

Book	Policy Manual
Section	300 Employees
Title	Freedom of Speech in Nonschool Settings
Number	320
Status	From PSBA
Legal	1. 24 P.S. 510 2. Pol. 317

Authority

The Board acknowledges the right of administrative, professional **and classified** employees as citizens in a democratic society to speak out on issues of public concern. When those issues are related to the school **district** and its programs, however, the employee's freedom of expression must be balanced against the interests of this district.

The Board adopts this policy to clarify situations in which an employee's expression could conflict with the district's interests.**[1]**

In situations in which a **district** employee is not engaged in the performance of **assigned** duties, s/he shall:

1. Refrain from comments that would interfere with the maintenance of student discipline.
2. Refrain from making public statements about the district known to be false or made without regard for truth or accuracy.
3. Refrain from making threats against co-workers, supervisors or district officials.

Violations may **result in** disciplinary action, **in accordance with Board** policy.**[2]**

Book	Policy Manual
Section	300 Employees
Title	Political Activities
Number	321
Status	From PSBA
Legal	1. 24 P.S. 510 2. Pol. 707 3. Pol. 317

Authority

The Board recognizes and encourages the right of administrative, professional **and classified** employees, as citizens, to engage in political activity. However, district time, **resources**, property **or equipment** may not be used for political purposes **by district employees** when performing assigned duties.

Employees shall **not** engage in political activities during assigned **work** hours on property under the jurisdiction of the Board, unless permission has been granted for **such purpose in accordance with Board policy.**[1][2]

Collection of and/or solicitation for campaign funds or campaign workers **shall be** prohibited on school property during working hours.

The use of students for writing, addressing or distributing partisan political materials **shall be** prohibited.

District employees who hold elective or appointed office **shall not be** entitled to time off from **assigned** duties for reasons incident to such offices, except as such time may qualify under the leave policies of the Board.

The following situations **shall be** exempt from the provisions of this policy:

1. Discussion and study of politics and political issues when **applicable to the curriculum and appropriate to** classroom studies.
2. Conduct of student elections and connected campaigning.
3. Conduct of employee representative elections.

Violations may **result in** disciplinary action, **in accordance with Board policy.**[3]

Last Modified by Elizabeth Flood on July 9, 2015

Book	Policy Manual
Section	300 Employees
Title	Gifts
Number	322
Status	From PSBA
Legal	1, 24 P.S., §10

Authority

The Board considers the acceptance of gifts by administrative, professional **and classified employees** an undesirable practice.

It is the policy of the Board that staff members not accept gifts of significant value, **as determined by the immediate supervisor.****[1]**

The Board shall consider as appropriate and welcome letters to staff members expressing gratitude or appreciation by students and parents/guardians.

Delegation of Responsibility

The Superintendent **or designee** may approve acts of generosity to individual **district employees** in unusual situations but shall report such instances to the Board on a timely basis.

Last Modified by Elizabeth Flood on July 9, 2015

Book	Policy Manual
Section	300 Employees
Title	Tobacco
Number	323
Status	From PSBA
Legal	<u>1. 35 P.S. 1223.5</u> <u>2. 20 U.S.C. 7183</u> <u>3. 24 P.S. 1302.1-A</u> <u>4. 24 P.S. 1303-A</u> <u>5. 22 PA Code 10.2</u> <u>6. 22 PA Code 10.22</u> <u>7. 18 Pa.C.S.A. 6305</u> <u>8. Pol. 805.1</u> <u>20 U.S.C. 7181 et seq</u>

Purpose

The Board recognizes that tobacco use during school hours and on school property presents a health and safety hazard that can have serious consequences for the user and the nonuser and the safety of the schools.

Definition

For purposes of this policy, **tobacco includes a lighted or unlighted cigarette, cigar, pipe or other smoking product or material and smokeless tobacco in any form.**^[1] *including electronic cigarette (add)*
Smoking electronic cigarettes regardless of whether or not they contain tobacco derivatives is also prohibited.

Authority

The Board prohibits tobacco use by administrative, professional and classified employees in a school building and on any property, buses, vans and vehicles that are owned, leased or controlled by the school district.^{[1][2]}

The Board may designate specific areas for tobacco use by district employees on property owned, leased or controlled by the district that is at least fifty (50) feet from school buildings, stadiums and bleachers.^[1]

The Board prohibits tobacco use by **district** employees at school-sponsored activities that are held off school property.^[1]

The district shall **annually** notify employees about the **Board's** tobacco policy by **distributing it through** handbooks, newsletters, posted notices, and other efficient methods.^[1]

Guidelines

The Superintendent or designee may report incidents involving the sale of tobacco to minors by employees on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.^{[3][4][5][6][7][8]}

In accordance with state law, the Superintendent shall annually, by July 31, report incidents of possession, use or sale of tobacco on school property to the Office for Safe Schools on the required form.^{[4][8]}

Book	Policy Manual
Section	300 Employees
Title	Personnel Files
Number	324
Status	From PSBA
Legal	<p>1. 24 P.S. 510</p> <p>2. 42 U.S.C. 2000f et seq</p> <p>3. 42 U.S.C. 12112</p> <p>4. Pol. 800</p> <p>5. 43 P.S. 1321</p> <p>6. 43 P.S. 1322</p> <p>7. 22 PA Code 403.4</p> <p>8. 20 U.S.C. 6311</p> <p>9. 20 U.S.C. 7801</p> <p>10. Pol. 304</p> <p>11. 22 PA Code 403.5</p> <p>22 PA Code 8.1 et seq</p> <p>23 Pa. C.S.A. 6301 et seq</p> <p>43 P.S. 1321 et seq</p> <p>42 U.S.C. 12101 et seq</p> <p>8 CFR 274a.2</p> <p>12. 23 Pa. C.S.A. 6344</p> <p>13. 24 P.S. 111</p>

Authority

Orderly operation of the school district requires maintaining a file for the retention of all records relative to an individual's duties and responsibilities as an administrative, professional or classified employee of the district.

The Board requires that sufficient records be maintained to ensure an employee's qualifications for the job held; compliance with federal and state requirements and local benefit programs; conformance with Board policies, ~~administrative regulations~~, rules and procedures; and evidence of completed evaluations. ~~[1]~~ (delete)

Delegation of Responsibility

The Board delegates the establishment and maintenance of official personnel records to the Superintendent or designee, who shall prepare ~~administrative regulations~~ defining the material to be incorporated into personnel files. (delete)

Guidelines

A central file shall be maintained; supplemental records may be maintained only for ease in data gathering.

Medical records shall be kept in a file separate from the employee's personnel file. ~~[2]~~ ~~[3]~~

Only information that pertains to the professional role of the employee and is submitted by duly authorized administrative personnel and the Board may be entered in the official personnel file. A copy of each entry shall be made available to the employee, except for matters pertaining to pending litigation or criminal investigation.

Personnel records shall be available to the Board but only as required in the performance of its designated functions as a Board and as approved by a majority vote of the Board.

Personnel files shall be reviewed at intervals established by the district, and material no longer required shall be destroyed. ~~[4]~~

Employee Access

Administrative, professional and classified employees shall have access to their own file. Information relative to confidential employment references/recommendations are not part of the personnel file and shall not be available for review by the employee. ~~[5]~~ ~~[6]~~

Personnel who wish to review own records shall:

1. Request access in writing.
2. Review the record in the presence of the administrator or designee responsible to maintain personnel records.
3. Make no alterations to the record, nor remove any material.

4. Sign a log attached to the file indicating the date and **individual** reviewing.

Appeals

Personnel choosing to appeal material in **own** records shall make a written request to the administrator delegated to maintain the records and shall specify:

1. Name and date.
2. Material to be appealed.
3. Reason for appeal.

The responsible administrator shall refer the appeal to the administrator directly involved and permit the addition of employee comments.

File Contents

Upon initial employment, the employee's file shall contain:

1. Completed employment application form.
2. Copy of certificate, where applicable.
3. Transcripts.
4. Letters of recommendation.
5. Retirement registration.
6. Annuity forms.
7. Insurance beneficiary forms.
8. Criminal history and **child abuse** clearance statements, and **Arrest or Conviction Report.**[12][13]

During the period of employment, the following additional data **may** be maintained in personnel files:

1. Rate of compensation.
2. Completed copy of employment contract, where applicable.
3. Attainment of advanced degrees and effect on compensation.
4. Attendance record.
5. Completed evaluations.
6. Disciplinary incidents.
7. Special awards or distinctions.

Title I Schools

In accordance with law, the district shall release to parents/guardians, upon request, information regarding the professional qualifications and academic degrees of any teacher providing instruction to their child at a school receiving Title I funds. The district shall annually notify parents/guardians at the beginning of the school year about their right to request such information.[7][8][9][10]

The district shall notify parents/guardians of students attending Title I schools when their child has been assigned to or taught for four (4) or more consecutive weeks by a teacher who is not highly qualified, as defined by federal law.[7][8][9]

In accordance with law, the district shall release to parents/guardians, upon request, the qualifications of any paraprofessionals who provide instructional support to their child at a school receiving Title I funds. The district shall annually notify parents/guardians at the beginning of the school year about their right to request such information.[11][8][10]

Book	Policy Manual
Section	300 Employees
Title	Dress and Grooming
Number	325
Status	From PSBA
Legal	1, 24 P.S. 510

Authority

Administrative, professional **and** classified employees set an example in dress and grooming for students and **the school community**. **Employees' dress should reflect professional status in order to have a positive influence on the** district's programs and operations.

The Board has the authority to specify reasonable dress and grooming **requirements**, within law, for **all district employees** to prevent an adverse impact on the educational programs and district operations. **[1]**

When assigned to district duties, employees shall be physically clean, neat, well-groomed and dressed in a manner **consistent** with **assigned** job **responsibilities**, **so as not to** cause a safety or health hazard.

Classified employees shall be required to utilize safety gear and wear a designated work uniform **when performing assigned duties**.

Delegation of Responsibility

If an employee feels that an exception to this policy would enable him/her to carry out assigned duties more effectively, a request should be made to the immediate supervisor.

Last Modified by Elizabeth Flood on July 9, 2015

Book	Policy Manual
Section	300 Employees
Title	Complaint Process
Number	326
Status	From PSBA
Legal	24 P.S. §10

Authority

It is the Board's intent to establish reasonable and effective means of resolving conflicts among employees to reduce potential areas of complaints, and to establish and maintain clear two-way channels of communication between supervisory personnel and **district** employees for situations not covered by the terms of a collective bargaining agreement.

There shall be no reprisals of any kind taken against any employees or their representatives because of support of or participation in a complaint.

Definition

Complaint - any unresolved problem or interpretation of federal or state laws and regulations, Board policies, ^(delete) or ~~district administrative~~ regulations, rules or procedures.

Delegation of Responsibility

The Board **directs the Superintendent** to establish a **process that will facilitate** proper and equitable solutions to complaints **by district employees** at the lowest appropriate level.

Guidelines

Complaints should be discussed in a private, informal conference between the parties involved. At least one (1) private meeting should take place between the parties before the complaint **process** is invoked.

A complainant may be represented or accompanied by anyone s/he chooses at any higher level of **the complaint process**.

If the same, or substantially the same, complaint is made by more than one **(1)** employee against one **(1)** respondent, only one **(1)** employee, on behalf of self and the other complainants, may process the complaint through the prescribed procedure. Names of all complainants shall appear on all documents related to settlement of the complaint.

In the event a complaint **shall be** filed late in the school year, both parties shall endeavor to expedite procedures so that the process may be completed as soon after the school term as practicable.

The time limits provided in this policy may be extended by mutual agreement of the parties. Any decision not appealed within the time limits from one level to the next level shall be considered settled on the basis of the last decision and not subject to further appeal.

All documents, communications, and records relevant to a complaint shall be filed in a separate file and not kept in the personnel file of any of the participants.

Book	Policy Manual
Section	300 Employees
Title	Compensation Plans/Salary Schedules
Number	328
Status	From PSBA
Legal	<u>1.24 P.S. 1164</u> <u>2.24 P.S. 406</u> <u>3.24 P.S. 1075</u> <u>4.24 P.S. 1077</u> <u>5.24 P.S. 1089</u> <u>6.24 P.S. 1141-1152</u> <u>7.24 P.S. 1162</u> <u>8.24 P.S. 1164</u> <u>9.24 P.S. 1149</u>

Authority

The Board shall **approve compensation plans, individual contracts** and salary **schedules**, based upon responsibility and performance, that **shall** provide fair and adequate financial incentive for all **administrative, professional and** classified employees.

The **administrative** compensation plan shall be determined through a good faith, meet and discuss procedure with **designated** administrators **upon written request of a majority of district administrators.****[1]**

Salary schedules approved by the Board shall be in accordance with those specified in applicable collective bargaining agreements and/or Board **resolutions.**

Salary schedules shall be **used to set compensation** for new and inexperienced employees **and** for experienced employees new to the district, and salary adjustments that result from earning advanced degrees while employed by the district or required **by law.****[2][3][4][5][6][7][8]**

Delegation of Responsibility

Implementation of **the** administrative compensation plan, individual contracts, **collective bargaining agreements** and **Board resolutions regarding employee salaries** shall be the responsibility of the Superintendent.

The Superintendent **shall be** authorized to credit past experience of a **candidate when determining salary.****[9]**

Book	Policy Manual
Section	300 Employees
Title	Overtime
Number	330
Status	From PSBA
Legal	<u>1. 43 P.S. 333.104</u> <u>2. 29 U.S.C. 207</u> <u>34 PA Code 231.41</u> <u>34 PA Code 231.42</u> <u>34 PA Code 231.43</u> <u>43 P.S. 333.101 et seq</u> <u>29 U.S.C. 201 et seq</u> <u>29 CFR Part 778</u>

Authority

In order to ensure consistent treatment of all affected employees and compliance with applicable federal law regarding payment of overtime, the Board adopts this policy.

In accordance with **federal and state law** and this policy, applicable collective bargaining agreement or individual contract, overtime shall be paid for work in excess of the established workday or workweek for each **classification** of classified employees. [1][2]

No overtime shall be scheduled or worked without prior approval of the Superintendent ^(add) or designee.

Overtime will be paid at the rate of time and one-half the regular rate of pay when approved in advance for time worked in excess of forty (40) hours per week **(including the difference between the normal workweek and forty (40) hours)**. [1][2]

For purposes of computing overtime, credit shall be given only for hours worked, as recorded in district records and provided by law.

Any conflict between this policy and applicable collective bargaining agreement or individual contract shall be reported promptly to the Board.

Book	Policy Manual
Section	300 Employees
Title	Job Related Expenses
Number	331
Status	From PSBA
Legal	1. 24 P.S. 517

Authority

The Board shall reimburse administrative, professional and classified employees for the actual and necessary expenses, including travel expenses, incurred in the course of performing services for the district, in accordance with Board policy.[1]

Definition

Full itemization - for the purposes of this policy, shall be interpreted to include an enumeration of all items for which reimbursement is being sought, as well as an enumeration of all individuals responsible for items included on the receipt including, but not limited to, individuals present in the vehicle, individuals present at the meal and individuals staying in the lodging.

Delegation of Responsibility

The validity of payments for job related expenses for all district employees shall be determined by the Superintendent or designee.

Payments shall be signed-off on by the Superintendent, Business Manager, the immediate supervisor, the Board President, or in the Board President's absence, the Board Vice-President. All four (4) signatures shall be necessary in order to receive reimbursement.

The Superintendent or designee shall ^(delete) develop administrative regulations for reimbursement of travel expenses, including the following:

1. Under normal conditions, employees traveling on official business shall provide themselves with sufficient funds for ordinary expenses.
2. Travel shall be by the most direct and economical route.
3. For official travel by other than automobile, the district shall arrange the advance purchase of transportation tickets.
4. In all instances of travel and job related expense reimbursements, full itemization with receipts attached shall be required.

Guidelines

The use of a personal vehicle shall be considered a legitimate job expense if travel is among the employee's assigned schools, but not between home and school, and is authorized in advance by the immediate supervisor.

Use of a personal vehicle for approved purposes shall be reimbursable at the current IRS rate.

Use of a personal vehicle requires that liability insurance be provided by the employee.

Actual and necessary expenses incurred when attending functions outside the district shall be reimbursed to an employee if approval has been obtained in advance from the Superintendent.[1]

Attendance at approved events outside the district shall be without loss of regular pay, unless otherwise stipulated prior to attendance.

Per Diem Allowances for Meals and Incidental Expenses

The Board shall authorize payment, in accordance with the established per diem allowances for meals and incidental expenses.

Employees shall be required to turn in itemized receipts and shall be reimbursed at the lower rate of actual expenses or per diem allowance.

Last Modified by Elizabeth Flood on July 9, 2015

Do we still want 4 signatures for reimbursement? Yes

Book	Policy Manual
Section	300 Employees
Title	Working Periods
Number	332
Status	From PSBA
Legal	1. 24 P.S. 510 2. 24 P.S. 1504 3. Pol. 804

Authority

Work schedules **required for administrative, professional and classified employees** shall be clearly specified to ensure regular **attendance by employees** and consistent operation of the district.

The Board has the authority and responsibility to determine the hours during which district programs and services shall be available to students and the community, consistent with the **administrative compensation plan, individual contracts, applicable collective bargaining agreements, and Board resolutions.**[1][2][3]

Delegation of Responsibility

The Superintendent or designee shall develop ^(delete)~~administrative~~ **regulations** to ensure **district** employees **adhere to assigned** work schedules.

Professional personnel shall have a duty-free lunch period of not less than thirty (30) minutes.[2]

Professional employees **shall** remain in **classrooms** or assigned stations after **students have been discharged for the purpose of performing assigned** duties.

During the times students **shall be** in attendance, professional staff may be assigned extra or alternative duties, distributed equitably when possible, at the discretion of the building principal.

All professional staff members **shall be required** to attend each faculty meeting unless specifically excused by the responsible administrator.

In cases of excused attendance, the **professional** staff member shall meet with the building principal, at the earliest convenient time, to discuss topics of the faculty meeting.

