

## DISTRICT PERSONNEL: SECTION 3000

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**PERSONNEL      SECTION 3000**

This section includes policies related to the intent of the board of education for personnel management practices to be used for professional and classified employees of the school district.

**Principles of the Personnel Function**

The board of education intends to employ, assign, transfer, and reclassify school personnel and to adopt policies and approve regulations governing their employment in such a manner as to provide the highest possible degree of both efficiency and effectiveness in the operation of the school and in providing quality instruction and services to the pupils of the district.

The board of education, upon the recommendation of the superintendent and within the boundaries specified by statute, court decision, board policies or negotiated agreements with its employees, shall employ, assign, transfer, reclassify, or terminate the employment of its employees and shall adopt policies and approve regulations governing their employment and duties.

The recruitment, selection, employment, assignment, supervision, evaluation, and retention or dismissal of a superintendent of schools shall be the sole prerogative of the board of education.

Legal Reference: R.R.S.  
77-824 et seq. Tenure.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Reviewed: 5/01

**Principles of the Personnel Function**

**Rights and Responsibilities of Professional and Classified Personnel**

The board of education intends to protect its professional and classified employees' civil and legal rights and responsibilities which are provided by federal or state statutes, by the decrees of courts with jurisdiction, by policies of the board of education, and by rules and regulations as stated in personnel handbooks provided to classified and professional employees. Such rights shall include freedom from discrimination on the basis of age, sex, race, religion or country of national origin, and freedom of speech.

Duties of professional and classified employees of the district shall be as specified by contract and shall be stated in written job descriptions for each position or type of position.

Legal Reference: R.R.S.  
48-1101 Neb. Fair Employment Act Purpose  
79-526 District board; schools; supervision, and control.  
79-859 et seq. Professional Practices Commission.

Policy  
Adopted: 8/91  
Revised: 7/93  
Reviewed: 5/01

## Principles of the Personnel Function

### Rights and Responsibilities of Professional Personnel

#### Certification of Professional Employees

All professional employees shall hold valid certification issued by the State of Nebraska and appropriate to the positions for which they are employed.

Except in an emergency, no teacher shall be employed as a professional employee of the district unless the teacher has completed the requirements for a bachelor's degree and has been awarded such a degree from an accredited four-year institution.

Individuals employed as teachers or professional supervisory and administrative personnel shall register a valid professional certificate issued by the State of Nebraska and a copy of any official transcripts of college credits with the superintendent of schools prior to the beginning of the school year. Individuals who are employed as substitute teachers shall hold a valid Nebraska teaching certificate. These certificates shall be registered with the office of the superintendent of schools.

The board of education will employ those who teach, counsel, supervise, and administer and have certificates that have achieved a degree following this date and who have completed the following requirements: (a) earned college credit in humanities, social and natural sciences, mathematics, and practical arts, (b) earned college credit, or its equivalent in professional education, for particular teaching, counseling, supervisory or administrative assignments, (c) scholarship attained in earning such credit, (d) training in human relations, (e) at least three semester hours in special education.

All certificated teaching staff shall also complete within six years of their anniversary date, ninety points of professional growth points as determined by the Superintendent.

#### Legal Reference: R.R.S

- 79-802 Nebraska certificate; special teacher's permit; prerequisite to teaching.
- 79-805 Teachers or administrators without certificates; employment prohibited; \
- 79-808 Teachers and Administrators: Certificates and permits; requirements; state Board of education:
- 79-819 Schools; contract of employment; content.
- 79-830 Certificated Employee; Evidence of Professional Growth Required.
- 79-816 Entry-level teachers or administrator certificate; SPED course work required.

Policy

Reviewed/Revised: 7/93

Revised: 6/01

**Principles of the Personnel Function****Rights and Responsibilities of Professional Personnel****Publication or Creation of Educational Materials**

When employees engage in the preparation, creation or publication of materials, as part of assigned job responsibilities, the board of education reserves the right to copyright or to patent such materials. If the employee wishes to seek a copyright or patent for materials which are published or created as a result of use of district time or other resources of the district, the board of education shall be consulted to determine whether or not it wishes to waive part or all its rights to materials created by its employees in the discharge of their professional duties as employees of the district.

Legal Reference: R.R.S  
79-501 District property; custody and care; duty of the board.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Reviewed: 5/01

**Principles of the Personnel Function**

**Rights and Responsibilities of Professional Personnel**

**Tutoring**

Professional employees are prohibited from serving as tutors, on a paid basis, for students who are assigned to them within a course of study or instruction during the contract year for the purpose of improving a grade within that court of study or instruction.

Professional employees are prohibited from using school facilities and resources for tutoring, on a paid basis, unless permission for use of school facilities has been granted to the professional employee in the employee's role as a citizen.

Use of school facilities or resources for purposes of tutoring students may, at the discretion of the superintendent and the board of education, require payment of fees for use of school facilities.

Professional employees who engage in tutoring of students during a contract period are expected to inform their immediate supervisor of arrangements which have been made for employment as a tutor when the person being tutored is a student enrolled in the school district.

Policy

Adopted: 8/91

Reviewed/Revised: 7/93

Reviewed: 5/01

**Principles of the Personnel Function**

**Rights and Responsibilities of Professional Personnel and Classified Personnel**

**Soliciting and Selling**

All professional and classified employees of the district shall not engage in solicitation or sale of goods or services to other employees or to students except when administrative approval has been given for the sale of periodicals, paperback books, and other instructional materials to students for use in regular class work. No student, however, shall be required to purchase such materials and the sale of materials by classroom teachers shall be subject to regulations established by the administration with regard to procedures followed in ordering and maintaining accounts of the sale of such materials.

Legal Reference: R.R.S.  
79-8, 100 Teachers; solicitation by agents prohibited; exceptions.  
79-8, 101 Teachers; solicitation by agents; violation; penalty.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Reviewed: 5/01

**Principles of the Personnel Function****Rights and Responsibilities of Professional Personnel****Receipt of Gifts**

School personnel shall not encourage the offering of gifts from pupils, patrons, salesmen, or other individuals who might invoke a conflict of interest between the school employee and the donor of personal gifts. If gifts are offered to school personnel, the school employee should minimize such act on the part of the donor and neither gives publicity nor public recognition to such gifts. All gifts given, other than those given by students, must remain in the school and will be considered a part of the school property unless otherwise authorized by the superintendent of schools.

Policy

Adopted: 8/91

Reviewed/Revised: 7/93

Revised: 6/01

**Principles of the Personnel Function**

**Rights and Responsibilities of Personnel**

**Non-School Employment**

No teachers or other school employees may accept any other employment or carry on any business or activity for profit which may conflict with performance of their duties as employees of the school district.

In the event that an employee has accepted non-school employment and such employment is judged to be detrimental to the effective discharge of the employee's duties within the school district, the superintendent or designated administrative and supervisory personnel shall notify the employee, in writing, and shall request the employee to limit or terminate non-school employment which interferes with performance of duties as a district employee.

Legal Reference: R.R.S  
79-526 District board; schools; supervision and control.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Reviewed: 5/01

**Principles of the Personnel Function**

**Rights and Responsibilities of Professional Personnel**

**Receiving Agents or Salesmen**

No school employee shall visit with or discuss business matters of a personal nature with any representative during the hours the employee is on duty in the school, except by special permission of the principal or the superintendent.

Any agent or business representative who wishes to call on school personnel about business matters related to the district, such as textbooks, publications of the school, class insignia, athletic equipment, furnishings and equipment, school supplies, building and custodial supplies, and the like, shall first obtain the permission of the principal or the superintendent. School employees shall have the duty to ascertain that the agent or business representative has such permission.

Except with permission of the principal or the superintendent, a teacher shall not interrupt class work to confer with an agent or salesman.

No employee shall order any supplies, equipment, furnishings, or other items for the school without express authorization of the immediate supervisor. Any employee who does order any supplies, equipment, furnishings or other items for the school may be personally liable for payment of the amounts billed for supplies, equipment, furnishings, or other items and forfeits any rights to such supplies, equipment, furnishings or other items if they are put into use in the schools.

Legal Reference: R.R.S  
79-8, 100 Teachers; solicitation by agents prohibited; exceptions.  
79-8, 101 Teachers; solicitation by agents; violation; penalty.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Revised: 6/01

**Principles of the Personnel Function****Rights & Responsibilities for Professional Personnel****Child Abuse and Neglect**

Every teacher or other school employee who suspects that a child's physical or mental health or welfare may be adversely affected by abuse or neglect shall consult with the principal and cause a report to be made to the proper authorities according to administrative guidelines. The superintendent or his designee shall assure that all employees receive inservice training regarding their role in cases of suspected child abuse and neglect. School employees shall cooperate with agencies, which are legally charged with investigating suspect cases of child abuse and neglect.

Policy

Adopted: 8/91

Reviewed/Revised: 7/93

Reviewed: 5/01

**Principles of the Personnel Function**

**Suggestions for School Improvement**

All school employees are encouraged to make suggestions, which may improve the school system. These suggestions shall be channeled through the principals to the superintendent who may bring them to the board's attention.

The superintendent shall direct the development of rules and procedures for the implementation of suggestions for school improvement, submit such rules and procedures to the board of education for its review and approval, and disseminate those rules and procedures approved by the board of education to all employees of the district.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Revised: 6/01

**Principles of The Personnel Function**

**Suggestions For School Improvement**

**INTRODUCTION**

Pursuant to Board of Education Policy the following administrative rule and regulation provides a procedure for suggestions for improvement of the School District of Crete, for the administration's and/or Board's review and action.

**GUIDING PRINCIPLES**

It is the intent of the administration of the Crete Public Schools to allow for the free flow of ideas and suggestions for improvement of all phases of the School District of Crete. Matters not subject to this procedure are those which have been settled through the negotiation process and which are items for the consideration of duly appointed bargaining units of the School District of Crete.

**PROCEDURES**

Employees having a suggestion for the improvement of the daily operation, or any part of the School District of Crete shall put such suggestion in writing and submit same to his/her immediate supervisor. If such an idea or suggestion for improvement has merit and is within the resources of the School District of Crete, then it shall be the immediate supervisor's responsibility to bring same to the attention of the superintendent of schools for his review and action. Should such matters require the attention of the Board of Education, then the superintendent shall bring the matter to their attention at a regularly scheduled meeting.

Building principals and supervisory personnel shall have the responsibility of developing procedures for employees within their jurisdiction, to make suggestions for improvement of the School District of Crete.

Rule

Adopted: 8/91

Reviewed/Revised: 7/93

Reviewed: 5/01

**Principles of the Personnel Function**

**Personnel Records**

Duplicate official files shall be maintained in the central administrative office and the appropriate principal's office.

Any teacher, administrator, or full-time employee shall, upon request, have access to his or her personnel file and shall have the right to attach a written response to any item in such file. Any employee may, in writing, authorize any other person to have access to said employee's personnel file and such authorization shall be honored. The rights of access to one's personnel file, attaching a written response to any item in said file, and authorizing any other person to have access to one's file shall apply equally to official files kept in the principal's office as well as those kept in the central administrative offices.

The right of access to one's individual personnel file and the right to attach a written response to any item included in said file shall not be granted with respect to any letters of recommendation solicited by the employee which may appear in said personnel file which were solicited as confidential letters.

No other person, except school officials while engaged in their professional duties, shall be granted access to said files nor shall the contents thereof be divulged in any manner to any unauthorized person.

Legal Reference:	R.R.S 79-8, 109	Teacher, administrator, full-time employee; personnel file; access; written response; attach.
	79-539	School Board; Board of Education; official policy respecting personnel files and student records; rules and regulation; adopt; publish; restrictions.

Policy	
Adopted:	8/91
Reviewed/Revised:	7/93
Reviewed:	5/01

**Principles of the Personnel Function**

**Official Records and Reports**

All school employees shall furnish the superintendent or principal promptly and by any due date any information relating to their professional training, experience, activities, or work which is required for reports to county or state officials or for official school records. Data of a personal nature shall be treated confidentially by school officials.

Policy  
Adopted: 08/91  
Reviewed/Revised: 7/93  
Reviewed: 5/01

**Planning/Compliance/Selection/Development of Personnel**

**Development of Personnel Staffing Plan**

The board of education shall provide general direction to the continuous and effective staffing of administrative, teaching, and classified positions, within the school district with personnel having the skills, knowledge, experience, and related qualifications required for such positions.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Reviewed: 5/01

**Planning/Compliance/Selection/Development of Personnel**

**Staff Planning**

**Long Range and Annual Staffing Plans**

The Superintendent of Schools shall be responsible for determining the personnel needs of the school district and shall prepare both long-range and annual staffing plans and shall specify, in writing, the procedures to be used for the development of such staffing plans.

The Superintendent may include, but is not limited to, in the development of staffing plans such factors as: district goals, work activities needed to accomplish district goals, nature and scope of the educational program of the district, how instruction is to be organized, the size of instructional groupings, the need for service and support personnel, staff balance, and other factors which are deemed to have an effect upon said staffing plans.

When additional certified staff is to be added or additional contracted time is added to an existing certified staff member, the superintendent will submit his/her request to the board of education for approval. When additional non-certified staffing is required, the superintendent will inform the board of education through the personnel committee of such additions. The superintendent will have the authority to make minor modifications in the number of hours worked by non-certified employees. The superintendent will notify the board of education of additional staff hired during the summer months.

Policy

Adopted: 8/91

Reviewed/Revised: 7/93

Revised: 6/01

**Planning/Compliance/Selection/Development of Personnel**

**Staff Planning**

**Assignment and Transfer of Personnel**

The Superintendent shall assign all administrative and supervisory personnel, all building administrators, certified personnel, and classified personnel to their positions, duties, and responsibilities.

All employees are appointed to fill types of positions and are subject to assignment to specific positions provided that the assignment is in accord with statutes, court decrees, board policies, or conditions of employment stated in negotiated agreements between the board of education and its employees.

Except in an emergency or unusual circumstances, specific assignments of professional employees shall be made prior to August 1 of each year with regard to the assignment of the employee for the ensuing year.

All professional employees shall have the opportunity to apply for reassignment for the ensuing school year for positions for which they are eligible by virtue of certification. When positions are available, those requesting consideration for any opening must write a letter within 14 days of the opening to the superintendent to be included in the selection process. Any and all final assignments shall be the sole authority of the superintendent.

Legal Reference: R.R.S.  
79-501 District property; Custody and Care; Hiring of Superintendent, Teachers and Personnel

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Revised: 6/01

**Planning/Compliance/Selection/Development of Personnel**

**Staff Planning**

**Work Loads**

**INTRODUCTION**

Pursuant to Board of Education Policies #3211 and #3310, the following administrative rule and regulation provides a procedure for assignment and/or transfer of certified staff.

**GUIDING PRINCIPLES**

It is the intent of this administrative rule and regulation to provide direction and guidance in the scheduling and assignment of staff. The factors to consider include: district goals, nature and scope of the educational program, organization of instruction, size of instructional groupings, total number of students (including type of student), number of preparations, number of extracurricular assignments, endorsements(s) of staff and fiscal receipts available to the district.

**TIMELINES AND CONSIDERATIONS**

**DATE**

**ACTIVITY**

1. January: Distribute letters of intent to all certified staff.
2. February: Letters of intent due back to superintendent's office.
3. March: Prepare initial draft of the staffing plan for the superintendent that includes:
  - a. An assessment of the instructional program.
  - b. An assessment of staffing needs in the instructional program.
  - c. An assessment of staffing needs in the extracurricular activities program.
  - d. An assessment of staffing needs in the auxiliary support services.
  - e. An assessment of supervision needs.
  - f. Other pertinent information relative to staffing plan.
4. March or April: Renewal notices will be distributed
5. March Board Meeting: Report staffing plan to the board of education.
6. Days Following March Board Meeting:  
Advertise teaching or extracurricular activity vacancies within existing staff. Select most qualified staff to be chosen as applicants for the position.

Begin outside recruitment of qualified staff for instructional or extracurricular staffing needs (not filled within). The advertising will be local, state, and surrounding areas for all positions.

Assign and provide notice to staff of impending extracurricular assignments for the following year if any vacancies still remain open.

**Planning/Compliance/Selection/Development of Personnel (Continued)**

7. April Board Meeting Present for board of education's consideration and approval all teaching and extracurricular contracts that have been determined for the following year.

Rule

Approved: 8/91

Revised: 6/01

**Planning/Compliance/Selection/Development of Personnel**

**Staff Planning**

**Job Descriptions**

The Superintendent shall develop for the board's review and approval a job description for each position or class of positions within the school district. The job description for each position or class of positions may include, but is not limited to, factors such as: qualifications for the position, to whom the position holder reports, supervisory responsibilities, job goal, and performance responsibilities and other factors which the superintendent, with the approval of the board, chooses to include in said job description.

The job description for each position shall serve the supervisor and the position holder as a guide in the execution of the duties of the position. The superintendent of schools shall conduct an annual review of each job description and shall submit any proposed revisions to the board of education for its review and action.

Legal Reference: R.R.S.  
79-801 Certificate required of administrators and supervisors.  
79-805 Teachers or administrators without certificates;  
employment prohibited; effect.

**Policy**

Adopted: 8/91  
Reviewed/Revised: 7/93  
Reviewed: 5/01

**Planning/Compliance/Selection/Development of Personnel**

**Compliance with Public Employment Policy**

It is the policy of Crete Public Schools to provide employment opportunities without regard to race, sex, age, national origin, religion, marital status, or disability. All employment decisions will be made without regard to race, sex, age, national origin, religion, marital status, or disability. Employment decisions covered by this policy include recruiting, hiring, promotion, transfer, training, compensation, benefits, discipline, termination, and other decisions affecting terms or conditions of employment.

Legal Reference: R.R.S.  
48-1001 seq. nondiscrimination based on sex.  
48-1101 seq. nondiscrimination based on race, color, religion,  
sex, disability, national origin.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93, 2/94  
Revised: 6/01

**Planning/Compliance/Selection/Development of Personnel**

**Compliance with Public Employment Policy**

**Nondiscrimination**

**INTRODUCTION**

It is the intent of the Crete Public Schools to meet staffing needs of the district by selection of the most qualified and capable personnel possible. All existing laws, regulations, and policies appertaining to affirmative action and equal opportunity employment shall be followed in the recruitment, interviewing, and hiring of Crete Public Schools personnel.

**PROCEDURES**

The superintendent shall submit to the Board of Education, a recommendation for one of the administrative staff of the Crete Public Schools to be officially named as compliance officer for the district.

**DUTIES**

It shall be the duty of the compliance officer to:

1. Oversee the process of the district and insure compliance with all federal and state laws.
2. Provide advice to district supervisors on equal employment opportunities.
3. Develop new policies or revise existing policies relating to personnel practices, which will strengthen the district's commitment to nondiscrimination.
4. Insure that in-service activities designed to strengthen the district's commitment to nondiscrimination are provided those who participate in the recruitment, interviewing, and selection process.
5. Make whatever inquire is necessary into any allegation of discrimination including the general environment and cause that motivated such allegation.
6. Seek resolution of the matter on an informal basis.
7. Counsel the aggrieved person on the grievance procedures. (Appendix A)
8. Maintain such records as necessary in all grievance procedures.
9. Perform other such duties as related to equal employment opportunity as delegated by the superintendent.

Rule

Approved: 8/91

Reviewed/Revised: 7/93

Revised: 6/01

**Appendix A**

Date: \_\_\_\_\_ 20 \_\_\_\_

**CHECKLIST FOR NEW EMPLOYEES**

- \_\_\_\_\_ APPLICATION
- \_\_\_\_\_ VALID TEACHING CERTIFICATE (If Applicable)
- \_\_\_\_\_ PHYSICAL FORM (If Applicable)
- \_\_\_\_\_ DRIVING RECORD HISTORY (If Applicable)
- \_\_\_\_\_ COPY OF DRIVER'S LICENSE (If Applicable)
- \_\_\_\_\_ LEVEL I TRAINING (If Applicable)
- \_\_\_\_\_ PERSONNEL INFORMATION SHEET
- \_\_\_\_\_ RETIREMENT APPLICATION (If Applicable)
- \_\_\_\_\_ LTD INSURANCE (If Applicable)
- \_\_\_\_\_ W-R
- \_\_\_\_\_ BLUE CROSS/BLUE SHIELD (If Applicable)
- \_\_\_\_\_ I-9 FORM
- \_\_\_\_\_ EMPLOYEE #: \_\_\_\_\_
- \_\_\_\_\_ NEGOTIATED AGREEMENT/RULES AND REGULATIONS HANDBOOK
- \_\_\_\_\_ DIRECTORY
- \_\_\_\_\_ CONTRACT

\_\_\_\_\_  
Personnel Dept.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Position

\_\_\_\_\_  
Starting Date

**Compliance with Public Employment Policy**

**Grievance Procedure**

Complaints of alleged discrimination of race, creed, national origin, religion, marital status sex, or disability are directed to the compliance officer of the school district. The compliance officer will be selected by the Board of Education on an annual basis. The Board of Education of Crete Public Schools has adopted grievance procedures to comply with the spirit and letter of the law prohibiting discrimination.

Any public school employee or student of the School District of Crete of Saline County, Nebraska who alleges discrimination on the part of the school district, Board of Education, administrator, or staff may follow the procedures outlined in resolving the alleged complain or grievance. Refer to the grievance procedure for nondiscrimination, Board of Education Policy 3220.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/92  
Revised: 6/01

**COMPLAINT AND CONSENT TO INVESTIGATE  
ALLEGATIONS OF DISCRIMINATION**

Pursuant to its policy to prohibit and prevent discrimination Crete Public School provides this form to receive allegations of misconduct, which have been suffered by any person covered by the district’s Nondiscrimination Policy. The allegations set forth in this complaint form will serve as the basis for an investigation to be carried out promptly.

In order to protect a complaining party’s rights of privacy and in order to avoid disclosure of facts when such disclosure is not authorized by a complaining party, this form permits you as a complaining party to authorize disclosure of facts contained in this form as they are required in the sound discretion of the investigator. This form also authorizes you to withhold certain facts set forth in this complaint in the court of an investigation.

You should be aware that limitations on disclosure of certain information contained in this complaint may hinder and in some cases prevent the district from fully carrying out its policy to prohibit and prevent discrimination.

By signing FORM B with limitation on the disclosure permitted, you should also understand that an investigation may not be possible due to due process limitations on this district. Each employee of the district has a right to his/her good reputation unless a full and fair opportunity to confront allegations of misconduct is provided to such employee.

Your signature below will be deemed to be an acknowledgement on your part that you have fully read this complaint form and that you have understood it. Your signature on this form will further indicate that you have sought any professional or collegial advise you have deemed appropriate and that the allegations contained in this form have been voluntarily given and have neither been encouraged nor discouraged by the district.

**COMPLAINT**

Name (complaining party): \_\_\_\_\_

Date(s) of occurrence of event(s) complained of: \_\_\_\_\_

Nature of complaint, please set forth, in the space provided below with specificity and detail, the events of which you complain:

---

---

**Form A** (continued)

Name of witnesses that you are aware of to any of the events that you complain of.

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---

---

\_\_\_\_\_  
Complaining Party's Signature

Where Complaining Party may be reached:

---

---

Telephone Number(s):

---

---

Date such complaint was filed: \_\_\_\_\_, 20\_\_\_\_\_

**FEDERAL AUTHORITY TO DISCLOSE INFORMATION**

I understand that Crete Public Schools will be conducting an investigation of my complaint. By affixing my signature to this paragraph, I authorize the investigator to disclose such portions of the information I have set forth in my complaint and which I may provide in the future with respect to this complaint. By affixing my signature to this paragraph, I hold harmless the district and its duly authorized investigator for any claim I may have resulting from the disclosure of any facts set forth in this complaint when such disclosure occurs in the course and scope of the investigation. By signing this paragraph, I acknowledge that I have read it fully and understand its contents.

\_\_\_\_\_  
Complaining Party's Signature

Date: \_\_\_\_\_, 20\_\_\_\_\_

**WAIVER OF LIMITED AUTHORITY TO DISCLOSE**

I waive my right for limitations to be imposed when conducting the investigation of my complaint. I understand that all necessary parties will be contacted during the investigation.

\_\_\_\_\_  
Complaining Party's Signature

Date: \_\_\_\_\_, 20 \_\_\_\_

**LIMITED AUTHORITY TO DISCLOSE**

I understand that Crete Public Schools will be conducting an investigation of my complaint. However, it is my wish that certain facts set forth in this complaint not be disclosed to others or that certain facts be disclosed only to such persons as I specifically direct. The information, which I wish to be disclosed to no one during the course of any investigation, is as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Below is listed factual information that I do not wish to have generally disclosed. Beside each specific fact stated below I have provided the name or names of those during the course of any investigation to whom I specifically authorize you to disclose such information:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I specifically acknowledge by signing this paragraph, rather than the general authority paragraph, that I may have placed limitations on the investigation, which may make it difficult or impossible for the district to fully resolve my complaint.

\_\_\_\_\_  
Complaining Party's Signature

Date: \_\_\_\_\_, 20 \_\_\_\_

## GRIEVANCE PROCEDURES

### Explanation

A grievance is a difference of opinion raised by students and or parents or employees involving: 1) the meaning, interpretation or application of established policies; 2) difference of treatment; or 3) application of the legal requirements of civil rights legislation.

This procedure is not intended to limit the option of the district and a grievant(s) to resolve any grievance mutually and informally. Hearings and conferences under this procedure shall be conducted at a time and place, which will afford a fair and equitable opportunity for all persons.

The grievance procedure is not required if the grievant(s) prefers other alternatives such as the Office of Civil Rights (OCR) or the courts. Due process shall exist throughout the procedure with the right to: 1) representation; 2) present witnesses and evidence; 3) confidentiality; 4) review relevant records; and 5) proceed without harassment and/or retaliation.

### INFORMAL

#### Step I

The student(s) and/or parent(s) should discuss the matter with the person(s) directly responsible for the grievance issue within fourteen (14) days of the time\* when a reasonably alert person should have been aware of the event giving rise to a grievance. An oral response must be made within five (5) days.

#### Step II

If the problem is not resolved, the grievance should be referred informally to a building administrator. A meeting must be held within five (5) days from notification of referral and an oral response made within five (5) days.

### FORMAL (Form A&B)

#### Step III

If the grievance is still not resolved, it should be submitted in writing on Form A and B within ten (10) days to district compliance officer. The grievance should be described as specifically and completely as possible. A thorough investigation of the issue will be documented. Extra time, if needed, can be mutually agreed upon. A meeting must be

## **Appendix A (continued)**

held between the grievant and district representative within ten (10) days and a written response made within five (5) days.

### **Step IV**

If a satisfactory solution is not reached, the grievant(s) may appeal the issue in writing to the office of the superintendent or designee within the (10) days from the receipt of the response on Step III. A meeting between parties will be held within ten (10) days and a written response made within five (5) days. A complete record of this meeting shall be kept and signed by both parties for possible future reference.

### **Step V**

If the issue is not satisfactorily resolved in Step IV, the grievance (s) may appeal the grievance in writing to the board of education within five (5) days from the receipt of the written response. The board of education shall consider the appeal within sixty (60) days and a written response shall be given within five (5) days.

\* Time limits refer to days when school is in session.

**Rights and Responsibility****Grievance Procedures****Sexual Harassment**

It shall be the policy of the Crete Public Schools to provide an environment free of sexual harassment of employees, applicants for employment, and students on any work premises where the District has total control of the premises or can otherwise lawfully exert its jurisdiction. If proscribed acts as are set forth in this policy occur on such premises, the superintendent or his/ her designee shall undertake immediate and appropriate action within the bounds of the law to punish as appropriate any violations of this policy or of applicable law pertaining to sexual harassment and shall undertake immediate and appropriate action to prevent any such conduct in the future.

As used in this policy, the word “employee” shall mean any person who is an employee, or any former employee who alleges to have quit, to have been fired, or to have been constructively terminated as a result of sexual harassment as that term is defined in this policy or by other applicable law.

As used in this policy, the word “student” shall mean any person who is an employee, or any student being served by contract with another education agency, or any other person of school age attending the district for educational reasons.

The following acts are specifically prohibited by this policy:

1. Unwelcome advances, requests for sexual favors, verbal or physical conduct of a sexual nature, submission to which is demanded by any employee of the District against any other person as a term or condition of obtaining employment.
2. Unwelcome advances, request for sexual or physical conduct of a sexual nature, submission to which or rejection of which by any employee is used as basis for any employment decision such as, but not limited to, rate of pay, promotion, favorable evaluation, whether formal or informal, or the conferring of job responsibility.
3. Conduct by any employee or employees of the same or opposite sex, which has as its purpose unreasonably interfering with work performance or creating an intimidating, hostile, or offensive working environment.
4. Unwelcome advances, a request for sexual favors, verbal or physical conduct of a sexual nature, submission to which or rejection of which by any employee of the District is used as a basis for any educative conferring of a grade, credit, favor, or honor.
5. Conduct by an employee or employees directed against a student of the same or opposite sex which has an effect of interfering with academic

- performance of the student, or creating an intimidating, hostile, offensive, or unsafe learning environment.
6. Conduct by a student or any other person over whom the school district has control with such conduct being directed against a student of the same or opposite sex and which conduct has an effect of interfering with the academic performance of the student, or creating an intimidating, hostile, offensive, or unsafe or unwholesome learning environment.

It shall be the policy of the District to receive information from any person concerning allegations of conduct prohibited by this policy on a form which shall be distributed to all employees of the District at the commencement of their employment or as soon thereafter as is reasonable or within a reasonable or within a reasonable time following the operative date of this policy, whichever date is applicable.

Availability of the form shall be made known to all students in grades Kindergarten through Twelfth. Information pertaining to the availability of such complaint forms shall be made known to the parents of all other students in a reasonable manner. An adequate number of copies of the complaint shall be maintained within the superintendent's control and shall be available to any person protected by this policy. Upon receipt of any complaint upon the form prescribed by this policy, the superintendent shall be informed of the allegation within 24 hours of the said report. At all times, the information given and any report thereof must and will be kept confidential between the parties. At this point the superintendent or his/her designee shall confer with the person or persons against whom the complaint, as well as to be informed of the name of the complaining party, the allegations of the complaining party, the names of all corroborating or refuting witnesses, as well as any statements or allegations made by any such witnesses which are known to the superintendent or his/ her designee.

Upon the conclusion of such investigation, the superintendent shall take such immediate and appropriate action as is required in his/ her discretion within the bounds of the law. Nothing in this policy shall be construed to require the superintendent to take disciplinary action not within his or her legal authority. In the event action is required, which by law would require Board action, the superintendent shall undertake such proceedings as may be required by law to bring before the Board such matters of proposed discipline involving the person against whom the complaint was lodged.

The Board by this policy also recognizes a desire to protect its employees against non-employees at the work place as well as to protect non-employees from employees at the work place. From time to time as deemed appropriate the superintendent shall address the subject of sexual harassment with the employees of the District by way of in-service training, selected by the superintendent or his/her designee to make known the contents and application of this policy. While this policy shall not be construed to obligate nor require the District to take actions other than are required by law to prohibit and prevent sexual harassment, it is the spirit of this policy to try and address all

reasonable efforts to prohibit sexual harassment in the work place regardless of by whom it is perpetrated and regardless of by whom it is suffered.

Nothing in this policy, nor any of the terms and conditions attendant to the complaint or used by the District, not terms or conditions of the consent form used by the complaining party shall be construed as preventing the superintendent or his/ her designee from engaging in other action against any person engaging in conduct prohibited by this policy to authorities other than the administration or Board of Education of the District when such action is required or permitted by law. Such actions may be, but are not limited to any appropriate prosecuting authority, filing a report concerning any incident complained of with appropriate agencies, including but not limited to, the Professional Practices Commission, the Nebraska Department of Education, the U.S. Office of Education, and any appropriate departmental office of civil rights. Notwithstanding the duty placed on the superintendent or his/ her designee to accommodate the right of privacy of any complaining party, the superintendent or his/ her designee shall be permitted by this policy to make such disclosure to witnesses, agencies, prosecutorial personnel, the Board of Education, and any other person entitled or obligated to be informed of any complaint brought under this policy when any state or federal statute, applicable case law, applicable agency state or federal statute, applicable case law, applicable agency law or any other appropriate body of law mandates such reporting.

It shall further be the policy of the District to strictly prohibit use of any electronic medium including, but not limited to, the Internet, telephones, electronic mail, fax machines or any other means of communication electronically in such a manner as to create a hostile working environment. It shall be contrary to this policy to use any electronic medium for such purposes as, but not limited to, uttering profane messages, uttering sexually explicit or sexually innuendo oriented materials, soliciting romantic involvement, uttering obscene or offensive materials of a sexual nature in any manner. It shall be the policy of the District that this prohibition shall run as to all interpersonal communications of the District and shall run to such persons whether or not prohibited communications as described in this paragraph arise to the legal standard of sexual harassment or not.

Nothing in this policy shall be construed to prevent the superintendent or his/ her designee from taking any remedial action as is in the best interest of the District toward the goal of preventing sexual harassment of employees of the District in the work place.

Policy

Approved: 6/92  
Reviewed/Revised: 7/93  
Reviewed/Revised: 8/96  
Reviewed: 6/01

**Planning/Compliance/Selection/Development of Personnel****Selection of Personnel**

The superintendent of schools shall be responsible for determining the plans for the selection of personnel and shall specify, in writing, the procedures to be used in the selection of personnel. Rules and regulations for the selection of personnel shall be in accord with any requirements or limitations established by statute, court decree, or negotiated agreement with employees.

Beginning October 1, 2005 all new employees, including substitutes and those employed only for activities, or any volunteers the district deems appropriate to have a background check will have a complete review prior to employment or volunteer work. This background check may include, but not limited to, criminal record, military record, employment record, volunteer experience record, driving report, workman's compensation record, credit record, and consumer report for purposes related to employment.

The district reserves to right to conduct a background check on any employee at any time if it suspects that either current or past public and/or private records may have relevant information relating to job performance with the Crete Public Schools.

Legal Reference: R.R.S.  
79-501 District property; custody and care; duty of board.

**Policy**

Adopted: 8/91

Reviewed: 7/93, 5/01

Revised: 3/06

**Planning/Compliance/Selection/Development of Personnel**

**Selection of Personnel**

**Recruitment of Personnel**

**INTRODUCTION  
(See Appendix A)**

**DEFINITION OF TERMS**

**RECRUITING:** The process of identifying people qualified for positions in the Crete Public Schools and encouraging them to file an application with the district.

**SCREENING:** A general assessment of personal and professional characteristics necessary to fill any district vacancy.

**INTERVIEW:** All applicants qualifying for an interview for a position with the Crete Public Schools shall be subject to an interview, based on the nature of the job, requirements of the job, attitudes, skills, knowledge, human relationships, and specific qualifications necessary for the job description applied for. This interview shall be designed, conducted, and evaluated by the position's supervisor.

**RECOMMENDATION:** From the pool of applicants qualifying for the interview, the administration shall make a recommendation to the Crete Board of Education for their review and action at the next regular Board of Education meeting, or, if an emergency exists, a special meeting called by the President of the board of education. This recommendation is subject to a background check that may include, but not limited to, criminal record, military record, employment record, volunteer experience record, driving report, workman's compensation record, credit record, and consumer report for proposes related to employment.

Classified employees are considered "at will" employees and may be hired by the superintendent subject to a background check that may include, but not limited to, criminal record, military record, employment record, volunteer experience record, driving report, workman's compensation record, credit record, and consumer report for proposes related to employment.

## PROCESS OF RECRUITMENT

### CERTIFICATED POSITIONS NEW TO THE DISTRICT (added to present staff):

For positions new to the Crete Public Schools, the administration shall assess in February of each year such needs to be included in the annual staffing plan and submit to the Board of Education for their review and action during the April Board meeting.

### POSITIONS OF REPLACEMENT FOR PRESENT STAFF

All personnel leaving employment with the School District of Crete shall submit in writing, their intent to terminate employment with the Crete Public Schools to their immediate supervisor. Such resignation shall be acted upon by the Board of Education at their next meeting, or special meeting of the Board if an emergency exists, as a matter of record.

Upon receipt of the written resignation of a present staff member, the administration shall determine whether or not replacement is needed. If a replacement is needed, then the position shall be advertised in the manner determined by the administration.

### ADVERTISING OF VACANCY

All advertising through any media for existing vacancies shall be done through the office of the Superintendent of Schools. No vacancy shall be advertised without the approval of the superintendent or designee.

Determination of procedure for advertising shall be assessed by the administration and done through the most appropriate means.

### MATTERS OF RECORD

All records relating to the recruitment of personnel shall be kept on file for six months following the hiring of a new staff member. Following this six-month period, all files relating to the hired position are to be destroyed. All applications should be kept and maintained in the office of the superintendent in accordance with all Federal and State requirements regarding affirmative action and equal opportunity.

### EXTRA DUTY POSITIONS

The following will be the process by which the Crete Public Schools will determine the selection of all extra duty personnel.

1. There will be a formal application process, which will allow the applicant to list all qualifications for the listed position.
2. There will be a consistent evaluation process that will list specific qualifications and these qualifications will be weighted according to the needs of the school or the position being filled. Areas to be considered should contain but may not be limited to the following:

- a. Coursework in the activity.
  - b. Workshops in the activity.
  - c. Past experience in the activity.
  - d. Personal expertise in the specific activity.
  - e. Honors and awards in the specified field.
  - f. Memberships in organizations associated with the open position.
  - g. Community work in the specific activity.
  - h. Recommendations or ratings from previous activity assignment.
  - i. Criminal background check.
3. Both elementary and high school faculty members will have an equal opportunity to apply for any open position.
  4. The activities director should recognize all applications with a formal written response. This response should state the applicant's name and the requested position.
  5. All applicants should be notified in writing once the position is filled.
  6. A review process will be developed if an applicant is concerned with the fairness of the selection. This committee will include the principal, and the Superintendent of Schools.
  7. The administration and activities director will try to limit the number of activity positions one faculty member may hold if there is a concern for the effects these positions may have on the classroom instruction of that faculty member.

Rule

Approved: 8/91

Reviewed/Revised: 7/93

Revised: 6/01, 3/06

**INFORMATION ON APPLICATION PROCESS**

**Planning/Compliance/Selection/Development of Personnel**

**Selection of Personnel**

**Employment of Personnel**

All certified employees of the school district shall be hired by the board of education through official action taken at any regular or special meeting of the board of education only upon the recommendation of the superintendent. Should the board of education choose to reject a nomination for employment made by the superintendent, the superintendent shall have the duty to nominate another qualified person.

The board of education affirms its intent to comply with both the spirit and the specific content of statutory and ethical guidelines, which are pertinent whenever, a member of the immediate family (spouse and children) of the member of the board of education or of the superintendent of schools is being considered for employment as an employee of the district.

Legal Reference: R.R.S.  
79-818 District Board; employment of teachers; administration;  
contracts; how executed; prohibitions

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Revised: 6/01

**Planning/Compliance/Selection/Development of Personnel**

**Selection of Personnel**

**Changing Job Positions**

All certified and non-certified personnel who change job positions shall be granted the full entitlement of their years of employment within the School District of Crete. Except in the instance of a full-time substitute, a non-certified staff member who accepts a certified position, the years of employment as a non-certified staff member will not count toward movement on the teacher's salary schedule. This policy does not include movement on the extra duty schedules.

Compensation or extra duty assignments will be determined according to the needs of the school and the positions being filled.

Policy

Approved: 8/91

Reviewed/Revised: 7/93

Revised: 6/01

**Planning/Compliance/Selection/Development of Personnel**

**Selection of Personnel**

**Temporary and Part-Time Personnel**

The superintendent is granted the authority to appoint temporary and part-time personnel as necessary for the personnel needs of the district. This authority shall include the appointment of replacement teachers, selected to fill a vacancy occurring during the school year; substitute teachers, employed to provide instruction during the temporary absence of a permanent employee; and teachers employed on a part-time basis during the school year or during summer school programs offered by the district. The superintendent's authority to appoint temporary and part-time personnel shall include the right to approve the placement of student teachers within the school district.

Temporary and part-time professional personnel shall be selected in accordance with requirements, which are or may be stated by statute and within guidelines established by board policies or by negotiated agreement between the board of education and its professional employees.

When temporary or part-time personnel are employed by the superintendent, the board of education shall be informed; the right of review of such placements by the board of education is reserved.

Legal Reference: R.R.S.  
79-501 District Board; property; care & custody; hiring of superintendent, teachers and personnel.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Revised: 6/01

**Planning/Compliance/Selection/Development of Personnel  
Selection of Personnel  
Temporary and Part-Time Personnel**

**PROCESS OF RECRUITMENT**

**REPLACEMENT TEACHERS** (selected to fill a vacancy occurring during the school year).

The recruitment process for replacement teachers shall follow the same process as for other vacancies as outlined in R3230.

**SUBSTITUTE TEACHERS** (employed to provide instruction during the temporary absence of a permanent employee)

The superintendent may employ substitute teachers, except those who are replacement teachers, without election and appointment by the board of education rd. The procedure for employment of substitute teachers, and rate of pay shall be according to Policy #3500 and R3500.

**TEACHERS EMPLOYED ON PART-TIME BASIS**

When additional instruction periods are needed due to enrollment increases or curriculum needs, the administration shall assess the needs and submit them to the Board of Education for their review and action.

Following the completion of advertising, screening, and interviews, the building principal will submit his or her recommendation to the superintendent. The final recommendation to offer a contract will be submitted to the Board of Education.

Part-time teachers selected to teach an additional class period for the entire year shall be paid one-seventh (1/7) of their teaching salary as determined by their placement on the salary schedule.

Policy  
Approved: 8/91  
Reviewed/Revised: 7/93  
Revised: 6/01

**Planning/Compliance/Selection/Development of Personnel**

**Selection of Personnel**

**Certified – Contracts and Renewal Notice**

The execution, renewal, amendment, or termination by the district of the contracts of professional employees shall be governed by the laws of the State of Nebraska, as amended from time to time, and where there is no controlling law, then by the policies, rules, regulations, and dictates of the board of education and the provisions of any negotiated agreement with professional employees or their recognized bargaining agents.

The terms and conditions of all contracts for the appointment of professional personnel shall be specified in writing. If negotiations between the teachers bargaining agent and the District are not complete by March 15<sup>th</sup>, the board of education may issue a renewal notice that will serve as a binding contract until negotiations are completed and agreed upon. The certified staff will be given a minimum of 15 calendar days from the date of delivery of the renewal notice to return the renewal notice. A regular contract will be issued after the completion of negotiation.

Legal Reference: R.R.S.  
79-817 Schools; contract of employment; writing required.  
79-818 District Board; employment of teachers; administrators;  
contracts; how executed; prohibitions.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Revised: 7/01

**Planning/Compliance/Selection/Development of Personnel**

**Selection of Personnel**

**Term of Certificated – Employment**

All teachers shall be required to be on duty as determined in the negotiated agreement.

The board reserves the right to extend the regular school calendar to make up days lost due to any factor which is beyond the control of the district, without additional compensation to contracted, certified employees.

Policy  
Approved: 8/91  
Reviewed/Revised: 7/93  
Reviewed: 6/01

**Planning/Compliance/Selection/Development of Personnel**

**Selection of Personnel**

**Terms of Employment – Non-Certified**

To be considered for a full-time employee, a classified employee must be scheduled to work thirty-five (35) or more hours per week on a twelve-month basis. Such employee must be at least 18 years of age. All classified personnel are considered at-will employees.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Revised: 7/01

**Planning/Compliance/Selection/Development of Personnel**

**Selection of Personnel**

**Probationary Period of Non-Certificated Personnel**

All non-certified personnel who are hired for positions with the Crete Public Schools, will be hired on a ninety (90) day probationary period. Upon completion of this ninety (90) day period, the Superintendent and the personnel's immediate supervisor will recommend either termination or continuation of their employment. The recommendation will then be reported to the Board of Education.

Policy

Approved: 8/91

Reviewed/Revised: 7/93

Revised: 7/01

**Planning/Compliance/Selection/Development of Personnel**

**Personnel Handbook – Non-Certificated**

The superintendent, shall employ, assign, transfer, reclassify, and terminate the services of non-certified personnel and approve regulations governing their employment and duties. The board will be advised of any changes made in assignments.

The superintendent shall prepare a support staff handbook for non-certified employees, which specifies the conditions of employment, the activities of non-certified employees, the compensation and benefits of non-certified employees, and provisions for absences, leaves, and vacations of non-certified employees.

The support staff handbook for non-certified employees shall be reviewed on an annual basis by the administration. This handbook will be presented to the personnel committee for review and comments when any changes are made.

The support staff handbook shall include a general job description for all non-certified employees; the job description for an employee shall specify the conditions of employment and compensation within the general guidelines provided by the personnel handbook for non-certified employees.

Legal Reference: R.R.S.  
79-405 School district; body corporate; powers; name  
79-501 District Board; property; care & custody; hiring of  
superintendent; teachers & personnel.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Revised: 7/01

**Planning/Compliance/Selection/Development of Personnel**

**Development of Personnel**

The superintendent of schools shall be responsible for determining the plans for the district relative to orientation, induction, in-service, and staff development of personnel.

The superintendent shall specify, in writing, rules, regulations, and procedures to be used for the orientation, induction, in-service, and staff development of personnel. Rules and regulations for the development of personnel shall be in accordance with any requirements or limitations established by statute, court decree, or negotiated agreement with employees.

Rules, regulations, and procedures established by the superintendent for the development of personnel shall be submitted, in writing, to the board of education for review on an annual basis.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Revised: 7/01

**Planning/Compliance/Selection/Development of Personnel**

**Development of Personnel**

**Orientation**

The superintendent of schools, or persons designated by the superintendent of schools, shall provide individual activities, group activities, or both for the purpose of providing employees who are newly employed or reassigned to new duties with orientation to duties of their new positions and conditions which pertain to their employment and performance appraisal.

Policy

Adopted: 8/91

Reviewed/Revised: 7/93

Reviewed 6/01

**Planning/Compliance/Selection/Development of Personnel**  
**Development of Personnel**  
**Professional Growth**

All professional employees of the district are expected to engage in activities, which maintain and improve their professional skills during the period of their employment by the school district.

All staff within a six-year period of the anniversary date of their beginning employment in Crete Schools (September 1) must give evidence of professional growth.

The superintendent is charged with the responsibility of developing, implementing, and evaluating professional development and in-service opportunities for school employees.

The superintendent shall establish a system for maintenance of records of the professional growth of each employee; this system and requirements for employee notification of professional growth experiences, shall be described in the employee handbooks of the district.

Any professional growth points approved for advancement on the salary schedule shall be derived from programs which could be reasonably expected to improve the employee's performance of duties as assigned by the superintendent.

The superintendent shall conduct an annual review of the professional growth activities and of employee handbooks and shall submit any proposed revisions to the board for its review and action.

Legal Reference: R.R.S.  
79-859 et seq. Professional Practices Commission; Declaration.  
79-843 Teachers and school nurses; contract; renewed; exception;  
amend or terminate; notice; hearing; decision.  
79-830 Permanent Certificated Employee; Evidence of  
Professional Growth Required.

Policy  
Approved: 8/91  
Reviewed/Revised: 7/93  
Revised: 7/01

**Performance Appraisal**

The superintendent of schools shall be responsible for determining the performance appraisal plans of the district and shall specify, in writing, the rules, regulations, and procedures to be used in the performance appraisal of personnel. Rules, regulations, and procedures for the performance appraisal of personnel shall be in accord with any requirements or limitations established by statute, court decree, or negotiated agreement with employees. Rules, regulations, and procedures established by the superintendent for the performance appraisal of personnel shall be submitted, in writing, to the board of education for annual review.

A description of the performance appraisal program adopted by the board of education shall be provided each employee affected by the program.

The performance appraisal program shall be designed with several purposes to be met, including determination of recommendations for employee growth and improvement and determination of retention, transfer, promotion, or dismissal of employees.

Legal Reference: R.R.S.  
79-12,107 et seq. Tenure.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Reviewed: 6/01

**Separations/Absences/Leaves**

The board of education affirms its belief that the authorization of absences and leaves for employees helps to attract and retain employees who will continue to grow professionally, maintain the physical health and well-being of employees, and provide a feeling of job satisfaction among employees.

The board reserves the right to approve or deny absences, leaves, and vacations of employees when such absences, leaves or vacations are not specified by statute or in provisions established by negotiation between the board and either individual employees or representative associations.

Legal Reference: R.R.S.  
79-405 School district; body corporate; powers.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Reviewed: 6/01

**Separations/Absences/Leaves**

**Leave for Professional Growth**

Subject to approval by the superintendent, district employees may be authorized to take leave for official business for the school district or for attendance at meetings for purposes of professional growth.

Costs of approved leave for official business or for purposes of professional growth shall be at district expense; an itemized statement of expenses, along with receipts, incurred by the employee shall be processed in the same manner as other claims against district funds.

Costs of transportation shall be determined as the actual cost of public transportation, which is purchased or, if the employee travels by use of a personal vehicle, by reimbursement of expense at the mileage rate established for the fiscal year. District owned vehicles will be assigned, if available, prior to approving use of a personal vehicle.

The superintendent shall establish rules and regulations to govern the use of district owned vehicles, to establish mileage rates, and provide for the reimbursement of meals, lodging, registration fees, and other costs.

Legal Reference: R.R.S.  
79-520 Board of Education; third-class districts; compensation.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Revised: 7/01

**Separations/Absences/Leaves****Leave for Professional Growth****INTRODUCTION**

The district will reimburse employees for normal expenses for lodging, meals, registration fees and transportation costs incurred while attending conferences or activities related to instruction for operational improvement of the district. These conferences or activities shall have been planned for in the budgetary process and authorized by the superintendent. The participant may attend such conferences or activities without loss of compensation from their regular duties.

Classified staff may attend conferences necessary to maintain skill and information levels related to their assignment, as directed by the superintendent of schools. Reimbursement will be made for appropriate and validated expenses that are within budgetary allocations.

Receipts are required of all reimbursements.

Certified staff may attend educational conferences subject to the approval of the superintendent. Reimbursement will be made for appropriate and validated expenses that are within budgetary allocations and/or limits set out below. Receipts are required of all reimbursements.

Board members may attend educational conferences subject to the consensus approval of the entire Board and/or the direction of the Board President. Reimbursement will be made for appropriate and validated expenses that are within budgetary allocations and/or limits set out below. For national conventions, ordinarily the annual budget will contain funds covering the cost of attendees. Receipts are required of all reimbursements.

**PROCEDURES**

1. All travel and attendance logistics will be coordinated at the building level and the cost summary sheet (attached) shall be forwarded to the business manager. The summary sheets should reflect only approved costs of the school expenses.
2. For all reimbursed travel, an accounting of expenses will be submitted to the business manager, including receipts immediately upon return and placed on file for audit purposes.
3. When practical and available, school vehicles will be used for transportation.
4. Where possible, registration and conference related expenses will be prepaid by a CPS fund check.

5. For conferences not requiring an overnight stay, individuals will not be reimbursed for meals.
6. For conference necessitating an overnight stay:
  - a. Lodging, regular conference expenses, etc. will be prepaid upon receipt of the conference summary sheet.
  - b. If circumstances or distance render impractical the use of a school vehicle, mileage at state rate at the time of travel per mile will be reimbursed for a private vehicle or transport via commercial carrier (coach rate) paid. Mileage will not be paid in excess of what it would normally cost for airfare.
7. There will be an average of \$30 per day for meals at conferences, less meals included in the cost of the conference.
8. Allowable travel expenses include:
  - a. Registration fees.
  - b. Necessary lodging
  - c. Transport to and from the conference site while at the conference.
9. Expenses not allowed include:
  - a. Cost of spouse attendance
  - b. Alcoholic beverages
  - c. Any personal items
  - d. Entertainment
10. For a national conference, the attendee will prepare and submit a written summary for the superintendent.

Rule

Approved: 8/91

Reviewed/Revised: 7/93

Revised: 7/01

**Separation/Absences/Leaves**

**Leave for Teachers or Coaching Assignments at Doane College**

Subject to approval by the superintendent, district employees may be authorized to take professional leave less sub pay for up to a total of seventy (70 hours) for the purpose of fulfilling teaching or coaching obligations at Doane College. Prior to using this leave option, employees must obtain approval from the superintendent and use all personal leave granted them by the district.

Any costs associated with the employee's assignment at Doane College must be borne by the employee and constitutes no obligations upon the school district.

Policy  
Adopted: 10/95  
Reviewed: 6/01

## Separations/Absences/Leaves

### Leave of Absence

A teacher who has been employed by the Crete Public Schools for five years of continuous full-time teaching may request a one-year leave of absence. The board may, at its sole discretion waive the five-year requirement upon request by the teacher. The teacher must apply for leave on or before March 1 of the year preceding the school year of the leave. The number of leaves, which the board shall consider in any given year, shall not exceed two. If the number of applicants exceeds the number of leaves authorized by the board, the leaves will be granted in the order of:

1. Seniority of the applicants, and
2. need, as determined by the board.

Seniority shall be defined as the number of continuous, full-time years of employment in the district as a teacher. The year of the leave of absence shall not count as a year of employment for the purpose of increased seniority or any other provision of the negotiated agreement. However, upon returning from a leave of absence (other than for illness), the staff member will lose seniority in all respects except for placement on the pay scale of the negotiated agreement. If for some reason the leave is caused by an illness, all rights of seniority will be returned to the affected staff member upon their return. Family Medical Leave provisions apply to family and employee illness leave.

During the period of the leave, separating employees shall be permitted to continue their health insurance benefits pursuant to the provisions of the Comprehensive Omnibus Budget Reconciliation Act.

A teacher on leave of absence may be affected by a reduction in force in the same manner as all other teachers, and will be provided with all rights under policy and statute governing reduction in force. **Teachers must notify the superintendent in writing, of their intentions to return to employment on or before March 1<sup>st</sup> of the school year preceding the potential work year. The staff member understands that the decision to return to teaching may not result in a placement within his/her previous position.**

Policy

Approved: 9/92

Revised: 11/92

Reviewed/Revised: 7/93

Reviewed: 7/01

Reviewed/Revised: 8/09

**Separations/ Absences/ Leaves**

**Resignation**

Renewal notices or contracts will not be required to be returned prior to March 15<sup>th</sup> for the ensuing year. A teacher may expect to be released from a contract up to May 15<sup>th</sup> if a letter is submitted to the superintendent stating reasons for wanting the release. After that date, a teacher may apply in writing to the board through the superintendent for an exception to the policy. During the school year under rare or unusual circumstances a teacher may negotiate with the board for release from a contract, by mutual agreement, provided that the superintendent recommends such negotiation to the board.

Classified personnel who wish to terminate their employment in good standing should submit a written notification to the superintendent at least two weeks prior to the employee's intended last day of employment. The superintendent may release an employee earlier than the employee's intended last day of employment through mutual agreement of the superintendent and the employee in the event the superintendent has a suitable replacement.

Legal Reference: R. R. S.  
79-501 District Board; Property; Care & Custody; Hiring of  
Superintendent, Teachers & Personnel

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Revised: 3/02

**Separations/ Absences/ Leaves  
Reduction in Force**

When, in the sole discretion of the board of education, a reduction in the number of positions or number of teachers employed by the Crete Public Schools becomes necessary for reasons of decreasing enrollment, budgetary consideration, changes in programs or such other reasons as the board may deem appropriate, the method of reducing force will be accomplished initially through the voluntary resignation or retirement of teachers.

When it appears that voluntary resignation and retirements will not be sufficient in number, the superintendent will recommend to the board those positions or programs for which fewer teachers may be needed. When the number of positions and personnel to be reduced in force are determined, the following criteria will be applied to determine which employee's contract will be reduced (not listed in any order of priority):

1. Quality of performance as determined from a review of evaluations. For purposes of reduction in force, all teachers will be evaluated at least once each school year. The current evaluation and evaluations up to, but not to exceed, the previous and the number and length of the observation will be according to the district evaluation procedure.
2. Endorsements of the teacher. With regard to this criterion, preference will be given to a teacher whose endorsements will be of greater value to the district.
3. Contribution to the extracurricular activity program. In the event that, in the judgment of the board of education, teachers are determined to be equal on the basis of the three foregoing criteria, seniority will be used to determine which employee (s) will be retained and which reduced in force. Seniority is defined as the number of consecutive years of full-time employment as a certificated staff member in Crete Public Schools. In the event that employees have an equal number of years of consecutive full-time experience, the original date of hire will be used to break the tie.

Any employee who has been terminated for reasons of reduction in force shall be considered released with honor and shall have preferred rights of re-employment for a period of twenty-four months for any position for which he or she may be qualified by endorsement or college preparation. Recall shall be based on qualifications based on endorsement and college experience and upon length of service to the school. Upon re-employment, a teacher who is recalled after being reduced in force shall be entitled to any benefits, which had accrued to the employee prior to termination; however, such time as the employee was absent from the school district shall not be considered as a year or years of employment on the salary schedule.

Legal Reference: R. R. S.  
79-846: Board of Education; Reduction in Force Policy; adopt;  
requirements.

Policy  
Approved: 8/91  
Reviewed/Revised: 7/93  
Reviewed: 6/01

## Separations/ Absences/ Leaves

### Dismissal of Certified Employees

The board of education reserves the right to dismiss from service or to amend the contract for services of any certified employee. Such dismissal or amendment of contract may be because of (a) incompetency; (b) neglect of duty; (c) unprofessional conduct; (d) insubordination; (e) immorality, (f) physical or mental incapacity; (g) failure to give evidence of professional growth as required by statute, board policy, or district rules and regulations; or (h) other conduct which interferes substantially with the continued performance of duties.

The superintendent shall have the responsibility and authority to develop rules, regulations, and procedures for the dismissal or amendment of contracts of certified employees. Rules, regulations, and procedures for the dismissal or amendment of contracts shall be in accordance with any requirements, limitations, and procedures established by statute or court decree. Rules, regulations, and procedures established by the superintendent for involuntary separation or change in duties shall be submitted, in writing, to the board for its review and action.

#### Legal Reference: R. R. S.

- 79-501 District Board; property; custody & care; hiring of Superintendent, teachers & personnel
- 79-407 Classification; Class III school district; boundaries; name; body corporate; powers; control over property
- 79-818 et seq. Teachers; employment
- 79-859 et seq. Professional Practices Commission.
- 79-824 et seq. Tenure.

#### Policy

Adopted: 8/91  
 Reviewed/Revised: 7/93  
 Reviewed: 6/01

**Separations/ Absences/ Leaves****Dismissal****INTRODUCTION**

The Crete Public Schools shall comply with all requirements of due process in considering the cancellation, amendment or termination of a permanent certificated employee's contract of employment. After compliance with the requirements of due process, the Board of Education may cancel, amend, or terminate for reasons of just cause as provided in statute, contract or school board policy.

**GUIDING PRINCIPALS AND PROCEDURES**

The Superintendent of Schools may, at his/her discretion, notify a permanent certificated employee that his or her employment contract may be cancelled, amended, or terminated. In the event of amendment or cancellation of a certificated employee's employment contract, the affected employee shall be provided:

- a) A written statement of the alleged grounds for cancellation or amendment of the contract and that such certification employee's contract may be cancelled or amended mid-term as well as the information set out in subsections (c) and (d) of this regulation.

In the event of consideration of amendment or termination of a permanent certificated employee's employment contract at the close of the school year, the affected employee shall be provided:

- b) Written notice of the alleged grounds for the proposed action in the initial notice or, in the alternative, notice of consideration of amendment or termination and, if requested by the employee, written notice of the alleged ground for the proposed action at least five (5) days prior to the hearing.

In the event of the proposed cancellation, amendment or termination of a permanent certificated employee's employment contract, the affected employee shall be provided:

- c) Written notice that he or she is entitled to a hearing before the Board of Education prior to any final decision on the proposed contract action. To secure such a hearing, the employee must submit a written request to the Secretary of the Board or Superintendent or Superintendent's designee within seven (7) calendar days of receipt of notice of possible cancellation, amendment or termination.

- d) Upon request of the certificated employee, a notification, at least five (5) days prior to the hearing, of the names of any witnesses who will be called to testify against the certificated employee as well as the general areas of their testimony and an opportunity to examine any documents that will be presented at the hearing.

Due and proper notice of the Board hearing regarding any permanent certificated employee shall be given in accordance with sections 84-1408 to 84-1414, R.S. Supp. (1983 as amended), the Nebraska Public Meetings Law. The employee shall have the right to be represented at the hearing and shall be given an opportunity to cross-examine all witnesses and to examine all documents and to present evidence material to the issues.

A decision to cancel, amend or terminate a permanent certificated employee's contract shall be based solely upon the evidence produced at the hearing and must be agreed to by a majority of the members of the Board of Education. If the Board of Education cancels, amends, or terminates a permanent certificated employee's contract, it shall reduce its findings and determinations to writing and shall deliver a written copy thereof to the certificated employee.

Legal Reference: R. R. S.  
Section 79-827 to 79-832

Rule  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Reviewed: 6/01

**Separation/ Absences/ Leaves****Family- Medical Leave****A. Eligibility**

Any regular full-time employee who has been employed by the School District for the previous twelve months and has worked for at least 1,250 hours during the previous 12 months will be entitled up to 12 workweeks of unpaid leave during a 12- month period for one or more of the following reasons:

1. Because of the birth of a son or daughter of the employee and in order to care for such child;
2. Because of the placement of a son or daughter with the employee for adoption or foster care;
3. In order to care for the spouse, or son, daughter, or parent of the employee (family member) if the family member has a serious health condition; or
4. Because of a serious health condition that makes the employee unable to perform the functions of his or her position.

The entitlement to leave for a birth or placement of a son or daughter expires at the end of the 12-month period beginning on the date of the birth or placement. A "12-month period" shall be defined as the period from September 1 to August 31 of the following year.

**B. Intermittent or Reduced Leave Schedule**

Leave because of the birth of a son or daughter, care for the child, or the placement of a son or daughter for adoption or foster care shall not be taken by an employee intermittently or on a reduced leave schedule unless agreed upon by the employee and the School District. "Reduced leave schedule" means a leave schedule that reduces the usual number of hours per workweek or hours per workday of an employee. Leave in order to care for a family member with a serious health condition or because of a serious health condition of the employee may be taken intermittently or on a condition of the employee may be taken intermittently or on a reduced leave schedule when medically necessary. Intermittent or reduce leave shall not result in a reduction in the employee's total amount of leave beyond the amount of leave actually taken.

When an instructional employee seeks to take intermittent leave in connection with a family or personal illness (e.g. physical therapy or periodic care for a sick relative), and when such leave would constitute at least 20 percent of the total

number of working days in the period during which the leave would extend, the School District may require the employee to elect to take leave in a block, instead or intermittently, for the entire period or to transfer to an available alternative position within the school system that is equivalent in pay, for which the employee is qualified, and which better accommodates the intermittent leave.

If an employee begins any category of family and medical leave five or more weeks prior to the end of a semester, and the period of leave is for more than three weeks, the School District may require the employee who seeks to return within the last three weeks to wait until the next semester.

If an employee begins any category of family and medical leave (except personal sick leave) three or fewer weeks before the end of the semester and the period of leave is greater than five working days, the School District may require the employee to wait until the next semester.

C. Substitution of Paid Leave

An employee may elect, or the School District may require, the employee, to substitute any of his or her personal leave or any other leave, which may be applicable to the situation for leave, provided in this policy. Any paid leave provided as an employee benefit for fewer than 12 workweeks will be included to attain the 12 workweeks of leave provided in this policy. The additional leave will be provided without compensation.

C. Notice

In any case in which the necessity for leave is foreseeable based on an expected birth or placement, the employee must make a reasonable effort to schedule the treatment so as not to disrupt the operations of the School District, subject to the approval of the health care provider of the employee or the family member. The employee must provide the School District with not less than 30 days' notice before the date the leave is to begin of the employee's intention to take leave, or such notice as is practicable if the date of the treatment requires leave to begin in less than 30 days.

E. Spouses Employed by the School District

If a husband and a wife are entitled to the same leave pursuant to this policy, the aggregate number of workweeks of leave to which both may be entitled is limited to 12 workweeks during any 12-month period, unless the reason for the leave is the serious health condition of the employee.

**F. Certification**

If an employee requests leave for a serious health condition of the employee or of a family member, the School District may require certification from the health care provider of the individual with the serious health condition to be provided to the School District in the timely manner.

The certification must state:

1. The date on which the serious health condition commenced;
2. The probable duration of the condition;
3. The appropriate medical facts within the knowledge of the health care provider regarding the condition;
4. If the leave is for purposes of leave to care for a serious health condition of someone other than the employee, a statement that the employee is needed to care for the family member and an estimate of the amount of time that the employee is needed to care for the individual;
5. If the leave is requested because of a serious health condition of the employee, a statement, that the employee is unable to perform the functions of his or her position; and
6. In the case of certification for intermittent leave for planned medical treatment, the dates on which such treatment is expected to be given and the duration of such treatment.

The School District reserves the right to require, at the School District's expense, that the eligible employee obtain the opinion of a second health care provider designed or approved by the School District if the School District has reason to doubt the validity of the certification. If the second opinion differs from the original opinion, the School District may require, at the expense of the School District, that the employee obtain a third opinion of a health care provider designated or approved jointly by the School District and the employee. The opinion of the third health care provider will be considered final and binding.

The School District may require that the employee obtain subsequent recertification (s) on a reasonable basis.

Upon return to work the employee shall provide written certification from his or her health care provider that the employee is able to return to resume work.

**G. Reporting**

The School District may require an eligible employee on leave under this section to report periodically to the School District on the status and intention of the employee to return to work.

#### H. Restoration to Position

Any eligible employee who takes leave under this policy will be entitled to be restored to the position of employment held by the employee when the leave commenced, or, at the discretion of the School District, to be restored to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. For employees whose employment requires a teaching certificate, equivalent position shall mean a position requiring a teaching certificate. Any leave taken under this policy will not result in the loss of any employment benefits accrued prior to the date on which the leave commenced.

An eligible employee is not entitled to accrual of any seniority or employment benefits during any period of leave, or any right, benefits, or position of employment other than that to which the employee would have been entitled had the employee not taken leave.

The School District may require each employee to receive certification from the health care provider of the employee that the employee is able to resume work.

##### 1. Failure to Return from Leave

The School District may recover the premium that the School District paid for maintaining coverage for the employee under a group health plan during any period of unpaid leave if the employee fails to return from leave after the period of leave to which the employee is entitled for reasons other than the continuation, recurrence, or onset of a serious health condition which would entitle the employee to leave under this section, or other circumstances beyond the control of the employee.

##### 2. Certification of Inability to Return to Work

The School District may require that a claim that an employee is unable to return to work because of the continuation, recurrence or onset of a serious health care provider of the employee or family member, and provided to the School District in a timely manner. The certification must state that the leave of the functions of his or her position on the date that the leave of the employee expired. If the leave is due to a serious health condition of a family member, the certification must state that the employee is needed to care for the family member on the date that the leave of the employee expired.

Rule

Adopted: 7/93

Reviewed: 7/01

**Separations/ Absences/ Leaves**

**Sabbatical Leave**

It shall be the policy of the Crete Public Schools that any teacher or administrative officer shall be eligible for consideration for sabbatical leave after performing continuous and satisfactory service in the Crete Public Schools for at least seven years. Service as a substitute teacher cannot be applied toward eligibility for sabbatical leave. Only one teacher or administrative officer may be granted a sabbatical leave during any give school year. If more than one teacher or administrative officer requests a sabbatical leave for the same school year, the Board of Education shall make a decision based upon the needs of the Crete Public Schools. The granting of a sabbatical leave for period of one year shall preclude any future any future sabbatical leave consideration.

An employee shall make written application for such leave to the superintendent of schools on or before October 1 of the year preceding the sabbatical leave. This written request must include a statement about the propose course of study, itinerary, or an outline of the general subject of investigation in schools to be visited. Such application will be considered by the Board of Education. If such leave is granted, the employee shall submit a written report to the Board of Education and in this report the benefits resulting from the study and/ or other experience will be presented.

It shall further be the policy of the Crete Public Schools that an employee to whom a sabbatical leave is granted shall enter into a contract with the Crete Public Schools for the year during which the employee is on sabbatical leave. The contract shall define the condition of the sabbatical. There will be no salary, benefits, or advancement on the salary schedule for any sabbatical leave.

Policy

Approved: 8/91

Reviewed/Revised: 7/93

Revised: 7/01

**Separations/ Absences/ Leaves**

**Death**

The superintendent shall have the responsibility to develop rules, regulations, and procedures related to the death of a district employee. Such rules, regulations and procedures shall be submitted, in writing, to the board of its review and action.

Policy

Approved: 8/91

Reviewed/Revised: 7/93

Reviewed: 6/01

**Separations/ Absences/ Leaves****Death**

The Crete Public Schools is a government entity, empowered by the laws of the state to educate the youth it serves. It is not, however, without feeling or recognition of the value and needs of the people who are the Crete Public Schools, both students and employees.

As such, in the event of the death of an employee, or person close to the school, the superintendent will make the determination regarding the ongoing day to day operation of the school, and may dismiss accordingly, or release personnel and/or students to attend any funeral and/or memorial services for the deceased. If school is not dismissed, persons wishing to attend such memorial services or funeral shall be free to do so with appropriate leave approval.

Rule

Adopted: 8/91

Reviewed/Revised: 7/93

Reviewed: 6/01

**Separations/ Absences/ Leaves**

**Suspension**

The superintendent shall have the responsibility to develop rules, regulations, and procedures for the suspension of employees. Rules, regulations, and procedures related to the suspension of employees shall be in accord with any requirements or limitations established by statute, court decree, or negotiated agreement with employees. Rules, regulations, and procedures established by the superintendent for the suspension of employees shall be submitted, in writing, to the board of education for its review and action.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Reviewed: 6/01

**Separations/ Absences/ Leaves**

**Suspension of All Employees**

**INTRODUCTION**

If, in the judgment of the superintendent, an employee's conduct or job performance is not in line with the standards or requirements set forth by the School District of Crete, it may become necessary for the employee to be separated from service, with or without pay, pending a thorough evaluation and/or investigation by the superintendent. Upon the outcome of the evaluation or investigation, the employee may receive a written reprimand, return to active duty, or summarily dismissed.

**DEFINITION OF TERMS**

1. Suspension – Temporary dismissal from employment, with or without pay, of no more than four weeks duration.

**PROCEDURE**

1. The employee may be placed on suspension only by the superintendent of schools pending the outcomes of an investigation.
2. When an employee is suspended, the superintendent will notify the President of the Board of Education of the suspension, but no further information will be given should a hearing later be necessary.
3. Upon completion of the investigation, appropriate action will be taken based on the findings. The employees will be notified in writing by the Superintendent of Schools.

Policy

Adopted: 8/91

Reviewed/Revised: 7/93

Reviewed: 6/01

**Terms of Employment**

**Separations/ Absences/ Leaves**

**Inclement Weather**

When inclement weather or other reasons force a cancellation of classes, classified employees who are full-time employees shall receive one hour's pay according to the hourly wage rate in force for the job category if they have not been notified of the cancellation of classes, arrive at their duty stations, and present themselves for work. Employees who are asked to remain at home on such days shall not report to work unless specifically requested to do so (i.e. teacher will not report unless specified to do so, administration will report when possible, 12 month employees must report unless they notify their immediate supervisor that they are unable to report to due to the weather conditions.) Employees who report to work when they are not directed to do so shall not be eligible for compensation at the hourly wage rate.

The Board of Education reserves the right to alter the school calendar or extend the school year beyond the approved calendar to makeup any or all school closures due to inclement weather or other reasons that force a cancellation of school.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Revised: 7/01

**Form A**

**COMPLAINT AND CONSENT TO INVESTIGATE  
ALLEGATIONS OF SEXUAL HARASSMENT**

Pursuant to its policy to prohibit and prevent sexual harassment, Crete Public School provides this form to receive allegation of misconduct, which have been suffered by any person, covered by the district's Sexual Harassment Policy. The allegations set forth in this complaint form will serve as the basis for an investigation to be carried out promptly.

In order to protect a complaining party's rights of privacy and in order to avoid disclosure of facts when such disclosure is not authorized by a complaining party, this form permits you as a complaining party, to authorize disclosure of facts contained in this form as they are required in the sound discretion of the investigator. This form also authorizes you to withhold certain facts set forth in this complaint in the course of an investigation.

You should be aware that limitations on disclosure of certain information contained in this complaint may hinder and in some cases prevent the district from fully carrying out its policy to prohibit and prevent sexual harassment. By signing FORM B with limitation on the disclosure permitted, you should also understand that an investigation may not be possible due process limitations on the reputation unless a full and fair opportunity to confront allegations of misconduct is provided to such employee.

Your signature below will be deemed to be an acknowledgement on your part that you have fully read this complaint form and that you have understood it. Your signature on this form will further indicate that you have sought any professional or collegial advise you have deemed appropriate and that the allegations contained in this form have been voluntarily given and have neither been encouraged nor discouraged by the district.

**COMPLAINT**

Name (complaining party) \_\_\_\_\_

Date (s) of occurrence of events complained of \_\_\_\_\_

Nature of complaint. Please set forth, in the space provided below, with specificity and detail, the events of which you complain. Extra page or pages may be attached.

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**FORM A** (continued)

Name of witnesses that you are aware of to any of the events that you complain of.

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\_\_\_\_\_  
Complaining Party's Signature

Where Complaining Party may be reached:

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Telephone Numbers:

(     ) \_\_\_\_\_  
(     ) \_\_\_\_\_  
(     ) \_\_\_\_\_

Date such complaint was filed \_\_\_\_\_, 20\_\_\_\_\_.

**FEDERAL AUTHORITY TO DISCLOSE INFORMATION**

I understand that Crete Public Schools will be conducting an investigation of my complaint. By affixing my signature to this paragraph, I authorize the investigator to disclose such portions of the information I have set forth in my complaint and which I may provide in the future with respect to this complaint. By affixing my signature to this paragraph, I hold harmless the district and its duly authorized investigator for any claim I may have resulting from the disclosure of any facts set forth in this complaint when such disclosure occurs in the course and scope of the investigation. By signing this paragraph, I acknowledge that I have read it fully and understand its contents.

\_\_\_\_\_  
Complaining Party's Signature

Date \_\_\_\_\_, 20 \_\_\_\_\_

**FORM B**

**WAIVER OF LIMITED AUTHORITY TO DISCLOSE**

I waive my right for limitations to be imposed when conducting the investigation of my complaint. I understand that all necessary parties will be contacted during the investigation.

\_\_\_\_\_  
Complainant's Signature  
Date \_\_\_\_\_, 20\_\_\_\_.

**LIMITED AUTHORITY TO DISCLOSURE**

I understand that Crete Public Schools will be conducting an investigation of my complaining. However, it is my wish that certain facts set forth in this complaint not be disclosed to others or that certain facts be disclosed only to such persons as I specifically direct. The information, which I wish to be disclosed to no one during the course of any investigation, is as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Below is listed factual information that I do not wish to have generally disclosed. Beside each specific fact stated below I have provided the name or names of those during the course of any investigation to whom I specifically authorize you to disclose such information.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I specifically acknowledge by signing this paragraph, rather than the general authority paragraph, that I may have placed limitations on the investigation, which may make it difficult or impossible for the district to fully resolve my complaint.

\_\_\_\_\_ Complainant's Signature

Date \_\_\_\_\_, 20\_\_\_\_\_

**Rights & Responsibilities**

**Tenure**

**Continuing Contract**

Certificated employees who are employed four- fifths time or more, who have satisfactory completed the probationary period in the district, and who have not been hired to fulfill the duties of another certificated employee who is on leave of absence, in accordance with Nebraska statutes, are eligible to become permanent certificated employees. The contract of a permanent certificated employee shall be deemed continuing and shall be renewed and remain in full force and effect unless amended or terminated in accordance with the provisions of Nebraska statutes, the policies of Crete Public Schools or terms of the Negotiated Agreement.

Legal Reference: R. R. S.  
79-824 et seq. Tenure.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Revised: 8/01

**Rights & Responsibilities**

**Tenure**

**Probationary Contract**

Certificated employees shall have probationary status for three successive school years in accordance with statutes and guidelines established by the State of Nebraska. Probationary status of new employees shall not be extended beyond the length of time provided for by statute.

Evaluation of certificated employees shall be in accordance with the performance appraisal plans developed by the superintendent and approved by the board.

Legal Reference: R. R. S.  
79-828 Probationary certificated employee; probationary period; evaluation; contract amendment or nonrenewal; procedure.  
79-824 Tenure Terms Defined

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Reviewed: 8/01

**Rights & Responsibilities**

**Academic Freedom**

Within the guidelines of professional codes of ethics, professional employees of the district are vested with academic freedom; academic freedom, however, is not an absolute and must be exercised with concern for a commitment to democratic principals and methods; a concern for the welfare, growth, and development of pupils; the use of recognized methods of scholarship; and, the application of good taste and judgment in the selection and use of materials and methods of instruction.

Legal Reference: R. R. S.  
79-526 District board; schools; supervision and control.  
79-859 et seq. Professional Practices Commission; declaration

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Reviewed: 6/01

**Rights & Responsibilities****Academic Freedom****Controversial Issues****INTRODUCTION**

Since schools must teach about controversial topics, the question of what is appropriate for learning in the Crete Public Schools will occasionally arise. The Principal of the school is responsible for the curriculum in his/her building and should anticipate controversy, direct and advise teachers, and inform and consult with parents regarding selection of materials and methods of instruction. Teachers should only deal with those issues falling within their fields of preparation. The teacher's approach to controversial topics shall be impartial and objective, attempting always to present all sides of an issue.

Specifically, teachers should use the following criteria for determining if certain topics should be part of their curriculum:

1. The topic must not involve indoctrination of religious beliefs.
2. The topic must be within the range, knowledge, maturity, and competence of the students.
3. Ample study materials and other learning aids will be made available from which a reasonable amount of data pertaining to all aspects of the topic can be obtained.
4. Consideration of the topic should require only as much time as is needed for ample study by the class, but sufficient time should be provided to cover the topic adequately.
5. The topic should be current, significant time should be provided to cover the topic adequately.
6. The class in which the topic is being discussed should feel no responsibility for reaching agreement.
7. A teacher who is in doubt concerning the advisability of discussing certain topic should confer with the principal as to its appropriateness.

8. Teachers should confer with the principal to determine the best means for informing parents and other patrons of controversial topics to be presented prior to their introduction in the schools.

#### GUEST SPEAKERS

Representatives of varying points of view may present issues directly to students only through invitation by a teacher with the approval of the principal.

#### CURRICULUM MATERIALS

Using suggestions from national curriculum groups and professional organizations, drawing upon standard selection guides and acting upon their best knowledge of their own students, the professional staff should determine which content can best be the factor which determines its inclusion or exclusion in the curriculum. Materials that deal with controversial issues or are of a controversial nature shall be referred to the principal. The principal, as instructional leader, will appoint a screening committee to review controversial materials prior to their inclusion into the curriculum. This committee will be comprised of:

- 1 parent from the elementary parent group
- 1 parent from the Jr.-Sr. high parent group
- 1 parent from the District Citizens Advisory Organization
- 2 staff members from the curriculum area
- 1 building principal

A parent shall have the right to make and have granted a request that his/ her child not study a given book or literary work. The parent shall have the right to suggest only, through formal reconsideration procedures, that a given book or literary work be excluded from the curriculum of other students.

#### RECONSIDERATION PROCEDURES

The following procedures shall be used to facilitate the proper and prompt handling of issues of this nature:

1. The building principal shall have primary responsibility for handling curriculum concerns.
2. If an individual telephones a concern, the principal should make no commitments, but listen courteously and ask if the parent has spoken with the teacher. The principal will refer the parent to the teacher if they have not yet discussed the issue. If the parent is not satisfied with the conference, he/ she

- should contact the principal and arrange for a meeting with the teacher and the principal.
3. If a concern is in writing, the letter should be acknowledged promptly, including a courteous invitation to the parent to a conference at the school.
  4. If the parent feels that his/her concern has not been resolved, he/she may request formal reconsideration.
  5. The principal will establish a Building Level Review Committee considering of two teachers in the curriculum area under review, the classroom teacher currently teaching the material under review, two representatives of the building level, parent group, the concerned parent, and the building principal, who will serve as moderator. This committee will act as a team and try to reach a consensus. All members must agree in order to determine consensus. The principal will place in writing the consensus decision reached by the Building Level Review Committee.
  6. If consensus is not reached by the Building Level Review Committee, the Building Principal, acting as Instructional Leader, will render a decision in writing to all parties serving on the Building Level Review Committee and the District Superintendent. Within the contents of this letter, the appeal process will be outlined.
  7. If the parent feels that his/her concern has not been resolved, they may make written appeal to the District Superintendent of Schools.
  8. The Superintendent will establish a District Review Committee, considering of members of the District Curriculum Steering Committee and an equal number of parents from parent groups.
    - a. The committee may ask questions of clarification of the parent and the instructional representative.
    - b. The concerned parent will have 30 minutes to speak before the committee.
    - c. The instructive representative will have 30 minutes to speak before the committee.
    - d. The committee will make a recommendation to the Superintendent regarding their findings.
    - e. The Superintendent will make a written response to the concerned parent regarding the district review committee's findings and outline further appeal procedures.

9. If the concerned parent still feels that his/ her concern has not been resolved, he/ she may request in writing to the superintendent a review by the Board of Education.
  - a. The Board Curriculum Committee will convene and hear a fifteen-minute presentation by a parent representative and a fifteen-minute presentation by a staff representative.
  - b. The Board Curriculum will report its findings and recommendation at its regularly scheduled meeting and provide written notification to the concerned parent and staff.

Rule

Adopted: 8/91

Reviewed/Revised: 7/93

Reviewed: 8/01

**REQUEST FOR RECONSIDERATION**

(Answer all questions. Use reverse side if necessary.)

NAME \_\_\_\_\_ DATE \_\_\_\_\_

ADDRESS \_\_\_\_\_ TELEPHONE \_\_\_\_\_

Complaint represents:

Himself/ Herself \_\_\_\_\_

Organization \_\_\_\_\_

Curriculum and or Class to which complaint is directed: \_\_\_\_\_

To what portion of the subject or content do you object?

Please be specific: \_\_\_\_\_

If written material, cite the following:

Title \_\_\_\_\_

Author \_\_\_\_\_

Publisher \_\_\_\_\_

Pages \_\_\_\_\_

If other media (films, videos, speaker, etc.), please state

Title of film or video \_\_\_\_\_

Name of speaker \_\_\_\_\_

Have you read the material, viewed the film (video) or heard the speaker in entirety?

Yes \_\_\_\_\_

No \_\_\_\_\_

What suggestion would you make?

Signed \_\_\_\_\_

**Rights & Responsibilities**

**Continuity of Service**

The board of education affirms its intent to establish organizational provisions designed to retain personnel and to foster continuity in personnel service.

The superintendent of schools shall have the responsibility to develop plans for implementing procedures, which maintain health and occupational mobility of employees, provide for employees' well being, provide for orderly separation from employment with the district, and provide for replacements when employees are unable to perform their duties.

Legal Reference: R. R. S.  
79-501 District Board; property; care & custody; hiring of Superintendent, teachers & personnel.  
79-817 Schools; contract of employment; writing required.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Revised: 8/01

**Rights and Responsibilities****Continuity of Personnel****Duties of Employees**

Teachers are expected to be available upon principal request between the hours of 7:30 a.m. to 5:00p.m., Monday through Friday, and shall be on duty at their assigned responsibilities on all duty days unless otherwise excused by the building principal. Teachers may leave school premises at 4:00 p.m. provided that their duties do not require their attendance on the school premises.

Teachers may be assigned responsibilities at other hours by the principal or superintendent for supervising or directing school activities or programs or for participating in programs under the direct sponsorship of the school in accordance with established policy. Such assigned responsibilities shall be made by the principal or the superintendent to distribute the workload.

Employees are expected to be in attendance at meetings, which are announced by the superintendent and by authorized administrative and supervisory personnel except when a meeting is designated as an optional meeting. Legitimate reasons for absence from meetings shall be the same as those recognized as legitimate reasons for absence from regular duty.

Meetings announced by administrative and supervisory personnel may be scheduled before the regular school day begins, during the school day, after dismissal of classes in the afternoon or during evening hours provided reasonable notice of meetings is given. Attendance may be required.

In scheduling meetings of employees regarding the discharge of employee's duties, administrative and supervisory personnel shall exercise every possible means to schedule meetings in such a manner as to cause the least possible interference with classroom instructional time.

Administrative and supervisory personnel are authorized to require attendance of teachers at meetings held within the district and to approve attendance at meetings held within the district and to meetings are judged to be necessary for the conduct of the business of the school district.

Legal Reference: R. R. S. 79-839

Policy

Approved: 8-91

Reviewed/Revised: 7/93

Reviewed: 8/01

**Rights and Responsibilities****Continuity of Services****Duties of Employees****Performance Standards for Professional Employees**

It shall be the policy of the Crete Public Schools that the following competencies and characteristics should govern the performance of professional employees in the Crete Public School. These competencies and characteristics are the standards upon which professional employees should be evaluated.

A professional employee shall be defined as a teacher, counselor or librarian employed by the Crete Public Schools. Building Principals should understand that some of these competencies and characteristics may not apply directly to the performance of counselors and librarians.

- A. The competent teacher gathers and interprets diagnostic data to identify the need and concerns of both the individual and the group by:
  - 1. Making use of past assessment information and other available records to identify the achievement level for each student.
  - 2. Using a variety of diagnostic instruments and techniques as they are available. The teacher shall include normal referenced and criterion referenced assessments as well as classroom assessments.
  - 3. Demonstrating competency and skill in administering appropriate diagnostic instruments.
  - 4. Requesting assistance from other professionals when needed for more comprehensive diagnosis
  - 5. Using evaluative data to implement and modify instruction.
  
- B. The competent teacher plans lessons to meet individual and group needs by:
  - 1. Utilizing district, school, and subject goals and objectives as guidelines.
  - 2. Planning lessons, which meet the design of the teacher effectiveness model.
  - 3. Writing lesson plans which reflect the use of measurable long and short-term objectives.
  - 4. Utilizing appropriate individual resource materials and activities related to instructional objectives.
  - 5. Accommodating individual differences by incorporating a variety of instructional techniques.
  - 6. Being flexible and modifying plans according to changing conditions.

7. Being receptive to student feedback in planning instruction.
8. Planning sufficient activities for the time allotted.
9. Structuring activities to meet the needs and design of the lesson.

C. The competent teacher applies principles of learning by:

1. Motivating the students by utilizing and building upon student's background, interests, and prior learning.
2. Providing feedback and appropriate reinforcement as student's progress towards goals.
3. Providing adequate practice to insure student retention.
4. Allowing for a balance between presentation of information and expression of student ideas.
5. Using strategies to involve students in higher levels of thinking.
6. Providing the individual with activities to develop attitudes, appreciations and values.
7. Demonstrating enthusiasm for the lesson.
8. Presenting input in clear, concise manner.

D. The competent teacher helps each pupil to develop a realistic, positive self-image by:

1. Helping students feel that their presence and participation is desirable and of value.
2. Demonstrating impartiality by listening to various points of view and giving attention to students inquires.
3. Helping students deal with their own strengths and weaknesses.

E. The competent teacher demonstrates knowledge of subject matter by:

1. Presenting accurate and current information.
2. Using content appropriate to students' abilities.
3. Using media, community resources, materials and facilities effectively.

F. The competent teacher assesses the accomplishments of students and utilizes the results by:

1. Selecting and implementing an evaluation tool appropriate to objectives.
2. Providing students with precise and specific knowledge of results to aid them in correcting their deficiencies and promoting their strengths.
3. Using media, community resources, materials and facilities effectively and efficiently.
4. Making teaching decisions based on results of evaluation.

G. The competent teacher communicates effectively with students by:

1. Being sensitive to and aware of student input.
2. Fostering enthusiastic, non-threatening environment.
3. Developing a positive rapport.
4. Supporting school activities.

H. The competent teacher communicates effectively with colleagues and staff by:

1. Participating in the group decision-making process.
2. Listening to and considering suggestions from the staff.
3. Sharing ideas and resources with others.

I. The competent teacher communicates effectively to parents and the community by:

1. Initiating communications with the parents.
2. Making self-available; preparing and conducting effective conferences.
3. Following through on a mutually agreed upon plan of action.
4. Answering community inquiries promptly and with discretion.
5. Promoting positive aspects of education and programs in the Crete Public Schools.

J. The competent teacher establishes and maintains reasonable classroom control by:

1. Developing an atmosphere of mutual respect and cooperation.
2. Using consistent management techniques that encourage and reward desired behavior.
3. Encouraging students to exercise self-discipline.
4. Demonstrating the ability to handle classroom disciplinary problems with dignity.

K. The competent teacher provides an effective classroom environment by:

1. Conducting classroom situations in an organized manner conducive to learning.
2. Attending to the physical conditions and appearance of the classroom and comfort of the students where within the teacher's control.
3. Developing desirable classroom standards of work.

L. The competent teacher demonstrates professional attitude by:

1. Adhering to building policies.
2. Complying with administrative directives.
3. Establishing a pattern of punctuality.

4. Maintaining accurate records.
5. Caring for school equipment.
6. Cooperating in controlling school behavior situations.
7. Attending required meetings.
8. Encouraging pupils to respect and observe school policies and routines.
9. Contributing to the decision-making process and abiding by group decisions.
10. Accepting and supporting in the creation and maintenance of esprit de corps within the building and district.
11. Assisting shared responsibilities in and out of classroom the school day.
12. Exercising good personal hygiene and dressing appropriately as the occasion demands.

M. The competent teacher has a consistent and professional attitude toward the accomplishment of the district and school goals by:

1. Adhering to and enforcing school law, state board regulations, school board policy, and established administrative procedures.
2. Using district curriculum and adopted courses of study.
3. Demonstrating knowledge of district-adopted teacher effectiveness model.

N. The competent teacher demonstrates commitment to his/her profession and professional growth by:

1. Participating in workshops, professional conferences or college courses.
2. Participation in district activities.
3. Studying research and surveying current trends.
4. Supporting professional organizations.
5. Participating in ongoing self-evaluations.
6. Utilizing other teachers as a resource to improve classroom instruction.

O. The competent teacher relates positively to others by:

1. Discussing the observation(s) and analysis in a constructive manner.
2. Using opportunities available for improvement.
3. Modeling self-control.
4. Attempting to prevent or resolve interpersonal conflicts using verbal and non-verbal communication.
5. Exhibiting concern for the feelings and opinions of others, being tactful and discreet.
6. Being fair, objective, and a reasonable person

Rule

Approved: 8/91

Reviewed/Revised: 7/93

Revised: 8/01

**Rights & Responsibilities**

**Continuity of Services**

**Absenteeism and Tardiness**

The superintendent of schools shall have the responsibility to develop plans for an absence and tardiness to work control program and shall specify, in writing, the rules, regulations, and procedures to be used in a program related to the control of absence and tardiness of district employees. Rules, regulations, and procedures for the control of absence and tardiness shall be in accord with any requirements or limitations established by statute, court decree, or negotiated agreement with employees. Rules, regulations, and procedures established by the superintendent for the control of absence or tardiness may be submitted, in writing, to the board of education for annual review.

Policy

Adopted: 8/91

Reviewed/Revised: 7/93

Revised: 8/01

**Rights and Responsibilities**

**Continuity of Services**

**Absenteeism and Tardiness of Personnel**

All employees are required to notify their immediate supervisor or their designee of their intended absence from work at the earliest time possible but no later than the start of their working day.

Policy

Approved: 8/91

Reviewed/Revised: 7/93

Reviewed: 8/01

**Rights & Responsibilities**

**Continuity of Services**

**Health and Safety of Personnel**

The Superintendent of Schools shall have the responsibility to develop plans for the health and safety of employees and shall specify, in writing, the rules, regulations, and procedures to be used in such plans. Rules, regulations, and procedures for the health and safety of personnel shall be in accord with any requirements or limitations established by statute, court decree, or negotiated agreement with employees. Rules, regulations, and procedures established by the superintendent for the health and safety of personnel may be submitted, in writing, to the board of education for its review and action.

Any employee whose condition of health is thought to adversely affect the welfare of pupils or employees may be required by the board at any time, upon recommendation of the superintendent, to reserve the right to request and to secure a second medical opinion concerning the condition of health of any of its employees. The expense of any such required health examination shall be an obligation of the district.

Legal Reference: R. R. S.  
79-526 District board; schools; supervision and control.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Reviewed: 8/01

**Rights & Regulations**

**Continuity of Service**

**Communicable Diseases**

**SCHOOL DISTRICT EMPLOYEES**

Any employee, having a potentially threatening communicable diseases will be allowed to continue employment in his/ her usual employment setting with the approval of his/ her physician stating that the disease is not in a communicable stage and does not endanger students or other employees.

Life threatening contagious infections without known treatment may require modification of the employee's employment status. These diseases include, but may not be limited to: AIDS, chronic hepatitis, etc.

No medical evaluation shall be required of employee or potential employee without reasonable cause to believe that he/ she is an infected individual.

The privacy of the employee will be protected, and knowledge that an employee is infected will be confined to persons with a direct medical need-to-know. This shall be determined on a case-by-case basis.

School district officials shall identify the employee's physician, who has the qualifications to evaluate whether or not an infected employee poses a risk to others. If it is determined that a risk exists, the employment conditions of the employee may be modified. This process, including all the steps to be taken and appeal procedures are set forth in APPENDIX A of this regulation. This will apply only in the event that it is requested by an employee or when a physician representing the school district confirms that the employee's employment conditions need to be modified and the employee disagrees.

The school district will pay for involuntary referral to a physician of the district's choice for diagnostic or evaluative purposes.

The school district will provide in service training and follow-up activities on communicable diseases to all school personnel as deemed appropriate by district officials.

**Rule**

Adopted: 8/91

Reviewed/Revised: 7/93

Reviewed: 8/01

## APPENDIX A

### ADMINISTRATIVE REGULATIONS

#### THE REVIEW PANEL COMMUNICABLE DISEASE

##### A. The Review Panel

1. Communicable diseases that are known not to be spread by casual contact e.g. AIDS, Hepatitis B and other like diseases will be addressed on a case-by-case basis by a review panel.
2. Panel Membership
  - a. The physician treating the individual.
  - b. A health official from the State Health Department who is familiar with the disease.
  - c. A child/ employee advocate (e.g., nurse, counselor, child advocate, social worker, employee representative, etc. from in or outside the school setting) approved by the infected person or parent/ guardian.
  - d. A school representative familiar with the child's behavior in the school setting or in the employee's work situation (in most cases the building principal or in the case of a special education student a special education representative may be more appropriate).
  - e. Either the parent/ guardian of child, student if over 18, employee, or their representative.
  - f. The district superintendent.
3. The superintendent will assign a stenographer to record the proceedings.
4. The superintendent will designate the chair of the panel. The chair is responsible for assuring a due process hearing that is fair and just. The chair shall serve as neutral hearing officer to ensure an impartial hearing for all interests concerned.
5. The chair of the review panel will designate the panel member who will write the "Proposal for Decision".

##### B. Case Review Process

1. Upon learning of a student/ staff member with the Crete Public School District who has been identified by a qualified source as having a communicable disease that is known not to be spread by casual contact, the superintendent shall:

## APPENDIX A (continued)

- a. Immediately consult with the physician of the student/ staff member and/ or the health official from the State Health Department to obtain information as to whether the student/ staff member is generally well enough to remain in school during the review panel process. The superintendent will confirm whether the student/ staff member has evidence of a present or temporary condition that could be transmitted by casual contact in the school setting.
  1. If the student/ staff member's physician or the health department physician indicates the student/ staff member is well enough to remain in the school setting and poses no immediate health treat through casual contact to the school population because of their illness, the student/ staff member shall be allowed to remain in the school setting while the review panel meets.
  2. If the student/ staff members' physician or the health department health official indicates the student/ staff member is currently not well enough to remain in the school setting and/ or that the affected individual currently had evidence of an illness or contact to the school population because of their illness, the student/staff member shall be excluded from the school setting while the review panel meets. If the health department health official recommends exclusion because a public health threat exists the review panel will discuss the conditions under which the individual may return to school.
- b. Immediately contact the review panel members to convene a meeting to explore aspects of the individual's case.
- c. Submit to the parent/ guardian or infected person in writing a notice of their rights as a review panel member and the method of appeal.

## 2. The Review Panel Process

- a. The Review Panel shall meet within 24-48 hours to review the case. The following aspects should be considered in that review:
  1. The circumstances in which the disease is contagious to others.
  2. Any infections or illnesses the student/ staff member could have as a result of the disease that would be contagious through casual contact in the school situation.

## APPENDIX A (continued)

3. The age, behavior, and neurological development of the student.
4. The expected type of interaction with others in the school setting and the implications to the health and safety of those involved.
5. The psychological aspects for both the infected individual and others concerning the infected individual remaining in the school setting.
6. Consideration of the existence of contagious diseases occurring within the school population while the infected person is in attendance.
7. Consideration of a potential request by the person with the disease to be excused from attendance in school or on the job.
8. The method of protecting the student/ staff member's right to privacy, including maintaining confidential records.
9. Recommendations as to whether the student/staff member should continue in the records.
10. Recommendations as to whether a restrictive setting or alternative delivery of school programs is advisable.
11. Determination of whether an employee would be at risk of infection through casual contact when delivery an alternative education program.
12. Determination of when the case should be reviewed again by the panel.
13. Any other relevant information.

### b. Proposal For Decision

1. Within three (3) business days after convening the panel, the superintendent shall be provided with a written record or the proceeding and the "Proposal For Decision". The Proposal serves as a recommendation to the superintendent. It is based on the information brought out in the review panel process and will include the rationale for the recommendation concerning school attendance for the student or continuation of employment for the staff member. If there is a minority viewpoint by panel members following the review process that should also be included in the report.
2. If the Proposal For Decision is to exclude the affected person from the school setting because of the existence of a temporary or present condition that is known to be spread by casual contact and is considered a health threat to the school community, the Proposal For

## APPENDIX A (continued)

Decision shall include the conditions under which the exclusion will be reconsidered.

3. The parent/ guardian, or affected person will be given will be given a copy of the Proposal. The review panel members will be given the opportunity to review the content of the Proposal For Decision.
- c. The Superintendent's Decision
    1. The superintendent shall either affirm, modify, or take exception to the Proposal For Decision within three (3) business days after receipt of the Proposal For Decision unless a rehearing request on that Proposal have been made. (See Appeal Process, Rehearing Request.)
    - d. If the affected person is a special educations student, the superintendent shall convene an Individualized Education Planning Committee meeting to determine the appropriate program and services for the student based on the panel's recommendation and the Superintendent's Decision. Placement of the student in the interim shall be based upon the recommendation of the superintendent and the attending physician.

### C. Appeal Process

#### 1. Rehearing Request

- a. The parent, guardian or affected person who considers the Proposal For Decision unjust may request a rehearing, in writing, directed to the chair of the review panel within three (3) days of the date of the Proposal For Decision. Grounds for requesting a rehearing are limited to: (1) new evidence or information that is important to the decision; or (2) substantial error of fact.
- b. The chair, within three (3) days from the date of receipt of the request for rehearing shall either grant or deny the request for rehearing. If the request is denied, the chair shall immediately submit the Proposal For Decision to the superintendent. If the request for rehearing is granted, the chair shall reconvene the same panel that originally heard the matter within five (5) business days of the date the hearing is granted.
- c. Within three (3) business days after the rehearing the chair shall submit the Proposal For Decision to the superintendent. The parent/

## APPENDIX A (continued)

guardian, affected person will be given a copy of the Proposal. The review panel members will be given the opportunity to review the content of the Proposal for Decision.

### 2. Request for Reconsideration of Superintendent's Decision

- a. The parent, guardian or affected person may request a reconsideration of the Superintendent's Decision within three (3) business days of date the Superintendent's Decision was issued. The request shall be in writing and shall allege that the Decision contains a substantial error of fact or the Decision is against the great weight of the evidence as set forth in the Proposal For Decision.
- b. An oral presentation by the parent/ guardian, affected person or their representative may be granted by the superintendent.
- c. The superintendent shall grant or deny the request for reconsideration within three (3) days after receipt of the request or within three (3) business days following the oral presentation, whichever is applicable.

### 3. Request For A Board Decision

The parent/ guardian, affected person or their representative may make a final written appeal to the president of the Board of Education within five (5) school day after the Superintendent's Decision. The Board shall meet within three (3) business days and hear the student/ staff member's appeal along with the Proposal For Decision and Superintendent's Decision. Within (2) business day of the hearing, the Board shall render its decision in writing with copies sent to the superintendent, health department health official, and parent/ guardian or affected person.

### 4. Review Panel Request For Appeal

If the Proposal For Decision or the Superintendent's Decision is contrary to the majority opinion of the review panel, a majority of the panel has the right to appeal either decision in the same manner stated in the "Appeal Process".

## D. General

1. If the student with the disease is not attending school, the district will provide an alternative delivery of school programs.

## APPENDIX A (continued)

- a. If the review panel determines there is a risk of infection through casual contact to the employee while delivering this program, the employee may be allowed the option not to serve the situation.
  - b. If the panel determines there is no risk of infection to the employee, the employee will be expected to participate in the delivery of the alternative program. (This may be subject to the collective bargaining agreement for employees.)
2. The review panel member who is serving as the advocate for the infected individual (or another person designated by the panel and approved by the parent/ guardian, or the infected person) will serve as the liaison between the student/ staff member, family and attending physician as it relates to the school setting.
3. The rights of an infected staff member shall fall under the same guidelines concerning any medical illness or condition, that are outlined in the collective bargaining agreement for employees.
4. Employees of the district shall be expected to teach and provide other normal personal contact services in school to a student or to work with a school employee determined to have a disease known not to be communicable by casual contact unless a determination to the contrary has been made by the review panel.

### E. Confidentiality

All persons involved in these procedures shall be required to treat all proceedings, deliberations, and documents as confidential information. Records of the proceedings and the decisions will be kept by the superintendent in a sealed envelope with access limited to only those persons receiving the consent of the parent/ guardian or infected person as provided by the Employee Right-To-Know Act, and the Family Education Rights and Privacy Act.

## Rights and Responsibilities

### Continuity of Services

### Standard Hygiene and Sanitation Procedures

The following policy is designed to provide simple and effective precautions against transmission of communicable diseases.

#### 1. HANDWASHING

Hand washing is believed to be the most important procedure in preventing the spread of infections. Soaps suspend easily removable soil and microorganisms, allowing them to be washed off. Running water is necessary to carry away dirt and debris.

The proper hand washing procedure is:

- a. Wet hands with water.
- b. Apply soap; lather hands and wrists for a minimum of 15-20 seconds.
- c. Apply friction to all surfaces of fingers including between fingers and fingernails; apply friction to the rest of hands keeping hands and fingers pointed down.
- d. Rinse hands and wrists thoroughly with warm water.
- e. Dry off hands well. NOTE: If paper towels are used, turn off faucet using paper towel to protect clean hands.
- f. Discard paper towel.

Situations in which hand washing is important include (but are not limited to) the following:

- a. Whenever they are soiled.
- b. On arrival to your work setting.
- c. Before preparing or serving food.
- d. Before and after eating.
- e. Before and after performing and personal body function.
- f. Immediately if hands are potentially contaminated with blood or potentially bloody body fluids.
- g. Before and after assisting with or providing personal hygiene care to students.
- h. After removing disposable gloves.
- i. Before leaving the workplace.

#### 2. HANDLING BODY FLUIDS IN THE SCHOOL

##### A. SKIN CONTACT

All body fluids of all persons should be considered to potentially contain infectious agents (blood borne pathogens i.e. bacterial/viruses). Hand

washing after contact is routinely recommended if physical contact has been made with any child's blood or potentially bloody body fluids. The term body fluids include: blood, semen, drainage from scrapes and cuts, feces, urine, vomit, respiratory secretions and saliva.

When possible, direct contact with potentially bloody body fluids should be avoided. Disposable gloves will be available for emergency use in each classroom. Gloves use for this purpose should be placed in a plastic bag or lined trashcan and disposed of on a daily basis. Contaminated gloves and items will be placed in a plastic bag, which will then be placed in a hazardous waste container in the nurse's office for disposal. Hands should be washed after gloves are removed.

In many instances, unanticipated spill contact with potentially bloody body fluids may occur (e.g. when wiping a runny nose, applying pressure to a bleeding injury outside the classroom, helping a child in the bathroom). In these instances, hands and other affected skin area of all exposed persons should be routinely washed with soap and water after direct contact has ceased.

#### B. CLOTHING AND NONDISPOSABLE ITEMS

Clothing and other nondisposable items that are soaked through with body fluids should be placed in plastic bags and sent home. Contaminated disposable items should be put in a plastic bag and labeled as biohazardous waste and disposed of in a hazardous waste container located in the nurse's office.

#### C. REMOVING SPILLED BODY FLUIDS FROM THE ENVIRONMENT

Place solid materials in a plastic bag, secure, and dispose of immediately. Disposable gloves shall be worn when involved in this procedure.

Approved sanitary absorbent agents specifically intended for cleaning potentially bloody body fluid spills should be used (e.g. vomitus). Disposable, latex or utility, gloves should be worn when using these agents. The dry material is applied to the area, left for 2-5 minutes to absorb the fluid, and then swept up. The sweepings should be disposed of in a plastic bag. Broom and dustpan should be rinsed in a disinfectant. On hard surface areas, the surface should then be cleansed with a disinfectant. Carpets will be vacuumed and if indicated, steam cleaned

#### D. LAUNDRY INSTRUCTIONS FOR CLOTHING SOILED WITH BODY FLUIDS

The most important factor in laundering clothing contaminated in the school setting is elimination of potentially infectious agents by soap and water. Addition of bleach will further reduce the number of potentially infectious agents. Clothing soaked with body fluids should be washed separately from other items. Presoaking may be required for heavily soiled clothing. Otherwise, wash and dry as usual. If the material is bleachable, add ½ cup household bleach (Clorox\*) to the wash cycle. If material is not colorfast, add ½ cup nonchlorine bleach (Clorox II\*, Borateem\*) to the wash cycle.

#### E. TOYS, EQUIPMENT AND ENVIRONMENTAL SURFACES

In classrooms where children might place toys in their mouths or drool on toys and other surfaces, special consideration must be given. Toys which are used as educational tools should be washed daily with a 1:10 bleach solution. Toys that cannot be cleaned in this way should be assigned only to one child. Environmental surfaces such as mats and counter tops should be washed daily (or between student using them) with a 1:10 bleach solution (see instructions for bleach solution below).

#### F. CLASSROOM DIAPER CHANGE

- a. Use waterproof pad on area used for diaper changing.
- b. Place two paper towels on pad for each change.
- c. Use bleach mixture spray to cleanse the pad after each use.
- d. Have a plastic bag available for disposal of all soiled diapers. Plastic bags should then be labeled as hazardous waste and disposed of in the hazardous waste container in the nurse's office.
- e. Care provider shall wash hands with soap and water before and after diaper change.
- f. Supplies for cleansing child shall be at site of change area and carefully stored out of reach of child. Disposable gloves shall be available for use by persons having direct contact with children. (Glove use is mandatory if care provider has open areas on skin, i.e. cuts, scrapes, sores).
- g. Never leave any child unattended on changing pad.

#### G. ASSISTING WITH CHANGE OF MENSTRUAL PAD

- a. Prepare disposable towel with soap and water.

- b. Wearing disposable gloves, remove soiled pad and clothing and place in separate plastic bags. Send clothing home to parent for laundering.
- c. Clean any blood from student's skin with soap, water and disposable towel. Place in disposable bag with soiled pad.
- d. Wash gloved hands.
- e. Put clean pad and clothes on student.
- f. Encourage student to wash her own hands if she participates in the procedure.
- g. Still wearing gloves, clean up minor blood spills on toilet seat or floor using spray bleach mixture and disposable towels. Used towels should be put in plastic bag with the pad. For major spills, contact school custodian.
- h. Remove gloves and dispose of in plastic bag.
- i. Wash hands with soap following instructions provided in this policy.
- j. All waste materials shall be bagged and labeled as hazardous waste and disposed of in the hazardous waste container.

#### H. DISH CARE

In washing dishes, the following steps should be taken:

- a. Dishpans must be used.
- b. Use hot soapy water.
- c. Scrub dish surfaces.
- d. Rinse in hot water.
- e. Dip in Clorox solution (1 tablespoon to a dishpan of water).
- f. Drain dry.

The dishwashing area should be separate from hand washing area and well away from the diapering area.

### 3. DISINFECTING AGENTS

#### A. DISINFECTING SPRAY PREPARATION

- a. Must be prepared daily. Prepare each morning upon arrival in the classroom. Discard any remaining solution at the end of the day before leaving the classroom.
- b. Ratio: 1:10 (one part Clorox\* bleach and 9 parts water, for a total of 10 parts).
- c. Spray bottle will be marked with a bleach line near the bottom and a water line farther up. Put bleach in first, then water. Spray bottle will be labeled with Spray Bleach Solution. Solution should not be sprayed directly on the spill to prevent splattering.

- d. When using solution, wash area first with soap and water to remove soil, apply disinfecting spray so that surface is wet. Wipe up with disposable towels and discard them in a plastic bag or in a lined trashcan.
- e. This solution can be used for most hard surfaces and recommended for articles that may be put in the mouth. It should not routinely be used on metal surfaces, as it may corrode. Lysol\*, Cidex\* or some other disinfectant may be obtained from the custodian for use on metal surfaces. All bleach solutions should be made fresh every 24 hours.

#### B. STORAGE OF DISINFECTING AGENTS

Store all cleansing agents in a closed cabinet inaccessible to children.

\*Brand names are used for clarification only, not to endorse any brand or company.

If there are questions, concerns or recommendations on the Standard Hygiene and Sanitation procedures outlined in this policy, they should be communicated to the program supervisor or the supervisor of nursing service in the absence of the program supervisor.

Policy

Adopted: 8/91

Revised: 2/94

Reviewed: 8/01

## DISINFECTION OF SURFACES AND EQUIPMENT

During practices and competition, surfaces and equipment become contaminated with blood and other potential bloody body fluids. Because potentially dangerous microorganisms can survive on these contaminated surfaces for various periods of time, it is necessary to apply disinfection procedures to interrupt cross infection.

Solution of 5/25 percent sodium hypochlorite (household bleach) at a 1:10 dilution is recommended, but not required as the agent of choice for cleaning hard surfaces after all spills of blood or choice for cleaning hard surfaces after all spills of blood or potentially bloody body fluids. These solutions should be prepared fresh, not older than 24 hours. It is not recommended to use sodium hypochlorite solutions on carpets or rugs, however, sanitary absorbent cleaners may be used on these items. Agents labeled as "hospital disinfectants" are also acceptable cleaning agents and will eliminate HIV and HBV. HIV and HBV are not registered with the Environmental Protection Agency (EPA) as sterilants are recommended for high-level disinfections.

The mechanics of scrubbing are much more important in eliminating organisms than the selected cleaning agent. The end result of scrubbing and rinsing should be the thorough removal of all contaminated materials.

The following simple precautions set forth the necessary elements for handling spills of blood or other body fluids:

1. Wear impermeable gloves;
2. Contain the spill in the smallest area possible by absorbing the spill with paper towels or use absorbent crystals.
3. If the spill is on a hard surface, decontaminate with 1:10 bleach solution or comparable solution;
4. Reclean area with fresh towels;
5. If the spill is on a rug or carpet; use sanitary absorbent agent according to directions;
6. Place all soiled waste in a moisture resistance bag;
7. Wash hands;
8. Trash and waste contaminated with blood or bloody body fluids should be regarded as potentially infectious and treated as biohazardous material;
9. Soiled linens and uniforms should be handled as little as possible to prevent microbial contamination of the air and persons handling the linen and uniforms.
10. Each coaches kit shall contain personal protective equipment and biohazardous waste labels. Appropriate cleaning supplies shall be available at all sporting events and in the custodial closets labeled as "biohazardous cleanup supplies".

## SPECIFIC PRECAUTIONS FOR SPORTING ACTIVITIES

Precautions to be taken during athletic competition to reduce the risk of blood borne pathogen transmission, which include:

1. Gloves should be worn when contact with blood or other potentially bloody body fluid is anticipated. Gloves should also be worn for touching mucous membranes or non-intact skin (e.g. abrasion, dermatitis) of all athletes and for handling items or surfaces soiled with blood and other potentially bloody body fluids. Gloves should be changed after contact with each athlete.
2. Hands and other skin surfaces should be washed immediately and thoroughly if contaminated with blood and other potentially bloody body fluids. Hands should also be washed after gloves are removed. Athletes should shower immediately after competitions.
3. Surfaces contaminated with blood or potentially bloody body fluid should be cleaned (spill wiped up and then disinfected) with a solution known to inactivate blood borne pathogens i.e. bacteria and viruses after each match or more often as needed.
4. To minimize contact, emergency mouth-to-mouth resuscitation bags or other ventilation devices should be available for use in emergencies.
5. Soiled linen, towels, uniforms, etc. should be tagged and washed in hot water with detergent that is known to inactivate HIV and HBV. When possible, disposable towels should be used and proper disposal procedures employed for soiled materials.
6. All athletes in greatest risk sports should be required to wear mouth-to-mouth pieces, and should be strongly recommended for athletes competing in moderate risk sports.
7. Spittoons or similar receptacles where bloody sputum or bloody saliva may be spit should contain a solution known to inactivate the virus (household bleach 1:10 solution).
8. Matches or other sporting events should be interrupted when an athlete has a wound where a large amount of exposed blood is present, to allow the blood flow to be stopped, the area cleaned and the athletes cleaned.
9. Athletes, who have an open lesion, wound, dermatitis, etc., should cover them with a dressing that will prevent contamination from other resources.
10. Where possible, athletes and officials in the greatest risk sports should wear protective eyewear to reduce the possibility of bloody body fluids entering the eyes.
11. Review athletes' medical history to make sure that all routine vaccinations including tetanus and MMR (Measles, Mumps, and Rubella) are up to date.

**Rights & Responsibilities**

**Continuity of Service**

**Playground and Lunch Line Supervisors**

The board shall employ or assign personnel to serve as playground and the lunch line supervisors so that all teachers have an uninterrupted lunch period of not less than thirty minutes.

Legal Reference: R. R. S,  
79-8, 107 Teachers; lunch period; exceptions.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Reviewed: 8/01

**Rights & Responsibility**

**Continuity of Personnel**

**Smoking**

This policy is promulgated pursuant to authority granted to the Crete Board of Education and in compliance with the Nebraska Clean Indoor Air Act. By the provisions of section 71-5705, Revised Statutes Supplement, 1979, this policy applies to the building of the Crete Public Schools.

Smoking shall be prohibited in the Crete Public Schools buildings or on school grounds. There shall be no designated smoking areas, within any of the Crete Public Schools buildings or on school grounds, for employees, students, visitors, to the school, and/or the general public. This policy shall apply at all times whether school is in session or not.

It is the obligation of the Crete Public Schools to have concern for all employees and students of the district, and since tobacco smoke is linked with heart, lung, and respiratory disorders, and since it has been shown to cause or aggravate allergic reactions in susceptible individuals, all of which lead to impaired performance and increased health costs, this policy shall be in affect on all school buildings and on school grounds.

Policy  
Adopted: 8-91  
Reviewed/Revised: 7/93  
Revised: 8/01

**Rights and Responsibilities**

**Continuity of Service**

**Alcohol and Drug Free Workplace**

The Crete Public Schools is committed to providing an employment environment that is safe and provides appropriate motivation to ensure a creative and productive work force. To this end, the Crete Public Schools unequivocally endorses the philosophy that the workplace should be free from the detrimental effects of illicit drugs and alcohol. To ensure worker safety and workplace integrity, the Crete Public Schools prohibits the illegal manufacture, possession, distribution, use, or being under the influence of controlled substances or alcohol in the workplace by its employees or those who engage or seek to engage in business with the Crete Public Schools. This policy so applicable to all School District of Crete Employees.

Policy

Approved: 8/91

Reviewed/Revised: 7/93

Reviewed/Revised: 10/96

Reviewed: 8/01

**Rights and Responsibilities**

**Continuity of Service**

**Alcohol and Drug Free Workplace**

SCOPE AND POLICY: This regulation is applicable to all Crete Public Schools employees. No school employee may distribute, dispense, possess, use or be under the influence of alcohol while the employee is performing his/her assigned duties or supervising school activities. It is unlawful to illegally manufacture, distribute, dispense, possess, or use a controlled substance in the workplace or at school activities. Information concerning such activities will be turned over to the police.

**PROCEDURES:**

- A. If an employee violates the alcohol or drug free workplace policy, disciplinary actions may be imposed according to established rules and regulations of the Crete Public Schools, or applicable labor agreements.
- B. If an employee is convicted or violating any criminal drug or alcohol statute while on the workplace, he or she will be subject to discipline up to and including termination. Alternatively, the Crete Public Schools may require the employee to successfully finish an alcohol or drug abuse program sponsored by an approved private or governmental institution at the employee's expense.
- C. An employee is required to report within five days any criminal drug statute conviction occurring in the workplace to his or her immediate supervisor. The supervisor will immediately report such conviction to the Superintendent of Schools.

Rule

Approved: 8/91

Reviewed/Revised: 7/93

Reviewed/Revised: 10/96

Revised: 8/01

## Rights and Responsibilities

### Continuity of Service

#### Drug and Alcohol- School Bus Drivers

It is the policy of the School District of Crete that drivers of the contracted bus service and district drivers shall all be free from drug and alcohol abuse. Consequently, the use of illegal drugs or improper use of alcohol by drivers is prohibited. Failure of the contractor to remove a driver from employment as specified under state and federal statute and conditions of the master contract with the employer will be considered a breach of contract. The overall goal of drug and alcohol testing is to ensure a drug-free and alcohol-free transportation environment and to reduce accidents, injuries and fatalities. The requirements of this policy are in addition to other requirements established by federal and state law and board policy regarding the use of alcohol and drugs. In some instances, those laws or policies may be more restrictive than the requirements set out in this policy.

The School District is required under the provisions of the federal Omnibus Transportation Employee Testing Act of 1991 to implement a drug and alcohol-testing program for all persons subject to commercial driver's license requirements. This program includes drug and alcohol testing such driver's for reasons of reasonable suspicion, random, post-accident, return to duty and follow-up and pre-employment drug testing. In addition, the School District is responsible for maintaining appropriate records, and notifying drivers of the requirements and consequences of the programs.

#### Implementation Date

The testing program referred to in this policy shall be implemented on January 1, 1996.

#### Definitions

For the purpose of this policy, the following terms are defined:

**Alcohol-** The intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols including methyl and isopropyl.

**Driver-** Any person who operates a commercial motor vehicle. This includes full time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent, owner-operated contractors.

**Drug-** Includes, but is not limited to any of the following controlled substances: marijuana, cocaine, opiates, amphetamines, methamphetamines and Phencyclidine (PCP).

**Medical Review Officer (MRO)**- A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by a District's drug testing program who meets the qualifications as listed in 49 CFR 40.3

**Regulations**- Those regulations promulgated by the Department of Transportation found at 49 CFR part 40, and the regulations promulgated by the Federal Highway Administration found at 49 CFR part 382, as from time to time amended.

**Safety-Sensitive Function**- Includes all on-duty functions performed from the time a driver begins work or is required to be ready to work until he or she is relieved from work and all responsibilities for performing work. It includes driving; waiting to be dispatched; inspecting and servicing equipment; supervising, performing or assisting in loading and unloading; repairing or obtaining and waiting for help with a disabled vehicle; performing driver requirements related to accidents; and performing any other work for the district or paid work for any other entity.

**Substance Abuse Professional**- A licensed physician or certified psychologist, social worker, employee assistance professional or certified addiction counselor with knowledge of and clinical experience in the diagnosis and treatment of alcohol and drug-related disorders.

#### Program Coordinator

The Board shall designate the program coordinator to implement the alcohol and drug-testing program of the district within the guidelines of this policy.

#### Alcohol and Drug Prohibitions

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. No driver shall be on duty or operate a commercial motor vehicle while the driver possesses alcohol. No driver shall use alcohol while performing safety-sensitive functions. No driver shall perform safety-sensitive functions within four hours after using alcohol. No driver required to take a post-accident test shall use alcohol for eight hours following the accident or until he or she undergoes a post-accident alcohol test (whichever comes first.)

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any drug, except when the use is pursuant to the instructions of a physician who he advised the driver's ability to safely perform the function. No driver shall report for duty, remain on duty or perform a safety-sensitive

function if the driver tests positive for drugs. No driver shall refuse to submit to a drug or alcohol test when provided for under this policy or the Regulation.

#### Pre-Employment Tests

Drug tests shall be conducted in accordance with the Regulations before any bus driver is permitted to perform a safety-sensitive function for the District. Testing for newly-hired drivers shall be conducted after the offer of employment but before employment commences. Offers of employment are contingent on this test result. A refusal to submit to drug testing and/ or refusal to release as required by the District shall remove the applicant from employment consideration.

Exceptions may be made for drivers who have participated in the drug testing program required by law within the previous 30 days, have been drug tested within the previous six months, or have in a random program for the previous 12 months, and the previous employer (s) of the driver has no knowledge of a violation within the previous six months, provided that the District has been able to make all verifications required by law.

#### Post- Accident Tests

Alcohol and drug tests shall be conducted as soon as practicable after an accident on any driver who:

1. Was performing safety-sensitive functions with respect to the vehicle, if the accident involved loss of human life; or
2. Receives a citation under state or local law for a moving traffic violations arising from a recordable accident. A recordable accident includes: (a) bodily injury requiring immediate treatment away from the requiring the vehicle to be towed or transported away from the scene of the accident.

Drivers shall make themselves readily available for testing, unless such driver has the need for immediate medical attention.

No such driver shall use alcohol for eight hours after the accident, or until after he or she undergoes a post-accident alcohol test, whichever comes first. Alcohol tests must be performed within eight hours following an accident and drugs test within 32 hours. Drivers must follow all post- accident instructions given by the District.

Post-accident testing requirements may be fulfilled by properly administered tests conducted by federal, state and/or local law enforcement officials as long as the results of those test are provided to the district.

### Random Testing

Alcohol and drug testing shall be conducted on a random basis at unannounced times throughout the year in accordance with the federal regulations. Tests for alcohol shall be conducted just before, during or just after the performance of safety-sensitive functions. Drivers shall be selected by a scientifically valid random process, and each driver shall have an equal chance of being tested each time selections are made. Random selections shall be spread throughout the year. Drivers who have been told of their random selections shall, from point of being informed, devote every one of their actions to providing specimen. Any action that impedes the proper administration of a test shall be considered refusal to test.

### Reasonable Suspicion Tests

Any qualified supervisor or District administrator who has reasonable suspicion to believe that a bus driver has violated the alcohol or drug prohibitions of the District shall require the driver to submit to reasonable suspicion testing. A qualified supervisor or administrator must be a person who has been properly trained, in accordance with federal regulation, to make a determination that reasonable suspicion exists. This reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, and speech or body odors of the driver. The observations may include indications of the chronic and withdrawal effects of drugs.

Alcohol testing is authorized for reasonable suspicion only if the required observations are made just before, during or just after the period of the workday when the driver must comply with alcohol prohibitions. An alcohol test may not be conducted by the person who determines reasonable suspicion exists to conduct such a test. If an alcohol test is not administered within two hours of a determination of reasonable suspicion, the District shall prepare and maintain a record explaining why this was not done. Attempts to conduct alcohol tests shall terminate after eight hours, and the District will state in the record the reasons for not administering the test.

A qualified supervisor or District administrator who makes observations leading to a reasonable suspicion test shall make a written record of his or her observations within 24 hours of the observed behavior or before the results of the drug test are released, whichever is earlier.

### Return-to-Duty Tests

An alcohol or drug test shall be conducted when a driver who has violated the District's alcohol or drug prohibition returns to performing safety-sensitive duties.

Employees whose conduct involved alcohol cannot return to duty in a safety-sensitive function until the return-to-duty test produces a verified negative result.

Employees whose conduct involved drugs cannot return to duty in a safety-sensitive function until the return-to-duty test produces a verified negative result.

#### Follow-up-Tests

A driver who violates the District's alcohol or drug prohibition and is subsequently identified by a substance abuse professional in accordance with law. Follow-up alcohol testing shall be conducted just before, during or just after the time when the driver is performing safety- sensitive functions.

#### Refusal to Submit to Tests

No driver shall refuse to submit to any of the tests. An employee will be considered to refuse to submit when he or she fails to provide adequate breath or urine for testing when notified of the need to do so, or when he or she engages in conduct that clearly obstructs the testing process. Such refusal will be treating as if the District received a positive test.

#### Testing Procedures

The District shall follow the federal guidelines and standards of the Department of Health and Human Services and the Department of Transportation regarding testing and laboratory procedures. This shall include a selection of sites with appropriately trained personnel for alcohol and drug testing, selection of a laboratory certified by the Department of Health and Human Services to conduct drug specimen analysis, and selection of a Medical Review Officer to verify laboratory drug test results. The drug and alcohol-testing program of this school district shall provide individual privacy in the collection of specimen samples to the maximum extent possible. The specimen collection procedures and chain of custody shall ensure that specimen security, proper identification and integrity are not compromised.

#### Enforcement

Employees whose conduct involved alcohol and drug use cannot return to duty in a safety-sensitive function until the return-to-duty test produces the required result. A driver who is tested and found to have an alcohol concentration of 0.02 or greater, but less than 0.04 shall not perform or continue to perform safety-sensitive functions until the start of the driver's next regularly scheduled duty period but not less than 24 hours after the test was administered. Further employment actions up to and including termination may be investigated in accordance with the Drug Free workplace Act of 1988 (P.L. 101-226), other state and federal laws, and District policy. In the event a

driver tests positive for drugs, or had a confirmed alcohol concentration of 0.04 or greater, or violates a prohibited conduct, the District does not guarantee that a position will be held open for the driver in the event that they become requalified.

#### Rehabilitation

The District shall provide the identification of a Substance Abuse Professional (SAP) for treatment for those employees who have violated the prohibitions of the regulations. This information shall include the names, addresses and telephone numbers of SAP's and counseling and treatment programs. Any rehabilitations or evaluation sought shall be of the expense of the driver.

#### Employees Records

Employees' alcohol and drug test results and records shall be maintained in strict confidentiality and released only in accordance with law. Upon written request, a driver shall receive copies of any records pertaining to his or her use of alcohol or drugs, including any records pertaining to his or her tests. Records shall be made available to a subsequent employer to other identified persons only as expressly requested in writing by the driver. Test records shall be maintained with the separate medical files of each employee.

#### District Records and Reports

The District shall maintain record of its alcohol and drug prevention programs as required by federal law in 49 CFR 382.401.

#### Notification

Each driver shall educational materials that explain the requirements of the Code of Federal Regulations Title 49, Part 382, together with a copy of the district's policy. The program coordinator shall ensure that all covered employees receive written materials explaining the District's drug and alcohol misuse program requirements including:

1. The identity of the program coordinator, a contact person knowledge about the materials, policy, administrative regulations and the Omnibus Act;
2. The categories of employees covered;
3. Sufficient information about the safety-sensitive functions performed by drivers to make clear what period of the work day the driver is required to comply with Part 382;
4. Specific information concerning prohibited conduct;
5. The circumstances under which employees will be tested;
6. Procedures used in the testing process;

7. The requirement that a driver submit to alcohol and drug tests administrative in accordance with federal law;
8. An explanation of what constitutes a refusal to submit to a drug and/or alcohol test;
9. The consequences for drivers found to have violated the drug and alcohol prohibitions of Part 382, including the requirement that the driver be removed immediately from safety-sensitive functions and the procedures for referral, evaluation and treatment;
10. The consequences for drivers found to have an alcohol concentration of 0.02 or greater, but less than 0.04; and
11. Information on the effects of drug and alcohol misuse on personal life, health and safety in the workplace.

Drivers shall also receive information about legal requirements. District policies and disciplinary consequences related to the use of alcohol and drugs.

Employees shall sign a statement certifying that they have received the materials. Before any driver operates a commercial motor vehicle, the District shall provide him or her with post-accident testing requirements.

Before drug and alcohol tests are performed, the District shall inform drivers that the tests are given pursuant to the Code of Federal Regulations, Title 49, Part 382. This notice shall be provided only after the compliance date specified in law.

The District shall notify a driver of the results of a pre-employment drug test if the driver requests such results within 60 calendar days of being notified of the deposition of his or her employment application.

The District shall notify a driver of the results of random, reasonable suspicion and post-accident drug tests if the test results are verified positive. The district shall also tell the driver which controlled substances (s) were verified as positive.

In the event a driver test positive for a control substance, the driver shall have the right to have the split specimen (connected at the same time as the tested specimen) retested provided that the driver provides written notice to the Medical Review Officers (MRO\_ within 72 hours of being notified of the positive result.

Not A Contract- This policy does not create a contract, either express or implied. The District may change the policy at any time, without notice.

Policy

Adopted: 10/95

Revised: 8/01

**Substitutes****Substitute Teachers**

The superintendent may employ substitute teachers, except those who are classified as interim teachers, without election and appointment by the Board. All substitute teachers must have a valid teaching certificate on file with the superintendent of schools prior to actual performance of duties as a substitute teacher.

The rate of compensation for substitute teaching shall be set by the Board, acting upon the recommendation and advice of the superintendent. Differentiated rates may be paid to teachers who teach more than ten (10) consecutive days as a substitute for the same absent teacher.

The assignment of certified employees to substitute teaching assignments in addition to regular duty assignments, shall be avoided whenever possible and shall occur only in an emergency. Teachers who perform substitute teaching duties, in addition to regular duty assignments, will be compensated in accordance with provisions of the negotiated agreement between the Board and representative bargaining association.

Policy

Adopted: 8/91

Reviewed/Revised: 7/93

Revised: 8/01

**Personnel**

**Substitute Teachers**

Substitute teachers shall be assigned by the building principals or their designee, on an as-needed basis. For a full day substitution, the rate of pay shall be 100% of daily pay. For substitution of less than a full day, pay rate will be according to the following table. For substitutions of only one hour or fraction thereof, the rate of pay shall be the amount listed for one period or hour, due to inconvenience, time spent getting ready to substitute, and closure following the substitution.

High School Periods Worked	% of Daily Rate	Elementary Hours Worked	% of Daily Rate
1	18%	1	23%
2	45%	2	45%
3	45%	3	45%
4	54%	4	63%
5	63%	5	100%
6	100%	6	100%
7	100%	7	100%
8	100%		

In the event that the regular teacher’s preparation period falls during period one (or its equivalent) or period eight (or its equivalent) the substitute will be expected to be on duty preparing for, or closing out the regular assignment.

If a substitute teacher is contracted for the full day for one teacher and then substitutes for a second teacher during one of the first teacher’s prep period, they will get an additional 13% of the daily pay per period. This will not apply on early dismissal days or when the substitute is not contracted for the entire day.

For long-term substitution for a single, regular teacher, from the eleventh day through the thirtieth consecutive day, the substitute shall be paid an amount for each day of services equal to the daily rate for a beginning teacher on the first step of the salary schedule (BA, Step one). From the thirty-first consecutive day of substituting for a single, regular teacher the substitute will be issued a replacement contract, subject to Board approval, and shall be paid an amount for each day of services equal to the daily rate according to placement on the salary schedule.

Rule

Adopted: 8/91  
 Revised: 8/92  
 Reviewed/Revised: 12/95  
 Reviewed: 8/01

**Compensation & Related Benefits**

Compensation of district employees shall be in accordance with provisions of law and provisions of contracts established between the board and either individual employees or representative organizations. The specifics of compensation and related benefits shall be stated in such contracts or agreements or shall be as provided by statute.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Reviewed: 8/01

**Compensation & Related Benefits**

**Salary Guides – Certificated Personnel**

Salaries of administrative and supervisory personnel shall be determined and established by the board. Salaried employees may request review of their compensation with the board. The board may request the superintendent to provide salary recommendations for administrative and supervisory personnel.

Teachers shall be paid according to a salary schedule negotiated between the board and the organization or organizations recognized by the board as representative organizations for purposes of negotiation of professional and employment relations with the school district.

Legal Reference: R.R.S.  
48-801 et. Seq.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Reviewed: 8/01

**Compensation & Related Benefits**

**Salary Guides – Non-Certificated Personnel**

Wage rates for classified personnel shall be determined upon annual review of the superintendent's recommendation by the board. The superintendent shall have the responsibility to recommend to the board for its review and action annually job categories and hourly wage rates for classified personnel.

Wage rates and salary adjustments shall be in effect at the beginning of each contract year and shall continue without change, except by board action at a regularly scheduled meeting, through said contract year.

Employees must have been employed full-time for at least four (4) months to be eligible for salary adjustments.

Raises in pay must be recommended by the superintendent and approved by the board before salary adjustments shall be made. The Board Personnel Committee shall have the authority to make minor salary adjustments.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Revised: 8/01

**Compensation & Related Benefits**

**Salary Guides – Professional Health Staff**

Professional health staff as defined as school nurses and school psychologist shall be entitled to the same fringe benefits as the certified staff, but shall not be placed on the teachers' salary schedule.

The salary of professional health staff shall be determined annually, based upon the superintendent's recommendation, by the board.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Reviewed: 8/01

**Compensation & Related Benefits**

**Salary Checks and Deductions**

All deductions from salary checks shall be made in accordance with state and federal laws or with written authorization of the employee as approved by the board.

Legal Reference:	R.R.S.	
	79-587	Treasurer; district funds; receipt and disbursement.
	79-588	Treasurer; records and reports required; delivery upon expiration of office.
	79-872	Teacher or administrator; professional or labor organization; deduction from wages.
	79-873	Deduction from wages; authorization; form.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Reviewed: 8/01

**Compensation & Related Benefits**

**Salary Checks and Deductions**

**Date To Receive Pay**

All personnel shall be paid once each month on the fifteenth (15) day of the month or the first working day immediately following the fifteenth (15). Classified personnel shall clock in daily using technology provided. If time management technology is not available in the work area, personnel shall turn in time cards weekly; such cards shall be signed by the employee's immediate supervisor to verify the work record on the time card.

Policy

Adopted: 8/91

Reviewed/Revised: 7/93

Reviewed: 8/01

Reviewed/Revised: 6/07

**Compensation & Related Benefits**

**Fringe Benefits**

Fringe benefits in addition to an employee's basic salary and wages are recognized as an integral part of the compensation program. Economic fringe benefits as retirement benefits, Social Security, and health and accident insurance shall be provided as authorized by law, and the board may provide other fringe benefits to employees.

The superintendent shall have the responsibility to make recommendations to the board for its review and action for fringe benefits, such as health and accident insurance. The superintendent is encouraged to seek advice and assistance from committees or representatives of employees or representative associations.

Legal Reference:	R.R.S	
	79-872	Teacher or administrator; professional or labor organization; deduction from wages.
	79-873	Deduction from wages, authorization; form.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Reviewed: 8/01

**Compensation & Related Benefits**

**Fringe Benefits**

**Activity Passes**

All school personnel shall have an opportunity to secure a yearly activity pass for home school activities. The superintendent shall have the responsibility to develop rules and regulations governing activity passes for the board's review and action.

Policy

Approved: 8/91

Reviewed/Revised: 7/93

Reviewed: 8/01

**PERSONNEL**

**Compensation and Related Benefits**

**Fringe Benefits**

**Activity Passes**

**INTRODUCTION**

Activity passes shall be issued to school district employees each year in accordance with the wishes of the conference or district to which the Crete Schools belong. The activities director is charged with the responsibility of issuing activity passes according to the following:

**GUIDELINES**

All staff shall have the opportunity to secure a yearly activity pass for home school activities. To be eligible to receive a personal activity pass, staff must work a minimum of one activity event in the capacity of ticket seller, taker, or supervisor as assigned by the administration. Staff who wish to secure a family pass must work a minimum of two events annually, (husband and wife) or 3 events for family pass plus children passes. A complete schedule will be worked out during the first two weeks of the school year thereby assignments will be made according to need and desire of the staff members.

**EXPECTATIONS**

All staff attending school activities are expected to act in a professional manner at all times. Attending staff is expected to aid in the role of supervision of students, patrons, or parents at said activities. It is also expected there will be no alcohol consumed or in possession of the school employee prior to, or on the way to and from, or at the school activities that they are attending.

**DOANE COLLEGE**

Crete Public Schools will continue the practice of exchanging passes with Doane College for athletes and coaches to attend home athletic events as long as such is agreeable to both parties.

Policy

Approved: 8/91

Reviewed/Revised: 7/93

Reviewed: 8/01

**Compensation of Personnel**

**Extra Pay for Extra Work**

Employees shall be paid extra pay for extra work in accordance with provisions established by negotiation between the board and either individual employees or representative associations.

Legal Reference: R.R.S.  
79-587 Treasurer; district funds, receipt and disbursement.  
79-588 Treasurer; records and reports required; delivery upon expiration of office.  
79-872 Teacher or administrator; professional or labor organization; deduction from wages.  
79-873 Deduction from wages; authorization; form.

Rule  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Reviewed: 8/01

**Personnel**

**Compensation & Related Benefits**

**Overtime Hours and Workweek and Hours**

All employees who are considered “non-exempt” under the Fair Labor Standards Act will be paid at the rate of time-and-one-half (1 ½ times their regular rate of pay) for all hours worked in excess of 40 in one workweek. Overtime compensation shall be paid for work performed in excess of 40 hours of work actually worked during a workweek. For example, scheduled holidays, vacation days, time off for jury duty, and time off for sickness, emergencies or other personal reasons will not be considered hours worked for overtime purposes. All overtime must be approved in advance by the employee’s supervisor.

Compensatory time off at a rate of one and one-half hours for each hour of overtime may be granted in lieu of overtime pay. The attached form (Attachment I) must be completed by the employee prior to the use of compensatory time. An employee may not accrue more than 150 hours of compensatory time off for hours worked, which represents not more than 100 hours of actual overtime worked. Any employee who accrues more than 150 hours of compensatory time off shall, for additional overtime hours of work, be paid overtime. The compensation shall be paid at the regular rate earned by the employee at the time the employee receives the payment as calculated in accordance with Fair Labor Standards Act provisions.

An employee who has accrued compensatory time off shall, upon termination of employment, be paid for the unused compensatory time at a rate of compensation not less than: (A) the average regular rate received by the employee during the last three years of the employee’s employment, or (B) the final regular rate received by the employee, whichever is higher. An employee who has requested the use of his/her compensatory time shall be permitted to use such time within a reasonable period after making the request if the use of the compensatory time does not unduly disrupt the operations of the school district.

Rule

Approved: 8/91

Reviewed/Revised: 7/93

Revised: 8/01

**AGREEMENT FOR USE OF COMPENSATORY TIME**

This Agreement made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_  
by and between the Crete Public Schools (hereinafter the "School District") and  
\_\_\_\_\_ (hereinafter the Employee").

1. The Employee knowingly and voluntarily agrees to the use of compensatory time, in lieu of overtime pay, as a condition of employment.
2. The Employee agrees to accept compensatory time off in lieu of overtime compensation at a rate equal to one and one-half hours for each hour of employment for which overtime compensation would otherwise be required under the Fair Labor Standards act.
3. The Employee may not accrue more than 150 hours of compensatory time.
4. If compensation is paid to the Employee for accrued compensatory time off, such compensation shall be paid at the regular rate earned by the Employee at the time the Employee receives such payment.
5. Upon termination of employment, the Employee shall be paid for unused compensatory time at a rate of compensation not less than . . .
  - A. The average rate received by Employee during the last three years of Employee's employment or
  - B. The final regular rate received by the Employee, whichever is higher.
6. The Employee shall be permitted to use compensatory time within a reasonable period after making a request if the use of compensator time does not unduly disrupt the operations of the Crete Public Schools.

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Superintendent of Crete Public Schools

**Compensation & Related Benefits**

**Collective Bargaining**

The board reserves the right to recognize exclusive bargaining agents for its employees.

Legal Reference: R.R.S.  
81-1369 State Employees Collective Bargaining Act

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Reviewed: 8/01

**Compensation & Related Benefits****Contracts**

The contract of any tenured teacher who has not received written notice of intent to terminate employment by April 15 shall continue employment for the following school year. Teachers shall return signed contracts and/or renewal agreements within fifteen (15) calendar days of their being issued. The failure to return a signed copy of the contract or Renewal Agreement by the listed date and time shall constitute a rejection of employment by the teacher. The superintendent may extend the deadline for the return of signed contracts in view of extenuating circumstances.

Legal Reference: R.R.S.  
79-817 et seq. Teachers; employment.

Policy  
Adopted: 8/91  
Reviewed/Revised: 7/93  
Reviewed: 8/01