



BEATRICE
PUBLIC SCHOOLS
Striving to be Among the Best in the Nation

CLASSIFIED

EMPLOYEE POLICY MANUAL

Revised July, 2020

This manual provides information concerning Administrative and School Board Policies.

If there is a conflict between this manual and State or Federal law or Board of Education policy, the offending policy contained herein shall be held inoperative.

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I. GENERAL INFORMATION

A. EMPLOYEE CLASSIFICATION

The classified staff of the Beatrice Public Schools is categorized according to job duties as follows:

1. Maintenance and Custodial classified employees keep the physical plant open, heated, lighted and ready for use or keep the grounds, buildings and equipment at their original condition through repair or replacement. Included in this group is the part-time custodial staff. The maintenance group performs activity bus driving.
2. Clerical and Fiscal/Word Processing classified employees engage in accounting/fiscal office management and clerical assistance to the administration.
3. Instructional Support employees provide instructional services in the classroom under the direction of the classroom teacher and/or building principal.
4. Food Service classified employees provide ancillary services to the school. Food Service employees work under the supervision of the Food Service Director in the preparation and service of meals.
5. Nurses provide health services for the district. They assist with health needs for the staff and students and provide screenings as required/needed. They also assist with medications and other health related services as needed.

The provisions that follow apply to all employees with exceptions noted as applicable.

B. EMPLOYEE TYPES

There shall be 3 types of employees, as follows:

1. Regular Employees - a regular employee shall be one who is employed for the routine conduct of the schools' business, who has passed through the probationary period, and have been accepted by the administration as a regular employee. It is to be understood that some of these employees may work only part-time yet hold regular positions.
2. Probationary Employees
 - a. A probationary employee is one hired with a view of filling a regular position and one who must serve for a period of 6 months. A probationary employee shall be evaluated at the end of their 6 month probationary period, during which their qualifications for the work can be determined before being advanced to the status of a regular employee.
 - b. During this probationary period, none of these provisions shall apply to such persons except that hours of work and hourly rates of pay shall be based on the rates established. However, probationary employees shall have access to the group health insurance plan as all other employees in accordance with District practice and shall accrue sick leave as all other employees accrue sick leave. Seniority after acceptance as a regular employee shall begin at the date of original employment.
 - c. During the 6 months probationary period, probationary employees will be paid at an hourly rate for the job for the hours worked and will be entitled to pay for holidays and overtime work on exactly the same basis as regular employees.
3. Temporary Employees - a temporary employee is an individual employed for occasional work or for a limited period. Such an employee shall not be subject to the provisions listed under 1. Regular Employees and 2. Probationary Employees. Temporary employees who are considered for regular employment will be allowed to use the actual time served to count towards the 6 month period needed for probation.

C. WORK WEEK

The workweek is defined as 7 consecutive days. For maintenance staff, the workweek is Thursday through Wednesday. For all other staff, the workweek is Sunday through Saturday.

D. DRESS CODE

As employees of the Beatrice Public Schools, we are all part of the local professional community. It is important for all staff to help maintain a professional environment that is conducive to teaching and learning, and that reflects the professional nature of our business. Part of that responsibility is maintaining appropriate professional attire while on duty as a Beatrice Public Schools employee.

The following are guidelines:

- As a general guideline, appropriate daily attire for most staff members is to dress Business Casual.

Although you will find variations on the definition of Business Casual, here are some general rules.

- For women: A reasonable length skirt (not mini-skirt), appropriate dress shorts, or full-length trousers of a non-jeans material combined with a top (such as a dress shirt, polo, or sweater set) is considered acceptable. An informal dress with appropriate skirt length is also acceptable. Leggings may be worn with appropriate dress type shirt or top.
 - For men: A combination of collared shirt (such as a dress shirt or polo shirt), dress trousers, or cotton trousers (such as khakis) and dress shoes is generally acceptable.
 - Unacceptable for either gender: jeans, gym clothes, rumpled or ripped clothing, inappropriately revealing attire such as bare midriffs, flip-flops, and causal shorts.
- Certain employees have duties that require daily physical labor, or to work under conditions in which it is more appropriate to dress casual, for example to wear denim, shorts, warm up suits or a uniform. This may be determined on a case by case basis with the employees direct supervisor
 - Administrators should wear professional business attire each teacher contract day unless circumstances call for business casual. Business casual attire may be worn on other days.
 - For all BPS Staff, Fridays may be considered Spirit Days, on which acceptable jeans may be worn when accessorized by a BPS shirt.
 - Custodial staff may wear shorts on extremely hot days with the permission of the building and grounds supervisor.

E. TRANSFERS

Staff members may apply for transfer to another building or reassignment within their building. The Superintendent reserves the right to assign, reassign, and transfer any staff member at any time.

F. SENIORITY

1. Seniority or longevity is a privileged status, obtained by length of continuous service.
2. Management may consider seniority for promotions, but any decisions to promote an employee or to increase their rate of pay shall be made basically upon the performance of said employee on the job.
3. Any or all seniority of an employee shall be lost under any of the following conditions:
 - a. When an employee voluntarily terminates employment
 - b. When an employee is discharged

G. SEPARATION OF EMPLOYMENT

Employment as a classified employee is at the will of the school district. The immediate supervisor shall have the authority to recommend the discharge of a classified employee. Before the discharge is final, the immediate supervisor and/or administrator shall gain concurrence of the discharge with the Superintendent.

When an employee decides to resign, written notice of resignation should be given to the immediate supervisor at least two weeks prior to the effective date. A forwarding address should be given to the Business Office to ensure proper delivery of any checks or statements.

H. GRIEVANCE PROCEDURE

Any classified employee who has a work-related grievance shall first discuss the nature of the grievance with his/her supervising administrator. For additional information on grievance procedures see School Board Policy 4235 (Revised 4.18.2019)

II. COMPENSATION

The wage plan for Classified Employees at Beatrice Public Schools will be comprised of the following:

A. BASE PAY

Base pay is established by the salary range for the classification on the hourly pay schedule.

B. SALARY RANGE & POSITION CHANGES

Each classification is composed of a salary range consisting of steps. The initial step of the assigned range is intended as the normal hiring rate. After an employee successfully completes their 6 months-probationary period, they will be assigned the next step of their classification. Each additional step is 2 ½% increments of the previous steps in the pay plan.

Base Pay is established by the salary range for each classification in the classification plan. Each pay range consists of steps with placement based on seniority and performance. Different classifications reflect job difficult, responsibility, requisite skills and wages paid for similar classifications with area employers and comparably sized school districts within the State of Nebraska. It is the desire of the Beatrice Public School to provide compensation levels, which allow the district to attract and retain the best possible staff and to provide overall compensation comparable to prevalent wage rates and related conditions of employment.

When an employee is transferred, promoted, or demoted, his or her rate of pay for the new position should be determined as follows:

1. An employee who is promoted to a class with a higher maximum salary should be paid either at that step in the range which provides a two and one-half percent increase over the previous salary or at the minimum of the new range, whichever is higher. If the employee has attained the maximum step in the previous position, the annual review date will change to the date of the promotion. If the employee is not at the maximum step in the previous position, no change in the annual review date will occur.
2. An employee who is reassigned to a class with a lower maximum salary will be frozen at their current level of pay until their salary is equal or below the maximum salary of the new pay class.
3. An employee who is re-employed in his or her original position or in another position assigned to the same class will be paid at the minimum salary rate, for that classification.

C. OVERTIME PAY

Overtime Pay is all time physically worked over 40 hours in a workweek and is compensated at 1 ½ the employee's regular hourly rate. Work week is defined as seven consecutive days, Sunday through Saturday for Secretaries, Paras, Nurses, Cafeteria, and Custodians. The workweek for the Maintenance Department only is defined as Thursday through Wednesday. Paid absences will not be calculated as hours worked for overtime – Vacation, Sick Leave, Holiday, and Jury Duty

D. TIMESHEETS

All timesheets (electronic or manual) must be complete and accurate. Working non-scheduled hours must have prior Administration approval. False and inaccurate reporting may be grounds for termination. When an employee signs their timesheet (electronic or manual) they are certifying hours recorded are true and correct and this is the only record of time worked for that reporting period.

E. VOLUNTEERING TIME

According to Fair Labor Standards Act, an employee is not permitted to "volunteer" to their employer services of the same type the employee is employed to perform. For example: for employees who work directly with students and may stay later than their scheduled time, to give extra help to the student with homework. This time must have pre-approval and then recorded accurately on their timesheet.

III. FRINGE BENEFITS

A. SICK LEAVE

1. An employee must be regularly scheduled to work 40 hours a week in order to qualify for sick leave.
2. Sick leave is limited to personal illness or for the serious illness of a child, spouse, parent, brother, sister, grandchild, grandparent, and parent-in-law. If the employee and spouse are both employed by the District, only one employee at a time shall be entitled to leave for a sick child.
3. Personal leave will be granted under the following circumstances. Leave is restricted to the actual attendance of the following events. Time for preparation is not allowed. Under certain circumstances, one day for travel time will be allowed if commuting distance is more than eight hours.
 - a. Weddings (parents, children, grandchildren, brothers, sisters, parents of spouse, brothers and sisters of spouse, or one's own).
 - b. Funerals
 - c. Graduation (spouse, parents, children, grandchildren, brothers, sisters, parents of spouse, brothers and sisters of spouse, or one's own).
 - d. Legal matters
 - e. Adoption - Adoptive Leave may be granted by the Superintendent upon application by an adoptive parent.
 - f. Time off granted for personal leave will be deducted from accumulated sick leave.
4. All requests for absences paid or unpaid, substitute needed or not, must be entered through Absence Management as soon as the need is known. Your immediate Supervisor, Building Administrator, the Superintendent, or Designated Representative will approve or deny the request using the Absence Management program.
5. Employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, follow the employer's usual procedures. For additional information on FMLA procedures see Section III, paragraph C and/or Board Policy #4007.
6. No one may overdraw sick leave. If more time is needed arrangements may be made to draw against accumulated vacation time, if applicable.
7. When employment is terminated (by retirement or otherwise), accumulated sick leave will not be paid.
8. Abuse of sick or personal leave may be cause for termination of employment.
9. Sick leave will be based on 8 hours per month for full time regular employees. Employees will accrue sick leave on a monthly basis based upon their monthly work schedule. Employees must work a full service year to receive the full sick leave allotment and a full month to receive the monthly accrual. As an example, a 10-month employee who works 9 months will only receive 72 hours of the scheduled 80 hours.
 - a. 12 Months = 96 hours
 - b. 10 Months = 80 hours
 - c. 9 Months = 72 hours

Twelve-month employees may accumulate sick leave up to a maximum of 60 days. All other staff receiving sick leave may accumulate sick leave up to a maximum of 50 days.
9. The school may request an employee to file a doctor's statement, after an absence of 5 consecutive days, or with repeated absences over several weeks, stating the anticipated number of days of absence. A doctor's statement may be requested to prove fitness to return to work after an absence due to injury or illness.
10. Paid sick leave pay means 8 hours per day according to the employee work schedule. Paid sick leave may not be used by 10 month employees between Memorial Day and the date all teachers report for duty prior to start of the school year. Paid sick leave for 9 month employees may only be used when students are in session.

B. SICK LEAVE DONATION

The purpose of sick leave donation is to provide some protection for employees (who are eligible for sick leave) from financial loss should a catastrophic illness, injury or disability occur to the employee their spouse, child or parent. The term catastrophic is intended to mean life threatening. The procedures the sick leave donation process will adhere to are as follows:

1. At the beginning of the year, (September 1 – August 31) any employee, at his/her discretion, may donate up to one (1) full day of sick leave to the sick leave bank to be accessed by another employee who is in need, due to a catastrophic illness, injury or disability during the school year. The maximum amount of sick days an employee may donate during any given school year is one (1) day
2. An employee may use sick leave donation days in the case of a catastrophic personal illness, injury or disability or the catastrophic illness, injury or disability of the employee's spouse, child, or parent.
3. Maternity leave shall not be part of the sick leave donation process.
4. To take part in the sick leave donation process an employee must have
 - a. Used all of his/her sick leave
 - b. A certificate from a physician setting forth the nature and extent of the catastrophic illness, injury or disability
5. The total available sick leave may not exceed an accumulated amount of 50 days for school year employees and 60 days for 12 month employees (this includes both the employee's sick days and donated days).
6. Use of sick leave donation days shall automatically cease upon the employee becoming eligible for benefits under the long-term disability policy maintained by the District.
7. At the time that the employee becomes aware of the medical condition for which they are seeking the use of the sick leave bank the employee must provide the Board Office the completed form requesting sick leave donations. This form shall contain at a minimum the following information:
 - a. Total number of days requested and donated.
 - b. Copy of the physician's certificate setting forth the nature and extent of the catastrophic illness, injury or disability.
 - c. Any additional information that the Beatrice School District may require from time to time.
 - d. After a review by the board office, payroll adjustments will be made in the July and August paychecks of the employee using donated sick leave days during the school year.
8. A committee consisting of the BEA president, a support staff member and the superintendent will review each sick leave donation form that is submitted. The superintendent will make the final determination for approval or denial of each request with input from the BEA president and a support staff member.

C. EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Family and medical leaves shall be allowed under the terms and conditions of the Family and Medical Leave Act of 1993, as amended (FMLA).

Basic Leave Entitlement. FMLA provides up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for your child after birth, or placement for adoption or foster care;
- To care for your spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes you unable to perform your job.

The "leave year" for purposes of the FMLA is a "rolling" 12-month period, measured backward from the date of any FMLA leave usage.

Military Leave Entitlement. Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12- week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

End of Academic Term. If the leave is for any reason and begins more than 5 weeks before the end of an academic term, the School District may require the employee to continue the leave until the end of the academic term of such leave requested if it is at least 3 weeks in length and the return of the employee would take place during the last 3 week period of the academic term. If the leave takes less than 5 weeks before the end of the academic term for any reason other than the employee's own serious health condition, the School District may require the employee to continue the leave until the end of the academic term if the leave is longer than 2 weeks and the employee's return to work would occur during the last 2 weeks of the academic term. If the employee begins leave less than 3 weeks before the end of the academic term for any reason other than serious health conditions, the School District may require the employee to continue leave until the end of the academic term if the leave is longer than 5 days.

Thirty Days' Notice. The employee must give at least 30 days' notice except for emergency situations, in which case notice shall be given as soon as practicable. The School District may postpone the leave until 30 days after receipt of notice if a requested leave is foreseeable and is not given 30 days in advance.

Benefits and Protections. During FMLA leave, your health coverage under a "group health plan" will be maintained on the same terms as if you had continued to work. Upon return from FMLA leave, most employees must be restored to their original or an equivalent position with equivalent pay, benefits, and other employment terms.

Your use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of your FMLA leave.

Eligibility Requirements. You are eligible if you have been employed with Beatrice Public Schools for at least one year, for 1,250 hours over the previous 12 months, and if there are at least 50 employees of Beatrice Public Schools within 75 miles of your work location.

Definition of Serious Health Condition. A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents you from performing the functions of your job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regiment of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave. You do not need to use FMLA leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. You must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the District's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave. Beatrice Public Schools requires the use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, you must comply with the District's normal paid leave policies.

Husband and Wife Provision. If both husband and wife are employed by the School District, the husband-wife team is entitled to only 12 weeks between them for any qualifying event related to a leave for birth of a child, adoption, or care for an immediate family member and to a combined 26 weeks for a leave to care for an injured service member.

Employee Responsibilities. You must provide sufficient information for the District to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that you are unable to perform job functions; the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. You also must inform the District if the requested leave is for a reason for which FMLA leave was previously taken or certified. You also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities. The District must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the District must provide a reason for the ineligibility.

The District must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the District determines that the leave is not FMLA-protected, the District must notify the employee.

Unlawful Acts by Employers. FMLA makes it unlawful for any employer to: Interfere with, restrain, or deny the exercise of any right provided under FMLA; Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement. An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

For additional information you may refer to FMLA posters on employee bulletin boards or contact the U.S. Wage and Hour Division at: 1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627 www.wagehour.dol.gov

To submit a request for use of FMLA, or to make arrangements for payment of benefits while on an FMLA leave, contact the Superintendent at 402-223-1500.

D. INSURANCE COVERAGE AFTER FMLA

If the employee has selected health insurance, they will receive the same level of benefits for 12 weeks as per FMLA. After 12 weeks, health insurance through the district will be discontinued once the employee reaches an unpaid status. The employee has the option to sign up for Cobra health insurance at their expense.

In addition after 12 weeks, both Life and LTD insurance will be discontinued once the employee reaches an unpaid status unless the employee is receiving LTD benefits and the premiums are waived. The employee has the option to sign up for an individual life insurance contract at their expense

E. INSURANCE

Vision Insurance – Employees may purchase vision insurance which is open to all employees (40 hour work schedule is not required).

An employee must be regularly scheduled to work 40 hours a week to be eligible for the following benefits. All benefits will be paid according to the position held by the staff member.

Health Insurance - The District will pay a portion of an eligible employee's health insurance premium. To obtain the current monthly contribution, contact the District's Business Office. An employee is eligible to enroll without penalty during the first 31 days of initial employment or the loss of creditable coverage. A cash stipend will not be offered to eligible employees hired after July 1, 2020 for not taking insurance.

Staff that qualify under the Affordable Care Act for insurance will be provided the opportunity to enroll in minimum value self-only or dependent health insurance under the School District's group health and dental insurance provider.

Life Insurance – The District provides fixed dollar coverage for each employee for \$20,000. The District will pay the full cost for the fixed dollar coverage. Employees seeking additional coverage may elect to purchase additional coverage.

LTD Insurance - Eligible employees are entitled to 66 2/3% of their salary plus the health fringe allowance after a 75-day calendar elimination period.

F. WORKERS COMPENSATION

The school district covers all school employees with workmen's compensation insurance. Any employee who is injured while on duty should report such injury to the supervisor who will submit a report to the Board Office. This report should be made on the same day the injury occurred, if possible. Medical and hospital expenses, as well as payment for loss of time from work, are covered at rates determined by the insurance contract.

G. TAX DEFERRED ANNUITIES

Employees of the school district who wish to participate in the tax sheltered annuity program may request deductions from their salary to enable their participation.

H. YMCA MEMBERSHIP

Staff members who wish to purchase an annual membership at a 10% discount for the YMCA need to contact the YMCA directly. The YMCA will charge a registration fee for new members.

I. RETIREMENT

1. The Nebraska Public Employees Retirement System (NPERS) Plan is required for all regular employees who are scheduled to work 20 hours per week or more.
2. All employees are subject to Social Security benefits.
3. Substitute or Temporary employees do not participate in the retirement plan.

J. HOLIDAYS

1. To receive holiday pay, employees must be in a regular pay status both before and after a holiday and must be regularly scheduled to work 40 hours a week.
2. 12 month (2,080 hours) classified regular employees are provided with 9 holidays. These holidays include:
 - a. New Year's Day
 - b. Good Friday
 - c. Memorial Day
 - d. July 4
 - e. Labor Day
 - f. Thanksgiving Day
 - g. Day after Thanksgiving
 - h. Christmas Eve
 - i. Christmas
3. Employees working 9 months do not receive Memorial Day and July 4th holiday pay. Employees working 10 months do not receive July 4th holiday pay. Employees who work during any type of summer session are not eligible for holiday pay.
4. Holiday pay is based upon a maximum of 8 hour day.
5. When the holiday falls on Sunday, Monday will be observed. When the holiday falls on Saturday, Friday will be observed.
6. Employees will not be allowed to work on a paid holiday unless an emergency exists and Administrative approval is provided.

K. VACATIONS

1. During the first 6 years of employment, each full-time 12 month (2,080 hours) employee shall accrue 6.6667 hours of vacation per month, up to a total of 80 hours for employees working a full year. Employees in their 7th year of employment shall accrue 10 hours of vacation per month, up to a total of 120 hours for employees working a full year. Employees in their 14th year of employment shall accrue 13.3333 hours of vacation per month, up to a total of 160 hours for employees working a full year. Employees will only receive the full monthly accrual when working a full month.
Note:
1 - 6 years = 2 weeks 7 - 13 years = 3 weeks 14 and beyond = 4 weeks
2. Vacation time will be paid on the basis of a 8 hours per day - 40 hours per week.

3. Employees may carry over the equivalent of 1 year's vacation allotment into the next school year. Any excess time over this allotment will result in vacation time accruals being shut off until this limit is reached.
4. Vacation time will be computed from September 1 to August 31 each year, after the first complete year. First year vacation will be computed at 6.6667 hours per month, from the first full month of employment to August 31.

IV. MISCELLANEOUS PROVISIONS

A. PAY DAY

Shall be the 20th of each month. If the 20th falls on a Saturday, payday will be Friday. If the 20th falls on a Sunday, payday will be Monday. If the 20th falls on a mid-week holiday, payday will be the day preceding holiday except when the holiday falls on Monday then payday is Tuesday.

B. STAFF PASSES

Staff Passes - All employees shall have the opportunity to receive a yearly activity pass for home activities. To be eligible to receive an activity pass, the individual must work in activities as directed by the Athletic Director. Employees must sign up for event to work at the beginning of the school year to be eligible for the pass.

C. ABSENCES AND EXTENDED ABSENCES

All request for absences paid or unpaid, substitute needed or not, must be entered and submitted through Absence Management as soon as the need is known. Your immediate Supervisor, Building Administrator, the Superintendent, or Designated Representative will approve or denied the request using the Absence Management program. Employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, follow the employer's usual procedures. For additional information on FMLA procedures see Section III, paragraph C and/or Board Policy #4007.

D. COFFEE BREAKS

Coffee breaks shall be 10 minutes in length each, for every six hours of work. This time should not be recorded as out or in on their timesheet. An employee can leave the building during their break as long as it has been discussed with their Administrator. If the amount of time is more than 10 minutes, the employee must record out and in times on their timesheet. Coffee breaks are not to be used to extend lunch breaks or to allow a staff member to arrive late or leave early. These guidelines are per Fair Standard Labor Act (FSLA).

E. LUNCH BREAKS

An unpaid lunch break is defined as continuous 30 minutes or more away from their duties. If an employee takes less than 30 minutes for a lunch break, they are to be paid for the time period and should not clock out or in on their timesheet. The employee must have approval from their Administrator. If an employee is taking 30 minutes or more for lunch, they must clock out and in on their timesheet. These guidelines are per Fair Standard Labor Act (FSLA).

F. ATTENDING WORKSHOPS, MEETINGS, ETC.

If an employee is required to attend a workshop, meetings, etc, which is related or required for their job, all time must be recorded (including travel time) as time worked. This must have prior approval from their Administrator and an explanation note attached to their timesheet.

G. MILEAGE OF PERSONAL VEHICLES

If an employee is required by their Administrator to use their personal vehicles for school district business they are entitled to reimbursement of mileage. A request for reimbursement must be made to their Administrator.

H. REIMBURSEMENT

When the employees are assigned duties, which require them to be away from home overnight or a meal-time, said employees shall be allowed actual lodging and food costs based on the allowable per diem amount. Employees are to be reimbursed for such food and lodging, upon presentation of receipts or tickets showing amounts paid. To be approved for reimbursement or payment the receipt must show the items purchased.

I. PHYSICALS

An employee may be required to take a physical at any time. If so determined by the schools' administration, the District will pay for the physical. The District will not pay for any additional tests or scans not required as part of the physical for the District. Staff may select the doctor of their choice.

J. JURY DUTY

Employees of the district are encouraged to fulfill their citizenship obligation of jury duty. Employees summoned for jury duty are granted paid leave for that period of time. However, any money received for jury duty other than for personal expenses such as "travel" must be reported to and verified in the Board Office. Any remuneration received for serving on jury duty, less personal expenses, will be turned over to the district.

K. JOB RESPONSIBILITIES

Staff are expected to fulfill the duties of their position while on duty. Personal work, phone calls, text messaging, reading of hard copy or digital books, internet activity, etc... during duty time is not permitted. You may feel free to do these activities during your break.

V. OPERATIONS AND MAINTENANCE PROVISIONS

The following applies only to the Operations and Maintenance Group.

A. UNIFORMS

1. The Board of Education requires uniforms for certain employees in the Operations and Maintenance groups. The Board will pay up to \$125.00 a school year for documented uniform expenditures for 12 month staff and \$75.00 a year for part-time staff. Those items, which will be considered for reimbursement, are:
 - a. Trousers
 - b. Shirt (either long or short sleeves)
 - c. Jacket (lined or unlined)
 - d. Coveralls
 - e. Carpenter Overalls
2. Jeans are an acceptable alternative to uniform trousers, but will not be reimbursed.
3. Coveralls are for dirty assignments.
4. Carpenter overalls are acceptable for skilled maintenance personnel.
5. The employee's name is to appear above the left pocket and "BEATRICE PUBLIC SCHOOLS" above the right pocket of the shirt.

B. NON-SCHOOL ACTIVITIES

Regular or overtime hours earned due to non-school activities (billable use of facility) must be recorded as job code outside activity on time sheets and shall not count against an employee's budgeted hours.

C. EMERGENCY OVERTIME

All employees are subject to be called in for emergencies. Emergency overtime past 40 hours will be paid at the rate of time and one-half the hourly rate.

1. This overtime is in addition to the regular work week. Actual work time must exceed 40 hours before the overtime rate applies.
2. If an employee is held past the regular time of checkout, they will be paid for the actual time worked.
3. Examples of emergencies where overtime may be required.
 - a. Snow removal.
 - b. Necessary work to repair damage that affects the operations of the school.
 - c. Breakdown of mechanical or electrical equipment required for the operation of the school plant, which needs immediate attention.
 - d. Activity bus runs are considered a part of the bus driver's job and therefore not classified as an emergency.

D. BUS DRIVERS

1. By Nebraska statutes, bus drivers are required to have a bus driver's permit. This requires a physical examination by a licensed physician and a driving test given by the Department of Motor Vehicles. Any person employed by the District where part of the job is to drive a bus and who fails to pass the test to obtain the driver's permit will automatically be released from employment.
2. Should an activity require an overnight stay, staff will be paid only for time, which their services are required.

E. CUSTODIAL SCHEDULES

1. As a general rule, all staff will work as follows:
 - a. All regularly scheduled hours will be worked Monday through Friday.
 - b. Saturday or Sunday school activity - Hours, as determined by the building principal, will be worked Monday through Friday with additional assignment on weekend day of scheduled school activity.

VI. OTHER STAFF POLICIES

A. STATEMENT OF ERISA RIGHTS

As a participant in the Beatrice Public Schools Flexible Compensation Plan, you are entitled to certain rights and protection under the Employee Retirement Income Security Act of 1974. ERISA provides that all Plan participants shall be entitled to:

1. Examine, without charge, at the Plan Administrator's office and at other specified locations, all Plan documents, including insurance contracts, a list of participating employers sponsoring the Plan and copies of all documents filed by the Plan with the U.S. Department of Labor, such as detailed annual reports and Plan descriptions. Upon written request you may receive information as to whether a particular employer or employee organization is a sponsor of the Plan and, if so, the sponsor's address.
2. Obtain copies of all Plan documents and other Plan information upon written request to the Plan Administrator. The Administrator may make a reasonable charge for the copies.
3. Receive a summary of the Plan's annual financial report. The Plan Administrator is required by law to furnish each participant with a copy of the summary annual report.

In addition to creating rights for Plan participants, ERISA imposes duties upon the people responsible for the operation of the Employee Benefit Plan. The people who operate your Plan, called "fiduciaries" of the Plan, have a duty to do so prudently and in the interest of you and other Plan participants.

No one, including your employer or another person, may fire you or otherwise discriminate against you in any way to prevent you from obtaining a welfare benefit or exercising your rights under ERISA.

If your claim for a benefit under this plan is denied in whole or in part, you must receive a written explanation of the reason for the denial. You have the right to have the Plan reviewed and your claim reconsidered.

Under ERISA, there are steps you can take to enforce the above rights. For instance, if you request materials from the Plan Administrator and do not receive them within 30 days, you may file suit in a Federal court. In such a case, the court may require the Plan Administrator to provide the materials and pay you up to \$100 a day until you receive the materials, unless the materials were not sent because of reasons beyond the control of the Plan Administrator.

If you have a claim for benefits, which is denied or ignored in whole or in part, you may file suit in a state or Federal court. If it should happen the Plan fiduciaries misuse the Plan's money, or if you are discriminated against for asserting your rights, you may seek assistance from the U.S. Department of Labor or you may file suit in a federal court. The court will decide who should pay the court costs and legal fees. If you are successful, the court may order the person you have sued to pay these costs and fees. If you lose, the court may order you to pay these costs or fees, for example if it finds your claim is frivolous.

If you have any questions about your Plan, you should contact the Plan Administrator. If you have questions about this statement or about your rights under ERISA, you should contact the nearest area office of the U.S. Labor-Management Service Administration, Department of Labor.

Claim Review Procedures

If your claim is denied, you will receive written notice of the denial, together with the specific reason for the denial directly from PayFlex Systems, USA. You may appeal any denial directly to PayFlex Systems, USA within 60 days after receiving the denial notice. PayFlex Systems, USA will inform you in writing of the disposition of your appeal.

B. NON-DISCRIMINATION

The Beatrice Public Schools adheres to the regulations of Titles VI and VII of the 1964 Civil Rights Act, Title IX of the 1972 Education Amendments, The Sections 504 Rehabilitation Act of 1973 and the Nebraska Equal Educational Opportunity Act. It is the policy of the Beatrice Public Schools not to discriminate on the basis of sex, handicap, race, color, religion, marital status, veteran's status, or national or ethnic origin in admission, or access to, or treatment or employment, in its educational programs and employment practices. Any person who believes she or he has been discriminated against, denied a benefit, or been excluded from participation in any district education program or activity on the basis of sex, race or handicap in violation of this policy may grieve such matters using the adopted grievance procedures of this district. Such procedures shall provide for prompt and equitable resolution of complaints alleging acts of discrimination. Person or persons of limited English language skills may request publication or translation of policy in their native language. Translation of policy in Lao and Spanish languages will be distributed to students and posted on a public bulletin board outside each school building main office. Inquiries regarding compliance with Title IX, Section 504, Title VI or the Nebraska Equal Opportunity in Education Act may be directed to contact the Director of Special Services, Beatrice Public Schools, 320 North Fifth Street, (402) 223-1512, who has been designated by the Board of Education of the Beatrice Public Schools to coordinate the school district's compliance regulations or in the case of Title IX and the Section 504 Rehabilitation Act to the Director of the Region VII Office for Civil Rights, 10220 North Executive Hills Boulevard, 8th Floor, Kansas City, Missouri 64153 or call (816) 891-8026.

Food Service Statement of Non-Discrimination

Food Service Non-Discrimination Statement (Updated)

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) Mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410

(2) Fax: (202) 690-7442; or

(3) Email: program.intake@usda.gov

This institution is an equal opportunity provider.

C. SEXUAL HARASSMENT

Sexual harassment of any employee, classified or certified, by any individual under the jurisdiction of Gage County School District No. 15, is expressly prohibited as a violation of law and of board policy. Persons determined to have engaged in sexual harassment shall be reported to the superintendent of schools. Should the superintendent of schools be the focus of any accusation, a report of the incident should be made to the president of the Board of Education. The report of any incident must be in writing and signed by the person filing the report.

Regarding school employees, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature shall constitute sexual harassment when:

1. Submission to sexual conduct is made, either explicitly or implicitly, a term or condition of an individual's employment.
2. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

The services of the person that is the subject of the accusation may be temporarily suspended, with or without pay, while the accusation is being investigated. If, after review of any report, it is determined that the accusation is valid, action taken by the superintendent of schools and/or by board of education may range from a simple reprimand to the separation of employment with the school district. The action taken will depend upon the severity of the incident.

D. DRUG FREE SCHOOL AND COMMUNITY POLICY

The Gage County School District 15 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 school district unequivocally endorses the philosophy that the workplace should be free from the detrimental effects of illicit drugs and alcohol. (Board Policy 4070)

It is unlawful and, therefore, absolutely prohibited for any employee of the school district to engage in the unlawful possession, use, or distribution of illicit drugs and alcohol on school premises or as a part of any of the school's activities.

DEFINITION OF TERMS

As used in this policy, prohibition against the unlawful possession, use, or distribution of illicit drugs and alcohol on the school premises or as a part of any of the school's activities shall mean, but not be limited to the following:

1. The possession, use, or distribution of any substance, which is declared by the State of Nebraska or any other applicable law to be an illicit substance.
2. The possession, use, or distribution of alcohol on the school premises or as a part of any of the school's activities.

As used herein, the term "school premises" shall mean any property whether owned, leased, or in another manner under the control of the Board of Education of Gage County School District No. 15.

As used herein, the phrase "as a part of any of the school's activities" shall mean any activity or enterprise carried out in whole or in part under the auspices of Gage County School District No. 15.

E. TOBACCO USE PROHIBITED

In order to promulgate a healthy environment for students and staff and to encourage healthy behavior in students, it is the board of education's policy that there will be no tobacco, (including smokeless and e-cigarettes) use in any school buildings or school vehicles at any time. Furthermore, in a like manner, tobacco use is prohibited on school grounds. This regulation applies to all students, staff, patrons, and visitors. School administrators are charged with the responsibility of administering this policy including, if necessary, the disciplining of violators. (Board Policy 4065)

F. PROFESSIONAL BOUNDARIES BETWEEN EMPLOYEES AND STUDENTS

All employees are expected to observe and maintain professional boundaries between themselves and students. A violation of professional boundaries will be regarded as a form of misconduct and may result in disciplinary action.

The following non-exclusive list of actions will be regarded as a violation of the professional boundaries that employees are expected to maintain with a student:

- Using e-mail, text messaging, instant messaging or social networking sites to discuss with a student a matter that does not pertain to school-related activities. Appropriate discussion would include the student's homework, class activity, school sport or club, or other school-sponsored activity or activities related to a student's disability as identified on their IEP/504 plan. Electronic communications with students are to be sent simultaneously to multiple recipients, not to just one student, except where the communication is clearly school-related and inappropriate for persons other than the individual student to receive (for example, e-mailing a message about a student's grades).
- Material that employees post on social networks that is publicly available to those in the school community and that does not reflect the professional image applicable to the employee's position and that impairs the employee's capacity to maintain the respect of students and parents or impairs the employee's ability to serve as a role model for children.
- Engaging in sexual activity, a romantic relationship, or dating an elementary, middle school or high school student.
- Making any sexual advance – verbal, written, or physical – towards a student.
- Showing sexually inappropriate materials or objects to a student.
- Discussing with a student inappropriate sexual topics that are not related to a specific curriculum.
- Telling sexual jokes to a student.
- Physical contact with a student that is initiated by the employee when the student does not seek or want this attention.
- Allowing a specific student to display misbehavior that is not tolerated from other students, except as appropriate for students with an IEP or 504 Plan.
- Discussing with the student the employee's personal problems that would normally be discussed with adults (e.i., marital problems).
- Giving a student a ride in the employee's personal vehicle without expressed permission of the student's parent/guardian or school administrator unless another adult is in the vehicle.
- Taking a student on a school outing without obtaining prior expressed permission of the student's parent/guardian and school administrator.
- Inviting a student to the employee's home without prior expressed permission of the student's parent/guardian and school administrator.
- Going to the student's home when the student's parent/guardian or a proper chaperone is not present.
- Giving gifts of a personal nature to a specific student. Hats, coats, gloves, shoes, and other basic need items are acceptable gifts.

Appropriate exceptions are permitted to the foregoing for legitimate health, safety or educational purposes and for reasons of familial relationships between employees and their children who are students in the District.

G. STUDENT PRIVACY PROTECTION

The Every Student Succeeds Act (ESSA) of 2015 requires the District to protect the privacy of students. Further information about student privacy and the District's policies with regard to student privacy are found in Board policy and in the student handbook.

H. WEAPON-FREE-WORKPLACE

The District prohibits any person from being in possession of a weapon at a school attendance facility, on school property, at a school-supervised activity, or at a school-sponsored function. Any employee or substitute found to be in violation of this policy shall be subject to disciplinary action, up to and including termination. (Board Policies 5555, 5557, 6230)

I. DATING VIOLENCE

Beatrice Public Schools strives to provide physically safe and emotionally secure environments for all students and staff. Positive behaviors are encouraged in the educational program and are required of all students and staff. Dating violence will not be tolerated.

For purposes of this policy “dating violence” means a pattern of behavior where one person uses threats of, or actually uses, physical, sexual, verbal, or emotional abuse to control his or her dating partner. “Dating partner” means any person, regardless of gender, involved in an intimate relationship with another person primarily characterized by the expectation of affectionate involvement whether casual, serious, or long term.

Incidents of dating violence involving students at school will be addressed as the administration determines appropriate, within the scope and subject to the limits of the District’s authority.

Staff training on dating violence shall be provided as deemed appropriate by the administration. The dating violence training shall include, but need not be limited to, basic awareness of dating violence, warning signs of dating violence, and the District's dating violence policy.

Dating violence education that is age-appropriate shall be incorporated into the school program. Dating violence education shall include, but not be limited to, defining dating violence, recognizing dating violence warning signs, and identifying characteristics of healthy dating relationships.

The administration will be responsible for ensuring that this dating violence policy is published in the school district’s student-parent handbook or an equivalent such publication. Parents and legal guardians shall be informed of the dating violence policy by such other means as the administration determines appropriate. If requested, parents or legal guardians shall be provided a copy of the dating violence policy and relevant information.

J. FUNDRAISING

No staff member may directly or indirectly use their position as a District employee to engage in any fundraising activities (including crowd funding) without prior approval from the District’s Administration. In the event that a staff member desires to engage in a fundraising activity, the staff member must obtain permission from the District Administration before engaging in any activities, including the posting of fundraising requests or messages online. A staff member who receives permission to engage in fundraising activities must keep the Administration informed of all relevant fundraising activity, including an accounting of the money received and how the money raised was spent.

K. USE OF SCHOOL FACILITIES

Classified staff may be issued keys to the school. Staff are expected to not lose their keys and to not allow others to have access to or to use their keys. Classified staff may have access to school facilities during non-school time provided such access is for work related purposes. When leaving the building, make sure to close all windows, lock doors, and make sure that the entry door is fully closed and locked. This is especially important when staff are using the school facilities prior to the beginning of the school year and during any weekend or evening usage.

Staff shall not use classrooms, buildings or other school property for personal use or profit. Use of school supplies (paper, staples, etc.), school equipment (copiers, fax machines, telephones, etc), and school postage is to be use for approved school-related purposes only. Excess or surplus supplies or equipment, including items, which have been placed in the trash, should not be removed for non-school use without approval from administration.

L. VIDEO SURVEILLANCE

The Board of Education has authorized the use of video cameras on School district property to ensure the health, welfare and safety of all staff, students and visitors to District Property, and to safeguard District facilities and equipment. Video cameras may be used in locations as deemed appropriate by the Superintendent or designee.

Notice is hereby given that video surveillance may occur on district property. In the event a video surveillance recording captures a student or other building user violating school policies or rules or local, state or federal laws, the video surveillance recording may be used in appropriate disciplinary proceedings against the student or other building user and may also be provided to law enforcement agencies.

M. USE OF DISTRICT COMPUTER NETWORK AND INTERNET

Staff have access to the District's Computer network and the Internet for the enhancement and support of student instruction. It is important to remember that the equipment and the software are the property of the school district. By using the computer network and the Internet staff agree to follow board policy 1323 and AR-1323.1. Any violation of any part of the board policy or any other activity which school administrators deem inappropriate will be subject to disciplinary action. Discipline could include but would not be limited to, the immediate suspension or termination of the staff Internet account and computer privileges, reprimand, suspension, termination or appropriate legal action.

N. USE OF SOCIAL MEDIA BY SCHOOL DISTRICT EMPLOYEES

School district employees are responsible for conducting themselves professionally, exercising appropriate judgment, and teaching and modeling high standards of behavior and civic values, regardless of location. This applies to employees' conduct and interactions with students and to material they post on personal web sites, blogs, and other social networking sites including, but not limited to, Facebook, Instagram, YouTube, Snapchat and Twitter. District employees are prohibited from inappropriate technological communication including but not limited to texting, online socializing or social networking (including but not limited to Facebook, Twitter, and Instagram, Snapchat), internet use, e-mail, blogging, or any other electronic communication that violates the law, district policies, or the Regulations and Standards for Professional Practices Criteria, commonly known as Rule 27 of the Nebraska Department of Education ("Rule 27").

O. CONFIDENTIALITY

Maintaining confidentiality is critical to the mission of Beatrice Public Schools and for the compliance with federal and state laws. The assigned duties and responsibilities of school district employees may involve the use of state data, school district data, and/or other information that is confidential. Information that must remain confidential is to be protected in compliance with applicable federal and state law, including FERPA (Family Education Rights and Privacy Act). All student and staff information is confidential and cannot be shared with anyone outside the school system without written permission from the parent/legal guardian. This includes extended family members. Student information should not be shared with other school personnel unless they have a professional or significant need for the information. If discussing student/staff issues at school, staff should take precautions to ensure other students or staff are not in the proximity to hear the information. Professional discussions should not occur in front of students. Violation of confidentiality is misconduct and may result in disciplinary action which may impact one's employment or additional legal liability on the part of the employee.