemergency use of private vehicles. The superintendent will develop regulations for staff use of private vehicles that will safeguard the district, its employees and students in matters of safety, insurance and liability. The Board will review such regulations at least annually. No staff member will use a private vehicle for district business, including the transportation of students, without approval in accordance with established district procedures. Authorization to use a private vehicle must be obtained before actual use of the vehicle. Staff members who are authorized to use a private vehicle on district business will be reimbursed in an amount established by the Board. At least two staff members must accompany a student being transported in a private vehicle. A student will be allowed to perform district business with his/her own vehicle. Any student so authorized must obtain prior written approval from the designated district official and parent/guardian

### ***VIDEO SURVEILLANCE***

The Board authorizes the use of video cameras on district property to ensure the health, welfare and safety of all staff, students and visitors to district property, and to safeguard district facilities and equipment. Video cameras may be used in locations as deemed appropriate by the superintendent. The district shall notify staff and students through student/parent and staff handbooks that video surveillance may occur on district property. Students or staff in violation of Board policies, administrative regulations, building rules or law shall be subject to appropriate disciplinary action. Others may be referred to law enforcement agencies. Video recordings may become a part of a student's educational record or a staff member's personnel record. The district shall comply with all applicable state and federal laws related to record maintenance and retention.

### ***WELLNESS ACTIVITIES***

Klamath County School District supports Wellness activities that promote the health and well-being of employees. Worksite Wellness activities occur outside of work hours, for example, before and after work or at lunch or break time. Participation in Wellness activities is voluntary and not part of their assigned job. The

District is not liable for injuries sustained to employees during their participation in these activities. As a general reference, injury that occurs during non-pay status is not compensable. Non-pay status is defined as before work, after work and non- paid time during the work day. Wellness activities are not a condition or part of the employee's job.

**Note:**

- All Wellness activities are to follow District procedure for Facility use and Liability Insurance requirements
- Equipment is not allowed to be brought in without District approval

***WHISTLEBLOWER***

When an employee has good faith and reasonable belief the employer has violated any federal, state or local, law, rule or regulation; has engaged in mismanagement, gross waste of funds or abuse of authority; or created a substantial and specific danger to public health and safety by its actions, and an employee then discloses or plans to disclose such information, it is an unlawful employment practice for an employer to: 1. Discharge, demote, transfer, reassign or take disciplinary action against an employee or threaten any of the previous actions. 2. Withhold work or suspend an employee. 3. Discriminate or retaliate against an employee with regard to promotion, compensation or other terms, conditions or privileges of employment. 4. Direct an employee or to discourage an employee to not disclose or to give notice to the employer prior to making any disclosure. 5. Prohibit an employee from discussing, either specifically or generally, the activities of the state or any agency of or political subdivision in the state, or any person authorized to act on behalf of the state or any agency of or political subdivision in the state, with: a. Any member of the Legislative assembly; b. Any Legislative committee staff acting under the direction of any member of the Legislative assembly; or c. Any member of the elected governing body of a political subdivision in the state or any elected auditor of a city, county or metropolitan service district. An employee's good faith and reasonable belief shall serve as an affirmative defense to civil or criminal charges related to the employee's disclosure of lawfully accessed information related to the violation, including information that is exempt from disclosure by public records law. The district will use the complaint process in administrative regulation KL-AR - Public Complaints Procedure to address any alleged violations of this policy. The district shall deliver a written or electronic copy of this policy to each staff member.

**SPECIAL PROGRAM**

***ASSESSMENT PROGRAMS***

Assessments shall be used to measure the academic content standards and Essential Skills and to identify students who meet or exceed the performance standards and Essential Skills adopted by the State Board of Education.

Accordingly, the district shall maintain the following assessment program:

1. Criterion-reference assessments, including performance-based assessments, content-based
2. assessments and other valid methods as may be required by state and federal requirements;
3. Assessment of Essential Skills;
4. Individual diagnostic and ability evaluations in all grades when students have been referred and
5. parental permission obtained;
6. Assessments by individual teachers;
7. Optional schoolwide and grade level wide assessments, as recommended by the superintendent and as approved by the Board.

# **STUDENT OPERATIONAL PROCEDURES**

## ***DRUG, ALCOHOL AND TOBACCO PREVENTION, HEALTH EDUCATION***

Students have a right to attend school in an environment conducive to learning. The district will not tolerate the possession, sale or use of unlawful and harmful drugs (illicit drugs, nontherapeutic use of prescribed drugs, misuse of solvents and other dangerous substances and drug paraphernalia), alcohol or tobacco in the schools, on district property, on a school bus or while participating in any school-sponsored activity, whether on district property or at sites off district property.

An age-appropriate drug, alcohol and tobacco prevention curriculum is provided for all students in grades K-12 as a part of the health education curriculum. For students in grades 9-12 not enrolled in health education classes, a program of activities which meets the requirements of the drug, alcohol and tobacco prevention rule has been developed. At least annually, senior high school students will receive age-appropriate instruction.

## ***CORPORAL PUNISHMENT***

The use of corporal punishment in any form is strictly prohibited by the District and will be considered cause for discipline up to and including dismissal. Corporal punishment is defined as the willful infliction of, or willfully causing the infliction of, physical pain.

A staff member is authorized to employ physical force when, in their professional judgment, the physical force is necessary to prevent a student from harming themselves, others or doing harm to District property.

Corporal punishment does not include physical pain or discomfort resulting from or caused by:

1. Training for or participation in athletic competition voluntarily engaged in by a student;
2. Recreational activity voluntarily engaged in by a student;
3. Physical exertion shared by all students in a teacher-directed class activity, which may include, but is not limited to, physical education exercises, field trips or vocational education projects;
4. Physical restraint or the use of aversive techniques as a part of a behavior management program in a student's individualized education program which has been signed by the parents and is carried out according to District procedures.

## ***USE OF RESTRAINT AND SECLUSION***

The use of physical restraint and/or seclusion is permitted only as a part of a behavior support plan when other less restrictive interventions would not be effective and the student's behavior poses a threat of imminent, serious physical harm to self or others.

### **Definitions**

“Physical restraint” means the restriction of a student's movement by one or more persons holding the student or applying physical pressure upon the student. “Physical restraint” does not include touching or holding a student without the use of force for the purpose of directing the student or assisting the student in completing a task or activity.

“Seclusion” means the involuntary confinement of a student alone in a room from which the student is prevented from leaving. “Seclusion” does not include “time out.”

“Time out” means the removal of a student for a short period of time to provide the student with an opportunity to regain self-control, in a setting from which the student is not physically prevented from leaving.

The use of physical restraint and/or seclusion is only permitted as a part of a behavioral support plan when other less restrictive interventions would not be effective and the student's behavior poses a threat of imminent, serious physical harm to the student or others.

Except in the case of an emergency, only staff current in the required training in accordance with the District-designated physical restraint and seclusion program will implement physical restraint or seclusion with a student. In an emergency, physical restraint and/or seclusion may also be used by a school administrator, teacher or other school employee as necessary when the student's behavior imposes a reasonable threat of imminent, serious bodily injury to the student or to others. The use of physical restraint/seclusion under these circumstances is only allowed so long as the student's behavior poses a threat of imminent, serious physical harm to themselves, or to others. Any student being restrained or secluded within the District, whether in an emergency or as a part of a plan, shall be constantly monitored by staff for the duration of the intervention. Any room used for seclusion of a student must meet the standards as outlined in OAR 581-021-0568.

### ***DISMISSAL OF CLASSES***

Teachers should never dismiss a class before the established dismissal time. Detaining the entire class after dismissal time is also discouraged. Whenever individual students are detained after class, the teacher is expected to provide the student a note for the student's next class teacher. This will help reduce unnecessary hall traffic as students reporting to class late will need to account for their tardiness.

### ***EMERGENCY DRILLS AND INSTRUCTION***

All teachers are required to provide instruction on fire and earthquake dangers and drills for at least 30 minutes each school month in accordance with the requirements of law.

At least one fire drill, which include routes and methods of exiting the school building, will be conducted each month for grades K-12. At least one fire drill will be conducted within the first 10 days of the school year.

At least two drills on earthquakes will be conducted each year.

A map/diagram of the fire escape routes to be followed should be posted near the classroom doorways and reviewed with students. Drills and instruction on safety threats shall include procedures related to lockdown, lockout, shelter in place, evacuation and other actions to take when there is a threat to safety.

Upon the sounding of a fire alarm, teachers are required to:

1. Immediately direct all students to orderly exit the buildings using the evacuation route posted. Students may not stop at lockers, drinking fountains, restrooms, etc. along the way;
2. Close windows, turn off lights;
3. Take roll book;
4. Escort class to at least 100 feet from the building and take roll. Report any accounted students to the building principal;
5. Upon "all clear" signal, escort students directly back to class. Check roll.

In the event of an earthquake/earthquake drill, teachers are required to use the following procedure:

1. Immediately direct all students to "duck, cover and hold." Students should drop to a crouched position with head bent to knees, hands clasped behind the neck, arms against ears, eyes closed and back towards the windows. Safest areas, if indoors, would be under desks or tables as



- appropriate, along inside walls, in doorways or other protected areas and away from cabinets, bookshelves, light fixtures or other such suspended objects;
2. Wait until shaking stops;
  3. Evacuate building following established evacuation procedures;
  4. Take roll and report any unaccounted students to the administration;
  5. Upon “all clear” signal, escort students back to class;
  6. If outdoors during an earthquake, direct students to move away from buildings and other overhead objects such as power lines. Crouch low to the ground and protect head and neck.

### ***FEATURE FILMS/VIDEOS***

Building principal approval is required prior to showing a feature film/video to students in District classrooms. Only films/videos rated [G, PG, PG-13, or Not Rated] may be authorized for classroom use. In certain situations, films/videos with an “R” rating may be shown at the high school level, prior administrative and parental consent is required.

Requests are to be submitted to the building principal at least two days prior to the proposed showing. Forms are available in the office.

The following information should be included:

1. Title and brief description;
2. Purpose for the showing;
3. Match with course objectives;
4. Proposed date of showing;
5. When and how parents will be notified, or if necessary grant consent;
6. Audience rating.

Parents should be provided the opportunity to preview a feature film/video, whenever possible.

### ***FLAG SALUTE***

A United States flag and an Oregon flag shall be displayed on or near each school building during school hours, except in unsuitable weather and at such other times as the Board deems proper.

Students shall receive instruction in respect for the national flag, and be provided an opportunity to salute the United States flag at least once each week by reciting *The Pledge of Allegiance*.

A flag salute may be implemented at assemblies, before or after school, at lunch, special events, homeroom class, athletic contests or at other times deemed appropriate by the principal. Individual staff members and students who do not participate in the salute must maintain a respectful silence during the salute.

### ***GRADING***

The District's grading system shall be based on Board adopted course content and is designed to enable the student and parent to clearly know how well the student is achieving course requirements.

Letter grades will be used in the District.

Grading progress reports will be issued on a six week basis. The six week grade progress report will be based on many factors such as: attendance; basic instructional assignments, both oral and written; class participation; special assignments; research; activities of various types and kinds; and special contributions.

The final grade that reflects a student's achievement for the year will be issued at the end of the school year for elementary students. Final grades for middle school students will be issued at the end of the course which may

occur at either the end of the semester or the end of the year. Final grades for high school students will be issued at the end of each semester.

Grades received on progress reports are accumulative and will continue until the end of course, semester, or year at which time a final grade will be given. Grades are not averaged from the six week progress reports to arrive at a final grade.

At the beginning of the grading period students and parents will be informed regarding the basis of the grades and the methods to be used in determining them.

The Board feels it important that teachers have as much accurate knowledge of student achievement as possible to assess students' needs and growth; thus, a sharing of information among parent, teacher, and student is essential.

The District shall ensure that all students have the opportunity to demonstrate a level of proficiency. Students who fail to meet or who exceed all of the standards at any grade level, will be offered additional services or alternative public education options.

The Board directs staff to follow these guidelines in measuring and reporting student progress:

6. Parents will be informed regularly, at least six times a year, of their children's progress in school.
7. Parents will be alerted and conferred with as soon as possible when a child's performance or attitude becomes unsatisfactory or shows marked or sudden deterioration.
8. Grades and/or portfolio content assessment will be based upon academic performance and will not include student attitude. Grades will not be used for disciplinary purposes. Attendance shall not be the sole criterion for the reduction of a student's grade.
9. At comparable levels, the school system will strive for consistency in grading and reporting except when this consistency is inappropriate for certain classes or certain students.
10. When no grades are given but the student is evaluated in terms of progress, the school staff also will provide a realistic appraisal of the student's standing in relation to his peers.
11. The school staff will take particular care to explain to parents the meaning of marks and symbols used to reflect student performance.

### ***MAKE-UP WORK***

A student who has an excused absence from class is permitted to make up those assignments that he/she has missed. The student is expected to make arrangements with the teacher on his/her first day back in class for the work missed due to absence. A student may have at least one day, for each missed, to make up work presented in class on the day the absence occurred. The teacher (upon request) will give make up assignments to the student.

### ***MOVING CLASS/HOLDING CLASSES OUTDOORS***

From time to time, teachers may find it necessary to temporarily move a class from their scheduled room or teaching area. Teachers are responsible for ensuring that both the office and students are informed of the change.

As holding classes outdoors often presents a distraction to students in the class as well as to staff and students in other classrooms, teachers are expected to conduct their classes in their scheduled rooms unless otherwise assigned by the building principal.

From time to time, certain class assignments may be more appropriately conducted outdoors. Prior building principal approval is required for all such activities.

Students may be excused from a state-required program or learning activity for reasons of religion, disability or other reasons deemed appropriate by the District, upon the written request of the parent.

An alternative program of credit may be provided. Teachers are expected to work cooperatively with students, parents, counselors and other District staff in the development of such alternative learning activities, as needed.

### ***RELEASE TIME FOR RELIGIOUS INSTRUCTION***

Students may be excused from school for religious instruction, not to exceed two hours for grades K-8 and five hours for grades 9-12 in any school week. Teachers will be notified by the office of any students in their class so excused.

Any student unable to attend classes on a particular day due to religious beliefs is to be excused from attendance requirements for that day.

No such absences shall be counted against a student in determining failure or reduction of grades. Any tests and assignments a student misses because of such absences are to be given to the student upon his/her return to school or at such other times as may be deemed appropriate by the teacher.

### ***VISITORS***

Students are not permitted to bring visitors to school.

Staff members are expected to report any unauthorized person on school property to the building principal immediately.