



EMPLOYEE HANDBOOK

2017-18

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THIS PAGE IS TO REMAIN IN THE HANDBOOK

All employees are provided a copy to sign and return in the handbook folder.

GRANT COUNTY SCHOOLS

Employee Handbook Statement of Acceptance

2017-18 School Year

I understand and agree that the contents of this Handbook are presented as a matter of information only. The information contained in this Handbook is merely a summary of the present policies, rules and benefits of the Grant County Board of Education (“School Board”), and the Handbook is not intended to be or create an employment contract, either express or implied. To the extent that any written employment contract contradicts any term of this Handbook, the written employment contract controls.

While the School Board offers and intends to apply the policies, procedures, rules and benefits described herein, they are not an offer of employment, and are not intended to guarantee me employment or job security.

I understand that the School Board also reserves the right in its sole discretion to at any time modify, interpret, revoke, suspend, terminate or change any or all plans, policies or procedures, in whole or in part, with or without advance notice. In addition, I understand that no supervisor, representative or officer of the School Board has any authority to make any agreement contrary to the policies stated herein with any employee, without the express written authority of the School Board.

I have received my personal copy of the Grant County School Board’s Employee Handbook, and I have been given an opportunity to read it and ask questions regarding its contents.

Employee’s Signature

Date

This page to remain in Handbook

INTRODUCTION

This Handbook has been prepared as a general reference guide so that employees may better understand their privileges and responsibilities as employees of the School Board and the rules and practices governing employment with the School Board. This Handbook supersedes any and all prior policies and practices of the School Board, oral or written, and any policies, procedures, handbooks and/or School Board rules previously in effect.

All **WV Code** can be found at: <http://www.legis.state.wv.us/WVCODE/Code.cfm>

All **WVDE Policies** can be found at: <http://wvde.state.wv.us/policies/>

All **Grant County Schools Policies** can be found at: <http://www.grantcountyschools.org/board-of-education.html>

Policies referenced are also available upon request, please contact Sandy Hedrick: 304-257-1011.

This information, procedures and policies set forth in this Handbook are not a consideration of employment and the language is not intended to be or create a contract between the School Board and its employees. Also, the general information pertaining to the various benefit plans is based upon official texts, which are controlling in case of question or inconsistency. To the extent that any written employment contract or collective bargaining agreement contradicts any term of this Handbook, the written employment contract or collective bargaining agreement controls.

THIS HANDBOOK IS NOT INTENDED TO BE OR TO CREATE A CONTRACT OF EMPLOYMENT.

Employees are required to read this Handbook and keep it in a convenient place for future reference. It is to remain in the employee's possession as long as he/she is employed by the School Board. From time to time, employees may receive notices regarding updates, as needed. The Office of Human Resources website will have available the updated version for employee access.

Employees should direct any questions on any part of this Handbook, or any subject not covered in it, to the Director of Human Resources.

The use of the male pronoun "he" within this Handbook shall include the neuter and feminine, and use of the pronoun is not in any way intended as an act of discrimination against any party.

DEFINITIONS

As used in this Handbook, the following terms are defined as set forth below:

- A. Employees: All persons employed by the Grant County Board of Education
- B. The School Board: The Board of Education of the County of Grant

MISSION: The mission statement of Grant County Schools is "Moving Forward Together."

BELIEFS

In order to build a high performing school system, Grant County Schools believes the following:

- 21st Century learning skills are essential to live, learn, and thrive in a digital society.
- Collaboration, reflection, and change are critical in an effort to continually improve.
- Highly qualified personnel are essential for an effective school system.
- High expectations, positive climate, and lifelong learning are nurtured by example.

EMPLOYEE CODE OF CONDUCT: POLICY 4110

The Board believes it is imperative that public officials and public employees act in the highest ethical manner and preserve the public trust. To carry out the important duties and responsibilities entrusted to the Board, Superintendent and Board employees, it is important that clear, comprehensive ethical requirements be established so that members of the public will have confidence in the operations of the Board and the management of the District. To ensure the citizens of the County and the State of West Virginia a degree of accountability within the School District, this Code of Ethics is designed to protect the health, safety and general welfare of students and employees and to define unethical conduct justifying administrative or disciplinary action.

It is the Board's intent to create a culture that fosters trust, a commitment to excellence and responsibility, personal and institutional integrity, and avoids conflicts of interest and appearances of impropriety. Thus, the Board Members, the Superintendent, administrators, teachers and other employees of the Board, as public servants and educators, are to be bound by this Code of Ethics. The term "employee" as used herein, applies to all these groups regardless of full, part time status. This policy shall extend also to the District's guests, invitees, and volunteers while they are on District property or are participating in District-related activities. All Board Members and employees shall adhere to this policy, the "Employee Code of Conduct", as set forth in West Virginia Board of Education Policy 5902, and the "West Virginia Ethics Act", West Virginia Code §6B-2-1 et seq., as now or hereafter amended, which are incorporated by reference and made a part of this policy. This Policy shall be viewed as additive or supplemental to the above state laws, rules and regulations. To the extent this Policy is not in conflict with any laws, regulations or Board policies, this Policy shall control.

2.0 Application and Enforceability

The Policy applies to all Board Members and employees and extends to guests, invitees, and volunteers while they are on District property or are participating in District-related events. Violations of this Policy may result in administrative or disciplinary action, up to and including suspension, termination of employment, or other actions as required by law. This Policy may apply when the conduct of the employee occurs on or off District property, at a school sponsored event or non-school sponsored event.

3.0 Making Ethical Decisions

While this Policy provides general guidance, it does not provide a complete listing or a definitive answer to every possible ethical situation. It is the intention of the Board in enacting this policy that the use of good judgment, based on high ethical principles and following such precedent as may be established by the West Virginia Ethics Commission, will serve as a guide in determining appropriate conduct in any circumstance. When making decisions, the Superintendent and District employees should use good judgment to fulfill the spirit as well as the letter of this Policy, and should:

3.1 Evaluate the situation and identify ethical issues.

3.2 Consult this Policy, state laws and regulations, and the School Board's Policies and apply them to the situation.

3.3 Ask for guidance. In the event an individual is unsure of the proper course of action to be taken in a particular circumstance.

4.0 Accountability and Compliance

Each employee agrees and pledges:

4.1 To provide the best example possible; striving to demonstrate excellence, integrity and responsibility in the workplace.

4.2 To obey local, state and national laws, codes and regulations.

4.3 To support the principles of due process to protect the civil and human rights of all students and individuals.

4.4 To treat all students and individuals with respect and to strive to be fair in all matters.

4.5 To create an environment of trust, respect and non-discrimination, by not permitting discriminatory, demeaning or harassing behavior of students or colleagues.

4.6 To take responsibility and be accountable for his or her acts or omissions.

4.7 To avoid conflicts of interest or any appearance of impropriety.

4.8 To cooperate with others to protect and advance the District and its students.

4.9 To report improper conduct.

4.10 To be efficient and effective in the delivery of all job duties.

5.0 Ethical Standards

5.1 Abuse of Students – We are committed to ensuring that employee-student relationships are positive, professional and non-exploitative. The Board will not tolerate improper employee-student relationships. Each employee should always maintain a professional relationship with students, both in and outside of the classroom. Unethical conduct includes but is not limited to:

- 5.1.1 Committing any act of child abuse, including physical and verbal abuse.
- 5.1.2 Committing any act of cruelty to children or any act of child endangerment.
- 5.1.3 Using one’s professional relationship or authority with students for one’s personal advantage.
- 5.1.4 Engaging in, or being convicted of, a crime involving children.
- 5.1.5 Engaging in any sexually related behavior with a student with or without consent of the student. Sexually related behavior shall include, but not be limited to, such behaviors as sexual jokes; sexual remarks; sexual kidding or teasing; sexual innuendo; pressure for dates or sexual favors; inappropriate physical touching, kissing, or grabbing; rape; threats of physical harm; sexual assault and any sexual act.
- 5.1.6 Engaging in bullying or harassing behavior on the basis of race, gender, sex, national origin, age, religion or disability, sexual orientation or gender identity in violation of School Board Policy, as now or hereafter amended; or, in violation of any related federal or state laws.
- 5.1.7 Engaging in misconduct which affects the health, safety and welfare of a student(s).
- 5.1.8 Soliciting, encouraging, participating or consummating an inappropriate written, verbal, or physical relationship with a student.
- 5.1.9 Furnishing tobacco, alcohol, or illegal/unauthorized drugs to any student or allowing a student to consume alcohol, or illegal/unauthorized drugs, contrary to School Board, as now or hereafter amended.
 - 5.1.9.1 *Alcohol or Drugs* – We are committed to holding each other responsible for our performance as School District employees and as individuals. Employees should refrain from the use of alcohol or illegal or unauthorized drugs while performing their official duties. Unethical conduct includes but is not limited to:
 - 5.1.9.1.1 Being in the work place, on school premises or at a school-related activity involving students while under the influence of, possessing, selling using, or consuming illegal or unauthorized drugs, contrary to School Board Policy.
 - 5.1.9.1.2 Being in the work place, on school premises or at a school-related activity involving students while documented as being under the influence of, possessing, or consuming alcoholic beverages, contrary to Board Policy. A school-related activity includes, but is not limited to, any activity sponsored by the school or school system (i.e. booster clubs, parent-teacher organizations, or any activity designed to enhance the school curriculum, i.e., science trip).
 - 5.1.9.1.3 Engaging in, or being convicted of or found guilty of, or entering a plea of guilty, regardless of adjudication of guilt, of any misdemeanor or felony crime involving the sale or possession of a controlled substance.

5.2 *Misrepresentation or Falsification* – We are committed to candor in our work relationships, providing other Board employees including supervisors, senior staff and Board members with accurate, reliable and timely information. Employees should exemplify honesty and integrity in the performance of their official duties for the School District. Unethical conduct includes but is not limited to:

- 5.2.1 Falsifying or misrepresenting professional qualifications, criminal history, college or staff development credit and/or degrees, academic award, and employment history when applying for employment and/or certification or when recommending an individual for employment, promotion or certification;
- 5.2.2 Falsifying or misrepresenting information submitted on behalf of the School District to federal, state and other governmental agencies;
- 5.2.3 Falsifying or misrepresenting information reported regarding the evaluation of students and/or District personnel;
- 5.2.4 Failing to report all actual or suspected cases of child abuse, abandonment or neglect as required by West Virginia Code §49-6A-1 et. seq., as now or hereafter amended;
- 5.2.5 Failing to report suspected or actual misconduct of employees that affects the health, welfare or safety of a student;
- 5.2.6 Falsifying or misrepresenting reported reasons for absences or leaves;
- 5.2.7 Falsifying, misrepresenting, or omitting information submitted in the course of an official inquiry/investigation; and

5.2.8 Knowingly reporting alleged misconduct of a District employee which affects the health, safety or welfare of a student which the reporting party knows to be false or incorrect.

5.3 *Improper Remunerative Conduct* – The Board is committed to a practice of not accepting gifts or gratuities in violation of the West Virginia Ethics Act or which give the appearance that the gift improperly influenced our decisions. The Board will not permit the solicitation of students, parents, vendors, lobbyists or others for anything that provides a personal benefit different than the public. Unethical conduct includes but is not limited to:

5.3.1 Soliciting students or parents of students to purchase equipment, supplies or services from the employee or to participate in activities that financially benefit the employee. Accepting gifts from vendors or potential vendors for personal use or gain where there may be the appearance of a conflict of interest.

5.3.2 Tutoring students contrary to any applicable Board Policy.

5.3.3 Referring a parent or student to a service, service provider or product in return for anything of value. Officers or employees making referrals as part of their official duties shall make referrals to more than one provider of the service or product, if available. For example, school counselors shall refer parents or students to more than one provider of medical services, if available. Additionally, an employee shall not refer a parent or student to any service, service provider, or product in which that employee has a financial interest, without first disclosing in writing the employee's interest to the parent or student.

5.3.4 Soliciting or accepting money or any other thing of value including, but not limited to gifts, favors, services, or promises of future employment, in return for advice or assistance on matters concerning the operation of the business of the Board.

5.4 *Avoidance of Conflicts of Interest and Receipt of Improper Outside Income* – The Board is committed to declining outside income that might be perceived as inconsistent, incompatible or in conflict with our official duties. We will not make decisions or use our position for personal benefit or to gain an improper advantage. Employees are governed by the statutory provisions in the West Virginia Ethics Act. A conflict of interest can exist anytime your position or decisions provide the District with a financial benefit or improper advantage. A conflict of interest shall be defined as a situation in which the employee's regard for a private interest tends to lead to a disregard of the employee's public duty or interest. We are permitted to receive outside income as long as it does not create a conflict with our work in the School District. Unethical conduct includes, but is not limited to, the employee:

5.4.1 Participating in the decision to make a contract between the Board and a business or entity in which the employee has a personal or financial interest. This includes contractual relationships with units of government as well as for profit and not for profit organizations. An employee who has a personal or financial interest because of a relationship with such a business, governmental agency or not for profit organization must recuse him or herself from any decision concerning that entity, including any decision to contract or not to contract with the entity and the administration of the contract. The reason for the recusal must be stated in writing and filed with the Superintendent, or his or her designee, and the School Board Attorney prior to or at the time of the action requiring recusal.

5.4.2 Advertising business or professional activities on school district property or use work hours, property or services to perform or promote personal business or professional activities, or to campaign or raise money for any candidates for political office.

5.4.3 Participating in the review and approval of publications or materials for school district purchase by the office in which the employee is employed if the employee or a member of the employee's immediate family is the author/editor of or has any financial interest in the sale of such publications or materials.

5.4.4 Accepting outside income in any situation where a reasonable person in the community would conclude that the receipt of the income would be inconsistent, incompatible or in conflict with the employee's official duties with the school district.

5.4.5 Soliciting or accepting any personal gifts, favors or benefits of more than nominal value during a calendar year from any single person or organization that might benefit from the employee's decision. This provision does not apply to: (a) meals provided at an event at which the employee participates in a seminar or similar activity; or, (b) travel expenses and meals paid by a local, state, federal government agency..

5.4.6 Soliciting or accepting, directly or indirectly, any payments or other benefits under circumstances that would create in the mind of a reasonable person in the community the belief that such payments or benefits were provided with the intent to improperly influence the employee's actions.

5.4.7 Personally representing another person or entity or acting as an agent or attorney for compensation in connection with any matter in which the School District is interested for two (2) years after employment with the School District

5.4.8 Engaging in political activities prohibited Board Policy.

5.4.9 Appointing, employing, supervising, promoting, evaluating or advancing an employee contrary to the provisions of Board Policy.

5.5 Public Funds and Property – The Board is committed to ensuring that District facilities, equipment, supplies, or other District resources are used for District purposes only. Except for occasional and incidental personal use, the Board will not tolerate improper use of public resources, and will report and reimburse the District for costs associated with personal use. The provisions herein shall not be applicable to community or public use of District facilities pursuant to Board Policy. Employees entrusted with public funds and property should honor that trust with a high level of honesty, accuracy, and responsibility. Unethical conduct includes, but is not limited to:

5.5.1 Failing to use public or school-related funds and School Board property for School District purposes and in a manner specified by School Board Policy, administrative procedures or guidelines or by federal or state laws;

5.5.2 Failing to account for public funds collected from students, parents or other parties;

5.5.3 Submitting fraudulent requests for reimbursement of expenses or for pay;

5.5.4 Co-mingling public or school-related funds with personal funds or checking accounts; and

5.5.5 Using school district property without the necessary approval.

5.6 Confidentiality of Information – The Board is committed to abiding by all laws and Board Policies concerning the confidentiality of student and personnel information, standardized test material, and other such information determined to be confidential by law. No current or former employee shall use or disclose, other than in the performance of his official duties and responsibilities, or as may be required by law, confidential information gained in the course of or by reason of his/her position of employment. Unethical conduct includes, but is not limited to:

5.6.1 Sharing of confidential information concerning student academic and disciplinary records, health and medical information, family status income or assessments/testing results, unless disclosure is required or permitted by law or Board Policy.

5.6.2 Sharing of confidential information restricted by state or federal law.

5.6.3 Threatening the integrity of student testing security, or failing to maintain student testing security, by examining, reading, revealing, or copying the passages, test items, or performance tasks; interpreting or reading test items or passages for students; changing or otherwise interfering with student responses to test items; causing achievement of schools to be inaccurately measured or reported; and copying or reading student responses.

5.6.4 Sharing of confidential information from a closed session of the School Board prior to

5.7 Criminal Acts – The Board is committed to reporting criminal conduct, and other conduct that damages the integrity or reputation of the School District. Employees should abide by federal, state and local laws. Unethical conduct includes but is not limited to:

5.7.1 Committing or being convicted of felonies involving breach of public trust and other specified offenses as provided in West Virginia Code §18A-2-8, as now or hereafter amended;

5.7.2 Committing, being convicted or found guilty of, or entering a plea of guilty, regardless of adjudication of guilt, of any crime involving moral turpitude;

5.7.3 Failing to report the arrest or conviction for criminal acts; or prior to such information becoming a public record subject to disclosure.

5.8 Professional Conduct – The Board is committed to ensuring that our power and authority are used in an appropriate, positive manner that enhances the public interest and trust. Employees should demonstrate conduct that follows generally recognized professional standards. Unethical conduct is any conduct that impairs the ability of any holder of a necessary license, certificate, etc., to function professionally in his or her employment position or a pattern of behavior or conduct that is detrimental to the health, welfare, discipline, or morals of students or the workplace. Unethical conduct includes, but is not limited to, the following:

5.8.1 Failing to maintain any necessary certification or licensure required in the performance of job duties for the School District.

5.8.2 Failing to obtain required professional development in a timely manner;

5.8.3 Failing to report the alleged misconduct of a fellow employee, or to complete an investigation relative to allegations of misconduct of a fellow employee, which affects the health, safety or welfare of a student.

5.8.4 Entering into a confidentiality agreement regarding terminated or dismissed instructional employees and school administrators, or personnel or administrators who are dismissed or resign in lieu of termination, based in whole or in part on misconduct that affects the health, safety or welfare of a student.

5.8.5 Providing employment references or discussing the instructional personnel's or school administrator's performance with prospective employers in another educational setting, without disclosing the personnel's or administrator's misconduct.

5.9 Statutory Compliance: Those covered by this policy shall abide by any and all applicable state and federal laws and regulations that pertain to the matters addressed in this Code of Ethics.

5.10 Procedures for Reporting Ethical Violations and Misconduct

5.10.1 *Reporting Procedures* It is the responsibility of all District employees to promptly report any complaint alleging a violation of this policy and any applicable West Virginia ethics laws or West Virginia Board of Education ethics standards, including any complaint against instructional staff or school administrative staff that includes grounds for the revocation or suspension of a teaching certificate. Any and all complaints shall be promptly reported to the Superintendent. The person alleged to have committed the violation shall be notified of the complaint and of the investigation, and shall be given an opportunity to present evidence in response to the complaint, personally or through legal counsel as part of the investigation.

5.10.2 *Investigation of Complaints.* Complaints of employee misconduct in violation of this policy and other relevant state laws are to be reported to the Superintendent as the chief executive officer of the School District. Such reports shall be investigated under the legal authority of the Superintendent. The Superintendent shall establish a mechanism for the receipt of complaints, including the reporting by a hotline or website.

5.10.2.1 *Violations committed by instructional and school administrative staff* - Any complaint against instructional personnel and school administrators, that comes to an employee's attention and that includes grounds for the revocation or the suspension of a teaching certificate, or acts prohibited by the West Virginia Ethics Act, shall be reported to the Superintendent. The willful failure by a school board employee to promptly report a complaint shall constitute cause of discipline of the employee as provided by law and Board policy. If the allegations are of criminal misconduct, the complaint shall be reported to and investigated by the School Police as provided herein and reported to the Superintendent. If the allegations are of fraudulent conduct, including the misappropriation or misuse of District funds, the complaint shall be investigated by the Internal Auditor and reported to the Superintendent and School Board for proper disposition. The Superintendent shall make such reports in accordance with state law and rules. If a report concerns the Superintendent, it shall be reported to the President of the Board.

5.10.2.2 *Reporting of Possible Criminal Conduct* – A violation of criminal statutes alleged to have been committed by a District employee or volunteer, whether the conduct shall constitute a felony or a misdemeanor, shall be reported to the appropriate law enforcement agency and the Superintendent for investigation.

5.10.2.3 *Giving False or Fraudulent Evidence* – In all proceedings, including administrative hearings and litigation in which the Board is an interested party, and including the reporting of violations of this Policy, professional standards breaches, or criminal law violations as described in this policy or the West Virginia Ethics Act, the evidence presented by District employees shall be truthful. Misrepresentation of factual evidence, including the presenting of false, fraudulent, intentionally misleading or untruthful evidence in any such proceedings or report is declared to be a violation of this policy. Any person making such a misrepresentation of factual evidence is subject to discipline in accordance with this policy.

5.10.2.4 *Reporting and Final Disposition* – At the conclusion of the investigation, an appropriate report setting forth all pertinent facts and circumstances will be prepared by the investigative unit and transmitted to the Superintendent or designee. Based upon the findings presented in the investigative report, the Superintendent, or his designee, may take action in accordance with the Board policies or state laws and rules.

5.10.2.5 *Alternatives to Internal Reporting.* It is not the intention of this policy to prevent the filing of reports or complaints to appropriate agencies pursuant to their standards. In instances in which the right to file complaints directly with those agencies exists, the filing of a complaint pursuant to this policy is available as an alternative form of reporting.

5.11 Actions Prohibited

5.11.1 The Board, its employees and agents, are prohibited from taking retaliatory action or adverse personnel action against any employee who reports violations or discloses information under this policy.

5.11.2 The provisions of this section shall not be applicable when an employee or person discloses information known by the employee or person to be false.

5.11.3 No remedy or other protection under this policy applies to any person who has committed or intentionally participated in committing the violation or suspected violation for which protection under this policy is being sought.

CONFIDENTIALITY

In accordance with WVDE Policy 4350 and the Family Educational Rights and Privacy Act of 1974 (FERPA), all employees have an absolute duty to maintain the confidentiality of records as required by law. Employees, by the nature of their occupation, are exposed to confidential information which should not be repeated or discussed except with those recognized by law as having the “right to know” the information. Any employee who is not sure whether particular information may be protected by state or federal confidentiality policies/laws should seek clarification from his or her immediate supervisor or the Director of Student Services. Where violations occur, appropriate disciplinary action will be taken.

REPORTING OF CHILD ABUSE AND NEGLECT (MANDATORY REPORTING)

WEST VIRGINIA CODE §49-2-803. Persons mandated to report suspected abuse and neglect; requirements.

(a) Any medical, dental or mental health professional, Christian Science practitioner, religious healer, school teacher or other school personnel, social service worker, child care or foster care worker, emergency medical services personnel, peace officer or law-enforcement official, humane officer, member of the clergy, circuit court judge, family court judge, employee of the Division of Juvenile Services, magistrate, youth camp administrator or counselor, employee, coach or volunteer of an entity that provides organized activities for children, or commercial film or photographic print processor who has reasonable cause to suspect that a child is neglected or abused or observes the child being subjected to conditions that are likely to result in abuse or neglect shall immediately, and not more than forty-eight hours after suspecting this abuse or neglect, report the circumstances or cause a report to be made to the Department of Health and Human Resources. In any case where the reporter believes that the child suffered serious physical abuse or sexual abuse or sexual assault, the reporter shall also immediately report, or cause a report to be made, to the State Police and any law-enforcement agency having jurisdiction to investigate the complaint. Any person required to report under this article who is a member of the staff or volunteer of a public or private institution, school, entity that provides organized activities for children, facility or agency shall also immediately notify the person in charge of the institution, school, entity that provides organized activities for children, facility or agency, or a designated agent thereof, who may supplement the report or cause an additional report to be made.

(b) Any person over the age of eighteen who receives a disclosure from a credible witness or observes any sexual abuse or sexual assault of a child, shall immediately, and not more than forty-eight hours after receiving that disclosure or observing the sexual abuse or sexual assault, report the circumstances or cause a report to be made to the Department of Health and Human Resources or the State Police or other law-enforcement agency having jurisdiction to investigate the report. In the event that the individual receiving the disclosure or observing the sexual abuse or sexual assault has a good faith belief that the reporting of the event to the police would expose either the reporter, the subject child, the reporter's children or other children in the subject child's household to an increased threat of serious bodily injury, the individual may delay making the report while he or she undertakes measures to remove themselves or the affected children from the perceived threat of additional harm and the individual makes the report as soon as practicable after the threat of harm has been reduced. The law-enforcement agency that receives a report under this subsection shall report the allegations to the Department of Health and Human Resources and coordinate with any other law-enforcement agency, as necessary to investigate the report.

(c) Any school teacher or other school personnel who receives a disclosure from a witness, which a reasonable prudent person would deem credible, or personally observes any sexual contact, sexual intercourse or sexual intrusion, as those terms are defined in article eight-b, chapter sixty-one, of a child on school premises or on school buses or on transportation used in furtherance of a school purpose shall immediately, but not more than 24 hours, report the circumstances or cause a report to be made to the State Police or other law-enforcement agency having jurisdiction to investigate the report: Provided, That this subsection will not impose any reporting duty upon school teachers or other school personnel who observe, or receive a disclosure of any consensual sexual contact, intercourse, or intrusion occurring between students who would not otherwise be subject to section three, five, seven or nine of article eight-8, chapter sixty-one of this code: Provided, however, That any teacher or other school personnel shall not be in violation of this section if he or she makes known immediately, but not more than 24 hours. to the principal, assistant principal or similar person in charge, a disclosure from a witness, which a reasonable prudent person would deem credible, or personal observation of conduct described in this section: Provided further, That a principal, assistant principal or similar person in charge made aware of such disclosure or observation from a teacher or other school personnel shall be responsible for immediately, but not more than 24 hours, reporting such conduct to law enforcement.

(d) County boards of education and private school administrators shall provide all employees with a written statement setting forth the requirement contained in this subsection and shall obtain and preserve a signed acknowledgment from school employees that they have received and understand the reporting requirement.

(e) The reporting requirements contained in this section specifically include reported, disclosed or observed conduct involving or between students enrolled in a public or private institution of education, or involving a student and school teacher or personnel. When the alleged conduct is between two students or between a student and school teacher or personnel, the law enforcement body that received the report under this section is required to make such a report under this section shall additionally immediately, but not more than 24 hours, notify the students' parents, guardians, and custodians about the allegations.

(f) Nothing in this article is intended to prevent individuals from reporting suspected abuse or neglect on their own behalf. In addition to those persons and officials specifically required to report situations involving suspected abuse or neglect of children, any other person may make a report if that person has reasonable cause to suspect that a child has been abused or neglected in a home or institution or observes the child being subjected to conditions or circumstances that would reasonably result in abuse or neglect.

SAFE SCHOOLS

It is the responsibility of every staff member to report all violations of the Student Code of Conduct (Policy 4373) to the principal/lead teacher. All staff have a personal responsibility for reducing the risk of violence and must take steps to maintain order, demonstrate mutual respect for one another and ensure that students receive the help they need. Staff shall not carry or possess a deadly weapon in the workplace or on the grounds of a school.

WEAPONS

Unless otherwise authorized by law, pursuant to West Virginia Code §§ 61-7-2; 61-7-11; 61-7-1a, no person shall possess, have under the person's control, convey, or attempt to convey a deadly weapon or dangerous ordnance into any school or school buildings, school premises or school buses, or on any grounds or premises in or upon which any school activities are taking place.

DRUG FREE WORKPLACE: POLICY 4080

The Grant County Board of Education believes it is imperative to establish, promote and maintain a safe, healthy working and learning environment for employees and students; to promote the reputation of the county school system and its employees as responsible citizens of public trust and employment; to eliminate substance abuse problems in the workplace; to aid in the reduction of absenteeism, tardiness and apathetic job performance; to provide a clear standard of job performance for county school employees; and to provide a consistent model of substance-free behavior for students and a quality educational environment which is not affected by alcohol or drugs. It will seek, therefore, to establish and maintain an educational setting that is not tainted by the use or evidence of use of any controlled substance and, thus, hereby establishes the Drug-Free Workplace Policy (the "Policy").

The Policy is applicable while employees are on the Workplace or during the Work Day. In addition, this policy is applicable at any and all times when employees are on Board property or in attendance at any school or school board activity/function, regardless of its occurrence on Board property. It is further applicable during the performance of any and all job-related activities and/or while traveling in any vehicle either owned, leased or rented by the Board of Education.

The following shall be considered "prohibited conduct" for the purposes of this policy:

1. No employee shall unlawfully manufacture, distribute, possess or use illegal drugs, controlled substances, non-medically prescribed drugs, look-alike drugs and/or alcohol.
2. No employee shall report to work under the influence of illegal drugs, non-medically prescribed drugs, intoxicants, look-alike drugs or alcohol.
3. No employee shall possess any non-medically prescribed paraphernalia.
4. No employee shall report for duty or remain on duty while abusing legal (prescription or over-the-counter) drugs or alcohol.

5. No employee shall consume or possess open containers of alcohol on the Workplace, including, but not limited to, on Grant County Board of Education property, in a Board of Education vehicle, in vehicles rented by the Grant County Board of Education or in private vehicles then in use in furtherance of the Board of Education's purposes.
6. No employee shall refuse to submit to a post-accident, random, reasonable suspicion, return-to-duty, or follow-up alcohol or drug test.
7. No employee shall report for duty or remain on duty when the employee uses any illegal or prescription drug, except when use is pursuant to the instruction of a physician who has advised employee that the substance does not adversely affect the employee's ability to perform assigned duties.
8. If any employee engages in prohibited conduct as a result of legal medications, the employee is not qualified to perform assigned duties and shall be immediately removed from assignment.

Consequences. First Offense: If any employee engages in conduct prohibited by this policy, s/he shall be subject to the following:

1. Notification of law enforcement agency.
2. Notification, by certified mail, to the West Virginia Department of Education.
3. Suspension with pay pending investigation, including an opportunity to respond to charged violation.
4. Written notification of the charge and an opportunity for a hearing before the Board of Education.
5. Upon a determination of guilt by the Board of Education, suspension for up to ninety (90) days without pay.
6. Required enrollment in a substance abuse counseling program at the employee's expense. Failure to enroll shall be grounds for termination of employment.
7. Return to duties from a period of suspension without pay shall be conditioned on the following:
 - a. Employee furnished written verification of successful completion of a substance abuse counseling program;
 - b. Employee furnished physician's statement verifying the employee is drug/alcohol free;
 - c. Restoration and/or maintenance of any certification or license that are requisite to the ability of an employee to perform his or her duties;
 - d. Failure of an employee to meet the foregoing conditions for return to work within twenty (20) days prior to the end of a suspension without pay shall be grounds for termination of employment.
8. Submission to a random drug test on a monthly basis for a period of six (6) months following a return to duty.
9. In the event an employee is determined to be guilty of a violation of this policy and related actions of the employee are determined to have caused significant property damage, serious injury or death, the Superintendent may recommend termination of employment in lieu of a suspension without pay.

Consequences. Second Offense: If any employee engages in conduct prohibited by this policy, s/he shall be subject to the following:

1. Notification of law enforcement.
2. Notification, by certified mail, to the West Virginia Department of Education.
3. Suspension with pay pending investigation, including an opportunity to respond to charged violation.
4. Written notification of the charge and an opportunity for a hearing before the Board of Education.
5. Upon a determination of guilt by the Board of Education, termination of employment.

FIRE EVACUATION

There are some basics to fire evacuation which are as follows:

- If an employee spots a fire, he/she must report it immediately by pulling the nearest fire alarm, usually located near exits. The Fire Department should be called and the location reported.
- Never use elevators during a fire.
- Don't panic. Move quickly, but orderly, towards the nearest exit and leave the building.

NOTICE OF NON-DISCRIMINATION: POLICY 1040

The Board of Education of the County of Grant does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the non-discrimination policies:

Title: Director of Student Services

Address: 204 Jefferson Ave. Petersburg, WV 26847

Telephone No.: 304.257.1011

DISCRIMINATION GRIEVANCE PROCEDURE: POLICY 4070

The District shall provide a learning and working environment free from discrimination. The District is governed by federal, state and local anti-discrimination laws and acts. To that end, these procedures provide a mechanism of redress for students, parents, guardians, employment applicants and employees to identify barriers to a discrimination-free learning and working environment. The following grievance procedure is provided as an avenue for the expeditious processing of complaints toward the elimination of unlawful acts of discrimination.

These procedures shall govern all compliance proceedings for students, parents and employees of the District. Complaints may be filed if an individual believes that discrimination has occurred as follows:

- Alleged discriminatory practices on the basis of disability with regard to placement, access to services, treatment or employment in programs or activities.
- Alleged discriminatory practices due to an individual's race, color, national origin, age, religion, marital or parental status, political beliefs, or gender.
- Alleged retaliation, harassment or intimidation due to an individual's filing of a grievance or participating in an investigation, proceeding or hearing regarding a charge of discrimination or due to the opposition of language or conduct that violates the above-stated policy.

ATTENDANCE AND PUNCTUALITY

All employees are expected to be present during their scheduled working hours. Absence without prior approval, chronic absences, habitual tardiness or abuses of designated working hours are all considered neglect of duty and will result in disciplinary actions, up to and including termination, unless otherwise required by State or Federal law.

Non-exempt employees who have not been granted prior approval by appropriate authority to work overtime may not arrive at their workstations or begin working earlier than their scheduled starting time and must leave their workstations and stop working at their scheduled ending time. Taking work home without prior approval shall not be permitted. Failure to comply with these requirements may result in disciplinary actions, up to and including dismissal.

TIME AND ATTENDANCE REPORTS

Every employee classified as non-exempt employee is required to complete a time sheet for each week worked during the employee's employment term, reflecting the actual starting and ending times for each day worked and the total time worked. This time sheet shall include the employee's verification that the time sheet is an accurate statement of hours worked. The employee and the employee's immediate supervisor will each sign the time sheet prior to its submittal in a timely manner to the payroll office.

Employees classified as exempt employees are not required to file weekly time sheets, but must indicate days present and absent on the payroll report and initial the report.

WORK SCHEDULES

The principal, with the approval of the Superintendent of Grant County Schools, establishes the school schedule and the work schedules for staff. Employees are responsible for reporting to work at the prescribed time and location. In the event of an emergency or other unusual circumstance, work hours may be changed to meet the demands of the job and to serve the public interest.

WORK YEAR

A full-time staff member is employed for a specified number of work days during a school year. The number of days of employment is usually between 200 to 261 depending upon the scope and extent of an employee's responsibilities. The number of days of employment is approved by the School Board when an employee is initially hired. The number of days of employment runs between July 1 to June 30 of the following year.

An employee usually works the number of days of employment in accordance with a school calendar. The school calendar is developed by education staff at Grant County Schools in collaboration with the State Superintendent of Schools and the State Board of Education. The school calendar normally consists of a 200-day regular term and an extended school term of up to 40 days. The work schedule for staff employed on a 261-day basis includes all weekdays of the year with the exception of holidays observed in the school calendar and vacation periods.

An employee's number of days of employment may be reduced as a result of lack of funding, lack of need, or changes in the scope and delivery of the education program.

WORK WEEK

For purposes of the Fair Labor Standards Act, the workweek for all employees of the School Board is defined as beginning at 12:00 a.m. Monday and ending at 11:59 p.m. Sunday. All employees of the School Board are expected to work a forty (40) hour workweek each week. Employees may regularly and routinely be scheduled to work less than a forty (40) hour workweek, however, the School Board retains the right to request an employee to perform his/her regular duties up to forty (40) hours during a workweek without additional compensation.

WORK DAY

The length of the school day for licensed and professional staff will be a minimum of eight hours and will continue until professional responsibilities to students are completed. Administrative meetings, curriculum development, student supervision, assigned duties, parent conferences, group or individual planning and extra-curricular activities may require hours beyond the stated minimum.

Work schedules for all other employees will be defined by the Superintendent or, his/her designee, and will be consistent with the Fair Labor Standards Act, West Virginia statutes, and provisions of this policy.

Working hours for all non-exempt employees of the School Board, including paraprofessionals, aides, secretaries, bus operators, and cafeteria, custodial and maintenance personnel, will conform to Federal and State laws and regulations including the Fair Labor Standards Act and County policy. AG 6700 is a list of all employee positions of the School Board and whether, each is exempt or non-exempt for purposes of the Fair Labor Standards Act.

Exempt employees are individuals who are exempt from the FLSA minimum wage and overtime provisions. These employees include persons employed in bona fide executive, administrative, and professional positions, and certain computer employees. To qualify for the exemption, employees generally must meet certain tests regarding their job duties and be paid on salary basis at not less than \$455 per week. The salary requirement does not apply to teachers. Exempt computer employees may be paid at least \$455 on a salary basis or on an hourly basis at a rate not less than \$27.63 an hour.

Working hours for all non-exempt employees of the School Board, including paraprofessionals, aides, secretaries, bus operators, and cafeteria, custodial and maintenance personnel, will conform to Federal and State laws and regulations including the Fair Labor Standards Act and County policy.

Non-exempt employees are not permitted to volunteer to perform services for or on behalf of the school system if the volunteer duties involve the same types of duties that the employees normally perform as a part of their regular duties for the school.

DAILY PLANNING PERIOD

Teaching staff who are regularly employed for a period of time more than one-half the class periods of the regular school days are provided at least one (1) paid planning period within each school instructional day to be used to complete necessary preparations for the instruction of students. A teacher shall not be assigned any responsibilities during this period, and the County shall not increase the number of hours to be worked by a teacher as a result of such teacher being granted a planning period.

Substitute teachers may be utilized to assist with classroom responsibilities in cases where the regular teacher is unavailable for teaching purposes as a result of this policy; however any substitute teacher who is employed to teach a minimum of two (2) consecutive days in the same position shall be granted a planning period.

A teacher may exchange his/her planning period for any compensation or benefit mutually agreed upon by the employee and the Superintendent of Schools or his/her agent. A teacher and the Superintendent or his/her agent may not agree to terms which are different from those available to any other teacher within the individual school or to terms which in any way discriminate among such teachers within the individual school. This shall be a written agreement, dated and signed by the employee/teacher and the Superintendent or his/her agent.

JOB DESCRIPTIONS

All job descriptions are updated annually and available upon request and on the county website:

<http://www.grantcountyschools.org/job-descriptions.html>

It is the responsibility of each employee to review their job description(s) within the first 5 days of employment each school year. Questions related to job descriptions should be directed to the immediate supervisor.

In the event job descriptions are revised after the deadline for employee review, impacted employees will be provided with the revised job description and/or information about where it can be accessed.

PERFORMANCE EVALUATION

All regular professional employees shall be evaluated based on WVDE Policy 5310. All regular service employees shall be evaluated based on Grant County Schools Policy 4105.

ACCOMMODATING EMPLOYEES WITH DISABILITIES: POLICY 4005

The School Board will make a reasonable accommodation to the known physical or mental impairment of a qualified individual with a disability, when necessary, to enable the qualified individual with a disability to perform the essential functions of the job. An individual with a disability has the responsibility to request an accommodation.

CERTIFICATION/LICENSURE

It is the responsibility of each employee to maintain and renew certifications/licensure (including Authorizations, Permits, etc.) as it relates to each position. Failure to comply with individual certification/licensure requirements may result in disciplinary actions, up to and including dismissal.

PERSONNEL FILES

The School Board shall maintain a confidential personnel file for each employee. Documents and data relating to each employee's employment with the School Board, including but not limited to the Handbook Statement of Acceptance, Drug Free Workplace, Internet Use Agreement Form, and documents relating to hiring, rate of pay, promotions, licensing and disciplinary actions, shall be kept in the personnel file. Any and all documents constituting or relating to medical records or information shall be kept in a separate, confidential file in compliance with applicable local, state and federal law. Any and all documents constituting or relating to grievance activity shall be kept in a separate, confidential file in compliance with applicable state law.

REFERENCE AND INFORMATION REQUESTS

The School Board will respond only to written requests for information about current, retired or terminated employees. All such requests must be referred to the Director of Human Resources who will provide the following information:

Dates of employment, Title(s) of position(s), Wage or salary level(s), and Work location(s).

Without a release and authorization from the individual involved, no opinion or assessment of job performance will be provided. Only **authorized** persons shall provide information of any kind to inquiries made on or about a current or past employee of the Grant County School system.

CHANGE OF STATUS

Employees are required to notify the Director of Human Resources and Payroll Supervisor in writing when there is a change in any of the following:

Name, Telephone number, Address, Person to notify in case of emergency, Marital status, Number of dependents for W-4, Change of beneficiary

DRESS CODE

Staff members must be physically clean, neat, and well groomed and dress in a manner consistent with their professional responsibilities, which communicates to students a pride in personal appearance, and that does not cause damage to County property. Staff members must be groomed in such a way that their hair style or dress does not disrupt the educational process nor cause a health or safety hazard.

Repeated violations of the dress code will subject the employee to disciplinary action which, depending on the severity, may result in termination of employment.

CONTINUING EDUCATION

Professional Staff: Policy 4140

The purpose of CE is to improve the employee's knowledge as it relates to his/her job and all employees are required to receive 18 hours of CE each year. **Professionals must attend all CE days scheduled in the school calendar unless using approved leave.**

County Provided CE

1. **MANDATORY days designated as CE Days are listed in the school calendar. Please refer to the school calendar for exact dates and times.**
2. Other county provided CE offered on a non-contract day (during the summer)

Graduate Class

1. Any three hour graduate class completed during the current school year may be used as 6 hours of CE credit (up to a maximum of 12 hours total)
2. In order to receive CE credit for a graduate class, the professional must submit a completed CE credit form along with a copy of their transcript to the CE Council for approval

Conferences

1. Conferences professionals attend may be used for CE if the conference is NOT held on a contracted work day (must be in the summer or on weekends) during the current school year.
2. The conference must relate to the professional's daily classroom responsibilities
3. In order to receive CE credit for attendance at a conference, the professional must submit a completed CE credit form along with documentation of their attendance at the conference to the CE Council for approval
4. One hour of attendance may be used for one hour of CE (up to a maximum of 12 CE hours total)
 - All professionals are required to submit a record of their eighteen hours of CE annually on the provided form
 - The form should be submitted only once the employee has completed all eighteen hours
 - The professional and his/her supervisor must sign the form prior to its submission to the CE Council
 - The form must be submitted by May 1 annually to the superintendent's CE designee
 - Employees are expected to retain a copy for their records
 - The form must include the credit form and required documentation if the professional intends to use either graduate classes or conferences for CE
 - The use of graduate classes or attendance at a conference for CE hours may only be approved by the Professional CE Council during a regular meeting

Service Staff: Policy 4150

The purpose of CE is to improve the employee's knowledge as it relates to his/her job and all employees are required to receive 18 hours of CE each year. Service Personnel must receive their 18 hours on the four designated CE days in the school calendar: **CE Days are listed in the school calendar. Please refer to the school calendar for exact dates and times.**

If a service personnel employee cannot attend CE on those four days due to some type of catastrophic occurrence, they will be responsible to complete the following:

1. Notify their supervisor as far in advance as possible that they are unable to attend and enter their absence in Aesop as appropriate (sick or personal day), Find appropriate replacement CE that they will take on their own time (not during contracted work days/hours)
2. Write a request prior to taking the replacement CE that must be submitted to their direct supervisor, the superintendent, and the superintendent's CE designee for their approval
3. Submit documentation/verification to their direct supervisor, the superintendent, and the superintendent's CE designee after completion of the required CE hours
 - All service personnel are required to submit a record of their eighteen hours of CE annually on the provided form
 - The form should be submitted only once the employee has completed all eighteen hours
 - The employee and his/her supervisor must sign the form prior to its submission to the CE Council
 - The form must be submitted by March 1 annually to the superintendent's CE designee
 - Employees are expected to retain a copy for their records

SCHOOL BOARD-STAFF COMMUNICATION

The School Board desires to maintain open channels of communication between itself and the staff. The basic line of communication, will, however, be through the Superintendent.

Staff Communications to the School Board

Communications from staff members to the School Board or its committees shall be submitted through the Superintendent. The Superintendent shall forward such communications received from staff members to the School Board. This procedure is not intended to deny any staff member his/her constitutional right of free speech or the right to appeal to or otherwise address the School Board on important matters through established procedures.

School Board Communications to Staff

All official communications, policies, and directives of the School Board that would be of interest and concern to the staff will generally be communicated through the Superintendent. The Superintendent shall also keep staff members informed of the School Board's concerns, and actions.

Social Interaction

Both staff and School Board members share an interest in the schools and in education generally, and it is to be expected that when they interact at social affairs and other functions, they will informally discuss such matters as educational trends, issues, and innovations, and general activities of the County. However, since School Board members are not authorized to act on behalf of the School Board unless by quorum, in open public session, or when specifically vested with such authority, School Board members and members of the staff should not discuss any matter which may result in the individual School Board member(s) making some decision and giving the staff member a directive as a result. In particular, School Board members should not discuss individual personalities, personnel grievances, or other complaints with staff members or others outside the appropriate setting. Instead, such matters should be addressed in accordance with the procedures established in the School Board policies.

SCHOOL CLOSURE DUE TO INCLEMENT WEATHER AND SPECIAL CIRCUMSTANCES

Weather conditions or emergency circumstances may necessitate the closure of school or impose a delay in the opening of school. If required by law or a direction from the State Superintendent of Schools or designee, a make-up date for instruction shall be designated within the school calendar by converting a remaining non-instructional day to an instructional day.

If school remains open, staff who missed work must use Personal Leave for Illness and Other Causes (sick leave).

PAYROLL DEDUCTIONS

An earnings statement is available on each paycheck or online (for those receiving direct deposit) @ <http://wveis.k12.wv.us/countempol/> indicating gross wages, itemized deductions, and net pay. It is your responsibility to review your earnings statement each payday. Any errors or unexplained discrepancies should be reported to the Department's payroll office immediately.

Mandatory deductions from your paycheck are Federal Income Withholding Tax, State Income Withholding Tax, Social Security Withholding Tax (FICA), Medicare, and Teachers Retirement System Contribution.

Other payroll deductions may be made based on authorization by the employee including: Insurance Premiums (Basic Health, Optional Life, Dependent Life); Credit Union; U.S. Savings Bonds; Combined Campaign for Charitable Organizations; Employee Association Dues; and other miscellaneous items.

COMPUTATION OF OVERTIME PAY: POLICY 5010

Overtime compensation will be paid or compensatory time awarded for actual hours worked in excess of forty during a given workweek. In computing the total number of overtime hours worked, time worked will be rounded to the nearest fifteen minute increment. For example, one hour and five minutes will be rounded to one hour, one hour and ten minutes will be rounded to 1 hour and fifteen minutes.

Overtime compensation will be paid at the rate of one and one-half times the employee's regular rate of pay for each hour worked in excess of forty during a workweek. Generally, the regular rate will include all compensation earned by the employee during the workweek divided by the total number of hours worked.

In situations where an employee performs two or more different duties during the workweek with differing regular compensation rates, such as his/her regular duty and an extra-curricular and/or extra-duty assignment, overtime compensation will be computed using one of the following methods: (a) Weighted average method – This involves calculating the employee's regular rate of pay for the workweek by taking the weighted average of all jobs performed during the workweek. To find the weighted average, determine the employee's total earnings for the week and divide this total by the total number of hours worked on all jobs. Once the weighted average has been determined, overtime will be calculated at one and one-half times this average. (b) Separate rates method – This involves calculating the employee's regular rate of

pay for the workweek by computing the rate for each job separately. The overtime rate is based on the regular rate that applies to the type of work performed during the hours in excess of forty. This method is available for hourly workers only and before it can be used, the employer and employee must agree (prior to the additional work being performed).

Violations of Overtime Policy

Any exempt or non-exempt employee who violates any provision of the Board's overtime policy, or any regulations or procedures related thereto, may be subject to disciplinary actions, up to and including dismissal.

HEALTH BENEFITS

The State of West Virginia, through the Public Employees Insurance Agency (PEIA) offers a flexible benefits program, and all employees shall have the opportunity to enroll in hospitalization, surgical, prescription drug, and other medical care benefits. For exclusions, information on pre-certification and applicable premium costs, employees should contact Public Employees Insurance Agency.

LIFE INSURANCE

A basic \$10,000 decreasing term life insurance policy is provided at no cost. Optional life insurance is available up to \$500,000 with the cost based upon age. If an employee enrolls for more than \$100,000, a statement of health must be completed and approved. Dependent life insurance is available for an employee's spouse in amounts of \$5,000 to \$40,000 and child(ren) in amounts of \$2,000 to \$15,000.

FLEXIBLE BENEFITS

A Flexible Benefits Plan offered by American Fidelity Assurance Company enables employees to choose from among several options for dental, vision, and short-term and long-term disability insurance, as well as medical care and dependent care flexible spending accounts, and to pay for these benefits on a pre-tax basis. A Legal Plan is also available as a post-tax benefit option.

TUITION REIMBURSEMENT

Tuition reimbursement is available through the West Virginia Department of Education for professional personnel who hold a continuing contract, are required to renew his or her certificate, and are taking courses required and approved for renewal of certificate.

JOB-RELATED EXPENSES

The School Board will provide for the payment of the actual and necessary expenses, including traveling expenses, of any staff member incurred in the course of performing services for the Grant County School system, whether within or outside the County, under the direction of the School Board and in accordance with the Superintendent's administrative guidelines.

The School Board shall pay the expenses of staff members when they attend professional meetings approved in accordance with the policy of this School Board and in accordance with the administrative guidelines of the Superintendent.

The validity of payments for job-related expenses shall be determined by the Treasurer/Chief School Business Official. Whenever a staff member is unable to provide required receipts for appropriate expenses, she or he will not be reimbursed.

EARLY NOTIFICATION OF RETIREMENT

Any professional employee who gives written notice to the School Board on or before the 1st day of March of the school year of their retirement from employment with the School Board at the conclusion of the school year shall be paid \$500 from the "Early Notification of Retirement" line item established for the Department of Education for this purpose, subject to appropriation by the Legislature. Service personnel shall be paid \$250 for early notification of retirement to the School Board on or before the 1st of March.

If the appropriations to the Department of Education for this purpose are insufficient to compensate all applicable teachers, the Department of Education shall request a supplemental appropriation in an amount sufficient to compensate all such teachers. Additionally, if funds are still insufficient to compensate all applicable teachers, the priority of payment is for teachers who give written notice the earliest. This payment shall not be counted as part of the final average salary for the purpose of calculating retirement.

LIABILITY COVERAGE

The State Board of Risk and Insurance Management (BRIM) provides appropriate professional or other liability insurance for the School Board, teachers, supervisory and administrative staff members, service personnel, County Superintendent of Schools and School Board members.

The insurance covers any claim, demand, action, suit, or judgment by reason of alleged negligence or other acts resulting in bodily injury or property damage to any person within or without any school building, if, at the time of the alleged injury, the teacher, supervisor, administrator, service personnel employee, County Superintendent, School Board member, or employee was acting in the discharge of his/her duties, within the scope of his/her office, position of employment, under the direction of the Board of Education or in an official capacity as a County Superintendent or as a School Board member.

The insurance coverage amount is determined by the BRIM, but in no event is it less than \$1,000,000 for each occurrence

EXCESS LIABILITY COVERAGE

In addition to the liability insurance provided by the State, the School Board shall purchase, through the Board of Risk and Insurance Management, excess coverage of at least \$5,000,000 for each occurrence. The Grant County Board of Education pays for the cost of this excess coverage.

Any insurance purchased under this section shall be obtained from a company licensed to do business in this State. The insurance policy shall include comprehensive coverage, personal injury coverage, malpractice coverage, corporal punishment coverage, legal liability coverage as well as a provision for the payment of the cost of attorney's fees in connection with any claim, demand, action, suit or judgment arising from such alleged negligence or other act resulting in bodily injury under the conditions specified in this policy.

The Superintendent and other school personnel shall be defended by the School Board or an insurer in the case of suit, unless the act or omission shall not have been within the course or scope of employment or official responsibility or was motivated by malicious or criminal intent.

FAMILY AND MEDICAL LEAVE POLICY AND NOTICE OF EMPLOYEE RIGHTS AND RESPONSIBILITIES: POLICY 4018

The Family and Medical Leave Act of 1993 (the "FMLA") requires that the Board allow at least up to twelve (12) weeks of unpaid leave in any twelve (12) month period for eligible employees who must miss work because of one of the following circumstances:

- 1.1 the birth or adoption of a child
- 1.2 the placement of a foster child
- 1.3 to care for spouse, son, daughter or parent of the employee, if such relative has a serious health condition
- 1.4 an employee's serious health condition that makes the employee unable to perform the functions of the position assigned.

The Board shall consider employees to be entitled to FMLA leave in accordance with the definitions, criteria and notice procedure set forth in the FMLA and regulations promulgated thereunder. The Board observes a twelve (12) month period commencing on July 1st and ending on June 30th of the next ensuing year in administering FMLA leave. No policy, procedure or action by the Board shall constitute a waiver of the requirements of the FMLA and applicable Federal

regulations. The following explanation of the FMLA is provided for general information only. Any specific questions or requests for FMLA should be directed to the Assistant Superintendent responsible for personnel.

WEST VIRGINIA PARENTAL LEAVE ACT

The West Virginia Parental Leave Act (PLA) provides that an employee hired for permanent employment, who has worked for at least twelve (12) consecutive weeks performing services for remuneration, shall be entitled to a total of at least twelve (12) calendar weeks of unpaid family leave following the exhaustion of all his/her annual and personal leave during any twelve (12) month period for the following reasons:

1. Birth of a son or daughter of the employee;
2. Placement of a son or daughter with the employee for adoption; or,
3. To care for the employee's son, daughter, spouse, parent or dependent who has a serious health condition.

In the case of a son, daughter, spouse, parent or dependent who has a serious health condition, such family leave may be taken intermittently when medically necessary. A serious health condition is defined as any physical or mental illness, injury or impairment which involves (1) in patient care in a hospital, hospice, or residential health care facilities, or (2) continuing treatment, health care, or continuing supervision by a health care provider.

If an employee requests family leave to care for a designated family member with a serious health condition, the employer may require the employee to provide certification by a health care provider of the family member's serious health condition.

If a leave under this section is foreseeable because of planned medical treatment or supervision, the employee shall (1) make a reasonable effort to schedule the treatment or supervision so as to not unduly disrupt the operations of the employer, subject to the approval of the health care provider of the employee's son, daughter, parent or dependent; and (2) provide the employer with two weeks written notice of the treatment or supervision.

The position held by the employee immediately before the leave is commenced shall be held by the employee and the employee shall be returned to that position provided that such leave does not exceed twelve (12) calendar weeks.

COBRA (CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT)

Federal law entitles employees and covered dependents to continue medical coverage when coverage would otherwise terminate, provided the employees and/or dependents pay the full group premiums. Additional and more specific information may be attained from the Public Employees Insurance Agency.

RETIREMENT

All regular employees are required to join the West Virginia Consolidated Public Retirement Board. Individuals employed prior to July 1, 2005, become members of the Teachers' Defined Benefit Plan referred to as Retire I. Six percent (6%) of their salary is dedicated as the employee's contribution to their retirement plan and the employer at 15%.

Individuals employed on or after July 1, 2005, become members of the Teachers' Defined Benefit Plan referred to as Retire IV. Six (6%) of their salary is dedicated as the employee's contribution and matched with seven and one-half percent (7 1/2%) by the employer.

HOLIDAYS

Employees are granted paid time off in observance of official school holidays if the days are within their contract period, these days are identified in the school calendar and explained in the calendar narrative.

OUTSIDE OF SCHOOL ENVIRONMENT DAYS

Six (6) paid non-instructional days are designated and scheduled within the regular term of the school calendar to be used by employees outside the school environment.

VACATION POLICY: POLICY 4020

Employees who hold 261 day contracts shall be eligible to accumulate and take vacation leave.

PERSONAL LEAVE FOR ILLNESS AND OTHER CAUSES (SICK LEAVE): POLICY 4010

The Grant County Board of Education shall abide by State law regarding personal leave established by the West Virginia State Legislature. It shall be the responsibility of the Superintendent to establish administrative regulations that provide for the use of personal leave and other forms of leave.

Employees will continue to receive 4 personal leave days. If an employee has at least One unused Personal Leave Day from the previous year, they will start with 5 personal leave days. Any other unused personal leave days (if any) will roll over into sick leave balance. Please direct questions regarding leave roll-over to the Office of Finance.

At the beginning of his / her employment term, each full-time employee of the Grant County Board of Education shall be entitled annually to one and one-half days personal leave for each employment month or major fraction thereof during his/her employment term. Personnel employed for a full-time equivalency (F.T.E.) of .5 or less shall receive personal days on a prorated basis. Unused leave shall be accumulative and shall be transferable within the state. A change in job assignment during the school year shall no way affect the employee's rights or benefits.

Personal Use Utilization

An employee shall qualify to use personal leave and be paid the full salary from his/her regular budgeted salary appropriation during the period which the employee is absent, as follows:

A. Personal Leave with Cause:

1. Personal injury due to an accident.
2. Personal sickness
3. Death in the immediate family is limited to the number of personal days an employee has accumulated.
4. Life threatening illness of the employee's spouse, parents, or child.
5. Any other cause authorized by the Board.

B. Personal Leave without Cause:

All regular full-time employees shall be permitted to take up to four (4) days of their personal leave days annually, without regard to the cause for the absence. These four (4) days personal leave may not be taken on consecutive work days unless authorized or approved by the employee's principal or immediate supervisor. Notice of such leave day shall be given to the employee's principal or immediate supervisor at least twenty-four (24) hours in advance, except that in the case of sudden and unexpected circumstances, such notice shall be given as soon as reasonably practicable. The use of such day may be denied if, at the time notice is given, either fifteen percent (15%) of the employees or three (3) employees, whichever is greater, under the supervision of the principal or immediate supervisor have previously notified the principal or immediate supervisor of their intention to use that day for such leave. Personal Leave without cause shall not be used in connection with a concerted work stoppage or strike.

Any employee taking leave in violation of the above stated reasons for granting personal leave shall be subject to disciplinary action up to and including termination.

Eligibility Requirements/Procedures

- Employees are expected to follow leave procedures (requests/approval/etc.), as directed by their supervisor.
- All claims for personal leave must be on the form(s) provided by the employer, signed by the employee, and submitted immediately upon return to work and presented to the employee's immediate supervisor for approval.
- A physician's written verification is required to be supplied by the employee to the employee's immediate supervisor after three (3) consecutive days of absence.
- The Board reserves the right at any time to have a physician of its choice to examine a personal leave claimant at the Board's expense.

- If an employee should use personal leave which the employee has not yet accumulated on a monthly basis and subsequently leave the employment, the employee shall be required to reimburse the Board for the salary or wages paid to him/her for such unaccumulated leave.

If any error in reporting absences should occur, the Board shall have authority to make necessary salary adjustments in the next pay after the employee has returned to duty or in the final pay if the absence should occur during the last month of the employment term.

If an employee is awarded workers' compensation benefits, such employee shall receive personal leave compensation only to the extent such compensation is required, when added to the workers' compensation benefit, to equal the amount of compensation regularly paid such employee. If personal leave compensation equal to the employee's regular pay is paid prior to the award of the workers' compensation benefit, such amount which, when added to the benefit, is in excess of the employee's regular pay shall be deducted from the employee's subsequent pay. The employee's accrued personal leave days shall be charged only for such days as equal the amount of personal leave compensation required to compensate the employee at the employee's regular rate of pay.

SICK LEAVE BANK: POLICY 4013

The purpose of the Sick Leave Bank is to relieve Grant County School employees from undue financial burdens due to absence from work on a long-term basis due to a catastrophic personal illness, injury, or incapacitation that would make their presence in the position inadvisable. There are two separate sick leave banks administered by one committee, one bank for professional personnel and one for service personnel. All full-time employees or half-day (part time) of the Grant County Board of Education are eligible for membership on a voluntary basis.

LEAVE DONATION BANK: POLICY 4015

Employees (donor employees) are authorized to transfer accrued personal leave days to designated employees (recipient employees) as outlined in Grant County Schools Policy 4015.

JURY DUTY

The School Board believes that jury duty is a matter of civic obligation. Upon request in writing, an employee will be granted leave with pay when he or she is summoned to serve on a jury. Leave requests must be accompanied by a copy of the summons and sent to the Director of Human Resources.

COURT APPEARANCE

Any employee who is subpoenaed to appear as a witness but not as a defendant in any criminal proceeding in any court of law may make such appearance without any loss of pay. Absent proof that a child custody proceeding is criminal, an employee who is subpoenaed to testify in the proceeding is not entitled to do so without loss of pay or personal leave. The Board of Education will pay the employee the difference between the witness fee, exclusive of travel allowances, payable for such appearance by the court and the amount of salary due to the person for the time such employee is absent from his or her employment by reason of answering such subpoena. If a subpoena is relevant to employment with the district, the employee shall provide a copy of the subpoena within 3 school days of receipt.

MILITARY LEAVE: POLICY 4160

Any officer or employee of the Board hired for permanent employment who is a member of the National Guard or armed forces reserve, is entitled to a military leave of absence from his or her respective office or employment without loss of pay, status or efficiency rating, on the days during which he or she is ordered, by properly designated authority, to be engaged in drills, inactive duty training, parades, funeral details, service schools or other duty, during business hours, field training, annual training or other full-time National Guard duty pursuant to Title 10 or Title 32 of the United States Code, or active service of the state, for a maximum period of thirty working days, not to exceed two hundred forty hours in any one calendar year.

DOCK DAYS (ABSENCES WITHOUT PAY) POLICY 4011

All employees are expected to work the number of days listed on their contract or use approved leave. However, absences without pay may be necessary in emergency or unusual/extraordinary situations, and when all other Board eligible leave, including personal leave, has been exhausted. Please see Policy 4011 for restrictions and further details.

REPORTING ACCIDENTS

Employees are expected to follow safety instructions and to comply with procedures established to prevent accidents. An employee has the responsibility to immediately report all health and safety problems to his or her immediate supervisor. Employees are expected to follow county procedure to report accidents and personal injuries that involve school students, employees, and/or school vehicles.

REPORTING INJURIES

The Occupational Safety and Health Act of 1970 requires the School Board to record and report all occupational accidents resulting in injury to an employee connected with his work. Additionally, the workers' compensation laws of the State of West Virginia require reporting of all occupational accidents within 24 hours following the occurrence. In view of the above reporting responsibility, all accidents resulting in injury to an employee during the course of employment are to be immediately reported to the employee's supervisor or the Director of Human Resources.. Even if the injury is minor and it appears there will be no time off for treatment or recovery, the report must still be made.

WORKERS' COMPENSATION

West Virginia State law requires workers' compensation to be provided to all employees of the School Board. An employee who sustains an on-the-job injury must notify his/her supervisor immediately and complete all required forms in order for a workers' compensation claim to be made.

CONFLICTS OF INTEREST

The proper performance of school business is dependent upon the maintenance of unquestionably high standards of honesty, integrity, impartiality, and professional conduct by Board of Education employees. Therefore, the following prohibitions and guidelines are not all inclusive. The employees must continue to exercise sound judgment to assure that conflicts of interest do not occur.

No employee shall engage in or have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities in the school system.

Employees shall not engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship they may have with any student, client, or parents of such students or clients in the course of their employment with the County without approval of the superintendent.

Included, by way of illustration rather than limitation are the following:

- a. the provision of any private lessons or services for a fee; provided, however, that tutorial services may be offered by appropriate teaching personnel at a fee negotiated between the student or client, their parent or parents, and the professional, with prior approval of the Superintendent;
- b. the use, sale, or improper divulging of any privileged information about a student or client gained in the course of the employee's employment or through his/her access to County records;

- c. the referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration for such referrals;
- d. the requirement of students or clients to purchase any private goods or services provided by an employee or any business or professional practitioner with whom any employee has a financial relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations.

Employees shall not make use of materials, equipment, or facilities of the County in private practice. Examples would be the use of facilities before, during, or after regular business hours for service to private practice clients, or the checking out of items from an instructional materials center for private practice.

Exceptions to this policy shall be approved by the Grant County Superintendent of Schools before entering into any private relationship.

STAFF GIFTS

Staff members may accept gifts of nominal value from students or parents. The Superintendent may approve acts of generosity to individual staff members in unusual situations.

Upon the recommendation of the Superintendent, the School Board shall consider, as appropriate, the presentation of token gifts to retiring members of the staff who have rendered service for a period of time.

Staff members shall not accept any form of compensation from vendors that might influence their recommendations on the eventual purchase of equipment, supplies, or services. Furthermore, staff members shall not accept any compensation from a vendor after a decision has been made to purchase equipment, supplies, or services from said vendor. In addition, staff members who recommend purchases shall not enter into a contractual arrangement with a vendor seeking to do business with the School Board, or a vendor with whom the School Board is doing business, whereby an individual staff member receives compensation in any form for services rendered.

Such compensation includes, but is not limited to, cash, checks, stocks, or any other form of securities, and gifts such as televisions, microwave ovens, computers, discount certificates, travel vouchers, tickets, passes, and other such things of value. In the event that a staff member receives such compensation, albeit unsolicited, from a vendor, the staff member shall notify the Treasurer, in writing, that he or she received such compensation and shall thereafter promptly transmit said compensation to the Treasurer.

COPYRIGHT INFRINGEMENT

Infringement of copyright is prohibited by law and is addressed by West Virginia Board of Education Policy 5711. Employees must adhere to the copyright law in regard to the reproduction of print and non-print materials. This includes books, periodicals, videodiscs, compact discs, videotapes, 16 mm films, filmstrips, software, videoconferences, television programs, and any other media affected by copyright laws.

TELEPHONE CALLS

All telephones are for the purpose of conducting official business. The School Board recognizes that employees have an occasional need to make a local call or receive a personal call. These calls shall be held to a minimum.

SOLICITATION

Direct or indirect political solicitation on state property or at any state work site is prohibited. Nonpolitical solicitation, sales, and/or distribution of literature or merchandise by state employees and/or non-state employees is prohibited on state property or at any work site without the written permission of the Superintendent of Grant County Schools.

USE OF GRANT COUNTY SCHOOLS' PROPERTY

Employees have the responsibility to use Grant County Schools' property in accordance with the following:

1. An employee is prohibited from using, for other than officially approved activities, Grant County Schools' property of any kind, including property leased to Grant County Schools.
2. An employee has an obligation to protect and conserve Grant County Schools' property, including equipment and supplies.
3. Any owned or leased property of Grant County Schools that is lost or misplaced must be reported to the employee's immediate supervisor within twenty-four (24) hours of discovery of the loss.

PREVENTION AND CONTROL OF COMMUNICABLE AND OTHER INFECTIOUS DISEASES

Any teacher having information concerning any person who attempts to enter school for the first time without having been immunized against diphtheria, polio, rubeola, rubella, tetanus and whooping cough shall report the names of all such persons to the county health officer.

PHYSICAL/MENTAL EXAMINATION

The School Board or Superintendent reserves the right to require, after a conditional offer of employment, that the candidate submit to an examination in order to determine the physical and/or mental capacity to perform the essential functions of the position. Examinations will be done in accordance with the Superintendent's guidelines.

Reports of all such examinations or evaluations will be delivered to the Superintendent, who will protect their confidentiality. Reports will be made a part of a confidential medical file. Upon receipt of the medical report, the Superintendent shall base any non-employment recommendation upon a conference with a physician and substantiation that the job candidate cannot perform the essential functions of the job, with or without reasonable accommodation.

The School Board shall assume any costs for required examinations.

TOBACCO USE AND DISTRIBUTION

For purposes of this policy, "use of tobacco" shall mean all uses of tobacco, including a cigar, cigarette, pipe, snuff, chewing, or any other matter or substances that contain tobacco.

In order to protect students and staff who choose not to use tobacco from an environment noxious to them, and because the School Board cannot, even by indirection, condone the use of tobacco, the School Board prohibits the use and the distribution of tobacco by staff members:

- on any property owned, leased or operated by the West Virginia Department of Education, West Virginia Board of Education, a county board of education or a Regional Education Service Agency (hereinafter RESA);
- at any education-sponsored event;
- on a school bus or other vehicle used for a school related event or other school/county or RESA function;
- at any school-sponsored activity or event, whether the activity or event is held on school grounds, in a building or other property used or operated by a county board of education, RESA or the West Virginia Department of Education, West Virginia Board of Education.

Individuals supervising students off school grounds are prohibited from using tobacco products in the presence of students and/or at any time while engaged in activities directly involving students.

Enforcement provisions for staff may include, but are not limited to: referral to an Employee Assistance Program, conference with supervisor and disciplinary actions up to and including dismissal.

UNAUTHORIZED WORK STOPPAGE

Staff members who fail to perform their normal duties when so required as part of a concerted, unauthorized work stoppage will be subject to disciplinary action, up to and including termination of employment.

ACCEPTABLE USE OF THE INTERNET: POLICY 6030

1.0 Statement of Objective

1.1 The Grant County School District embraces the use of technology to promote educational excellence, resource sharing and communication, innovative instruction and provide electronic access to a wide range of information. Use of our technology must be in support of education and/or research or for school business. Use must also support West Virginia Content Standards and Objectives, and be in accordance with all West Virginia Board of Education Policies.

1.2 As the use of telecommunication networks by employees increase, there is a need to clarify acceptable use and safety of those networks and to include federal regulations from the Children's Online Privacy Protection Act (COPPA) and the Children's Internet Protection Act (CIPA).

2.0 Privileges

2.1 The use of the Internet as part of an educational program is a privilege, not a right. Inappropriate or unauthorized use or safety violations could result in revocation or suspension of that privilege.

2.2 Each employee who utilizes internet and electronic telecommunication systems will receive training and have a signed acceptable use agreement on file.

3.0 Education and Monitoring

3.1 The use of telecommunications and or access to the Internet is an extension of the educator's responsibility in his/her classroom. Therefore, it is the educator's responsibility to ensure classroom activities that utilize Internet-related technologies that focus on appropriate and specific learning goals and objectives. Educators are also responsible for providing instruction on Internet safety issues including but not limited to: security of personal information, cyber-bullying, manners, and social networking. The WVDE on-line curriculum will be used by educators to fulfill the safety education requirements.

3.2 To avoid duplication of effort at the district/school levels, the WVDE will provide a method and instructional modules that allow districts/schools to certify compliance with the new FCC regulations regarding Internet safety policies. The policies must provide for educating students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber bullying awareness and response. Instructional information regarding the WVDE method and curriculum content for certifying that students have been educated about appropriate online behavior can be found at <http://wvde.state.wv.us/technology/cipa-compliance.php>. This WVDE method will provide documentation that districts have met the annual E-rate compliance requirements of educating students regarding appropriate use. The districts and schools are encouraged to go beyond this basic compliance if so desired.

4.0 Accountability and Responsibility

4.1 All employee use of Internet-related applications must be in accordance with regulations. Specific examples of unauthorized use include, but are not limited to the following:

- Executing non-educational gaming.
- Creating, storing, sending, or viewing pornographic material.
- Downloading executable files, uploading, storing, or saving any games, music, utilities, screen savers, zip files, and/or executing viruses,
- Using e-mail user ID's other than one's own ID.
- Corrupting, destroying, deleting, or manipulating system data with malicious intent.
- Violating safety and/or security measures when using e-mail, chat rooms, and other forms of direct electronic communications. Chat rooms and/or use of instant messaging programs are prohibited unless they are needed for educational use only and under the supervision of the instructor.
- "Hacking" or any other unlawful online activity.
- Disclosing, using, or disseminating personal information regarding minors.
- Users will respect the rights of copyright owners.
- Grant County Schools (GCS)/school equipment that is used off site is subject to the same rules as when used on site.

- Staff are expected to use GCS and school-owned technology in a responsible, efficient, ethical, and legal manner in accordance with the educational mission of the state, district, and school. The use of such technologies may be restricted or revoked for inappropriate behavior or use.
- Staff are encouraged to use GCS and school equipment whenever possible and available.
- Keep educational files and e-mail messages stored on servers to a minimum. Users should responsibly back up their data and files. GCS/schools may set individual storage limits per server.

4.2 Employee use of Personal Technology (cell phones, tablets, laptops, etc).

Personal use of personal technology shall be kept to an absolute minimum during work hours. *Personal use of personal technology shall NEVER occur during instruction and/or supervision of students.*

Instructional/education use of personal technology may be permitted:

1. In support of education;
2. If connected to the school’s wireless network (not 4G, LTE, etc.)
3. If authorized by the supervisor.
4. As needed during an emergency.

4.2.1 Unauthorized or unacceptable use of personal technology devices by employees may result in suspension or revocation of personal device privileges. These uses include, but are not limited to, the following:

- Using personal devices “off-network” (4G, LTE, etc.).
- Using personal devices for non-educational purposes.
- Using personal devices when not authorized.
- Downloading and installing GCS licensed software on personal devices unless specifically allowed by the licensing agreement.
- Using personal devices to bypass filtering, circumvent network security, or in violation of the acceptable use standards which normally apply to district-owned technology.
- Using personal devices in a manner that violates the employee code of conduct or other laws, policies, or regulations.

5.0 Penalties for Improper Use:

5.1 In the event that there is an allegation that an employee has violated the Acceptable Use Policy Administrative Regulations, his/her account will be disabled cutting off access to the school’s internal network and all internet websites until an administrative investigation may be conducted.

5.2 As a part of the administrative investigation, the employee will be provided with a written notice of the alleged violation and an opportunity to present an explanation of the alleged violation of computer protocol.

5.3 Disciplinary actions will be tailored to meet the specific concerns related to the violation and to assist the user in gaining the self-discipline/knowledge necessary to behave appropriately on an electronic network.

5.4 Employee disciplinary actions may include, but are not limited to, actions that are defined in Grant County Schools Policy 4110, Employee Code of Conduct.

6.0 E-mail Accounts

6.1 The WVDE and WVNET can only monitor those e-mail accounts issued to/administered by WVDE and WVNET. The responsibility for a “non-k12.wv.us” e-mail accounts lies with the administrator(s) and/or educator(s) identified as responsible for those students using alternative e-mail accounts or the administrator(s) and/or educator(s) identified as responsible for the e-mail server being used.

6.2 The privacy of electronic email cannot be guaranteed.

6.3 Users are responsible for their individual accounts and should take all reasonable precautions to prevent others from being able to use their account. Under no conditions should users provide their password to another person.

6.4 Employees will notify an administrator if they have identified a possible security problem.

7.0 Web Publishing

7.1 The county/school's web page(s) will adhere to the WVDE State Policy 2460 and GCS Policy 6030. Every effort will be made to provide links relating to the county and school curriculum.

7.2 Student pictures and names may be published on the school/county web site at the discretion of the school/county.

Parental permission will be obtained. Student's last names, home address, home telephone, credit card information, mother's maiden name, and other personal information will not be published.

8.0 Network Etiquette

Users are expected to abide by the accepted rules of network etiquette. These include, but are not limited to the following:

- Be polite. Do not write or send abusive messages to others.
- Use appropriate language. Do not swear, use vulgarities or any other inappropriate language.
- Do not reveal the personal home address or phone number of students or staff. Messages related, to or in support of illegal activities may be reported to the authorities.
- Do not use the Internet in a way that would disrupt the use of the Internet by others (e.g., downloading large files during prime time; sending mass e-mail messages).

9.0 Security

Users who identify a security problem on the system must notify a system administrator. Users must not demonstrate the problem to others.

10.0 Plagiarism and Copyright Infringement:

10.1 Users will not plagiarize works that they find on the Internet. Plagiarism is taking the work and/or ideas of writings of others and presenting them as if they were original to the user.

10.2 Users will respect the rights of copyright owners. Copyright infringement occurs when an individual inappropriately reproduces a work that is protected by a copyright.

11.0 Vandalism

Vandalism will result in revocation of user privileges. Vandalism is defined as an attempt to harm or destroy data of another user or any connections that are part of the Internet.

12.0 Safety

12.1 Safety measures must be enforced to carry out policies at the state, county, and school to implement the intent of CIPA, COPPA and E-rate guidelines.

12.2 The WVDE, county school systems and schools, in partnership with WVNET will organize technical protection measures to guard against visual depictions that are "inappropriate to minors." Filtering will be installed at the state level for Internet access.

12.3 The county school system may also add other electronic filters at the local level.

13.0 Protecting the School's Computer Network

13.1 Any attempt to disrupt the school's computer network through viruses, modification or deletion of files is strictly prohibited.

13.2 Routine maintenance and monitoring of the system will be conducted to assure proper use of this electronic network.

14.0 Directions for Obtaining Internet Access

- Employees must READ the Procedural Guidelines for Acceptable Use of Computer Network/Internet and WVDE Policy 2460 and sign on the agreement form where it says USER'S NAME/SIGNATURE.

SOCIAL NETWORKING GUIDELINES

Please keep in mind that all employees have a professional image to uphold and how we conduct ourselves online impacts this image. Online identities are very public and can cause serious repercussions if behavior is careless.

One of the hallmarks of online networks, both social and educational, is the ability to "friend" or "follow" others – creating a group of others that share interests and personal news. The district does not recommend accepting invitations to *friend or follow* students within social networking sites. When students gain access into a network of friends and acquaintances and are able to view personal photos and communications, the student-employee dynamic is altered. It is important to maintain a professional relationship with students to avoid relationships that could cause bias in the classroom or other school setting.

For the protection of your reputation the district recommends the following practices regarding personal social media accounts:

- Do not friend or follow students on social media accounts. Decline any student-initiated requests.
- Remember people classified as “friends” or “followers” have the ability to download and share your information with others.
- Post only what you want the world to see. Imagine students, their parents, and/or your supervisor visiting your site. Once you post something it may be available even after it is removed from the site.
- Do not discuss students, or employees.
- Visit your profile’s security and privacy settings to ensure online security.
- Do not use commentary deemed to be defamatory, obscene, proprietary, or libelous. Exercise caution with regards to exaggeration, colorful language, guesswork, obscenity, copyrighted materials, legal conclusions, and derogatory remarks or characterizations.
- Weigh whether a particular posting puts your effectiveness as an employee at risk.
- If a staff member learns of information, on the social networking site that falls under the mandatory reporting guidelines, they must report it as required by law.
- Utilize social media for contacting family members **ONLY** as a last resort and do not discuss any details regarding the reason for contact. Simply inform the parent/guardian to call you.

GRIEVANCE PROCEDURE

The purpose of this procedure is to provide a procedure for employees of Grant County Schools to reach solutions to problems which arise between them within the scope of their respective employment relationships to the end that good morale may be maintained, effective job performance may be enhanced and the citizens of the community may be better served.

A grievance may be resolved informally by stipulation or settlement agreed to in writing by the parties. Nothing in this procedure shall prohibit the exercise of any hearing right provided in W.Va. Code Chapters 18 and 18A. Parties to grievances shall at all times act in good faith and make every possible effort to resolve disputes at the lowest level of the grievance procedure. This procedure can be found in its entirety on the Grant County Schools website and is available upon request of the Office of Human Resources.

OFFICE OF CIVIL RIGHTS

The Office for Civil Rights (OCR) in the United States Department of Education (Department) is responsible for enforcing Federal civil rights laws that prohibit discrimination based on race, color, national origin, sex, disability, or age by recipients of Federal financial assistance (recipient(s)) from the Department.¹ Although a significant portion of the complaints filed with OCR in recent years have included retaliation claims, OCR has never before issued public guidance on this important subject. The purpose of this letter is to remind school districts, postsecondary institutions, and other recipients that retaliation is also a violation of Federal law.² This letter seeks to clarify the basic principles of retaliation law and to describe OCR’s methods of enforcement.

The ability of individuals to oppose discriminatory practices, and to participate in OCR investigations and other proceedings, is critical to ensuring equal educational opportunity in accordance with Federal civil rights laws. Discriminatory practices are often only raised and remedied when students, parents, teachers, coaches, and others can report such practices to school administrators without the fear of retaliation. Individuals should be commended when they raise concerns about compliance with the Federal civil rights laws, not punished for doing so.

The Federal civil rights laws make it unlawful to retaliate against an individual for the purpose of interfering with any right or privilege secured by these laws.³ If, for example, an individual brings concerns about possible civil rights problems to a school’s attention, it is unlawful for the school to retaliate against that individual for doing so. It is also unlawful to retaliate against an individual because he or she made a complaint, testified, or participated in any manner in an OCR investigation or proceeding. Thus, once a student, parent, teacher, coach, or other individual complains formally or informally to a school about a potential civil rights violation or participates in an OCR investigation or proceeding, the recipient is prohibited from retaliating (including intimidating, threatening, coercing, or in any way discriminating against the individual) because of the individual’s complaint or participation. OCR will continue to vigorously enforce this prohibition against retaliation.

If OCR finds that a recipient retaliated in violation of the civil rights laws, OCR will seek the recipient's voluntary commitments through a resolution agreement to take specific measures to remedy the identified noncompliance.⁴ Such a resolution agreement must be designed both to ensure that the individual who was retaliated against receives redress and to ensure that the recipient complies with the prohibition against retaliation in the future. OCR will determine which remedies, including monetary relief, are appropriate based on the facts presented in each specific case.

Steps OCR could require a recipient to take to ensure compliance in the future include, but are not limited to:

- training for employees about the prohibition against retaliation and ways to avoid engaging in retaliation;
- adopting a communications strategy for ensuring that information concerning retaliation is continually being conveyed to employees, which may include incorporating the prohibition against retaliation into relevant policies and procedures; and
- implementing a public outreach strategy to reassure the public that the recipient is committed to complying with the prohibition against retaliation.

If OCR finds that a recipient engaged in retaliation and the recipient refuses to voluntarily resolve the identified area(s) of noncompliance or fails to live up to its commitments in a resolution agreement, OCR will take appropriate enforcement action. The enforcement actions available to OCR include initiating administrative proceedings to suspend, terminate, or refuse to grant or continue financial assistance made available through the Department to the recipient; or referring the case to the U.S. Department of Justice for judicial proceedings.⁵

OCR is available to provide technical assistance to entities that request assistance in complying with the prohibition against retaliation or any other aspect of the civil rights laws OCR enforces. Please visit

<http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm> to contact the OCR regional office that serves your state or territory.

RESIGNATION

Any teacher who fails to fulfill his or her contract with the School Board, unless prevented from so doing by personal illness or other just cause or unless released from such contract by the Board, or who violates any lawful provision thereof, shall be disqualified to teach in any other public school in the State for a period of the next ensuing school year and the State Department of Education or Board may hold all papers and credentials of such teacher on file for a period of one (1) year for such violation. The marriage of a teacher is not considered a failure to fulfill, or violation of, the contract. Any classroom teacher, as defined in W. Va. Code § 18A-1-1, who desires to resign employment with the Board, with such resignation to become effective on or before the fifteenth (15th) day of July of the same year and after completion of the employment term, may do so at any time during the school year by written notification and any such notification received by a Board shall automatically extend such teacher's public employee insurance coverage until the thirty-first (31st) day of August of the same year.]

TERMINATION

The Superintendent has the authority to recommend dismissal of any personnel to the School Board.

The School Board may dismiss any person in its employment at any time for: immorality, incompetency, cruelty, insubordination, intemperance, willful neglect of duty, unsatisfactory performance, and/or the conviction of a felony or a guilty plea or a plea of *nolo contendere* to a felony charge.

A charge of unsatisfactory performance shall not be made except as the result of an employee performance evaluation. The charges shall be stated in writing served upon the employee within two (2) days of presentation of said charges to the School Board. The employee so affected shall be given an opportunity, within five (5) days of receiving such written notice, to request, in writing, a level four (4) hearing and appeals pursuant to W. Va. Code § 18-29-1 et seq., except that dismissal for the conviction of a felony or guilty plea or plea of *nolo contendere* to a felony charge is not by itself a grievable dismissal. An employee charged with the commission of a felony may be reassigned to duties which do not involve direct interaction with students pending final disposition of the charges.

The continuing contract of any teacher shall remain in full force and effect except as modified by mutual consent of the School Board and the teacher, unless and until terminated: (1) by a majority vote of the full membership of the School Board on or before the first Monday of April of the then current year, after written notice, served upon the teacher, return receipt requested, stating cause or causes and an opportunity to be heard at a meeting of the Board prior to the Board's

action thereon; or (2) by written resignation of the teacher before that date, to initiate termination of a continuing contract. Such termination shall take effect at the close of the school year in which the contract is so terminated.

A continuing contract does not prevent a teacher's dismissal based upon the lack of need for the teacher's services pursuant to the provisions of law relating to the allocation to teachers and student-teacher ratios. The written notification of teachers being considered for dismissal for lack of need shall be limited to only those teachers whose consideration for dismissal is based upon known or expected circumstances which will require dismissal for lack of need. An employee who was not provided notice and an opportunity for a hearing pursuant to the provisions in the preceding paragraph may not be included on the list. In case of such dismissal, the teachers so dismissed shall be placed upon a preferred list in the order of their length of service with that School Board, and no teacher shall be employed by the Board until each qualified teacher upon the preferred list, in order, shall have been offered the opportunity for reemployment in a position for which they are qualified provided that s/he has not accepted a teaching position elsewhere. Such reemployment shall be upon a teacher's preexisting continuing contract and shall have the same effect as though the contract had been suspended during the time the teacher was not employed.

DISCIPLINARY RULES

Discipline and discharge of employees is and must remain solely within the discretion of the School Board. In determining the appropriate action to be taken, the School Board, based on recommendation of the Superintendent, may consider the nature of the offense, the circumstances and the employee's previous record. This list below is not all inclusive or complete, but is provided as examples of some of the most common infractions found in an employment setting. The School Board retains the right to discipline or discharge any employee at any time with or without notice, cause, or compensation.

Some examples of offenses that could result in an oral warning for the first offense, a written warning for the second offense, and suspension or discharge for a third offense:

1. Chronic tardiness; poor attendance
2. Unauthorized absence from job or work area
3. Use of foul, abusive, offensive, threatening, indecent or discourteous language
4. Inefficiency or negligence in the performance of duties
5. Inability or unwillingness to work with others
6. Insubordination

Some examples of offenses that could result in immediate suspension with or without pay or immediate discharge:

1. Careless or improper use or neglect of School Board property and equipment
2. Sleeping on the job
3. Two days' absence without notification
4. Excessive absenteeism
5. Committing, participating in, and/or failing to report illegal discrimination or sexual or other unlawful harassment
6. Unlawfully using, manufacturing, selling, distributing, dispensing, possessing, transporting, trafficking in, or being under the influence of any alcoholic beverages, drugs or controlled substances during the course of employment, including but not limited to while on School Board property, while in School Board vehicles, or as part of or in connection with any School Board activities, or otherwise violating the Alcohol, Drugs, and Controlled Substances Policy set forth in this Handbook
7. Assault of a fellow employee, representative of management, customer or member of the general public while at work or representing the School Board.
8. Refusal to perform assigned lawful tasks or performing in an insubordinate manner
9. Destruction or unauthorized use of School Board property
10. Unauthorized possession of firearm on School Board property
11. Gross insubordination, defined as:
 - (a) Failure to follow School Board rules, regulations, policies or procedures including but not limited to those set forth in this Handbook;
 - (b) Willfully disobeying the instructions of a supervisor and/or member of management;

(c) Using abusive threatening, or profane language in speaking with a supervisor and/or member of management; or

(d) Assaulting a representative of management

12. Deliberate or careless conduct

13. Unethical conduct

14. Violation of School Board, rules, regulations, policies and procedures, including but not limited to those set forth in this Handbook

15. Violation of any State or Federal criminal statutes

Some examples of offenses that could result in immediate discharge:

1. Theft

2. Sabotage

3. Unauthorized releases or disclosure of any confidential information

4. Misappropriation of School Board property

5. Falsification of records or reports of any kind, including but not limited to records of time worked, records of work performed, reports required by regulatory agencies, or reports of injury

6. Assault

7. Violation of School Board rules, regulations, policies or procedures including but not limited to those set forth in this Handbook