



ROLE OF AND GUIDING PRINCIPLES FOR EMPLOYEES

This series of the board policy manual is devoted to the board's goals and objections for employees in the performance and benefits of their job. School district employees provide an important service for the children of the school district community. They may be teaching or assisting in the classroom, working in the office, maintaining the facilities, driving or repairing the school buses, or cooking lunches. Each school district employee plays a vital role in providing an equal opportunity for a quality education for students commensurate with their individual needs. While the teachers have the most direct impact on the formal instruction of students, all school district employees have an impact on the school environment by their dedication to their work, their actions and their manners. As role models for the students, school district employees shall strive to promote a cooperative, enthusiastic, and supportive learning environment for the students.

In striving to achieve a quality educational program, the board's goal will be to obtain and retain qualified and effective school district employees. The board shall have complete discretion to determine the number, the qualifications, and the duties of the positions and the school district's standards of acceptable performance. It shall be the responsibility of the superintendent to make recommendations to the board in these areas prior to board action. The board recognizes its duty to bargain collectively with duly certified collective bargaining units. The board shall strive to fulfill this duty.

Board policies in this series relating to general employees shall apply to school district employees regardless of their position as a certified or non-certified employee. Board policies relating to certified employees shall apply to positions that require a teaching or administrative certificate unless administrative positions are specifically excluded from the policy. Non-certified employee policies included in this series shall apply to positions that do not require a teaching or administrative certificate.

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

EMPLOYEE ORIENTATION

Employees must know their role and their duties as school district employees. It shall be the responsibility of the direct supervisor to provide the new employee with a review of the employee's responsibilities, job description and appropriate procedures. Payroll procedures, employee benefit programs and accompanying forms will be explained to the employee by the superintendent.

New employees will be required to assume the responsibilities of their position immediately. The administration and the immediate supervisor shall be available to answer questions.

Legal Reference: Iowa Code §§20, 279.8 (1993).

Cross Reference: 401.7 Employee Relations to Administration and to the Board
402.6 Employee Relations to the Public
404 Employee Conduct and Appearance

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

EQUAL EMPLOYMENT OPPORTUNITY

The Carlisle Community School District will provide equal opportunity to employees and applicants for employment in accordance with applicable equal employment opportunity and affirmative action laws, directives and regulations of federal, state and local governing bodies. Opportunity to all employees and applicants for employment includes hiring, placement, promotion, transfer or demotion, recruitment, advertising or solicitation for employment, treatment during employment, rates of pay or other forms of compensation, and layoff or termination. The school district will take affirmative action in major job categories where women, men, minorities and persons with disabilities are underrepresented. Employees will support and comply with the district's established equal employment opportunity and affirmative action policies. Employees will be given notice of this policy annually.

The board will appoint an affirmative action coordinator. The affirmative action coordinator will have the responsibility for drafting the affirmative action plan. The affirmative action plan will be reviewed by the board at least every two years.

Individuals who file an application with the school district will be given consideration for employment if they meet or exceed the qualifications set by the board, administration, and Iowa Department of Education for the position for which they apply. In employing individuals, the board will consider the qualifications, credentials, and records of the applicants without regard to race, color, creed, sex, national origin, religion, age, sexual orientation, gender identity or disability. In keeping with the law, the board will consider the veteran status of applicants.

Prior to a final offer of employment for any teaching position the school district will perform the background checks required by law. The district may determine on a case-by-case basis that, based on the duties, other positions within the district will also require background checks. Based upon the results of the background checks, the school district will determine whether an offer will be extended. If the candidate is a teacher who has an initial license from the BOEE, then the requirement for a background check is waived.

Advertisements and notices for vacancies within the district will contain the following statement: "The Carlisle Community School District is an EEO/AA employer." The statement will also appear on application forms.

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, will be directed to the Affirmative Action Coordinator by writing to the Affirmative Action Coordinator, Carlisle Community School District, 430 School Street., Carlisle, Iowa 50047; or by telephoning 515-989-3589.

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

EQUAL EMPLOYMENT OPPORTUNITY

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, may also be directed in writing to the Director of the Region VII office of Civil Rights, U.S. Department of Education, 310 W. Wisconsin Ave., Ste. 800, Milwaukee, Wisconsin, 53203-2292, (414) 291-1111 or the Iowa Civil Rights Commission, 400 E. 14th Street, Des Moines, Iowa, 50319-1004, (515) 281-4121 or 1-800-457-4416, <http://www.state.ia.us/government/crc/index.html>. This inquiry or complaint to the federal office may be done instead of, or in addition to, an inquiry or complaint at the local level.

Further information and copies of the procedures for filing a complaint are available in the school district's central administrative office and the administrative office in each attendance center.

Legal Reference: 29 U.S.C. §§ 621-634 (2004).
 42 U.S.C. §§ 2000e et seq. (2004).
 42 U.S.C. §§ 12101 et seq. (2004).
 Iowa Code §§ 19B; 20; 35C; 73; 216; 279.8; 692.2; 692.2A; 692.2C(5);
 235A.15; 235A.6e(9) (2007).
 281 I.A.C. 12.4; 95.
 28 I.A.C. 14.1.

Cross Reference: 102 Equal Educational Opportunity
 104 Bullying/Harassment
 405.2 Licensed Employee Qualifications, Recruitment, Selection
 411.2 Classified Employee Qualifications, Recruitment, Selection

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

EMPLOYEE CONFLICT OF INTEREST

School district employees' use of their position with the school district for personal financial gain shall be considered a conflict of interest with their position as a school district employee and may subject the employee to disciplinary action.

Employees of the school district have access to information and a captive audience that could award the employee personal or financial gain. No school district employee may solicit other employees or students for personal or financial gain to the employee without the approval of the superintendent. If the approval of the superintendent is given, the employee must conduct the solicitations within the conditions set by the superintendent. Further, the superintendent may, upon five (5) days notice, require the employee to cease such solicitations as a condition of continued employment.

School district employees shall not act as an agent or dealer for the sale of textbooks or other school supplies to the school district. School district employees shall not participate for personal financial remuneration in outside activities wherein their position on the staff is used to sell goods or services to pupils or to parents. School district employees shall not engage in outside work or activities where the source of information concerning the customer, client, or employer originates from information obtained because of the employee's position in the school system.

It shall be the responsibility of each employee to be aware of and take the necessary action to eliminate a potential conflict of interest should it arise.

The approval of the administration will be required prior to solicitation of other employees, students, or community members for school-sponsored activities or for non-school-related charitable organizations by school district employees acting as representatives of the school district.

It shall also be a conflict of interest for an employee to engage in any outside employment or activity which is in conflict with the employee's official duties and responsibilities. In determining whether outside employment or activity of an employee creates a conflict of interest, situations in which an unacceptable conflict of interest shall be deemed to exist shall include, but not be limited to, any of the following:

- (1) The outside employment or activity involves the use of the school district's time, facilities, equipment and supplies or the use of the school district's badge, uniform, business card or other evidences of office to give the employee or the employee's immediate family an advantage or pecuniary benefit that is not available to other similarly situated members or classes of member of the general public. For purposes of this section, a person is not "similarly situated" merely by being related to an employee who is employed by the school district.

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

- (2) The outside employment of activity involves the receipt of, promise of, or acceptance of more or other consideration by the employee or a member of the employee's immediate family from anyone other than the school district for the performance of any act that the employee would be required or expected to perform as part of the employee's regular duties or during the hours during which the employee performs service or work for the school district.
- (3) The outside employment or activity is subject to the office control, inspection, review, audit or enforcement authority of the employee during the performance of the employee's duties.

If the outside employment or activity is employment or activity in (1) or (2) above, the employee must cease the employment or activity. If the activity or employment falls under (3), then the employee must:

- Cease the outside employment or activity;
- Publicly disclose the existence of the conflict and refrain from taking any official action or performing any official duty that would detrimentally affect or create a benefit for the outside employment or activity. Official action or official duty includes, but is not limited to, participating in any vote taking affirmative action to influence any vote, or providing any other official service or thing that is not available generally to member of the public in order to further the interests of the outside employment or activity.

Legal Reference: Iowa Code §§20.7, 273.1, 279.8, 301.28 (1993).

Cross Reference: 402.3 Solicitations from Outside
402.4 Gifts to Employees
402.7 General Employees Outside Employment
407.5 Certified Employees Suspension

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NEPOTISM

More than one family member may be an employee of the school district. It shall be within the discretion of the superintendent to allow one family member employed by the school district to supervise another family member employed by the school district.

The employment by the board of more than one individual in a family shall be on the basis of their qualifications, credentials and records.

Legal Reference: Iowa Code §§20, 273.1, 277.27, 279.8 (1993).

Cross Reference: 203 Board of Directors Member Conflicts of Interest
405.2 Certified Employees Recruitment, Qualifications, Selection
411.2 Non-Certified Employees Recruitment, Qualifications,
Selection

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

EMPLOYEE COMPLAINTS

Complaints of teachers against fellow teachers or principals or other school employees shall be brought directly to the principal or superintendent and should be made in a constructive and professional manner. Complaints should never be made in the presence of other teachers, pupils or outside persons. The goal of the district is to resolve all complaints at the lowest possible level.

If an employee claims a board policy, or an administrative rule has been violated, within five (5) days of the alleged violation, the individual shall first discuss the complaint with the employee's immediate supervisor. If the complaint is not resolved, the employee shall next place the complaint in writing within five (5) days of the discussion with the supervisor, and discuss it with the superintendent, the employee may ask to have the item placed on the agenda for the next meeting of the board.

The decision of the board shall be final.

A formal grievance procedure is contained in the Master Contract between the employee's certified bargaining unit and the board. This policy shall not apply for an item that has been filed or for an item that could be filed at the employee's discretion under that formal grievance procedure.

Legal Reference: Iowa Code §§20.7 .9, 273.1, 279.8 (1993)

Cross Reference: 402.5 Public Complaints about General Employees

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

EMPLOYEE RECORDS

For the benefit of the school district employees, only the superintendent, the principal, the employee's immediate supervisor, the board secretary, and the employee shall have access to the employee's employee file.

Information for federal tax purposes, wage garnishment or for completing a credit application shall be released as needed and as allowed by board policy.

Employees who have listed the school district as a reference or place of employment on a job application shall be deemed to have granted authority for the school district to release information of the same nature as released for credit information. Others who wish access to an employee's file, must have the approval of the employee.

During regular business hours an employee, upon request and in the presence of central office employees, may have access to and view the employee's file. Information contained in the file may be viewed by the employee except for information obtained prior to the employment of the employee contained in the evaluation file, or received from a examination considering a reassignment, transfer or promotion of the employee.

It shall be the responsibility of the superintendent's secretary to keep school district employees' files current. The superintendent's secretary shall be the custodian of school district employees files.

Legal Reference: Iowa Code §§22.7 (1993).

Cross Reference: 402.1 Release of Credit Information
901.1 Public Examination of School District Records

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

EMPLOYEE RELATIONS TO ADMINISTRATION AND TO THE BOARD

School district employees are encouraged to attend school board meetings. School district employees shall be available to provide information and assist in providing recommendations to the board upon request. The employees shall keep the board informed through the administration about educational trends and issues that may assist the board. It shall be the responsibility of the employees to keep the administration informed about the day-to-day occurrences in their work areas.

It shall be the responsibility of the superintendent to develop avenues for communication between the board and the employees. These avenues of communication will not be construed as denying the right of any employee to appeal any action or decision of the superintendent to the board.

Legal Reference: Iowa Code §§273.1, 279.8 (1993).

Cross Reference: 401.5 Employee Complaints
401.8 Employee Involvement in Decision-Making

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

EMPLOYEE INVOLVEMENT IN DECISION MAKING

Input from school district employees regarding the students, the educational program and other school district operations will be considered by the administration and the board. School district employees may be requested to make a presentation to the board. The administration, in its discretion, may consult with employees about proposed changes in the educational program and operations of the school district.

Teachers having suggestions for changes or improvements in administrative procedure or policy should take such suggestions directly to the principal and/or the superintendent. The principal or superintendent will give the teacher a fair and courteous hearing regarding the same. After a final decision is made on any policy or procedure, teachers will be expected to accept the same in their subsequent actions, discussion and relations.

Legal Reference: Iowa Code §§273.1, 279.8 (1993).

Cross Reference: 302.2 Administration and School District Employees
401.7 General Employees Relations to Administration and to the Board

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

USE OF SCHOOL DISTRICT FACILITIES & EQUIPMENT BY EMPLOYEES

The primary purpose of the school district facilities and equipment is the delivery of the educational program. Resources for school equipment are limited. Each user must operate the equipment with the utmost care. School district employees may use school equipment for any school purpose or activity held during the school day or for a school-sponsored event. School district employees may use school equipment for nonschool-sponsored events only with prior permission of the superintendent.

School district facilities will be open between the hours of 7:00 a.m. and 4:00 p.m. on regular school days. School district employees will be issued a key to the building to which they are assigned, unless their position requires additional keys be issued to them. Employees shall be responsible for the keys assigned to them. If lost keys require the locks to the school facility be changed, the employee losing the keys may be responsible for payment of the cost to change the locks. Employees shall turn in their keys during the summer months when school is not in session.

A request by an employee to use the facilities for nonschool-related business must be approved by the superintendent. Such a request will not supersede any prior request made by another individual or organization. The employee will be responsible to meet the same requirements as other individuals or organizations using the facilities.

Legal Reference: Iowa Code §§256.12, 273.1, 279.8, 297.9 (1993).

Cross Reference: 906 Use of School District Facilities & Equipment

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

USE OF SCHOOL MATERIALS FOR INTERNAL COMMUNICATIONS

School materials are purchased and used for the delivery of the educational program. School district employees may use the school district materials for internal communication between themselves when the communication is directly related to the educational program. Communications distributed to or between school district employees shall also be distributed to the building principal and the superintendent.

When the communication will involve unusual expense or use of materials, the employee must first have permission of the principal.

Legal Reference: Iowa Code §§273.1, 279.8 (1993).

Cross Reference: 401.9 Use of School Facilities & Equipment by Employees

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

TRANSPORTING OF STUDENTS BY EMPLOYEES

Generally, transportation of students shall be in a motor vehicle owned by the school district and driven a school bus driver. In some cases, it may be more economical or efficient for the school district to allow another employee of the district to transport the students in their personal motor vehicle or in a school district motor vehicle, other than a school bus.

School district employees who transport students for school purposes must have the permission of the principal.

This policy statement applies to transportation of students for school purposes in addition to the regular bus route transporting students to and from their designated attendance center.

Legal Reference: Iowa Code §§273.1, 285, 321 (1993).
281 Iowa Admin. Code 22.

Cross Reference: 712 Transportation

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

EMPLOYEE TRAVEL COMPENSATION

School district employees traveling on behalf of the school district and performing approved school business will be reimbursed for their actual and necessary expenses. Reimbursement for expenses will be allowed only if the employee received authorization for the expenses from the superintendent prior to the trip.

It shall be the responsibility of the superintendent to determine whether the requested trip is appropriate school business for which actual and necessary expenses should be reimbursed to the employee.

Transportation costs for travel between school buildings in the district for the purpose of meeting classes as scheduled and/or assigned and which requires the teacher to leave the teacher's regularly assigned teaching station to which the teacher reports at the beginning of the teaching day, shall be reimbursed at an amount determined by the board.

Legal Reference: Iowa Code §§79.9-.1 (1993).
1980 Op. Att'y Gen. 512.

Cross Reference: 219.3 Board of Directors Member Compensation and Expenses
712 Transportation

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

EMPLOYEE ACTIVITY PASSES

Employee passes to school-sponsored activities will be available to school district employees. It shall be the responsibility of the employee to obtain their school activity pass.

Legal Reference: Iowa Code §§273.1, 279.8 (1993).

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

RECOGNITION FOR SERVICE OF EMPLOYEES

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

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

Legal Reference: Iowa Code §§273.1, 279.8 (1993).
1980 Op. Att’y Gen. 102.

Cross Reference: 407.3 Certified Employees Retirement
413.2 Non-certified Employees Retirement

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

EMPLOYEE POLITICAL ACTIVITY

No employee shall engage in political activity upon property under the jurisdiction of the board. Activities including, but not limited to, posting of political circulars or petitions, the distribution of political circulars or petitions, the collection of and/or solicitation for campaign funds, solicitation for campaign workers, and the use of students for writing or addressing political materials, or the distribution of such materials to or by students, are specifically prohibited.

Violation of this policy may be ground for disciplinary action.

Legal Reference: Iowa Code §§279.8, 55 (1993).

Cross Reference: 401.3 General Employees Conflict of Interest
409.8 Certified Employees Political Leave
414.7 Non-certified Employees Political Leave

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CREDIT CARDS

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

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

The school district may maintain a school district credit card for actual and necessary expenses incurred by employees and officers in the performance of their duties. The superintendent may maintain a school district credit card for actual and necessary expenses incurred in the performance of the superintendent's duties. The transportation director may maintain a school district credit card for fueling school district transportation vehicles in accordance with board policy.

It is the responsibility of the superintendent to determine whether the school district credit card use is for appropriate school business. It is the responsibility of the board to determine through the audit and approval process of the board whether the school district credit card use by the superintendent and the board is for appropriate school business.

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

Legal Reference: Iowa Constitution, Art. III, § 31.
Iowa Code §§279.8, .29, .30 (2003).

Cross Reference: 219.3 Board of Directors Member Compensation and Expenses
401.12 Employee Travel Compensation

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

RELEASE OF CREDIT INFORMATION

The following information will be only confirmed to any entity with whom a school district employee has applied for credit or has obtained credit: title of position, income, and number of years employed. This information will be released without prior written notice to the employee. Confidential information about the employee will not be released to an inquiring creditor without a written authorization from the employee.

It shall be the responsibility of the board secretary-treasurer or superintendent to respond to inquiries from creditors.

Legal Reference: Iowa Code §§22.7, 273.1, 279.8 (1993).

Cross Reference: 401.7 General Employees Records
901.1 Public Examination of School District Records

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CHILD ABUSE REPORTING

In compliance with state law, and to provide for the greatest possible protection to victims of child abuse, the board believes child abuse should be reported to proper authorities. School district employees are encouraged, and the law requires certified employees, to report to the State Department of Human Services within 24 hours when, in the course of their employment, they reasonably believe a child has suffered from abuse.

The administration shall develop reporting procedures that comply with legal requirements and shall instruct members of the certified staff in their obligation with regard to reporting child abuse.

Legal Reference: Iowa Code §§232.67, .70, .73, .75, 235A, 272A, 280.17 (1993).
281 Iowa Admin. Code Chapter 102.
441 Iowa Admin. Code 9.2, 155, 175.
640 Iowa Admin. Code 4.9.
1980 Op. Att'y Gen. 275.

Cross Reference: 503.5 Corporal Punishment
507 Student Health and Well-Being

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CHILD ABUSE REPORTING REGULATION

Iowa law requires licensed employees to report to the Iowa Department of Human Services (DHS) instances of suspected child abuse which they become aware of within the scope of their professional practice.

The law further specifies that a licensed employee who knowingly or willfully fails to report a suspected case of child abuse is guilty of a simple misdemeanor and that the licensed employee may be subject to civil liability for damages caused by the failure to report.

Employees participating in good faith in the making of a report or in a judicial proceeding that may result from the report, are immune from liability.

Child Abuse Defined

“Child abuse” is defined as:

- Any non accidental physical injury, or injury which is at variance with the history given of it, suffered by a child as the result of the acts or omissions of a person responsible for the care of the child.
- The commission of a sexual offense with or to a child as a result of the acts or omissions of the person responsible for their child. Sexual offense includes sexual abuse, incest, and sexual exploitation of a minor.
- The failure on the part of a person responsible for the care of a child to provide for the adequate food, shelter, clothing or other care necessary for the child’s welfare when financially able to do so. A parent or guardian legitimately practicing religious beliefs who does not provide specified medical treatment for a child for that reason alone shall not be considered abusing the child.
- The acts or omissions of a person responsible for the care of a child which allow, permit or encourage the child to engage in acts prohibited pursuant to Iowa Code, Section 725.1, which deals with prostitution.

Teachers in public schools are not “persons responsible for the care of the child” under this definition. However, a teacher who abuses a child is subject to civil, criminal, and professional sanctions.

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

Reporting Procedures

Licensed employees, including teachers and school nurses, are required to report, either orally or in writing, within, twenty-four hours to the Iowa Department of Human Services when the employee reasonably believes a child has suffered from abuse within the scope of employment. Within forty-eight hours of an oral report, a written report must be filed with the DHS.

Each report should contain as much of the following information as can be obtained within the time limit. However, the law specifies a report will be considered valid even if it does not contain all of the following information:

- Name, age, and home address of the child;
- Name and home address of parents, guardians, or other persons believed to be responsible for care of the child;
- The child's present whereabouts if not the same as the parent's or other person's home address;
- Description of injuries, including evidence of previous injuries;
- Name, age, and condition of other children in the same home;
- Any other information considered helpful; and,
- Name and address of the person making the report.

Board policy states it is not the responsibility of employees to prove that a child has been abused or neglected. Employees should not take it upon themselves to investigate the incident of alleged abuse.

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

ABUSE OF STUDENTS BY DISTRICT EMPLOYEES

Physical or sexual abuse of students, including inappropriate and intentional sexual behavior, by employees will not be tolerated. The definition of employees for the purpose of this policy includes not only those who work for pay but also those who are volunteers of the school district under the direction and control of the school district. Employees found in violation of this policy will be subject to disciplinary action up to and including discharge.

The school district will respond promptly to allegations of abuse of students by school district employees by investigating or arranging for the investigation of an allegation. The processing of a complaint or allegation will be handled confidentially to the maximum extent possible. Employees are required to assist in the investigation when requested to provide information and to maintain the confidentiality of the reporting and investigation process.

The school district has appointed a Level I investigator and alternate Level I investigator. The school district has also arranged for a trained, experienced professional to serve as the Level II investigator. The Level I investigator and alternate will be provided training in the conducting of an investigation at the expense of the school district. The names of the investigators shall be listed in the student handbook, published annually in the local newspaper and posted in all school facilities.

The superintendent is responsible for drafting administrative regulations to implement this policy.

Legal Reference: Iowa Code §§232.67, .70, .73, .75; 235A; 272A; 280.17; 709;
728.12(1) (1999).
281 I.A.C. 12.3(6), 102 ; 103.
441 I.A.C. 155 ; 175.
1980 Op. Att’y Gen. 275

Cross Reference: 402.2 Child Abuse Reporting
403.7 Harassment
503.5 Corporal Punishment

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES

Complaint of Injury to or Abuse of a Student by a School District Employee

Please complete the following as fully as possible. If you need assistance, contact the Level I investigator in your school.

Student's name and address: _____

Student's telephone no: _____

Name and place of employment of employee accused of abusing student:

Allegation is of _____ physical _____ sexual abuse*

Please describe what happened. Include the date, time and where the incident took place, if known. If physical abuse is alleged, also state the nature of the student's injury:

Were there any witnesses to the incident or are there students or persons who may have information about this incident? _____ yes _____ no

If yes, please list by name, if known, or classification (for example: "third grade class," "fourth period geometry class"): _____

*Parents of children who are in pre-kindergarten through sixth grade and whose children are the alleged victims of or witnesses to sexual abuse have the right to see and hear any interviews of their children in this investigation. Please indicate "yes" if the parent/guardian wishes to exercise this right:

_____ Yes _____ No Telephone Number _____

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES

Complaint of Injury to or Abuse of a Student by a School District Employee

Has any professional person examined or treated the student as a result of the incident?
_____ Yes _____ No _____ Unknown

If yes, please provide the name and address of the professional(s) and the date(s)
of examination or treatment, if known: _____

Has anyone contacted law enforcement about this incident? _____ Yes _____ No

Please provide any additional information you have which would be helpful to the investigator.
Attach additional pages if needed.

Your name, address and telephone number:

Relationship to student: _____

Complaint Signature _____

Witness Signature _____

Date _____

Witness Name (please print) _____

Witness Address _____

Be advised that you have the right to contact the police or sheriff's office, the county attorney, private attorney, or the State Board of Educational Examiners (if the accused is a licensed employee) for investigation of this incident. The filing of this report does not deny you that opportunity.

You will receive a copy of this report (if you are the named student's parent or guardian) and a copy of the Investigator's Report within fifteen calendar days of filing this report unless the investigation is turned over to law enforcement.

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES

Report of Level I Investigation

Student's name: _____

Student's age: _____

Student's address: _____

Student's school: _____

Name of accused employee _____ Building _____

Name and address of person filing report: _____

Name and address of student's parent or guardian, if different from person filing report:

Date report of abuse was filed _____ physical _____ sexual*

Describe the nature, extent and cause of the student's injury, if any and if known:
(Attach additional pages if needed).

Describe your investigation: Attach additional pages if needed. (please do not use student
Witnesses' full names.):

*Were parent(s) or guardian(s) advised of their right to see and hear any interview of their pre-kindergarten through sixth grade children who are alleged victim of or a witness in a sexual abuse investigation?

_____ Yes _____ No Was the right exercised? _____ Yes _____ No

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES
LEVEL I INVESTIGATOR'S REPORT FORM

Were audio tapes made of any interviews? _____ Yes _____ No

Were video tapes made of any interviews? _____ Yes _____ No

Was any action taken to protect the student during or as a result of the investigation?
_____ Yes _____ No

If yes, describe:

_____ Student excused from school _____ School employee placed on
Administrative leave or other leave

_____ Student assigned to different _____ other (please specify)
Class

Level I investigator's conclusions:

_____ The complaint is being dismissed for lack of jurisdiction.

_____ Physical abuse was alleged, but no allegation of injury was made

_____ Physical abuse was alleged, but no evidence of physical injury exists and the nature
of the alleged incident makes it unlikely an injury, as defined in the rules, occurred.

_____ Sexual abuse was alleged, but the alleged actions of the school employee, even if
True, would not meet the definition of sexual abuse in the rules.

_____ Alleged victim was not a student at the time of the incident.

_____ Alleged school employee is not currently employed by this school district.

_____ Alleged incident did not occur on school grounds, on school time, at a school-
sponsored activity, not in a school-related context.

_____ The complaint has been investigated and concluded at Level I as unfounded.

_____ Complaint was withdrawn.

_____ Insufficient evidence exists that an incident of abuse, as defined in the rules, took
place.

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES
LEVEL I INVESTIGATOR'S REPORT FORM

- _____ The complaint has been investigated at Level I and is founded
- _____ The investigation is founded at Level I and is being turned over to Level II for further investigation.
- _____ Investigation of the complaint was deferred at Level I and referred to law enforcement at this time.
- _____ The investigation is concluded at Level I because the accused school employee has admitted the violation, has resigned, or has agreed to relinquish any teaching license held.

Current status of investigation:

- _____ Closed. No further investigation is warranted.
- _____ Closed and referred to school officials for further investigation as a personnel matter.
- _____ Deferred to law enforcement officials.
- _____ Turned over to Level II investigator.

Other comments: _____

I have given a copy of the report of abuse and of this investigative report to the employee named In the report, the employee's supervisor, and the student's parent or guardian and informed the person filing the report of the options of contacting law enforcement, private counsel, or the State Board of Educational Examiners, if the accused school employee holds an Iowa teacher's certificate or license.

Name of investigator (please print)

Investigator's place of employment

Signature of investigator

Date

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

As an individual who has knowledge an employee has physically or sexually abused a student may immediately report it to the school district's Level I investigator. "Employee" means one who works for pay or as a volunteer under the direction and control of the school district. The report shall be written, signed and witnessed by a person of majority age. The witness may be the Level I investigator. The reporter is the individual filing the report. The report shall contain the following:

- The full name, address, and telephone number of the person filing.
- The full name, age, address, and telephone number, and attendance center of the student.
- The name and place of employment of the employee who allegedly committed the abuse.
- A concise statement of the facts surrounding the incident, including date, time, and place of occurrence, if known.
- A list of possible witnesses by name, if known.
- Names and locations of persons who examined, counseled or treated the student for the alleged abuse, including the dates on which those services were provided, if known.

Upon request, the Level I investigator may assist the reporter in completing the report. An incomplete report shall not be rejected unless the missing information would render the investigation futile or impossible. An employee receiving a report of alleged abuse of a student by an employee shall pass the report to the investigator and shall keep the report confidential the maximum extent possible. In performing the investigation, the investigator shall have access to the educational records of the alleged student victim as well as access to the student for interviewing purposes.

In order for the school district to have jurisdiction over the acts and to constitute a violation of the law, acts of the employee must be alleged to have occurred on school grounds, on school time, at a school-sponsored activity, or in a school-related context. However, the student need not be a student in the school district. The student can be from another school district. To be investigable, the written report must include basic information showing that the victim of the alleged abuse is or was a student at the time of the incident, that the alleged act of the employee resulted in injury or otherwise is currently an employee. If the report is not investigable due to lack of jurisdiction, the investigator shall dismiss the complaint and inform the reporter of other options available. Other options available to the reporter include contacting law enforcement authorities, private counsel, or the Board of Educational Examiners in the case of a licensed employee.

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

If the Level I investigator believes the student is in imminent danger if continued contact is permitted between the employee and the student, the Level I investigator may:

- temporarily remove the student from contact with the employee;
- temporarily remove the employee from service; or,
- take other appropriate action to ensure the student's safety.

The Level I investigator shall have access to the educational records of the student and access to the student for purposes of interviewing the student about the report.

Physical Abuse Allegations

When physical abuse is reported, the Level I investigator shall make copies of the report and give a copy to the person filing the report, the students' parents and the immediate supervisor of the employee named in the report. The employee named in the report shall not receive a copy of the report until the employee is initially interviewed.

The Level I investigator shall use discretion in handling the information received regarding an investigation of abuse by an employee, and those persons involved in the investigation shall not discuss information regarding the complaint outside the investigation. The entire investigative procedure will be thoroughly explained, including the confidential nature of the proceedings, to the student and other persons involved in the investigation.

Within five days of receipt of an investigable report, the Level I investigator shall complete an informal investigation. The informal investigation shall consist of interviews with the student, the employee and others who may have knowledge of the alleged incident. If the Level I investigator determines that the allegations in the report are founded and that immediate and professional investigation is necessary, the Level I investigator may defer further investigation and contact appropriate law enforcement officials, the student's parents and the persons filing the report. Within fifteen days of receipt of the report, the Level I investigator shall complete a written investigative report, unless the investigation was temporarily deferred.

The written investigative report shall include:

1. The name, age, address and attendance center of the student named in the report.

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

2. The name and address of the student's parent or guardian and the name and address of the person filing the report, if different from the student's parent or guardian.
3. The name and work address of the student's parent or guardian and the name and address of the person filing the report, if different from the student's parent or guardian.
4. An identification of the nature, extent and cause, if known, of any injuries or abuse to the student named in the report.
5. A general review of the investigation.
6. Any actions taken for the protection and safety of the student.
7. A statement that, in the investigator's opinion, the allegations in the report are either:
 - Unfounded. *(It is not likely that an incident, as defined in these rules, took place), or*
 - Founded. *(It is likely that an incident took place.)*
8. The disposition or current status of the investigation.
9. A listing of the options available to the parents or guardian of the student to pursue the allegations. These options include, but are not limited to:
 - Contacting law enforcement officials.
 - Contacting private counsel for the purpose of filing a civil suit or complaint.
 - Filing a complaint with the board of educational examiners if the employee is a licensed employee.

The investigator shall retain the original and provide a copy of the written investigative report to the school employee named in the report, the employee's supervisor and the student's parent or guardian. The person filing the report, if not the student's parent or guardian, shall be notified only that the Level I investigation has been concluded and of the disposition or anticipated disposition of the case.

It is the responsibility of the Level I investigator to determine whether it is more likely than not that an incident of abuse as defined in the rules took place between the student and employee. The Level I investigator does not make the determination of whether the use of physical contact was appropriate or whether any of the exceptions apply. That is the responsibility of the Level II investigator. Upon completion of the report, if the Level I investigator determines the allegations of physical abuse are founded and serious, the Level I investigator shall notify law enforcement authorities. If the allegations are founded but the physical abuse is not of a serious nature, the Level I investigator shall refer the case on to the Level II investigator.

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

The Level II investigator shall review the Level I investigator's final investigative report and conduct further investigation. The Level II investigative report shall state the conclusion as to the occurrence of the alleged incident, the applicability of exceptions, the reason for the contact or force used, and recommendations regarding exceptions, the reason for the contact or force used, and recommendations regarding the need for further investigation. In determining the applicability of the exceptions or the reasonableness of the contact or force used, the Level II investigator will use the following definitions:

Physical abuse is non-accidental physical injury to the student as a result of the action of an employee. Injury occurs when evidence of it is still apparent at least twenty-four hours after its occurrence. The following do not constitute physical abuse, and no employee is prohibited from:

- a. Using reasonable and necessary force, not designed or intended to cause pain:
 - (1) To quell a disturbance or prevent an act that threatens physical harm to any person.
 - (2) To obtain possession of a weapon or other dangerous object within a pupil's control.
 - (3) For the purpose of self-defense or defense of others as provided for in Iowa Code § 704.3.
 - (4) For the protection of property as provided for in Iowa Code §§ 704.4, .5.
 - (5) To remove a disruptive pupil from class, or any area of school premises or from school-sponsored activities off school premises.
 - (6) To prevent a student from the self-infliction of harm.
 - (7) To protect the safety of others.

In determining the reasonableness of the contact or force used, the following factors shall factors shall be considered:

- a. The nature of the misconduct of the student, if any, precipitating the physical contact by the school employee.
- b. The size and physical condition of the student.
- c. The instrumentality used in making the physical contact.
- d. The motivation of the school employee in initiating the physical contact.
- e. The extent of injury to the student resulting from the physical contact.

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

“Reasonable force” is that force and no more which a reasonable person, in like circumstances, would judge to be necessary to prevent an injury or loss and can include deadly force if it is reasonable to believe that such force is necessary to avoid injury or risk to one’s life or safety or the life or safety of another, or it is reasonable to believe that such force is necessary to resist a like force or threat.

Upon completion of the Level II investigation, the Level I investigator shall forward copies of the Level II investigative report to the employee, the employee’s immediate supervisor and the student’s parent. The Level I investigator shall notify the person filing the report of the current status of the case.

If the Level II investigator’s report or law enforcement officials conclude abuse occurred, or the employee admits the violation, or the employee has surrendered the employee’s certificate or license, the Level I investigator shall file a complaint with the State Board of Educational Examiners. The Level I investigator shall also arrange for counseling services for the student if the student or student’s parents request counseling services.

Sexual Abuse

Sexual abuse is defined as including sexual acts involving a student, acts that encourage the student to engage in prostitution, as well as inappropriate, intentional sexual behavior or sexual harassment by the employee toward a student. Sexual harassment” is defined as unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when:

1. Submission to the conduct is made either implicitly or explicitly a term or condition of the student’s education or benefits;
2. Submission to or rejection of the conduct is used as the basis for academic decisions affecting that student; or
3. The conduct has the purpose or effect of substantially interfering with a student’s academic performance by creating an intimidating, hostile or offensive education environment.

When sexual abuse is reported, the Level I investigator shall make copies of the report and give a copy to the person filing the report, the students’ parents and the immediate supervisor of the employee named in the report. The employee named in the report shall not receive a copy of the report until the employee is initially interviewed. The designated investigator shall not interview the school employee named in a report of sexual abuse until after a determination is made that jurisdiction exists, the alleged victim has been interviewed and a determination made that the investigation will not be deferred.

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

The investigator shall notify the parent, guardian or legal custodian of a student in pre-kindergarten through grade six, of the date and time of the interview and of the right to present or to see and hear the interview or send a representative in the parent's place. The Level I investigator shall interview the student as soon as possible, but in no case later than five days from the receipt of a report or notice of the allegation of sexual abuse. The Level I investigator may record the interview electronically.

The Level I investigator shall exercise discretion in the investigative process to preserve the privacy interests of the individuals involved. To the maximum extent possible, the investigator shall maintain the confidentiality of the report.

It is the responsibility of the Level I investigator to determine whether it is more likely than not that an incident took place between the employee and the student. If the Level I investigator believes the employee committed a sex act with a student or sexually exploited a student, the Level I investigator shall defer the Level I investigation and immediately notify law enforcement officials, the student's parents and the person filing the report.

If the Level I investigator determines an incident occurred, while not an illegal sex act with a student or sexual exploitation of a student, but where the employee engaged in inappropriate, intentional sexual behavior, further investigation is warranted. If further investigation is warranted, the Level I investigator may proceed to interview the employee and other individuals who may have knowledge of the circumstances contained in the report. Prior to interviewing other individuals who may have knowledge of the circumstance contained in the report, the Level I investigator shall provide notice of the impending interview of student witnesses or the student who is in pre-kindergarten through grade six, to their parent, guardian, or legal custodian, and may provide notice to the parent or guardian of older students, prior to interviewing those students. The Level I investigator shall, if founded, arrange for the Level II investigator to further investigate the allegations.

Within fifteen days of receipt of the report or notice of alleged sexual abuse, the Level I investigator shall complete a written investigative report unless the investigation was temporarily deferred. The written investigative report shall include:

1. The name, age, address and attendance center of the student named in the report.
2. The name and address of the student's parent or guardian and the name and address of the person filing the report, if different from the student's parent or guardian.

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

3. The name and work address of the school employee named in the report as allegedly responsible for the abuse of the student.
4. An identification of the nature, extent and cause, if known, of any injuries or abuse to the student named in the report.
5. A general review of the investigation.
6. Any actions taken for the protection and safety of the student.
7. A statement that, in the investigator's opinion, the allegations in the report are either:
 - Unfounded. (*it is not likely that an incident, as defined in these rules, took place*), or
 - Founded. (*It is likely that an incident took place.*)
8. The disposition or current status of the investigation.
9. A listing of the options available to the parents or guardian of the student to pursue the allegations. These options include, but are not limited to:
 - Contacting law enforcement officials.
 - Contacting private counsel for the purpose of filing a civil suit or complaint.
 - Filing a complaint with the board of educational examiners if the school employee is certificated.

The investigator shall retain the original and provide a copy of the investigative report to the school employee named in the report, the school employee's supervisor and the named student's parent or guardian. The person filing the report, if not the student's parent or guardian, shall be notified only that the Level I investigation has been concluded and of the disposition or anticipated disposition of the case.

If the allegations are founded, the Level I investigation shall refer the case to the Level II investigator. The Level II investigator shall review the Level I investigator's final investigative report and conduct further investigation if necessary. The Level II investigative report shall state conclusively as to the occurrence of the alleged incident, conclusively as to the nature of the sexual abuse and recommendations regarding the need for further investigation. Upon completion of the Level II investigation, the Level I investigator shall forward copies of the Level II investigative report to the employee, the employee's immediate supervisor and the student's parent. The Level I investigator shall notify the person filing the report of the current status of the case.

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES REGULATION

If the level II investigator's report or law enforcement officials conclude sexual abuse occurred, or the employee admits the violation, or the employee has surrendered the employee's certificate or license, the Level I investigator shall file a complaint on behalf of the district after obtaining the superintendent's signature with the State Board of Educational Examiners. The Level I investigator shall also arrange for counseling services for the student if the student or student's parents request counseling services.

In cases involving founded physical or sexual abuse by a licensed employee, the board shall notify the Board of Educational Examiners. Information of unfounded abuse at Level I or Level II shall not be kept in the employee's personnel file. If the Level I investigative report is founded but Level II is unfounded, then the Level I report shall be removed from the employee's permanent file.

It shall be the responsibility of the board to annually identify a Level I Level II investigator. The board shall also designate annually an alternate Level I investigator, preferably of the opposite sex of the designated Level I investigator, to whom reports may also be made. The names and telephone numbers of the Level I investigator and the alternate Level I investigator shall be included in employee handbooks, student handbooks, annually published in the local newspaper, and prominently displayed in all school buildings.

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

SOLICITATIONS FROM OUTSIDE

Generally, employees should be free from solicitations at their place of employment. No Organization or individual may solicit employees or distribute flyers or other materials within school facilities or on school grounds without the approval of the superintendent.

No employee shall be made responsible, or assume responsibility, for the collection of money or the distribution of fund drive literature within the schools unless such activity has been approved by the superintendent.

Legal Reference: Iowa Code §§ 273.1, 279.8 (1993).

Cross Reference: 504.6 Student Fund-Raising
905 Community Activities Involving Students

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

GIFTS TO EMPLOYEES

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

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

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

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

- Contributions to a candidate or a candidate's committee;
- Information material relevant to an employee's official function, such as books, pamphlets, reports, documents, periodicals or other information that is recorded in a written audio or visual format;
- Anything received from a person related within the fourth degree by kinship or marriage, unless the donor is acting as an agent or intermediary for another person not so related;
- An inheritance;
- Anything available or distributed to the general public free of charge without regard to the official status of the employee;

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

GIFTS TO EMPLOYEES

- Items received from a charitable, professional, educational or business organization to which the employee belongs as a dues paying member if the items are given to all members of the organization without regard to an individual member's status or positions held outside of the organization and if the dues paid are non consequential when compared to the items received;
- Actual expenses of an employee for food, beverages, travel and lodging for a meeting which is given in return for participation in a panel or speaking engagement at the meeting when the expenses related directly to the day or days on which the employee has participation or presentation responsibilities;
- Plaques or items of negligible resale value given as recognition for public service;
- Non monetary items with a value of less than three dollars that are received from any one donor during one calendar day;
- Items or services solicited or given to a state, national or regional organization in which the state of Iowa or a school district is a member or solicited by or given for the same purposes to state, national or regional government organizations whose memberships and officers are primarily composed of state or local government officials or employees;
- Items or services received by members or representatives of members as part of a regularly scheduled event that is part of a business or educational conference, seminar or other meeting that is sponsored and directed by any state, national or regional government organizations whose memberships and officers are primarily composed of state or local government officials or employees;
- Funeral flowers or memorials to a church or nonprofit organization;
- Gifts which are given to an employee for the employee's wedding or twenty-fifth or fiftieth wedding anniversary;
- Payment of salary or expenses by the school district for the cost of attending a meeting of a sub-unit of an agency when the employee whose expenses are being paid serves on a board, commission, committee, council or other sub-unit of the agency and the employee is not entitled to receive compensation or reimbursement of expenses from the school district for attending the meeting; or

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

GIFTS TO EMPLOYEES

- Gifts other than food, beverages, travel and lodging received by an employee which are received from a person who is a citizen of a country other than the United States and is given during a ceremonial presentation or a result of a custom of the other country and is of personal value only to the employee.

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

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

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

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

Cross References : Gifts to Board of Directors
Employee Conflict of Interest

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

PUBLIC COMPLAINTS ABOUT EMPLOYEES

The board recognizes situations may arise in the operation of the school district which are of concern to the parents and other members of the school district community. While constructive criticism is welcomed, the board desires to support its employees and their actions to free them from unnecessary, spiteful, or negative criticism and complaints that do not offer advice for improvement or change.

The board firmly believes concerns should be resolved at the lowest organizational level by those individuals closest to the concern. Whenever a complaint or concern is brought to the attention of the board it will be referred to the administration to be resolved if the following has not been completed:

- (a) Matters concerning an individual student, teacher, or other employee should first be addressed to the teacher or employee.
- (b) Unsettled matters from (a) above or problems and questions about individual attendance centers should be addressed to the employee's building principal for certified employees and the superintendent for non-certified employees.
- (c) Unsettled matters regarding certified employees from (b) above or problems and questions concerning the school district should be directed to the superintendent.
- (d) If a matter cannot be settled satisfactorily by the superintendent, it may then be brought to the board. To bring a concern about a school district employee, the individual may notify the board president in writing, who will bring it to the attention of the entire board, or the item may be placed on the board agenda of a regularly scheduled board meeting in accordance with board policy 214.1, "Board Meeting Agenda."

The board will address complaints from the members of the school district community if they are in writing, signed, and the complainant has complied with this policy.

Legal Reference: Iowa Code §§273.1, 279.8 (1993)

Cross Reference: 214.1 Board Meeting Agenda
215 Public Participation in Board of Directors Meetings

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

EMPLOYEE RELATIONS TO THE PUBLIC

Members of the school district community shall be treated with respect by school district employees. The board encourages active participation by school district employees in community activities and events as a means to show respect for the district community.

It shall be the responsibility of school district employees, as they participate in various community groups and events, to make a conscientious effort to make the school and its events a real part of the community. School district employees shall take advantage of their participation in the community to look for opportunities in which community and school can join forces for the betterment of the school district and the community.

Legal Reference: Iowa Code §§273.1, 279.8 (1993).

Cross Reference:	303.7	Superintendent Civic Activities
	304.8	Administrative Civic Activities
	904	Public Participation in the School District
	905	Community Activities Involving Students

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

EMPLOYEE OUTSIDE EMPLOYMENT

The board believes the primary responsibility of school district employees is to the duties of their position with the school district as outlined in their job description. The board considers a school employee's duties as part of a regular, full-time position as full-time employment. The board expects such employees to give the responsibilities of their positions in the school district precedence over any other employment.

It shall be the responsibility of the superintendent to counsel school district employees, whether full-time or part-time, if in the judgment of the superintendent and the employee's immediate supervisor, the employee's outside employment interferes with the performance of the employee's duties required in the employee's position with the school district.

The board may request the employee to cease the outside employment as a condition of continued employment with the school district.

Legal Reference: Iowa Code §§20.7, 273.1, 279.8 (1993).

Cross Reference: 401.3 Employees Conflict of Interest
407.6 Certified Employee Reduction in Force
413.4 Non-certified Employee Dismissal

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

EMPLOYEE TELEPHONE CALLS

The board recognizes the need of its employees to receive and make telephone calls during working hours from time to time. Telephone calls related to educational program business shall be made in the administrative office and will be paid for by the school district.

Employees may receive and make personal telephone calls during lunches, breaks, or preparation periods. Employees may receive an emergency telephone call at any time.

The telephone in the administrative office is available for personal telephone calls. This telephone may only be used for local personal telephone calls; all other calls must be paid for by the employee.

It shall be the responsibility of the employee to exercise discretion in making and receiving telephone calls during working hours. Employees shall charge all calls to their home phone or credit card.

Legal Reference: Iowa Code §§20.9, 279.8 (1993)

Cross Reference: 401.9 Use of School District Facilities & Equipment by Employees

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

EMPLOYEE PHYSICAL EXAMINATIONS

Good health is important to job performance. Employees shall present evidence of good health, in the form of a physical examination report, prior to their employment with the school district.

School bus drivers and cooks shall present evidence of good health every other year in the form of a physical examination report unless otherwise required by law or medical opinion. Employees whose physical or mental health, in the judgment of the administration, may be in doubt shall submit to additional examinations, when requested to do so, at the expense of the school district.

The cost of the first examination will be paid by the employee. The school shall provide the standard examination form to be completed by the personal physician of the faculty member. This form is to be returned before the first month's pay is made and such examination indicating that the employee is able to perform the duties for which the employee was hired. The cost of bus driver renewal physicals will be paid by the school district up to a maximum of \$166.00. Employees identified, as having reasonably anticipated contact with blood or infectious materials, will receive the Hepatitis B Vaccine or sign a written waiver stating that they will not take the vaccine.

It is the responsibility of the superintendent to write an exposure control plan to eliminate or minimize district occupational exposure to blood borne pathogens. The plan for designated employees will include, but not be limited to, scope and application, definitions, exposure control, methods of compliance, Hepatitis B vaccination and post-exposure evaluation and follow-up, communication of hazards to employees, and record keeping.

The requirements stated in Article XIII of the Master Contract between employees in that certified collective bargaining unit and the board regarding physical examinations of such employees shall be followed.

Legal Reference: 29 C.F.R. Pt. 1910.1030 (2004).
Iowa Code §§20.9, 279.8, 321.376 (2007).
281 Iowa Admin. Code 12.4(14); 43.15-.20.

Cross Reference: 403 Employee Health and Well-Being

APPROVED 7-13-04

Revised 04-11-06, 06-10-08

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

EMPLOYEE INJURY ON THE JOB

When an employee becomes injured on the job, the building principal shall notify a member of the family, or an individual of close relationship, as soon as the building principal becomes aware of the injury.

The school district is not responsible for medical treatment of an injured employee. If possible, school employees administer emergency or minor first aid. An injured school employee shall be turned over to the care of the employee's family or qualified medical employees as quickly as possible.

It shall be the responsibility of the employee injured on the job to inform the superintendent within twenty-four (24) hours of the occurrence. It shall be the responsibility of the employee's immediate supervisor to file an accident report within twenty-four (24) hours after the employee reported the injury.

It shall be the responsibility of the employee to file any claims, such as workers' compensation, through the human resource director or board secretary.

Legal Reference: Iowa Code §613.17 (1993).
1972 Op. Att'y Gen. 177.

Cross Reference: 403 Employees Health and Well-Being
406.5 Certified Employee Group Insurance Benefits
409.4 Certified Employee Illness/Disability Leave
412.3 Non-certified Employee Group Insurance Benefits
414.3 Non-certified Employee Illness/Disability Leave

Revised 06-08-08

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

COMMUNICABLE DISEASES – EMPLOYEE

School district employees with a communicable disease will be allowed to perform their customary employment duties as long as they are able to perform the tasks assigned to them and as long as their presence does not create a substantial risk of illness transmission to the students or other employees. The term “communicable disease” shall mean an infectious or contagious disease spread from person to person, or animal to person, or as defined by the State Department of Health.

Prevention and control of communicable diseases shall be included in the school district’s bloodborne pathogens exposure control plan. The procedures shall include scope and application, definitions, exposure control, methods of compliance, universal precautions, vaccination, post-exposure evaluation, follow-up, communication of hazards to employees and record keeping. This plan shall be reviewed annually by the superintendent and school nurse.

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

An employee who is at work and who has a communicable disease which creates a substantial risk of harm to a student, coworkers, or others at the workplace shall report the condition to the Superintendent any time the employee is aware that the disease actively creates such risk.

Health data of an employee is confidential and it shall not be disclosed to third parties. Employee medical records shall be kept in a file separate from their personal file.

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

COMMUNICABLE DISEASES – EMPLOYEE

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

Legal Reference: Board of Education of Nassau County v. Arline, 480 U.S. 273 (1987).
29 U.S.C. §794, 1910 (1988)
42 U.S.C. §§ 12101 *et seq*, (Supp. 1990).
45 C.F.R. Pt. 84.3 (1993).
Iowa Code §139 (1993).
Iowa Code § 139 ; 141 (1997).
641 Iowa Admin. Code 1.2-.7.

Cross Reference: 401.5 Employee Records
403.1 Employee Physical Examinations
507.3 Communicable Diseases - Students

APPROVED 7-13-04

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

HEPATITIS B VACCINE INFORMATION AND RECORD

The Disease

Hepatitis B is a viral infection caused by the Hepatitis B virus (HBV) which causes death in 1-2% of those infected. Most people with HBV recover completely, but approximately 5-10% become chronic carriers of the virus. Most of these people have no symptoms, but can continue to transmit the disease to others. Some may develop chronic active hepatitis and cirrhosis. HBV may be a causative factor in the development of liver cancer. Immunization against HBV can prevent acute hepatitis and its complications.

The Vaccine

The HBV vaccine is produced from yeast cells. It has been extensively tested for safety and effectiveness in large scale clinical trials.

Approximately 90 percent of healthy people who receive two doses of the vaccine and a third dose as a booster achieve high levels of surface antibody (anti-HBs) and protection against the virus. The HBV vaccine is recommended for workers with potential for contact with blood or body fluids. Full immunization requires three doses of the vaccine over a six-month period, although some persons may not develop immunity even after three doses.

There is no evidence that the vaccine has ever caused Hepatitis B. However, persons who have been infected with HBV prior to receiving the vaccine may go on to develop clinical hepatitis in spite of immunization.

Dosage and Administration

The vaccine is given in three intramuscular doses in the deltoid muscle. Two initial doses are given one month apart and the third dose is given six months after the first.

Possible Vaccine Side Effects

The incidence of side effects is very low. No serious side effects have been reported with the vaccine. Ten to 20 percent of persons experience tenderness and redness at the site of injection and low grade fever. Rash, nausea, joint pain, and mild fatigue have also been reported. The possibility exists that other side effects may be identified with more extensive use.

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

HEPATITIS B VACCINE INFORMATION AND RECORD

CONSENT OF HEPATITIS B VACCINATION

I have knowledge of Hepatitis B and the Hepatitis B vaccination. I have had an opportunity to ask questions of a qualified nurse or physician and understand the benefits and risks of Hepatitis B vaccination. I understand that I must have three doses of the vaccine to obtain immunity. However, as with all medical treatment, there is no guarantee that I will become immune or that I will not experience side effects from the vaccine. I give my consent to be vaccinated for Hepatitis B.

Signature of Employee (consent for Hepatitis B vaccination)

Date

Signature of Witness

Date

REFUSAL OF HEPATITIS B VACCINATION

I understand that due to my occupational exposure to blood or other potentially infectious materials I may be at risk of acquiring the Hepatitis B virus infection. I have been given the opportunity to be vaccinated with Hepatitis B vaccine at no charge to myself. However, I decline the Hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring Hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with the Hepatitis B vaccine, I can receive the vaccination series at no charge to me.

Signature of Employee (refusal for Hepatitis B vaccination)

Date

Signature of Witness

Date

I refuse because I believe I have (check one)

_____ started the series

_____ completed the series

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

HEPATITIS B VACCINE INFORMATION AND RECORD

RELEASE FOR HEPATITIS B MEDICAL INFORMATION

I hereby authorize _____ (individual or organization holding Hepatitis B records and address) to release to the _____ Community School District, my Hepatitis B vaccination records for required employee records.

I hereby authorize release of my Hepatitis B status to a health care provider, in the event of an exposure incident.

Signature of Employee

Date

Signature of Witness

Date

Approved _____ Reviewed April-July 2008 Revised _____

HEPATITIS B VACCINE INFORMATION AND RECORD

CONFIDENTIAL RECORD

Employee Name (last, first, middle) _____

Social Security No. _____

Job Title: _____

	Hepatitis B Vaccination Date	Lot Number	Site	Administered by
1	_____	_____	_____	_____
2	_____	_____	_____	_____
3	_____	_____	_____	_____

Additional Hepatitis B Status information:

Post-exposure incident: (Date, time, circumstances, route under which exposure occurred)

Identification and documentation of source individual:

Source blood testing consent:

Description of employee's duties as related to the exposure incident:

Copy of information provided to health care professional evaluating an employee after an exposure incident:

Attach a copy of all results of examinations, medical testing, follow-up procedures, and health care professional's written opinion.

Training Record: (date, time, instructor, location of training summary)

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

UNIVERSAL PRECAUTIONS REGULATION

Universal precautions (UP) are intended to prevent transmission of infection, as well as decrease the risk of exposure for employees and students. It is not currently possible to identify all infected individuals, thus precautions must be used with every individual. UP pertain to blood and other potentially infectious materials (OPIM) containing blood. These precautions do not apply to other body fluids and wastes (OBFW) such as saliva, sputum, feces, tears, nasal secretions, vomitus and urine unless blood is visible in the material. However, these OBFW can be sources of other infections and should be handled as if they are infectious. The single most important step in preventing exposure to and transmission of any infection is anticipating potential contact with infectious materials in routine as well as emergency situations. Based on the type of possible contact, employees and students should be prepared to use the appropriate precautions prior to the contact. Diligent and proper hand washing, the use of barrier, appropriate disposal of waste products and needles, and proper decontamination of spills are essential techniques of infection control. All individuals should respond to situations practicing UP followed by the activation of the school response team plan. Using common sense in the application of these measures will enhance protection of employees and students.

Hand Washing

Proper hand washing is crucial to preventing the spread of infection. Textured jewelry on the hands or wrists should be removed prior to washing and kept off until completion of the procedure and the hands are rewashed. Use of running water, lathering with soap and using friction to clean all hand surfaces is key. Rinse well with running water and dry hands with paper towels.

- Hands should be washed before physical contact with individuals and after contact is completed.
- Hands should be washed after contact with any used equipment.
- If hands (or other skin) come into contact with blood or body fluids, hands should be washed immediately before touching anything else.
- Hands should be washed whether gloves are worn or not and, if gloves are worn, after the gloves are removed.

Barriers

Barriers anticipated to be used at school include disposable gloves, absorbent materials and resuscitation devices. Their use is intended to reduce the risk of contact with blood and body fluids as well as to control the spread of infectious agents from individual to individual. Gloves should be worn when in contact with blood, OPIM or OBFW. Gloves should be removed without touching the outside and disposed of after each use.

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

UNIVERSAL PRECAUTIONS REGULATION

Disposal of Waste

Blood, OPIM, OBFW, used gloves, barriers and absorbent materials should be placed in a plastic bag and disposed of in the usual procedure. When the blood or OPIM is liquid, semi-liquid or caked with dried blood, it is not absorbed in materials, and is capable of releasing the substance if compressed, special disposal as regulated waste is required. A band-aid, towel, sanitary napkin or other absorbed waste that does not have the potential of releasing the waste if compressed would not be considered regulated waste. It is anticipated schools would only have regulated waste in the case of a severe incident. Needles, syringes and other sharp disposable objects should be placed in special puncture-proof containers and disposed of as regulated waste. Bodily wastes such as urine, vomitus or feces should be disposed of in the sanitary sewer system.

Clean up

Spill of blood and OPIM should be cleaned up immediately. The employee should:

- Wear gloves.
- Clean up the spill with paper towels or other absorbent material.
- Use a solution of one part household bleach to one hundred parts of water (1:100) or other EPA-approved disinfectant and use it to wash the area well.
- Dispose of gloves, soiled towels and other waste in a plastic bag.
- Clean and disinfect reusable supplies and equipment.

Laundry

Laundry with blood or OPIM should be handled as little as possible with a minimum of agitation. It should be bagged at the location. If it has the potential of releasing the substance when compacted, regulated waste guidelines should be followed. Employees who have contact with this laundry should wear protective barriers.

Exposure

An exposure to blood or OPIM through contact with broken skin, mucous membrane or by needle or sharp stick requires immediate washing, reporting and follow-up.

- Always wash the exposed area immediately with soap and water.
- If a mucous membrane splash (eye or mouth) or exposure of broken skin occurs, irrigate or wash the area thoroughly.
- If a cut or needle stick injury occurs, wash the area thoroughly with soap and water.

The exposure should be reported immediately, the parent or guardian is notified, and the person exposed contacts a physician for further health care.

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

HAZARDOUS CHEMICAL DISCLOSURE

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

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

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

It shall be the responsibility of the superintendent to develop administrative regulations regarding this program. The superintendent shall report annually to the board about the program.

Legal Reference: 29 C.F.R. 1910, 1200 et seq.
Iowa Code §§88, 89B (1993).
547 Iowa Admin. Code 110.

Cross Reference: 403 Employee Health and Well-Being
802 Maintenance, Operation, Management

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

SMOKING AND NONSMOKING EMPLOYEE WORK AREAS

All school district premises, facilities and school vehicles shall be off limits for smoking and the use of smokeless tobacco products. This policy applies at all times, including school sponsored and non-school sponsored events.

Employees who violate this policy may be subject to disciplinary action.

It shall be the responsibility of school personnel to enforce this policy.

Legal Reference: Iowa Code §§98A, 279.9, 297 (1993).

Cross Reference: 403 Employee Health and Well-Being
502.9 Smoking, Drinking, and Drugs
906.4 Smoking on School District Premises

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

EMPLOYEE WELLNESS PROGRAM

The board recognizes the contribution of good health to the performance and well-being of the employee and the school district. The board supports and encourages a wellness program.

It shall be the responsibility of the superintendent, to establish a Wellness Committee. The school nurse shall be a member of the Wellness Committee. The duties of the Wellness Committee shall be to develop, oversee, and maintain a wellness program.

Legal Reference: Iowa Code §279.8 (1993).

Cross Reference: 403 Employee Health and Well-Being

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

HARASSMENT

Repealed 07/10/07

Refer to Board Policy Code 106, Anti-Bullying/Harassment Policy

Code No. 403.7R1

HARASSMENT INVESTIGATION PROCEDURES

Repealed 07/10/07

Refer to Board Policy Code 106, Anti-Bullying/Harassment Policy

Approved _____ Reviewed April-July 2008 Revised _____

EMPLOYEE CHEMICAL DEPENDENCY

The board is genuinely concerned about the instructional program for students and, as a result of that concern, wishes to express a real regard for each employee as a person and as a worker. Should the job performance of any worker drop below expected standards for any reason, the concern of the board shall be noted. This would be especially true in the case of chemical dependency. The board recognizes chemical dependency as a health problem and believes dependency on any chemical is a treatable disease which, in most cases, can be arrested. In view of this, and with the hope people so afflicted can return to a healthy and productive life, the following guidelines are presented.

1. Identification: Early identification is of benefit to the employee, to the students, and to the school district. Those responsible for identification should do whatever is necessary to document the problem and, when satisfied a chemical dependency problem exists, bring it to the attention of the employee involved.
2. Referral: Once the employer determines the need for requesting referral, the employee will be encouraged to seek professional assistance. Participating in the corrective program is completely voluntary, and self-referral is considered the first positive step toward a good recovery program.

Referral for treatment will be based upon unsatisfactory job performance, performing duties while under the influence of a chemical, and/or other significant indications of chemical dependency.

3. It should be noted that the use of a chemical, as referred to in this policy, on school property is prohibited.
4. Should the employee
 - a. choose not to seek help,
 - b. not respond to treatment or fail to carry out the treatment plan,
 - c. continue to use a chemical while on duty,
 - d. continue to demonstrate poor job performance,
 - e. and/or not work cooperatively with others for the good of students and/or the district,

the case will be treated as any other employee discipline case.

5. In all cases, the safety and welfare of the students is paramount.

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

EMPLOYEE CHEMICAL DEPENDENCY

It is incumbent upon the administration to act responsibly in all cases dealing with chemical dependency. It is important that the best interests of the employee and the students be protected.

It is also important that fellow employees become involved in procedures of identification, referral and follow-up. It is imperative that fellow employees cooperate with the administration for the same reason—the best interest of the employee and the students.

There are many behavioral problems and identification may or may not be an easy task. However, there are some identifiable signs wither occurring alone or in groups of two (2) or more. Some of the signs to look for are as follows:

- Unauthorized absences from the job,
- Excessive sick leave,
- Monday, Friday absences,
- Repeated absences of two (2) to four (4) days or more,
- Repeated tardiness,
- Not feeling well and leaving work early,
- Improbable excuses for absences and/or tardiness,
- Away from the job during the day for short periods of time,
- Missing deadlines,
- Forgetting,
- Making bad decisions,
- Overreacting to real or imagined criticism,
- Continued complaints from co-workers, parents and students,
- Avoiding association with fellow workers and people in general,
- Spasmodic work patterns, and
- Being critical of any type of supervision.

These patterns of behavior will vary from person to person, and in some cases will not indicate a chemical problem but possibly some other problem. Also, the patterns listed above in no way exhaust the possible patterns which might occur.

In view of the above, and in view of the fact that chemical dependency is considered a health problem, the following steps should be taken in the identification of a problem and the recommendation of solutions.

1. Observe.
2. Document. Be specific – be positive – stick to facts which are observed.
3. Confront. Do not delay or beat around the bush – present facts – be consistent – insist upon improvement – follow through.

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

EMPLOYEE CHEMICAL DEPENDENCY

- a. Set performance standards and document reactions of the employee. Establish follow-up procedure with the employee.
- b. Request the employee seek professional assistance. Do not try to treat problems you know little about. Recommend professional centers if necessary.
- c. If the situation does not change, then ultimatums must be issued; document the reactions of the employee. Set the time-span within which corrections must take place and set the time for a follow-up conference with the employee.
- d. If problems persist, consult the employee's counselor, if there is one who is know to the administrator.
- e. As a last resort, consider termination.
- f. Throughout, observe as much confidentiality as possible.

Once the employee has returned to the job:

1. Both the employee and employer might feel apprehensive.
2. Expect improvement from previous conditions, be it immediate or slow.
3. Work toward an "out front" relationship, do not pass over poor performance because of sympathy; encourage and reinforce.
4. If old problems return, this does not necessarily mean failure. Discuss the problem openly, act to get the problem resolved, and follow up to assure the employee seeks guidance again. Encourage long-term supportive help.
5. Determine prospects for improvement.
 - a. Is the employee following the prescribed treatment program?
 - b. Are the actions which attributed to loss of job effectiveness no longer evident?
 - c. Consult with the counselor if loss of effectiveness is still evident.
 - d. Involve other staff members in follow-up procedures, perhaps one-on-one or with a peer helper group.
 - e. If no cooperation on the part of the employee is evident, treat as any other case for termination.

Legal Reference: Iowa Code §279.8 (1993).

Cross Reference: 403.6 Employee Wellness Program
502.9 Smoking – Drinking - Drugs

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

SUBSTANCE-FREE WORKPLACE

The board expects the school district and its employees to remain substance free. No employee will unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance or alcoholic beverage as defined by federal or state law.

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

The superintendent will make the determination whether to require the employee to undergo substance abuse treatment or to discipline the employee. An employee who violates the terms of this policy may be subject to discipline up to and including termination.

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

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

Legal Reference: 41 U.S.C. §§ 701-707 (1994).
 42 U.S.C. §§ 12101 *et seq.* (1994).
 34 C.F.R. Pt. 85 (2002).
 Iowa Code §§ 123.46; 124; 279.8 (2003).

Cross Reference: 404 Employee Conduct and Appearance

APPROVED 9-21-04

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

SUBSTANCE-FREE WORKPLACE NOTICE TO EMPLOYEES

EMPLOYEES ARE HEREBY NOTIFIED it is a violation of the Substance-Free Workplace policy for an employee to unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of any narcotic drug, hallucinogenic dreg, amphetamine, barbiturate, marijuana or any other controlled substance or alcohol, as defined in Schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation at 21 C.F.R. 1300.11 through 1300.15 and Iowa Code Chapter 204.

“Workplace” is defined as the site for the performance of work done in the capacity as an employee. This includes school district facilities, other school premises or school district vehicles. Workplace also includes non-school property if the employee is at any school-sponsored, school-approved or school-related activity, event or function, such as field trips or athletic events where students are under the control of the school district or where the employee is engaged in school business.

The superintendent retains the discretion to discipline an employee for violation of the Substance-Free policy.

EMPLOYEES ARE FURTHER NOTIFIED it is a condition of their continued employment that they comply with the above policy of the school district and will notify their supervisor of their conviction of any criminal drug statute for a violation committed, no later than five days after the conviction.

SUBSTANCE-FREE WORKPLACE ACKNOWLEDGEMENT FORM

I, _____, have read and understand the Substance-Free Workplace policy. I understand that if I violate the Substance-Free Workplace policy, I may be subject to discipline up to and including termination. I also understand that if I am convicted of a criminal drug offense committed, I must report that conviction to my supervisor within five days of the conviction.

(Signature of Employee)

(Date)

APPROVED 9-21-04

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

SUBSTANCE-FREE WORKPLACE REGULATION

A superintendent who suspects an employee has a substance abuse problem will follow these procedures:

1. **Identification** – the superintendent will document the evidence the superintendent has which leads the superintendent to conclude the employee has violated the Substance-Free Workplace policy. After the superintendent has determined there has been a violation of the Substance-Free Workplace policy, the superintendent will discuss the problem with the employee.
2. **Discipline** – if, after the discussion with the employee, the superintendent determines there has been a violation of the Substance-Free Workplace policy, the superintendent may recommend discipline up to and including termination. Participation in a substance abuse treatment program is voluntary.
3. **Conviction** – if an employee is convicted of a criminal drug offense committed, the employee must notify the employer of the conviction within five days of the conviction.

APPROVED 9-21-04

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

DRUG AND ALCOHOL TESTING PROGRAM

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

The employees operating a school vehicle as described above are subject to pre-employment drug testing and random, reasonable suspicion and, post-accident drug and alcohol testing. Employees operating school vehicles will not perform a safety-sensitive function within four hours of using alcohol. Employees governed by this policy shall be subject to the drug and alcohol testing program beginning the first day they operate or are offered a position to operate school vehicles and continue to be subject to the drug and alcohol testing program as long as they may be required to perform a safety-sensitive function as it is defined in the administrative regulations. Employees with questions about the drug and alcohol testing program may contact the Superintendent, at 430 School Street, Carlisle, Iowa, 50047.

Employees who violate the terms of this policy are subject to discipline up to and including termination.

It is the responsibility of the superintendent to develop administrative regulations to implement this policy in compliance with the law. The superintendent will inform applicants of the requirement for drug and alcohol testing in notices or advertisements for employment.

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

Legal Reference: American Trucking Association, Inc., v. Federal Highway Administration, 51 Fed. 3rd 405 (4th Cir. 1995).
49 U.S.C. §§ 5331 et seq. (1994).
42 U.S.C. §§ 12101 (1994).
41 U.S.C. §§ 701-707 (1996).
49 C.F.R. Pt. 40; 382; 391.81-123 (2002).
34 C.F.R. Pt. 85 (2002).
Local 301, Internat’l Assoc. of Fire Fighters, AFL-CIO, and City of Burlington, PERB No. 3876 (3-26-91).
Iowa Code §§ 124; 279.89; 321.375(2); 730.5 (2003).

Cross Reference: 403.9 Substance-Free Workplace
409.2 Licensed Employee Personal Illness Leave
414.2 Classified Employee Personal Illness Leave

Approved _____ Reviewed April-July 2008 Revised _____

DRUG AND ALCOHOL TESTING PROGRAM NOTICE TO EMPLOYEES

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY ARE HEREBY NOTIFIED they are subject to the school district's drug and alcohol testing program for pre-employment drug testing and random, reasonable suspicion and post-accident drug and alcohol testing as outlined in the Drug and Alcohol testing Program policy, its supporting documents and the law.

Employees who operate school vehicles are subject to drug and alcohol testing if a commercial driver's license is required to operate the school vehicle and the school vehicle transports sixteen or more persons including the driver or the school vehicle weighs twenty-six thousand, one pounds or more. For purposes of the drug and alcohol testing program, 'employees' also includes applicants who have been offered a position to operate a school vehicle. The employees operating a school vehicle are subject to the drug and alcohol testing program beginning the first day they operate or are offered a position to operate a school vehicle and continue to be subject to the drug and alcohol testing program.

It is the responsibility of the superintendent to inform employees of the drug and alcohol testing program requirements. Employees with questions regarding the drug and alcohol testing requirements will contact the school district contact person.

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY ARE FURTHER NOTIFIED that employees violating this policy, its supporting documents or the law may be subject to discipline up to and including termination.

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY ARE FURTHER NOTIFIED it is a condition of their continued employment to comply with the Drug and Alcohol Testing Program policy, its supporting documents and the law. It is a condition of continued employment for employees operating a school vehicle to notify their supervisor of any prescription medication they are using. Drug and alcohol testing records about a driver are confidential and are released in accordance with this policy its supporting documents or the law.

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

DRUG AND ALCOHOL TESTING PROGRAM ACKNOWLEDGMENT FORM

I, (_____), have received a copy, read and understand the Drug and Alcohol Testing Program policy and its supporting documents. I consent to submit to the drug and alcohol testing program as required by the Drug and Alcohol Testing Program policy, its supporting documents and the law.

I understand that if I violate the Drug and Alcohol Testing Program policy, its supporting documents or the law, I may be subject to discipline up to and including termination.

I also understand that I must inform my supervisor of any prescribed controlled substance I use. I further understand that drug and alcohol testing records about me are confidential and may be released in accordance with this policy, its supporting documents or the law.

(Signature of Employee)

(Date)

APPROVED 9-21-04

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

EMPLOYEE CONDUCT AND APPEARANCE

School district employees shall strive to set the kind of example in their actions and appearance that not only reflects credit to the school system, but sets forth a model worthy of emulation by the students. Enthusiasm, positive attitude, loyalty, and professionalism shall be the key words describing the goals of school district employees' conduct and appearance.

School district employees shall conduct themselves in a professional manner. School district employees shall dress in attire appropriate for their position. Clothing should be neat, clean, and in good taste.

Certified employees of the school district shall follow the code of ethics for their profession as established by the Board of Educational Examiners.

Any misconduct on the part of any member of the staff at any time or place, which is criminal or immoral, and which adversely affects school relationships, or which is disruptive to the educational process, or which adversely affects the staff member's ability to teach, guide or give counsel, or which diminishes the school's educational standards, will result in the placement of a written reprimand in the employee's file or in suspension, termination or discharge.

It shall be the responsibility of the building principals to counsel employees assigned to their facility on appearance and conduct when the individual appearance may have a negative impact on the learning environment.

Legal Reference: Iowa Code §§273.1, 279.8 (1993)
610 Iowa Admin. Code 3-4.

Cross Reference: 307 Administrative Code of Ethics
402.6 Employee Relations to the Public
407.5 Certified Employee Suspension

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE DEFINED

Certified employees, including administrators, are those school district employees required to hold appropriate certification from the State Department of Education for their position as required by the State Board of Educational Examiners. Certification required for a position will be considered met if the employee meets the requirements established by the State Department of Education.

It shall be the responsibility of the superintendent to establish job specifications and job descriptions for certified employee's positions, other than the position of the superintendent. Job descriptions shall be approved by the board.

Certified employees must present evidence of current certification to the board secretary-treasurer prior to payment of salary each year.

Legal Reference: PERB v. Iowa State Board of Public Instruction, 216 N.W.2d 339 (Iowa 1974).
Clay v. Independent School District of Cedar Falls, 187 Iowa 89, 174 N.W. 47 (1919).
Slone v. Berlin, 88 Iowa 205, 55 N.W. 341 (1893).
Iowa Code §§256.7(3), 260.6, .23, 294.1, .2 (1993).
281 Iowa Admin. Code 11.4, 41.25, 84-17.
281 Iowa Admin. Code 12.4.
1940 Op. Att'y Gen. 375.

Cross Reference: 405.2 Certified Employee Recruitment, Qualifications, Selection
411.2 Noncertified Employee Recruitment, Qualifications, Selection

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE QUALIFICATIONS, RECRUITMENT, SELECTION

Persons interested in a certified position, other than administrative positions which will be employed in accordance with board policies in Series 300, "Administration," shall have an opportunity to apply and qualify for certified positions in the school district without regard to age, race, creed, color, sex, national origin, religion, sexual orientation, gender identity or disability. Job applicants for certified positions shall be considered on the basis of the following:

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

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

The board will employ certified employees after receiving a recommendation from the superintendent, except the superintendent may hire teachers without approval of the board. However, the superintendent will have the authority to employ a certified employee on a temporary basis until a recommendation can be made and action can be taken by the board on the position.

The requirements stated in the Master Contract between employees in that certified collective bargaining unit and the board regarding qualifications, recruitment and selections of such employees are followed.

Legal Reference: 29 U.S.C. §§621-634. (1994).
42 U.S.C. §§ 2000e.*et seq.* (1994).
42 U.S.C. §§ 12101 *et seq.* (1994).
Iowa Code §§20; 35C; 216; 294.1 (2001).
House File 643, 2001 General Assembly.
281 Iowa Admin. Code 12.
281 Iowa Admin. Code 14.
1980 Op. Att'y Gen. 367

Cross Reference: 401.2 Equal Employment Opportunity
405 Certified Employee Defined
410.1 Substitute Teachers

APPROVED 9-21-04

REVISED 06-09-08

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE INDIVIDUAL CONTRACTS

The board will enter into a written contract with certified employees employed on a regular basis.

Each contract will be for a period of one (1) year.

It shall be the responsibility of the superintendent to complete the contracts for certified employees, and present them to the board for approval. The contracts, after being signed by the board president, shall be filed with the board secretary.

This policy applies to certified employees other than administrators.

Legal Reference: Harris v. Manning Independent School District of Manning, 245 Iowa
1295, 66 N.W. 2d 438 (1954)
Shackelford v. District Township of Beaver, Polk County, 203
Iowa 243, 212 N.W. 467 (1927).
Burkhead v. Independent School District of Independence, 107
Iowa 29, 77 N.W. 491 (1899).
Iowa Code §§20, 279, 294.1 (1993).

Cross Reference: 203 Board of Directors Member Conflicts of Interest
405.2 Certified Employee Qualifications, Recruitment, Selection
407 Certified Employee Termination of Employment
411.2 Non-certified Employee Qualifications, Recruitment, Selection

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE CONTINUING CONTRACTS

Contracts entered into with certified employees, other than an administrator, will continue from year to year unless the contract states otherwise, is modified by mutual agreement between the board and the employee, or the contract is terminated by the board.

The first three (3) years of a continuing contract issued to a newly employed certified employee shall be considered a probationary period. The board may waive this period or extend it for an additional year upon the consent of the certified employee. In the event of termination during this period, the board shall afford the certified employee appropriate due process. The action of the board will be final.

Certified employees whose contracts will be recommended for termination by the board will receive notice prior to April 30. The superintendent shall make a recommendation to the board for the termination of the certified employee contract.

Certified employees who wish to resign, to be released from a contract, or to retire must comply with board policies in those areas.

Legal Reference: Bruton v. Ames Community School District, 291 N.W.2d 351 (Iowa 1980).
DeShon v. Bettendorf Community School District, 284 N.W.2d 329 (Iowa 1979).
Briggs v. Board of Education of Hinton Community School District, 282 N.W.2d 740 (Iowa 1979).
Hartman v. Merged Area VI Community College, 270 N.W.2d 822 (Iowa 1978).
Keith v. Community School District of Wilton in the Counties of Cedar and Muscatine, 262 N.W.2d 249 (Iowa 1978).
Iowa Code §§20, 272A, 279.12-.19B, .27, 294.1 (1993).
640 Iowa Admin. Code 3.1.

Cross Reference : 405.3 Certified Employee Individual Contracts
407 Certified Employee Termination of Employment

APPROVED 9-21-04

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE WORK DAY

The work day for certified employees shall begin each day of the contracted school year except holidays at a start and end time determined by each building principal not to exceed 8 hours. Certified employees may be released by 3:30 on Fridays. Certified employees are employed only during the academic year shall have the same work day as other certified employees.

Certified employees are to be in their assigned school building during the work day. Advance approval to be absent from the building must be obtained from the principal whenever the certified employees must leave their school building during the work day.

The building principal is authorized to make changes in the work day in order to facilitate the educational program. These changes shall be reported to the superintendent.

The work day outlined in this policy is a minimum work day. Nothing in this policy prohibits certified employees from working additional hours outside the work day.

Requirements stated in Article XI of the Master Contract between employees in that certified collective bargaining unit and the board regarding the working hours of such employees shall be followed.

Legal Reference: Iowa Code §§20, 279.8 (1993).

Cross Reference: 200.3 Powers of Board of Directors
200.4 Responsibilities of the Board of Directors

Revised 06-09-2008

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE ASSIGNMENT

It shall be the responsibility of the superintendent to make recommendations to the board regarding the assignment of the certified employees.

Determining the assignment of each certified employee is the responsibility and within the sole discretion of the board. In making such assignments the board shall consider the qualifications of each certified employee and the needs of the school district.

The requirements stated in Article XVI of the Master Contract between employees in that certified collective bargaining unit and the board regarding assignment of such employees shall be followed.

Legal Reference: Iowa Code §§20.9, 279.8 (1993).

Cross Reference: 200.3 Powers of Board of Directors
200.4 Responsibilities of the Board of Directors

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE TRANSFERS

A transfer may be initiated by the employee, the principal, or the superintendent.

Determining the location where an employee's assignment will be carried out is the responsibility and within the sole discretion of the board. In making such assignments the board shall consider the qualifications of each certified employee and the needs of the school district.

It shall be the responsibility of the superintendent to make recommendations to the board regarding the transfer of certified employees.

The requirements stated in Article XVI of the Master Contract between employees in that certified collective bargaining unit and the board regarding the transfers of such employees shall be followed.

Legal Reference: Iowa Code §§20.9, 601A.14 (1993).

Cross Reference: 405.2 Certified Employee Qualifications, Recruitment, Selection
405.6 Certified Employee Assignment

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE EVALUATION

Evaluation of certified employees on their skills, abilities, and competence shall be an ongoing process supervised by the building principals and conducted by approved evaluators. The goal of the formal evaluation of certified employees, other than administrators, but including extracurricular employees, shall be to improve the educational program, to maintain certified employees who meet or exceed the board's standards of performance, to clarify each certified employee's role to ascertain the areas in need of improvement, to clarify the immediate priorities of the board, and to develop a working relationship between the administrators and other school district employees.

The formal evaluation criteria shall be in writing and approved by the board. The formal evaluation shall provide an opportunity for the evaluator and the certified employee to discuss performance and the future areas of growth. The formal evaluation shall be completed by the evaluator, signed by the certified employee and filed in the certified employee's building employee's file.

This policy supports and does not preclude the ongoing informal evaluation of the certified employee's skills, abilities and competence.

Licensed employees will be required to:

- Demonstrate the ability to enhance academic performance and support for and implementation of the school district's student achievement goals.

- Demonstrate competency in content knowledge appropriate to the teaching position.

- Demonstrate competency in planning and preparation for instruction.

- Use strategies to deliver instruction that meets the multiple learning needs of students.

- Use a variety of methods to monitor student learning.

- Demonstrate competence in classroom management.

- Engage in professional growth.

- Fulfill professional responsibilities established by the school district.

It shall be the responsibility of the superintendent to ensure certified employees are evaluated. New and probationary certified employees shall be evaluated twice a year.

The requirements stated in Article XV of the Master Contract between employees in that certified collective bargaining unit and the board regarding evaluation procedures of such employees shall be followed.

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

Legal Reference: PERB v. Aplington Community School District, 392 N.W.2d 495 (Iowa 1986).
Saydel Education Association v. PERB, 333 N.W.2d 486 (Iowa 1983).
Iowa Code §§20.9, 279.14, .19, .27 (2007).
281 Iowa Admin. Code 12.3(4), 83.

Cross Reference: 303.5 Superintendent Evaluation
304.6 Administrative Evaluation
405.2 Certified Employee Qualifications, Recruitment, Selection

Revised 08-11-2008

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE PROBATIONARY STATUS

The first three (3) years of a certified employee's contract shall be a probationary period. New employees, regardless of experience, shall be subject to this probationary period.

"New" employees include individuals who are being hired for the first time by the school district and those who may have been employed by the school district in the past but have not been employed by the board during the school year prior to the one for which contracts are being issued.

Only the board, in its discretion, may waive the probationary period or may extend the probationary period with the consent of the certified employee. During this probationary period the board may terminate the certified employee's contract at year end or discharge the employee in concert with corresponding board policies.

Certified employees may also serve a probationary period based upon their performance. Such probationary period shall be determined on a case-by-case basis in light of the circumstances surrounding the employee's performance as documented in the employee's evaluations and employee's file.

The superintendent is authorized to place a certified employee on disciplinary probation based on the employee's performance.

Legal Reference: Iowa Code §279.12-.19B (1993).

Cross Reference: 405.3 Certified Employee Individual Contracts
405.4 Certified Employee Continuing Contracts
405.8 Certified Employee Evaluation

APPROVED 9-21-2004

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE ORGANIZATION AFFILIATION

Certified employees who qualify may join the Carlisle Education Association and participate in its activities as long as the participation does not, in any way, interfere with the delivery of and the provision of the educational program and school district operations.

The superintendent shall have sole discretion to determine whether association activities interfere with the educational program and school district operations. Association individuals must follow the board policy stating the requirements by the public when planning to use, or using, school property for association purposes.

The board shall not interfere with the rights of an employee to organize or form, join, or assist any employee organization.

Legal Reference: Iowa Code §§20.1, .8, .10, 273.1, 279.8 (1993)

Cross Reference: 408 Certified Employee Professional Growth

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE SALARY SCHEDULE

The board shall establish salary schedules for certified employee's positions keeping in mind the budget for the school district, the education and experience of the certified employee, the educational philosophy of the school district, and other factors deemed relevant by the board.

It shall be the responsibility of the superintendent to make a recommendation to the board annually regarding the salary schedule. The salary schedule shall be subject to review through the collective bargaining process.

The requirements stated in Article V of the Master Contract between employees in that certified collective bargaining unit and the board regarding wages and salaries of such employees shall be followed.

Legal Reference: Iowa Code §§20.1, .4, .7, .9, 273.1, 279.8 (1993)

Cross Reference: 405.3 Certified Employees Individual Contracts
405.8 Certified Employee Evaluation
405.9 Certified Employee Probationary Status
406.2 Certified employee Salary Schedule Advancement

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE SALARY SCHEDULE ADVANCEMENT

The board shall determine which certified employees will advance on the salary schedule for the certified employee's positions, keeping in mind the budget for the school district, the education and experience of the certified employee, the educational philosophy of the school district, and other considerations as determined by the board.

It shall be the responsibility of the superintendent to make a recommendation to the board for the advancement of certified employees on the salary schedule.* The board shall have the authority, based on the superintendent's recommendation, to hold an individual on a step for disciplinary purposes.

The requirements stated in Article V of the Master Contract between employees in that certified collective bargaining unit and the board regarding wages and salaries of such employees shall be followed.

*This may be done by the ratification of an applicable Master contract.

Legal Reference: Iowa Code §§20.1, .4, .7, .9, 273.1, 279.8 (1993).

Cross Reference: 405.3 Certified Employee Individual Contracts
405.4 Certified Employee continuing Contracts
405.8 Certified Employee Evaluation
405.9 Certified Employee Probationary Status
406.1 Certified Employee Salary Schedule
406.3 Certified Employee Continued Education Credit

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE CONTINUED EDUCATION CREDIT

Continued education on the part of certified employees may entitle them to advancement on the salary schedule. Certified employees who have completed fifteen (15) additional hours beyond their bachelor's degree will be considered for advancement on the salary schedule for continued education.

To receive credit for continuing education to apply toward advancement, the teacher must supply transcripts of graduate college hours and such hours must have the prior approval of the superintendent. Such information must be supplied to the superintendent by September 1.

It shall be the responsibility of the superintendent to make a recommendation to the board for advancement of a certified employee on the salary schedule.

The requirements stated in Article V of the Master Contract between employees in that certified collective bargaining unit and the board regarding wages and salaries of such employees shall be followed.

Legal Reference: Iowa Code §§20.1, .4, .7, .9, 273.1, 279.8 (1993)

Cross Reference: 405.3 Certified Employees Individual Contracts
405.4 Certified Employee Continuing Contracts
405.8 Certified Employee Evaluation
405.9 Certified Employee Probationary Status
406.1 Certified Employee Salary Schedule
406.2 Certified Employee Salary Schedule Advancement

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE COMPENSATION FOR EXTRA DUTY

A certified employee may volunteer or be required to take on extra duty, with the extra duty being secondary to the major responsibility of the certified employee.

Vacant extra duty positions, for which extra compensation will be earned, will be posted to allow qualified certified employees to volunteer for the extra duty. If no certified employee volunteers for extra duty, the superintendent shall assign the extra duty positions to qualified certified employees. The certified employee shall receive compensation for the extra duty required to be performed.

The board shall establish a salary schedule for extra duty certified employees positions, keeping in mind the budget for the school district, the education and experience of the certified employee, the educational philosophy of the school district, and other considerations as determined by the board.

It shall be the responsibility of the superintendent to make a recommendation to the board annually as to which certified employees shall have the extra duty, and the salary schedule for extra duty, for the board's review.

The requirements stated in Article VI of the Master Contract between employees in that certified collective bargaining unit and the board regarding wages and salaries of such employees shall be followed.

Legal Reference: Iowa Code §§20.1, .4, .7, .9, 279.8 (1993).

Cross Reference: 405.3 Certified Employee Individual Contracts
405.4 Certified Employee Continuing Contracts
405.8 Evaluation of Certified Employees
405.9 Certified Employee Probationary Status
406.1 Certified Employee Salary Schedule
406.2 Certified Employee Salary Schedule Advancement

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE GROUP INSURANCE BENEFITS

Certified employees shall be eligible for group insurance and health benefits. The board shall select the group insurance program and the insurance company which will provide the program.

Full-time certified employees who work at least thirty (30) hours per week shall be eligible to participate in the health and major medical, life, short-term disability, and long-term disability group insurance plans. Regular part-time employees who wish to purchase insurance coverage may participate in group insurance programs by meeting the requirements of the insurers. Full-time and regular part-time certified employees who wish to purchase insurance coverage for their spouse or dependents may do so by meeting the requirements of the insurers.

Certified employees and their spouse and dependents shall be allowed to continue coverage of the school district's group health insurance program by meeting the requirements of the insurer. In no event will the certified employee or spouse and dependents be allowed to continue coverage at their expense if the certified employee is terminated for cause.

This policy statement does not guarantee a certain level of benefits. The board shall have the authority and right to change or eliminate group insurance programs for its certified employees.

Certified employees shall be entitled to workers' compensation and unemployment benefits. Employees interested in these benefits shall contact the board secretary.

The requirements stated in Article VII of the Master Contract between employees in that certified collective bargaining unit and the board regarding the group insurance benefits of such employees shall be followed.

Legal Reference: 26 U.S.C. §162.
Iowa Code §§20.9, 85, 85B, 279.12, .27, 297.8-.16
509, 509A 509B (1993).

Cross Reference: 706 Payroll Procedures

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE TAX SHELTERED PROGRAMS

The board authorizes the administration to make a payroll deduction for certified employee's tax sheltered annuity premiums purchased through an Iowa-licensed insurance agent from an insurance organization authorized to do business in Iowa.

Certified employees wishing to have payroll deductions for tax sheltered annuities shall make a written request to the board secretary.

Legal Reference: Iowa Code §§20.9, 294.16 (1993).
1966 Op. Att'y Gen. 211, 221.
1976 Op. Att'y Gen. 462, 602.
1988 Op. Att'y Gen. No. 6-18-87.

Cross Reference: 706 Payroll Procedures

APPROVED 9-21-04

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE RESIGNATION

A certified employee who wishes to resign must notify the superintendent in writing within the time period set by the board for return of the contract. This applies to regular contracts for the certified employee's regular duties and for an extracurricular contract for extra duty. The superintendent has the authority to accept resignations of this nature.

The board may require an individual who has resigned from an extracurricular contract to accept the resigned position for the subsequent school year when the board has made a good faith effort to find a replacement and the certified employee is continuing to be employed by the school district.

Legal Reference: 26 U.S.C. §162.
Iowa Code §§91A.2, .3,.5, 272A.6, 279.13, .19A (1993).

Cross Reference : 405.3 Certified Employees Individual Contracts
405.4 Certified Employees Continuing Contracts
407 Certified Employees Termination of Employment

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE CONTRACT RELEASE

Certified employees who wish to be released from an executed contract must give thirty (30) days' notice to the superintendent. Certified employees may be released at the discretion of the board.

Release from a contract shall be contingent upon finding a suitable replacement. Certified employees requesting release from a contract after it has been signed and before it expires may be required to pay the board up to \$1,000 for expenses incurred to locate and hire a suitable replacement. Upon written mutual agreement between the employee and the superintendent, the costs may be deducted from the employee's salary. Payment of these costs may be a condition for release from the contract in the discretion of the board. Failure of the certified employee to pay these expenses may result in a cause of action being filed in small claims court.

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

Legal Reference: Iowa Code §§91A.2, .3, .5, 272A.6, 279.13, .19A (1993).
640 Iowa Admin. Code 3.1

Cross Reference: 405.3 Certified Employees Individual Contracts
405.4 Certified Employees Continuing Contracts
407.3 Certified Employees Retirement

APPROVED 9-21-04

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE RETIREMENT

Certified employees who will complete their current contract with the board may apply for retirement. No certified employee will be required to retire at any specific age.

Application for retirement will be considered made when the certified employee states in writing to the superintendent, no later than the date set by the board for the return of the employee's contract to the board, the intent of the employee to retire. The letter must state the employee's desire to retire and be witnessed by another party other than principal or the superintendent. Applications made after the date set by the board for the return of the employee's contract to the board may be considered by the board if special circumstances exist. It shall be within the discretion of the board to determine whether special circumstances exist.

Board action to approve a certified employee's application for retirement shall be final and such action constitutes non-renewal of the employee's contract for the next school year.

Certified employees and their spouse and dependents shall be allowed to continue coverage in the school district's group health insurance program at their own expense by meeting the requirements of the insurer.

Legal Reference: 26 U.S.C. §162.
42 U.S.C. §2000e-11.
Iowa Code §§97B, 279.46, 601A (1993).
370 Iowa Administrative Code 8.
1974 Op. Att'y Gen. 11.
1974 Op. Att'y Gen. 322.
1978 Op. Att'y Gen. 247.

Cross Reference: 413.2 Noncertified Employees Retirement

APPROVED 9-21-04

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE EARLY RETIREMENT

Code No. 407.4 was repealed 12-13-05 and replaced with a Voluntary Early Retirement Plan that was approved 12-13-2005. That plan was reviewed and amended 07-11-2006, stating that the district will not offer early retirement benefits beginning with those person retiring at the conclusion of their 2007-2008 contracts.

Code No. 407.4A

ADMINISTRATIVE EMPLOYEE EARLY RETIREMENT POLICY

Code 407.4A was repealed 12-13-05 and replaced with a Voluntary Early Retirement—Administrators Plan on 06-13-06 which was reviewed on 7-10-07.

Code No. 407.4E1

CERTIFIED EMPLOYEE EARLY RETIREMENT ACKNOWLEDGEMENT OF RECEIPT

Code No. 407.4E1 was repealed on 12-13-05.

Code No. 407.4E2

CERTIFIED EMPLOYEE EARLY RETIREMENT INSURANCE OPTIONS

Code No. 407.4E2 was repealed on 12-13-05.

Code No. 407.4E3

CERTIFIED EMPLOYEE RETIREMENT APPLICATION

Code No. 407.4E3 was repealed on 12-13-05.

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE SUSPENSION

Employees shall perform their assigned job, respect board policy and obey the law. The superintendent is authorized to suspend a certified employee pending board action on a discharge or for investigation of charges against the employee, and for disciplinary purposes. It shall be within the discretion of the superintendent to suspend a certified employee with or without pay.

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

Legal Reference: Northeast Community Education Association v. Northeast Community School District, 402 N.W.2d 765 (Iowa 1989)
McFarland v. Board of Education of Norwalk Community School District, 277 N.W.2d 901 (Iowa 1979).
Iowa Code §§20.7, .24, 279.13, .15-.19, .27 (1993).

Cross Reference: 407.5 Certified Employees Suspension

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE REDUCTION IN FORCE

The board has the exclusive authority to determine the appropriate number of certified employees. A reduction of certified employees may occur as a result of, but not be limited to, changes in the educational program, staff realignment, changes in the size or nature of the student population, budgetary considerations, and other reasons deemed relevant by the board.

The reduction in certified employees, other than administrators, will be done through normal attrition if possible. If normal attrition does not meet the necessary reduction in force required, the board may terminate certified employees.

It shall be the responsibility of the superintendent to make a recommendation for termination to the board. The superintendent shall consider the following criteria in making the recommendations:

- Endorsements and educational preparation within the grade level and subject areas in which the employee is now performing;
- Relative skills, ability and demonstrated performance;
- Qualifications for co-curricular programs; and
- Number of continuous years of service to the school district will be considered only when the foregoing factors are relatively equal between employees.

Appropriate due process for terminations due to a reduction in force shall be followed.

The requirement stated in Article XII of the Master Contract between employees in that certified collective bargaining unit and the board regarding the reduction of such employees shall be followed.

Legal Reference: Iowa Code §§20.7, .24, 279.13, .15-.19, .27 (1993).

Cross Reference: 407.5 Certified Employees Suspension
407.6 Certified Employees Reduction in Force

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE PROFESSIONAL DEVELOPMENT

The board encourages certified employees to attend and participate in professional development activities to maintain, develop, and extend their skills. The board shall maintain and support an in-service program for certified employees.

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

The superintendent shall have sole discretion to allow or disallow certified employees to attend or participate in the requested event. When making this determination, the superintendent will consider the value of the program for the employee and the school district, the effect of the employee's absence on the educational program and school district operations and the school district's budget as well as other factors deemed relevant in the judgment of the superintendent. Requests that involve unusual expenses or overnight travel must also be approved by the board.

Legal Reference: Iowa Code §279.8 (1993).
281 Iowa Admin. Code 11.7
281 Iowa Admin. Code 12.7.

Cross Reference: 303.6 Superintendent professional Development
304.7 Administrative Professional Development

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE PUBLICATION OR CREATION OF MATERIALS

Materials created by certified employees and the financial gain therefrom shall be the property of the employee even if school materials and time were used in their creation and/or such materials were created in the scope of the certified employee's employment. If the work or activity may interfere with the certified employee's primary responsibility, the certified employee must seek prior written approval of the superintendent.

Legal Reference: Iowa Code §§279.8 (1993).

Cross Reference: 401.3 Employee Conflict of Interest
408.3 Certified Employee Tutoring

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE TUTORING

Certified employees may tutor pupils when school is not in session and during the summer. Certified employees shall not tutor students enrolled in the school district for personal gain. School district facilities, equipment and materials are designed to be used and shall be used only for the educational program of the school district. School district facilities, equipment and materials shall not be used by certified employees or others for tutoring pupils for personal gain.

Certified employees shall receive prior approval of the superintendent before tutoring students enrolled in the school district.

Legal Reference: Iowa Code §§20.7, 279.8 (1993).

Cross Reference: 401.3 General Employees Conflict of Interest

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE CERTIFICATION

Certified employees shall be certified for the position they hold with the school district. The certification shall meet the requirements set out by the State Department of Education. Each certified employee must present a copy of their current certificate to the board secretary-treasurer prior to payment of any annual salary.

Up-to-date transcripts including most recent under-graduate and graduate work completed, along with teaching certificates and approval statements must be kept on file in the superintendent's office.

Legal Reference: Iowa Code §§20.7, 279.8 (1993).
281 Iowa Admin. Code 12.4(10).

Cross Reference: 303.1 Superintendent Qualifications, Recruitment, Appointment
304.2 Administrative Qualifications, Recruitment, Hiring
407.5 Certified Employees Suspension
407.6 Certified Employees Reduction in Force

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE VACATION – HOLIDAYS – PERSONAL LEAVE

The board shall determine the amount of vacation, holidays, and personal leave that will be allowed on an annual basis for certified employees.

Vacation for full-time regular certified employees who work at least 191 days a year shall be determined by the employee's individual contract

The vacation shall be taken during scheduled school vacation periods, unless extreme and unusual circumstances exist. In such cases, the employee must submit a vacation request to the superintendent, who shall determine whether the request will disrupt the operation of the school district. In the case of the superintendent's request, the board shall make the determination.

Full-time regular certified employees who work at least 191 days a year, unless the employee's contract indicates otherwise, will be allowed a maximum of two (2) days of personal leave, accumulative to four (4) days, to accomplish personal business that cannot be conducted outside the workday. It shall be within the discretion of the superintendent to grant personal leave. Application for personal leave must be made at least three (3) school days prior to the requested leave date.

Regular full-time certified employees who work at least 191 days a year, unless the employees' contract indicates otherwise, will be allowed five (5) holidays per year. It shall be within the discretion of the board to set the holidays annually.

Certified employees who work during the school academic year, whether full-time or part-time, shall have time off in concert with the school calendar.

It shall be the responsibility of the superintendent to make a recommendation to the board annually on vacations, holidays, and personal leave for certified employees.

The requirements stated in Articles IX and X of the Master Contract between employees in that certified collective bargaining unit and the board regarding the vacations, holidays and personal leave of such employees shall be followed.

Legal Reference: Iowa Code §§4.1(22), 20.9, 31.1-.9, 3.1-.1 (1993).

Cross Reference: 414.1 Non-certified Employees Vacations – Holidays –
Personal Leave

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CERTIFIED EMPLOYEE PROFESSIONAL PURPOSES LEAVE

Professional purposes leave may be granted each school year to certified employees to participate in a professional conference or event for continued professional development, or for visitation to view other instructional techniques or programs.

Requests for professional leave shall be in writing to the principal at least one (1) week in advance of the proposed leave. It shall be within the discretion of the principal to deny or grant the leave. In making this determination, the principal will consider the role of the employee in the conference or event and the effect of the certified employee's absence on the educational program and the operations of the school district.

The requirements stated in Article IX of the Master Contract between employees in that certified collective bargaining unit and the board regarding the professional purposes leave of such employees shall be followed.

Legal Reference: Iowa Code §§4.1(22), 20.9 (1993).

Cross Reference: 409 Certified Employees Vacations and Leaves of Absence

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FAMILY AND MEDICAL LEAVE

Federal law requires the District to grant up to 12 weeks of leave per year to employees who have been employed at least 12 months and who have worked at least 1,250 hours during the preceding 12 months for the purpose of (1) the employee's personal serious health condition, (2) caring for the employee's newly born child, (3) caring for a child placed for adoption or placement of a foster child, (4) caring for the employee's parent, spouse, or child with a serious health condition, and (5) a qualifying exigency arising out of the fact that the employee's spouse, child, or parent is on active duty or has been notified of an impending call to active duty in the Armed Forces in support of a contingency operation. In addition, federal law requires the District to grant up to 26 weeks of leave during a single twelve-month period to care for a covered service member with a serious health condition. The requirements stated in the Master Contract between employees in the certified bargaining unit and the board regarding family and medical leave of such employees shall be followed.

The District requires an eligible employee to first utilize any earned paid vacation time or other leave provided by policy or by a collective bargaining agreement to the extent the purpose is covered by and consistent with requirements for the paid leave time. Any leave in excess of available paid leave shall be unpaid.

At the employee's option, the District shall continue the District's contributions towards health insurance on behalf of the employee for up to twelve (12) (or 26, if applicable) weeks as if the employee were still at work. If the employee has more than 12 (or 26, if applicable) weeks of paid leave available, the District shall continue the District's contribution until the paid leave is exhausted. The employee shall remit the employee's contribution towards health insurance and for life and disability insurance by the date the District makes payment to the insurance carrier or within 30 days thereafter. Failure to make contributions when due may result in the employee losing coverage during the period of the leave. If the employer makes the employee-owed payments, the employee authorizes the District to offset such sums advanced against any sums owed to the employee. If the employee does not return to work at the end of the leave (except for reasons specified in the Act), the employee will be required to reimburse the District for all contributions made by the District while the employee was on unpaid leave.

Employees may request leave under the Family Medical and Leave Act for up to a total of 12 weeks per year (or a total of 26 weeks to care for a covered service member with a serious health condition). "Year" shall be defined as August 1 through July 31. Leave to care for a newly-born, adopted or foster child must conclude within 12 months of the birth or placement of the child. Spouses may take a combined 12-week allotment for the birth or placement of a child and/or spouses may take a combined 26-week allotment to care for a covered service member with a serious health condition. The District may require an employee to provide written certification from a health care provider when an employee requests family and medical leave for the employee's own serious health condition or to care for the employee's parent, spouse, or child with a serious health condition, or to care for a covered service member with a serious health condition.

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FAMILY AND MEDICAL LEAVE

Legal Reference: Whitney v. Rural Ind. School District, 232 Iowa 61, 4 N.W.2d 394 (1942).
26 U.S.C. § 2601 *et. seq.* (Sup. 1993)
29 C.F.R. Pt. 825 (1993).
Iowa Code §§20; 85.33, .34, .38(3); 26; 279.40 (1993).
1980 Op. Att’y Gen. 605.
1972 Op. Att’y Gen. 177, 353
1952 Op. Att’y Gen. 91.

Cross Reference: Licensed Employee Family Illness Leave
409.5 Licensed Employee Extended Illness Leave
409.11 Licensed Employee Unpaid Leave
409.4 Certified Employee Illness/Disability Leave

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

FAMILY AND MEDICAL LEAVE REGULATION

A. District Notice.

1. The District will post a notice regarding family and medical leave.
2. Information on the Family and Medical Leave Act and on the Board policy on family and medical leave, including leave provisions and employee obligations, will be provided annually.
3. When an employee requests family and medical leave, the District will provide the employee with information listing the employee's obligations and requirements. Such information will include:
 - a. a statement clarifying whether the leave qualifies as family and medical leave and will, therefore, be credited to the employee's annual 12-week (or 26 week) entitlement;
 - b. a reminder that an employee requesting family and medical leave for his/her serious health condition or for that of an immediate family member or for that of a covered service member must furnish medical certification of the serious health condition and notice of the consequences for failing to do so;
 - c. an explanation of the employee's right and obligation to substitute paid leave for family and medical leave, including a description of when the District requires substitution of paid leave and the conditions related to the substitution; and
 - d. a statement notifying the employee that the employee must pay, and must make arrangements for paying, any premium or other payment to maintain health or other benefits.

B. Eligible Employees.

Employees are eligible for family and medical leave if three criteria are met.

If the employee requesting leave is unable to meet the three criteria, then the employee is not eligible for family and medical leave.

1. The District has more than 50 employees on the payroll at the time leave is requested;
2. The employee has worked for the District for at least twelve months or 52 weeks (the months and weeks need not be consecutive); and

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3. The employee has worked at least 1,250 hours within the previous year. Full-time professional employees who are exempt from the wage and hour law may be presumed to have worked the minimum hour requirement.

Employee Requesting Leave -- Two Types of Leave.

1. *Foreseeable family and medical leave.*
 - a. Definition - leave is foreseeable for the birth or placement of an adopted or foster child with the employee or for planned medical treatment.
 - b. The employee must give at least thirty (30) days notice for foreseeable leave. Failure to give the notice may result in the leave beginning thirty days after notice is received.
 - c. Employees must consult with the District prior to scheduling planned medical treatment leave to minimize disruption to the District. The scheduling is subject to the approval of the health care provider.
2. *Unforeseeable family and medical leave.*
 - a. Definition - leave is unforeseeable in such situations as emergency medical treatment or premature birth.
 - b. The employee must give notice as soon as possible but no later than one to two work days after learning that leave will be necessary.
 - c. A spouse or family member may give the notice if the employee is unable to personally give notice.

D. Eligible Family and Medical Leave Determination.

The District may require the employee to provide reasonable documentation or a statement of family relationship.

1. *Six purposes.*
 - a. The birth of a son or daughter of the employee and in order to care for that son or daughter prior to the first anniversary of the child's birth;
 - b. The placement of a son or daughter with the employee for adoption or foster care and in order to care for that son or daughter prior to the first anniversary of the child's placement;
 - c. To care for the spouse, son, daughter or parent of the employee if the spouse, son, daughter or parent has a serious health condition;

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- d. Employee's serious health condition that makes the employee unable to perform the essential functions of the employee's position;
- e. Any qualifying exigency arising out of the fact that the employee's spouse, child or parent is on active duty or has been notified of an impending call or order to active duty in the Armed Forces in support of a contingency operation;
- f. To care for the employee's spouse, child, parent, or a person to whom the employee is next of kin who is a member of the Armed Forces or who is undergoing medical treatment, recuperation, or therapy, is otherwise in out-patient status, or on the temporary disability retired list for a serious injury or illness.

2. *Medical certification.*

a. When required:

- (1) Employees shall be required to present medical certification of the employee's serious health condition and inability to perform the essential functions of the job.
- (2) Employees shall be required to present medical certification of the family member's serious health condition and that it is medically necessary for the employee to take leave to care for the family member.
- (3) Employee shall be required to present medical certification of the spouse, child, parent or next of kin who is a covered service member.

b. Employee's medical certification responsibilities:

- (1) The employee must obtain the certification from the health care provider who is treating the individual with the serious health condition.
- (2) The District may require the employee to obtain a second certification by a health care provider chosen by and paid for by the District if the District has reason to doubt the validity of the certification an employee submits. The second health care provider cannot, however, be employed by the District on a regular basis.
- (3) If the second health care provider disagrees with the first health care provider, then the District may require a third health care provider to certify the serious health condition. This health care provider must be mutually agreed upon by the employee and the District and paid

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for by the District. This certification or lack of certification is binding upon both the employee and the District.

- c. Medical certification will be required fifteen (15) calendar days after family and medical leave begins unless it is impracticable to do so. The District may request recertification every thirty (30) calendar days. Recertification must be submitted within fifteen (15) calendar days of the District's request.
- d. The employee must provide certification of fitness to return to duties from the health care provider who was treating the employee with a serious health condition prior to the employee returning to work.

Family and medical leave requested for the serious health condition of the employee or to care for a family member with a serious health condition or to care for a covered service member with a serious illness or injury which is not supported by medical certification shall be denied until such certification is provided.

E. Entitlement.

- 1. Employees are entitled to twelve (12) weeks family and medical leave per year (12 month period), except that employees are entitled to twenty-six (26) weeks family and medical leave during a single 12 month period to care for a covered service member.
- 2. "Year" shall be defined as August 1 through July 31.
- 3. If insufficient leave is available, the District may:
 - a. Deny the leave if entitlement is exhausted; or
 - b. Award additional leave.

F. Type of Leave Requested.

- 1. Continuous - employee will not report to work for set number of days or weeks.
- 2. Intermittent - employee requests family and medical leave for separate periods of time.
 - a. Intermittent leave is available for:
 - (1) Birth, adoption or foster care placement of child only with the District's agreement.
 - (2) Serious health condition of the employee, spouse, parent, or child or of a serious illness or injury of covered service member when medically necessary without the District's agreement.

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- (3) A qualifying exigency arising out of the fact that the spouse, child or parent of the employee is on active duty or has been notified of an impending call or order to active duty in the Armed Forces in support of a contingency operation without the district's agreement
 - b. In the case of foreseeable intermittent leave, the employee must schedule the leave to minimize disruption to the District's operation.
 - c. During the period of foreseeable intermittent leave, the District may move the employee to an alternative position with equivalent pay and benefits. *[For instructional employees, see G below.]*
- 3. *Reduced work schedule - employee requests a reduction in the employee's regular work schedule.*
 - a. Reduced work schedule family and medical leave is available for:
 - (1) Birth, adoption or foster care placement of child only with the District's agreement.
 - (2) Serious health condition of the employee, spouse, parent, or child or of a serious illness or injury of a covered service member when medically necessary without the District's agreement.
 - (3) A qualifying exigency arising out of the fact that the spouse, child or parent of the employee is on active duty or has been notified of an impending call or order to active duty in the Armed Forces in support of a contingency operation without the district's agreement
 - b. In the case of foreseeable reduced work schedule leave, the employee must schedule the leave to minimize disruption to the District's operation.
 - c. During the period of foreseeable reduced work schedule leave, the District may move the employee to an alternative position with equivalent pay and benefits. *[For instructional employees, see G below.]*

G. Special Rules for Instructional Employees.

- 1. Definition - an instructional employee is one whose principal function is to teach and instruct students in a class, a small group or in an individual setting. This includes, but is not limited to, teachers, coaches, driver's education instructors and special education assistants.
- 2. Instructional employees who request foreseeable medically necessary intermittent or reduced work schedule family and medical leave greater than twenty percent of the work days in the leave period may be required to:

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- a. Take leave for the entire period or periods of the planned medical treatment;
or
 - b. Move to an available alternative position, with equivalent pay and benefits, but not necessarily equivalent duties, for which the employee is qualified.
3. Instructional employees who request continuous family and medical leave near the end of a semester may be required to extend the family and medical leave through the end of the semester. The number of weeks remaining before the end of a semester do not include scheduled school breaks, such as summer, winter or spring break.
- a. If an instructional employee begins family and medical leave for any purpose more than five weeks before the end of a semester, the District may require that the leave be continued until the end of the semester if the leave will last at least three weeks and the employee would return to work during the last three weeks of the semester if the leave was not continued.
 - b. If the employee begins family and medical leave for a purpose other than the employee's own serious health condition during the last five weeks of a semester, the District may require that the leave be continued until the end of the semester if the leave will last more than two weeks and the employee would return to work during the last two weeks of the semester.
 - c. If the employee begins family and medical leave for a purpose other than the employee's own serious health condition during the last three weeks of the semester and the leave will last more than five working days, the District may require the employee to continue taking leave until the end of the semester.
4. The entire period of leave taken under the special rules is credited as family and medical leave. The District will continue to fulfill the District's family and medical leave responsibilities and obligations, including the obligation to continue the employee's health insurance and other benefits, if an instructional employee's family and medical leave entitlement ends before the involuntary leave period expires.

H. Employee Responsibilities While on Family and Medical Leave.

1. The employee must continue to pay health care benefit contributions or other benefit contributions regularly paid by the employee unless the employee elects not to continue the benefits.
2. The employee contribution payments will be deducted from any money owed to the employee, or the employee shall reimburse the District at a time set by the superintendent.

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3. An employee who fails to make the health care contribution payments within thirty (30) calendar days after they are due will be notified that his/her coverage may be canceled if payment is not received within an additional fifteen (15) calendar days.
4. An employee may be required to re-certify the medical necessity of family and medical leave for the serious medical condition of an employee or family member or of a serious injury or illness of a covered service member once every thirty (30) calendar days and to return the certification within fifteen (15) calendar days of the request.
5. The employee must notify the District of the employee's intent to return to work at least once each month during leave and at least two weeks prior to the conclusion of the family and medical leave.
6. If an employee intends not to return to work, the employee must immediately notify the District, in writing, of the employee's intent not to return. The District will cease benefits upon receipt of this notification.

I. Use of Paid Leave for Family and Medical Leave.

An employee shall substitute unpaid family and medical leave with any paid leave available to the employee, which is applicable to the reason for family and medical leave, under board policy or a collective bargaining agreement. Paid leave includes sick leave, family illness leave, emergency leave, paid vacation, and/or personal leave. When the District determines that paid leave is being taken for a FMLA reason, the District will notify the employee within two (2) business days that the paid leave will be counted as FMLA leave.

J. Definitions. The following definitions shall apply to the District's policy and regulations on family and medical leave:

1. *Common Law Marriage* - according to Iowa law, common law marriages exist when there is a present intent by the two parties to be married, continuous cohabitation, and a public declaration that the parties are husband and wife. There is no time factor that needs to be met in order for there to be a common law marriage.
2. *Contingency Operation*
3. *Continuing Treatment* - a serious health condition involving continuing treatment by a health care provider includes one or more of the following:
 - a. A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery from) of more than three (3) consecutive calendar days and any subsequent treatment or period of incapacity relating to the same condition that also involves:

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- treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or in referral by, a health care provider; or
 - treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of a health care provider.
- b. Any period of incapacity due to pregnancy or for prenatal care.
 - c. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:
 - requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under direct supervision of a health care provider;
 - continues over an extended period of time (including recurring episodes of a single underlying condition); and
 - may cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).
 - d. Any period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke or the terminal stages of a disease.
 - e. Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).
4. *Covered Service Member* – a member of the Armed forces, including a member of the National Guard or reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in out-patient status, or is otherwise on the disability retired list, for a serious injury or illness.
 5. *Eligible Employee* - an employee of the District which has more than 50 employees on the payroll at the time leave is requested. The employee has worked for the

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district for at least twelve months and has worked at least 1250 hours within the previous year.

6. *Essential Functions of the Job* - those functions which are fundamental to the performance of the job. It does not include marginal functions.
7. *Employment Benefits* - all benefits provided or made available to employees by an employer, including group life insurance, health insurance, disability insurance, sick leave, annual leave, educational benefits, and pensions, regardless of whether such benefits are provided by a practice or written policy of an employer or through an "employee benefit plan."
8. *Family Member* - individuals who meet the definition of son, daughter, spouse or parent.
9. *Group Health Plan* - any plan of, or contributed to by, an employer (including a self-insured plan) to provide health care (directly or otherwise) to the employer's employees, former employees, or the families of such employees or former employees.
10. *Health Care Provider* -
 - a. A doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the state in which the doctor practices; or
 - b. Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice in the state and performing within the scope of their practice as defined under state law; or
 - c. Nurse practitioners and nurse-midwives who are authorized to practice under state law and who are performing within the scope of their practice as defined under state law; or
 - d. Christian Science practitioners listed with the First Church of Christ Scientist in Boston, Massachusetts; or
 - e. Any health care provider from whom an employer or a group health plan's benefits manager will accept certification of the existence of a serious health condition to substantiate a claim for benefits; or
 - f. A health care provider as defined above who practices in a country other than the United States who is licensed to practice in accordance with the laws and regulations of that country.

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11. *In Loco Parentis* - individuals who had or have day-to-day responsibilities for the care and financial support of a child not their biological child or who had the responsibility for an employee when the employee was a child.
12. *Incapable of Self-care* - that the individual requires active assistance or supervision to provide daily self-care in several of the "activities of daily living" or "ADLs." Activities of daily living include adaptive activities such as caring appropriately for one's grooming and hygiene, bathing, dressing, eating, cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.
13. *Instructional Employee* - an employee employed principally in an instructional capacity by an educational agency or school whose principal function is to teach and instruct students in a class, a small group, or an individual setting, and includes athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. The term does not include teacher assistants or aides who do not have as their principal function actual teaching or instructing, nor auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers, bus drivers, or other primarily non-instructional employees.
14. *Intermittent Leave* - leave taken in separate periods of time due to a single illness or injury, rather than for one continuous period of time, and may include leave or periods from an hour or more to several weeks.
15. *Medically Necessary* - certification for medical necessity is the same as certification for serious health condition.
16. *"Needed to Care For"* - the medical certification that an employee is "needed to care for" a family member encompasses both physical and psychological care. For example, where, because of a serious health condition, the family member is unable to care for his or her own basic medical, hygienic or nutritional needs or safety or is unable to transport himself or herself to medical treatment. It also includes situations where the employee may be needed to fill in for others who are caring for the family member or to make arrangements for changes in care.
17. *"Next of Kin"* – the nearest blood relative of that individual.
18. *"Out-patient Status"* – with respect to a covered service member, means the status of a member of the Armed Forces assigned to a medically necessary treatment facility as an out-patient or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as out-patients.
19. *Parent* - a biological parent or an individual who stands *in loco parentis* to a child or stood *in loco parentis* to an employee when the employee was a child. Parent does not include parent-in-law.

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20. *Physical or mental disability* - a physical or mental impairment that substantially limits one or more of the major life activities of an individual.
21. *Reduced leave schedule* - a leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.
22. *Serious health condition* - an illness, injury, impairment, or physical or mental condition that involves:
- a. Inpatient care (i.e. an overnight stay) in a hospital, hospice or residential medical care facility including any period of incapacity (for purposes of this section, defined to mean inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery therefrom), or any subsequent treatment in connection with such inpatient care; or
 - b. Continuing treatment by a health care provider. A serious health condition involving continuing treatment by a health care provider includes:
 - A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment for or recovery therefrom) of more than three (3) consecutive calendar days, including any subsequent treatment or period of incapacity relating to the same condition, that also involves:
 - * Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider; or
 - * Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.
 - c. Any period of incapacity due to pregnancy or for prenatal care.
 - d. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:
 - Requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under direct supervision of a health care provider;
 - Continues over an extended period of time (including recurring episodes of a single underlying condition); and

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-- May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).

- e. A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke or the terminal stages of a disease.
 - f. Any period of absence to receive multiple treatments (including any period of recovery from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).
- Treatment for purposes of this definition includes, but is not limited to, examinations to determine if a serious health condition exists and evaluation of the condition. Treatment does not include routine physical examinations, eye examinations or dental examinations. Under this definition, a regimen of continuing treatment includes, for example, a course of prescription medication (e.g., an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition (e.g., oxygen). A regimen of continuing treatment that includes the taking of over-the-counter medications such as aspirin, antihistamines, or salves; or bed rest, drinking fluids, exercise and other similar activities that can be initiated without a visit to a health care provider, is not, by itself, sufficient to constitute a regime of continuing treatment for purposes of FMLA leave.
 - Conditions for which cosmetic treatments are administered (such as most treatments for acne or plastic surgery) are not "serious health conditions" unless inpatient hospital care is required or unless complications develop. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomach, ulcers, headaches other than migraine, routine dental or orthodontia problems, periodontal disease, etc., are examples of conditions that do not meet the definition of a serious health condition and do not qualify for FMLA leave. Restorative dental or plastic surgery after an injury or removal of cancerous growths are serious health conditions provided all the other conditions of this regulation are met. Mental illness resulting from stress or allergies may be serious health conditions, but only if all the conditions of this section are met.
 - Substance abuse may be a serious health condition if the conditions of this section are met. However, FMLA leave may only be taken for treatment for substance abuse by a health care provider or by a provider of health care on a referral by a health care provider. On the other hand, absence because of the employee's use of the substance, rather than for treatment, does not qualify for FMLA leave.

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- Absences attributable to incapacity under this definition qualify for FMLA leave even though the employee or the immediate family member does not receive treatment from a health care provider during the absence, and even if the absence does not last more than three days. For example, an employee with asthma may be unable to report for work due to the onset of an asthma attack or because the employee's health care provider has advised the employee to stay home when the pollen count exceeds a certain level. An employee who is pregnant may be unable to report to work because of severe morning sickness.
23. *“Serious Injury or Illness”* – in the case of a member of the Armed Forces, means an injury or illness incurred in the line of duty or on active duty that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating.
 24. *Son or daughter* - a biological child, adopted child, foster child, stepchild, legal ward, or a child of a person standing in loco parentis. The child must be under age 18 or, if over 18, incapable of self-care because of a mental or physical disability.
 25. *Spouse* - a husband or wife recognized by Iowa law including common law marriages.

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CERTIFIED EMPLOYEE ILLNESS/DISABILITY LEAVE

Certified Employee shall be granted fifteen (15) days of sick leave. "Day" is defined as one (1) work day regardless of full-time or part-time status of the employee. A new employee shall report for work at least one (1) full work day prior to receiving sick leave benefits.

Unused sick leave may be accumulated from year to year up to a maximum of one hundred and twenty (120) days for certified Employee.

Should the personal illness occur after or extend beyond the accumulated allowance, the employee may apply for disability benefits under the group insurance plan. If the employee does not qualify for disability benefits, the employee may request a leave of absence without pay.

Evidence may be required regarding the mental or physical health of the employee when the administration has a concern about the employee's health. Evidence may also be required to confirm the employee's illness, the need for the illness leave, the employee's ability to return to work, and the employee's capability to perform the duties of the employee's position. It shall be within the discretion of the board and the superintendent to determine the type and amount of evidence necessary.

When an illness leave will be greater than five (5) consecutive days, the employee shall comply with board policy 409.5, "Extended Illness Leave."

If an employee is eligible to receive workers' compensation benefits, the employer shall contact the board secretary-treasurer to implement these benefits.

The requirements stated in Article VIII of the Master Contract between employees in that certified collective bargaining unit and the board regarding the illness/disability leave of such employees shall be followed.

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CERTIFIED EMPLOYEE ILLNESS/DISABILITY LEAVE

Legal Reference: Whitney v. Rural Ind. Sch. Dist., 232 Iowa 61, 4 N.W.2d 394 (1942).

Iowa Code §§20, 85.33, .34, .38(3), 279.40 (1993)
1952 Op. Att'y Gen. 91.
1972 Op. Att'y Gen. 177, 353.
1980 Op. Att'y Gen. 605

Cross Reference: 409.3 Certified Employee Family Illness Leave
 409.5 Certified Employee Extended Illness Leave
 409.11 Certified Employee Unpaid Leave

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE EMERGENCY LEAVE

The board realizes an emergency may arise which would necessitate a certified employee's absence from work which is not covered by another form of leave of absence. Such leave shall be called emergency leave.

Emergency leave must be unforeseen and beyond the control of the employee. There is not set number of days that may be taken. The leave is dependent upon the need and request of the person needing to take the leave. This leave is not deducted from sick leave. The request shall be made in writing and a written record will be maintained. The superintendent shall have the discretion to grant unpaid emergency leave.

The requirements stated in Articles IX and X of the Master Contract between the employees in that certified collective bargaining unit and the board regarding the Employee emergency leave of such employees shall be followed.

Legal Reference: Iowa Code §§20.9, 279.8 (1993).

Cross Reference: 409 Certified Employee Vacations and Leaves of Absence
414 Non-certified Employee Vacation and Leaves of Absence

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE BEREAVEMENT LEAVE

In the event of a death of a member of a certified employee's immediate family, bereavement leave may be granted. Bereavement leave will be granted to a certified employee for no more than five (5) days, with "day" being defined as one (1) work day regardless of full-time or part-time status of the employee, per occurrence, for the death of a member of the immediate family. The immediate family includes child, stepchild, grandchild, spouse, parent, brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, or fiancé of the employee.

No more than one (1) day of bereavement leave will be granted per occurrence of the death of a close friend or other relative not listed above.

It shall be within the discretion of the superintendent to determine the number of bereavement leave days to be granted.

The requirements stated in Article IX of the Master Contract between employees in that certified collective bargaining unit and the board regarding the bereavement leave of such employees shall be followed.

Legal Reference: Iowa Code §§20.9, 279.8 (1993).

Cross Reference: 409 Certified Employee Vacations and Leaves of Absence

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE POLITICAL LEAVE

The board will provide a leave of absence to certified Employee to run for elective public office. The superintendent shall grant a certified employee a leave of absence to campaign as a candidate for any elective public office as unpaid leave.

The request for leave must be in writing to the superintendent of schools at least thirty (30) days prior to the starting date of the requested leave.*

The requirements stated in Article IX of the Master Contract between employees in that certified collective bargaining unit and the board regarding the political leave of such employees shall be followed.

*The length of the requested leave will be decided on a case-by-case basis.

Legal Reference: Iowa Code §55 (1993).
570 Iowa Admin. Code 14.13.

Cross Reference: 409 Certified Employee Vacations and Leaves of Absence
414 Noncertified Employee Vacations and Leaves of Absence

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE JURY DUTY LEAVE

The board will allow certified Employee to be excused for jury duty.

Employees who are called for jury service shall notify the employer within twenty-four (24) hours after notice of call to jury duty and suitable proof of jury service pay must be presented to the employer. The employee will report to work within one (1) hour of any day when the employee is excused from jury duty during regular working hours. Any fees or remuneration which the employee receives during such leave shall be turned over to the district.

The requirements stated in Article IX of the Master Contract between employees in that certified collective bargaining unit and the board regarding the jury duty leave of such employees shall be followed.

Legal Reference: Iowa Code §§20.9, 607, 608, 609 (1993).

Cross Reference: 409 Certified Employee Vacations and Leaves of Absence
414 Noncertified Employee Vacations and Leaves of Absence

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE MILITARY LEAVE

The board recognizes certified Employee may be called to participate in the armed forces, including the National Guard. If a certified employee is called to serve in the armed forces, the employee shall have a leave of absence for military service until the military service is completed.

The leave shall be without loss of status or efficiency rating, and without loss of pay during the first thirty (30) calendar days of the leave.

Legal Reference: Iowa Code §§20, 29A.28 (1993).

Cross Reference: 409 Certified Employee Holidays and Leaves of Absence
414 Noncertified Employee Vacations and Leaves of Absence

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

CERTIFIED EMPLOYEE UNPAID LEAVE

Unpaid leave may be used to excuse an involuntary absence not provided for in this or other leave policies of the board. Unpaid leave for certified Employee must be authorized by the superintendent.

The superintendent shall have complete discretion to grant or deny the requested unpaid leave. In making this determination, the superintendent shall consider the effect of the employee's absence on the educational program and school district operations, their length of service, previous record of absence, the reason for the requested absence and any other factors the superintendent believes are relevant to make this determination.

If unpaid leave is granted, the duration of the leave period shall be coordinated with the scheduling of the educational program whenever possible to minimize the disruption of the educational program and school district operations.

Whenever possible, certified Employee shall make a written request for unpaid leave thirty (30) days prior to the beginning date of the requested leave.

The requirements stated in Article IX of the Master Contract between employees in that certified collective bargaining unit and the board regarding the unpaid leave of such employees shall be followed.

Legal Reference: 26 U.S.C. §162.
Iowa Code §§20, 85, 85A, 85B, 91B.1, 279.12, 294.8-.16, 509A, 509B (1993).

Cross Reference: 406.5 Certified Employee Group Insurance Benefits
409 Certified Employee Vacations and Leaves of Absence
412.4 Noncertified Employee Group Insurance Benefits
414 Noncertified Employee Vacations and Leaves of Absence

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

SUBSTITUTE TEACHERS

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

It shall be the responsibility of the person designated by the administration to call substitutes to maintain a list of substitute teachers who may be called upon to replace regular contract certified Employee. Individuals whose names do not appear on this list will not be employed as a substitute without specific approval of the superintendent. It shall be the responsibility of the designee to fill absences with substitute teachers immediately.

Substitute teachers will be paid a per diem rate. Substitute teachers are expected to perform the same duties as the regular teachers.

Legal Reference: Iowa Association of School Boards and Iowa State Education Association vs. PERB, 400 N.W.2d 571 (Iowa 1989).
Iowa Code §§20.1, .4(5), .9, .13(2). (1993)
281 Iowa Admin. Code 11.5.
281 Iowa Admin. Code 12.5.

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

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

SHARED CERTIFIED EMPLOYEE

The board may make arrangements for sharing school district Employee with neighboring school districts in order to expand the opportunities available in the educational program and the operation of the school district. It shall be within the discretion of the board to determine when and with which school district sharing agreements will be made.

It shall be the responsibility of the superintendent to bring to the board's attention opportunities for sharing school district Employee with neighboring school districts.

Legal Reference: Iowa Code §§28E, 256.13, 280.15, 282.7(1), 442.39 (1993).
281 Iowa Admin. Code 7.

Cross Reference: 606.1 Shared Students

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

SUMMER SCHOOL CERTIFIED EMPLOYEE

It shall be within the discretion of the board to offer an educational program during the summer recess. Certified Employees who volunteer or who are appointed to deliver the summer educational program shall be compensated in addition to their regular duties during the school academic year, unless such arrangements are made prior to determining the employee's compensation for the year.

Should the superintendent determine a summer educational program is necessary, certified Employees shall be given the opportunity to volunteer for the positions available. If the board determines a course must be offered and no certified employee volunteers for the position, the superintendent will make the necessary arrangements to fill the position. The board will consider applications from volunteers of current certified Employees in conjunction with other applications.

It shall be the responsibility of the superintendent to make a recommendation to the board regarding the need and the delivery of the summer educational program.

Legal Reference: Iowa Code §§279.8, 280.14 (1993).

Cross Reference: 907 Other Interdistrict Relations

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

STUDENT TEACHERS - INTERNSHIPS

The board will cooperate with the post-secondary educational institutions to assist in the practical preparation of teachers and other certified Employee positions. Student teachers and other student internships may be accepted for duties in the school district.

Certified Employee shall not be required to accept student teachers or student interns. Experienced teachers and teachers in good standing shall be allowed to have student teachers or student interns.

It shall be the responsibility of the superintendent to make arrangements with the post-secondary educational institutions for student teachers and student internships. Such arrangements shall safeguard the interest of the student teachers and student interns, the post-secondary educational institution, and the school district.

It shall be the responsibility of the post-secondary educational institution to provide sufficient supervision over the work of these student teachers to make their presence profitable.

Legal Reference: Iowa Code §260.27, .30 (1993).
281 Iowa Admin. Code 19.15(3).
1936 Op. Att'y Gen. 462.
1974 Op. Att'y Gen. 6, 7415

Cross Reference: 907 Other Inter-district Relations

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE DEFINED

Non-certified Employee are those school district employees who are not administrators or Employee in positions which require a State Department of Education teaching certification and who are employed to fulfill the duties listed on their job description on a monthly or hourly basis. Non-certified Employee shall include, but not be limited to, teacher and classroom aides, custodial and maintenance employees, clerical employees, food service employees, bus drivers, and extra help for summer or other maintenance. The position may be full-time or part-time employment.

It shall be the responsibility of the superintendent to establish job specifications and job descriptions for non-certified Employee positions. Job descriptions shall be approved by the board.

Non-certified Employee required to hold a license for their positions must present evidence of current license to the board secretary-treasurer prior to payment of wages each year.

Legal Reference: Iowa Code §§20, 279.8 (1993).

Cross Reference: 405.2 Certified Employee Qualifications, Recruitment, Selection
411.2 Non-certified Employee Qualifications, Recruitment, Selection

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE – QUALIFICATIONS, RECRUITMENT, SELECTION

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

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

Announcement of the position shall be through whichever means the superintendent believes will inform potential applicants about the position. Applications for employment may be obtained from and completed applications shall be returned to the school district administrative office. Whenever possible, the preliminary screening of applicants shall be conducted by the district employee who will be directly supervising and overseeing the person being hired.

The superintendent has the authority to hire, without board approval, bus drivers, custodians, education associates, maintenance staff, clerical personnel, and food service workers. The superintendent also has the authority to sign individual contracts if applicable.

Legal Reference: 29 U.S.C. §§621-634.
42 U.S.C. §2000e et. Seq.
Iowa Code §§70, 279.8 294.1, 601A (1993).
281 Iowa Admin. Code 11.

Cross Reference: 401.2 Equal Employment Opportunity
411.1 Non-certified Employee Defined
411.3 Non-certified Employee Contracts
411.4 Non-certified Employee Licensing/Certification

Revised 06-09-2008

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE CONTRACTS

The board will enter into written contracts with bus drivers and custodians employed on a regular basis. The contract will state the terms of employment.

Each contract shall include a ten (10) day cancellation clause. Either the employee or the board or designee must give notice of the intent to cancel the contract at the end of ten (10) days. This notice will not be required when the employee is terminated during a probationary period or for cause.

Non-certified Employee shall receive a job description stating the specific performance responsibilities of their position.

It shall be the responsibility of the superintendent to draw up and process the non-certified Employee bus drivers' and custodian's contracts and present them to the board for approval. The contracts, after being signed by the board president or superintendent, shall be filed with the board secretary.

Legal Reference: Iowa Code §§20, 277.27, 279.8, 285.5(9) (1993).

Cross Reference: 203 Board of Directors Member Conflicts of Interest
405.2 Certified Employee Qualifications, Recruitment, Selection
411.2 Non-certified Employee Qualifications, Recruitment, Selection
411.8 Non-certified Employee Probationary Status

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE LICENSING/CERTIFICATION

Non-certified employees who require special license or other certification shall keep such licenses up to date at their own expense. The requirements for a license needed for a position will be considered met if the employee meets the requirements established by law and by the State Department of Education for the position.

Legal Reference: Iowa Code §§260.6, .23, 285.5(9) (1993).
281 Iowa Admin. Code 43.12-.24.
281 Iowa Admin. Code 12.4(10).

Cross Reference: 405.2 Certified Employee Qualifications, Recruitment, Selection
411.2 Non-certified Employee Qualifications, Recruitment, Selection

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE ASSIGNMENT

Determining the assignment of each noncertified employee is the responsibility of the superintendent and within the sole discretion of the board. In making such assignments each year the superintendent shall consider the qualifications of each non-certified employee and the needs of the school district.

It shall be the responsibility of the superintendent to assign non-certified employees and report such assignments to the board.

Legal Reference: Iowa Code §§20, 279.8 (1993).

Cross Reference: 200.2 Powers of Board of Directors
200.3 Responsibilities of the Board of Directors
405.6 Certified Employee Assignment

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE TRANSFERS

Determining the location where a non-certified employee's assignment will be carried out is the responsibility of the superintendent and within the sole discretion of the board. In making such assignments each year the superintendent shall consider the qualifications of each non-certified employee and the needs of the school district.

A transfer may be initiated by the employee, the principal, or the superintendent.

It shall be the responsibility of the superintendent to transfer non-certified employees and report such transfers to the board.

Legal Reference: 29 U.S.C. §§621-634.
42 U.S.C. §2000e et.seq.
Iowa Code §§20.9, 70, 279.8, 294.1, 601A (1993).
281 Iowa Admin. Code 11.

Cross Reference: 200.2 Powers of Board of Directors
200.3 Responsibilities of the Board of Directors
405.7 Certified Employee Transfers

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE EVALUATION

Evaluation of non-certified Employees on their skills, abilities, and competence shall be an ongoing process supervised by the building principals and conducted by approved evaluators. The goal of the formal evaluation of non-certified Employees shall be to maintain noncertified Employees who meet or exceed the board's standards of performance, to clarify each non-certified employee's role, to ascertain the areas in need of improvement, to clarify the immediate priorities of the board, and to develop a working relationship between the administrators and other school district Employees.

It shall be the responsibility of the superintendent to ensure non-certified Employees are formally evaluated once per year. New and probationary non-certified Employees shall be formally evaluated twice a year.

Legal Reference: PERB v. Aplington Community School District, 392 N.W.2d 495 (Iowa 1986).
Saydel Education Association v. PERB, 333 N.W.2d 486 (Iowa 1983).
Iowa Code §§20.9, 279.14, (2007)
281 Iowa Admin. Code 12.3(4).

Cross Reference: 303.5 Superintendent Evaluation
304.6 Administrative Evaluation
405.8 Certified employee Evaluation

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE PROBATIONARY STATUS

The first ninety (90) calendar days of a newly employed non-certified employee's contract shall be a probationary period. "Day" shall be defined as one (1) work day regardless of full-time or part-time status of the employee. New employees, regardless of experience, shall be subject to this probationary period.

"New" employees include individuals who are being hired for the first time by the school district and those who may have been employed by the school district in the past, but have not been employed by the board during the school year prior to the one for which contracts are being issued.

Only the board, in its discretion, may waive the probationary period. During this probationary period the board may terminate non-certified Employee contracts at any time.

Legal Reference: Iowa Code §§20, 279.8 (1993).

Cross Reference; 405.9 Certified Employee Probationary Status
411.3 Non-certified Employee Contracts

APPROVED 10-12-2004 REVISED 07-14-2008

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE COMPENSATION

The board shall determine the compensation to be paid for the non-certified Employee positions, keeping in mind the education and experience of the non-certified employee, the mission statement of the school district, and any other considerations as deemed relevant by the board.

It shall be the responsibility of the superintendent to make a recommendation to the board annually regarding the compensation of non-certified Employee.

The board may, based on the superintendent's recommendation, hold non-certified employees at their current salary level for disciplinary purposes.

Legal Reference: Iowa Code §§20.1, .4, .7, .9, 279.8 (1993).

Cross Reference: 411.3 Non-certified Employee Contracts
411.7 Non-certified Employee Evaluation
412.2 Non-certified Employee Wage and Overtime Compensation

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE WAGE AND OVERTIME COMPENSATION

The board recognizes that non-exempt Employees should be compensated for approved hours worked over forty (40) hours in a work week. This compensation shall be in the form of overtime pay.

Each non-exempt employee compensated on an hour-by-hour basis, either full-or part-time, permanent or temporary, will be paid no less that the federal minimum wage. Whenever a non-exempt employee must work more than forty (40) hours in a given work week, the employee shall be compensated at one and one-half (1 ½) times their regular hourly wage rate. Overtime will not be permitted without prior authorization of the superintendent.

Each non-exempt employee paid on an hour-by-hour basis must complete, sign, and turn in a daily time record showing the actual number of hours worked. Failure of the employee to maintain, or falsification of, such records will be grounds for disciplinary action.

It is the responsibility of the superintendent to maintain records.

Legal Reference: 29 U.S.C. §206 et.seq.
29 C.F.R. 511-800.
Garcia v. San Antonio Metropolitan Transit Authority, 83 L.Ed.2d
1016, 105 S. Ct. 1005 (1985).

Cross Reference: 411.1 Noncertified Employee Defined
411.3 Noncertified Employee Contracts
412.1 Noncertified Employee Compensation

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE GROUP INSURANCE BENEFITS

Non-certified Employee shall be eligible for group insurance benefits as determined by the board and required by law. The board shall select the group insurance program and the insurance company which will provide the program.

Non-certified employees who work thirty (30) hours per week shall be eligible to participate in the health group insurance plans. Those regular non-certified employees who wish to purchase insurance coverage for their spouse or dependents may do so by meeting the requirements of the insurers.

Non-certified Employees and their spouses and dependents shall be allowed to continue coverage of the school district's group health insurance program at their own expense by meeting the requirements of the insurers. In no event will the non-certified employee or spouse and dependents be allowed to continue coverage at their expense if the noncertified employee is terminated for cause.

This policy statement does not guarantee a certain level of benefits. The board shall have the authority and right to change or eliminate group insurance programs for its noncertified employees.

Non-certified Employee shall be entitled to workers' compensation and unemployment benefits. Employees interested in these benefits shall contact the board secretary.

Legal Reference: 26 U.S.C. §162.
Iowa Code §§20.9, 85, 85B, 279.12, 297.8-16, 509, 509A, 509B (1993).

Cross Reference: 706 Payroll Procedures
406.5 Certified Employee Group Insurance Benefits

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE TAX SHELTERED PROGRAMS

The board authorizes the administration to make a payroll deduction for non-certified Employee's tax sheltered annuity premiums purchased through an Iowa-licensed insurance agent from an insurance organization authorized to do business in Iowa.

Non-certified employee's wishing to have payroll deductions for tax sheltered annuities shall make a written request to the superintendent.

Legal Reference: Iowa Code §§20.9, 294.16 (1993).
1966 Op. Att'y Gen. 211, 221.
1976 Op. Att'y Gen. 462, 602.
1987 Op. Att'y Gen. (6-18-87).

Cross Reference: 706 Payroll Procedures

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE RESIGNATION

Non-certified employees who wish to resign during the school year shall give the board notice of their intent to resign and cancel their contract ten (10) days prior to their last working day. In its discretion, the board may choose to not accept a resignation of a non-certified employee prior to finding a suitable replacement.

Notice of the intent to resign shall be in writing to the superintendent.

Legal Reference: Iowa Code §§91A.2, .3, .5, 272A.6, 279.13, .19A, 285.5(9) (1993).

Cross Reference: 407.1 Certified Employee Resignation
411.3 Non-certified Employee Contracts

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE RETIREMENT

Non-certified Employees who will complete their current contract with the board may apply for retirement. No non-certified employee will be required to retire at any specific age.

Application for retirement will be considered made when the non-certified employee states in writing to the superintendent, no later than the date set by the board for the return of the employee's contract to the board, the employee's intent to retire. The letter must state the employee's desire to retire and be witnessed by another party other than the principal or the superintendent. Applications made after the date set by the board for the return of the employee's contract must be at least thirty (30) days prior to the employee's retirement date. The board, in its discretion, may consider retirement applications that do not meet these requirements if special circumstances exist. It shall be within the discretion of the board to determine whether special circumstances exist.

Board action to approve a non-certified employee's application for retirement shall be final and such action constitutes termination of the employee's contract effective the day of the employee's retirement.

Non-certified Employee and their spouse and dependents who have group insurance coverage through the school district shall be allowed to continue coverage of the school district's group health insurance program, at their own expense, by meeting the requirements of the insurer.

Legal Reference: 26 U.S.C. §162.
42 U.S.C. §§2000e-11.
Iowa Code §§97B, 601A (1993).
370 Iowa Admin. Code 8.
1978 Op. Att'y Gen. 247.
1974 Op. Att'y Gen. 11, 322.

Cross Reference: 407.3 Certified Employee Retirement
407.4 Certified Employee Early Retirement
413.3 Non-certified Employee Early Retirement

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE RETIREMENT

The board may in its discretion offer an early retirement program.

Legal Reference: 26 U.S.C. §162.
42 U.S.C. §§2000e-11.
Iowa Code §§97B, 601A (1993).
370 Iowa Admin. Code 8.
1978 Op. Att'y Gen. 247.
1974 Op. Att'y Gen. 11, 322.

Cross Reference: 407.3 Certified Employee Retirement
407.4 Certified Employee Early Retirement
413.3 Non-certified Employee Early Retirement

Approved _____ Reviewed April-July 2008 Revised _____

NON-CERTIFIED EMPLOYEE SUSPENSION

Employees shall perform their assigned job, respect board policy and obey the law. The superintendent is authorized to suspend a noncertified employee with pay pending board action on a discharge or during investigation of charges against the employee or for disciplinary purposes. It shall be within the discretion of the superintendent to suspend a non-certified employee with or without pay.

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

Legal Reference: Northeast Community Education Association v. Northeast Community School District, 402 N.W.2d 765 (Iowa 1989).
McFarland v. Board of Education, 277 N.W.2d 901 (Iowa 1979).
Iowa Code §§20.7, .24, 279.13, 279.15-.19 (1993).

Cross Reference: 407.5 Certified Employee Suspension
413.5 Non-certified Employee Dismissal

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE DISMISSAL

The board believes employees should perform their jobs, respect board policy and obey the law. A non-certified employee may be dismissed upon ten (10) working days notice or immediately for cause. Appropriate due process procedures shall be followed.

A non-certified employee may be dismissed for any reason, including, but not limited to, incompetence, willful neglect of duty, reduction in force, willful violation of board policy or administrative regulations, or a crime against the laws of Iowa or the United States.

Legal Reference: Iowa Code §§20.7, .24,279.13, .15-.19 (1993)

Cross Reference: 413.4 Non-certified Employee Suspension

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE REDUCTION IN FORCE

It is the exclusive power of the board to determine when a reduction in non-certified Employees is necessary. Employees who are terminated due to a reduction in force shall be given thirty (30) days notice. Appropriate due process will be followed in terminations due to a reduction in force.

It shall be the responsibility of the superintendent to make a recommendation for termination to the board. The superintendent will consider the relative qualifications, skills, ability and demonstrated performance through evaluation procedures in making the recommendations.

Legal Reference: Iowa Code §§20.7, .24, 279.13, .15-.19 (1993).

Cross Reference: 407.6 Certified Employee Reduction in Force
413.4 Non-certified Employee Suspension
413.5 Non-certified Employee Dismissal

Approved _____ Reviewed April-July 2008 Revised _____

CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE VACATIONS – HOLIDAYS – PERSONAL LEAVE

Full-time regular non-certified Employees who work 12 months a year and have worked one (1) year, unless the employee's contract indicates otherwise, will receive ten (10) days of vacation in the first eight (8) years. After eight (8) years of continuous full-time service - fifteen (15) days, after fifteen (15) years of continuous full-time service a noncertified employee will receive twenty (20) days of vacation each year. Non-certified employees who leave prior to the end of their contract will receive their pro rata share of vacation for the year.

The vacation may be taken any time during the school year when the vacation will not disrupt the operation of the school district. The employee must submit a vacation request to the superintendent, who shall be responsible for determining whether the request will disrupt the operation of the school district.

Designated full-time regular noncertified Employees who work nine (9) months a year will be allowed one (1) personal day per year which can accumulate to a maximum of four (4) days of personal leave to accomplish personal business that cannot be conducted outside the work day. The employee must, whenever possible, submit a personal leave request, stating the reason for the leave, three (3) days prior to the leave day. Except in cases of serious emergency, this leave may be denied if it falls on the day before or the day after a holiday or vacation, it falls on a special day when services would be necessary, it would cause undue interruption to the educational program or to a program demanding the employee's services to the department, or other reasons deemed relevant by the superintendent. It shall be within the discretion of the superintendent to grant personal leave.

Full-time regular non-certified Employees who work twelve (12) months a year will be allowed ten (10) paid holidays. The ten (10) holidays shall be Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Day, New Year's Day, the day after Thanksgiving Day, the day before or after Christmas Day and New Year's Day and the Friday of Spring Break.

Non-certified Employees will be paid only for the hours they would have been scheduled for the day. Vacation shall not be accrued from year to year without a prior arrangement with the superintendent.

Legal Reference: Iowa Code §§4.1(22), 20.9, 31.1-9, 33.1 (1993).

Cross Reference: 409.1 Certified Employee Vacations – Holidays – Personal Leave

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE FAMILY ILLNESS LEAVE

Non-certified Employees will be allowed to take family illness leave as defined by the collective bargaining agreement or employment agreement.

Requests for family illness leave shall be made to their immediate supervisor.

Legal Reference: Iowa Code §§20.9, 279.8 (1993).

Cross Reference: 409.3 Certified Employee Family Illness Leave
414 Non-certified Employee Vacations and Leaves of Absence

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE ILLNESS/DISABILITY LEAVE

Regular non-certified Employees shall be granted sick leave with the number of days as specified in the collective bargaining agreement or employment agreement. "Day" is defined as one work day regardless of full-time or part-time status of the employee. A new employee shall report for work at least one (1) full work day prior to receiving sick leave benefits. A returning employee will be granted the appropriate number of days at the beginning of each work year.

Unused sick leave may be accumulated from year to year up to a maximum of one-hundred and twenty (120) days for non-certified Employees.

Should the personal illness occur after or extend beyond the accumulated allowance, the employee may apply for disability benefits under the group insurance plan. If the employee does not qualify for disability benefits, the employee may request a leave of absence without pay.

Evidence may be required regarding the mental or physical health of the employee when the administration has a concern for the employee's health. Evidence may also be required to confirm the employee's illness, the need for the illness leave, the employee's ability to return to work, and the employee's capability to perform the duties of the employee's position. It shall be within the discretion of the board and the superintendent to determine the type and amount of evidence necessary.

When an illness leave will be greater than five (5) consecutive days, the employee shall comply with the board policy 414.4 "Noncertified Employee Extended Illness Leave."

If an employee is eligible to receive workers' compensation benefits, the employee shall contact the human resource director or board secretary-treasurer to implement these benefits.

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE ILLNESS/DISABILITY LEAVE

Legal Reference Whitney v. Rural Ind. Sch. Dist. 232 Ia. 61, 4 N.W.2d 394 (1942).
Iowa Code §§20, 85.33, .34, .38(3), 279.40 (1993).
1952 Op. Att'y Gen. 91.
1972 Op. Att'y Gen. 177, 353.
1980 Op. Att'y Gen. 605.

Cross Reference: 409.4 Certified Employee Illness/Disability Leave
414 Non-certified Employee Vacations and Leaves of Absence

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE EXTENDED ILLNESS LEAVE

Non-certified Employees advised of a health condition which may require absence for more than five (5) days, with "day" being defined as one work day regardless of full-time or part-time status of the employee, shall inform the superintendent upon learning of the condition to allow arrangements to be made for a effective transition of responsibilities.

Evidence may be required about the mental or physical status of the noncertified employee to confirm the need for an illness leave of absence, the employee's illness, and the ability of the employee to continue work until the date on which the employee goes on leave.

Employees on extended leave should report for work as soon as they are capable of performing their duties. Upon returning to work, the employee must present medical evidence that the employee is physically capable of returning to and performing the duties required at work.

Pay provisions for extended illness leave will be coordinated with sick leave. If the illness extends beyond the employee's accumulated sick leave, the employee may request a leave of absence without pay and, possibly, apply for long-term disability benefits. At any time the school district may require additional statements from the non-certified employee's physician or other evidence as may be requested by the school district. It will be within the discretion of the board or superintendent to determine the type and amount of evidence necessary.

Legal Reference: Iowa Code §§20, 85.33, .34, .38(3), 279.40 (1993).

Cross Reference: 409.5 Certified Employee Extended Illness Leave

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE EMERGENCY LEAVE

The board realizes an emergency may arise which would necessitate a non-certified employee's absence from work which is not covered by another form of leave of absence. Such leave shall be called emergency leave.

Emergency leave must be unforeseen and beyond the control of the employee. The superintendent shall have the discretion to grant emergency leave. The superintendent shall determine whether such leave shall be paid leave or unpaid leave.

Legal Reference: Iowa Code §§20.9, 279.8 (1993).

Cross Reference: 409.6 Certified Employee Emergency Leave
414 Non-certified Employee Vacations and Leaves of Absence

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE BEREAVEMENT LEAVE

In the event of a death of a member of a non-certified employee's immediate family, bereavement leave may be granted. Bereavement leave granted will be for a maximum of five (5) days, with "day" being defined as one work day regardless of full-time or part-time status of the employee, per occurrence for the death of a member of the immediate family. The immediate family includes child, stepchild, grandchild, spouse, parent, brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, or fiancé(e) of the employee.

A maximum of one (1) day of bereavement leave will be granted per occurrence of the death of a close friend or other relative not listed above.

It shall be within the discretion of the superintendent to determine the number of bereavement leave days to be granted.

Legal Reference: Iowa Code §§20.9, 279.8 (1993).

Cross Reference: 409.7 Certified Employee Bereavement Leave
414 Non-certified Employee Vacations and Leaves of Absence

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE POLITICAL LEAVE

The board will provide a leave of absence to certified Employee to run for elective public office. The superintendent shall grant a certified employee a leave of absence to campaign as a candidate for any elective public office as unpaid leave.

The request for leave must be in writing to the superintendent of schools at least thirty (30) days prior to the starting date of the requested leave.*

The requirements stated in Article IX of the Master Contract between employees in the certified collective bargaining unit and the board regarding the political leave of such employees shall be followed.

*The length of the requested leave will be decided on a case-by-case basis.

Legal Reference: Iowa Code §55 (1993).
570 Iowa Admin. Code 14.13.

Cross Reference: 409.8 Certified Employee Political Leave
414 Non-certified Employee Vacations and Leaves of Absence

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE JURY DUTY LEAVE

The board will allow non-certified Employee to be excused for jury duty. Non-certified Employee will receive their regular salary. Any payment for jury duty shall be paid to the school district.

When the non-certified employee is dismissed from jury duty, the employee shall report to the superintendent. The employee shall be required to perform the employee's duties remaining to be completed that day.

Legal Reference: Iowa Code §§20.9, 607, 608, 609 (1993).

Cross Reference: 409.9 Certified Employee Jury Duty Leave
414 Non-certified Employee Vacations and Leaves of Absence

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE MILITARY SERVICE LEAVE

The board recognizes non-certified Employee may be called to participate in the armed forces, including the National Guard. If a non-certified employee is called to serve in the armed forces, the employee shall have a leave of absence for military service until the military services is completed.

The leave shall be without loss of status or efficiency rating, and without loss of pay during the first thirty (30) calendar days of the leave.

Legal Reference: Iowa Code §§20, 29A.28, (1993).

Cross Reference: 409.10 Certified Employee Military Service Leave
414 Non-certified Employee Vacations and Leaves of Absence

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE UNPAID LEAVE

Unpaid leave may be used to excuse an involuntary absence not provided for in other leave policies. Unpaid leave for non-certified Employee must be authorized by the superintendent. Whenever possible, non-certified Employee shall make a written request for unpaid leave ten (10) days prior to the beginning date of the requested leave.

The superintendent shall have complete discretion to grant or deny the requested unpaid leave. In making this determination, the superintendent shall consider the effect of the employee's absence on the educational program and school district operations, their length of service, previous record of absence, the reason for the requested absence and any other factors the superintendent believes are relevant in making this determination.

If unpaid leave is granted, the duration of the leave period shall be coordinated with the scheduling of the educational program whenever possible, to minimize the disruption of the educational program and school district operations.

Legal Reference: 26 U.S.C. §162.
Iowa Code §§20.9, 279.8 (1993).

Cross Reference: 409.11 Certified Employee Unpaid Leave
414 Noncertified Employee Vacations and Leaves of Absence

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NON-CERTIFIED EMPLOYEE PROFESSIONAL PURPOSES LEAVE

Professional purposes leave may be granted to non-certified employees for the purpose of attending meetings and conferences directly related to their assignments. Application for the leave must be presented five (5) days prior to the meeting or conference.

It shall be within the discretion of the superintendent to grant professional purposes leave. The leave may be denied on the day before or after a vacation or holiday, on special days when services are needed, when it would cause undue interruption of school business, or for other reasons deemed relevant by the superintendent.

Cross Reference: 409.2 Certified Employee Professional Purposes Leave

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS

NON-CERTIFIED EMPLOYEE SUBSTITUTES

The superintendent shall employ substitute and temporary noncertified Employees.

Legal Reference: Iowa Code §§20.9, 279.8 (1993).

Cross Reference: 411 Non-certified Employee - General

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CARLISLE COMMUNITY SCHOOL BOARD OF DIRECTORS