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## **PREFACE**

This manual is intended to be a statement of the present policies of the Jamestown Public School District. It is not intended that this document be contractual in nature or be deemed a part of any contract of employment. The Jamestown Public School District reserves the right to change these policies from time to time as it deems appropriate with or without notice.

<b>2017-2018 Wage Schedule</b>		85%	86.5%	88.0%	89.5%	91.0%	92.5%	94.0%	95.5%	97.0%	98.5%	100%
<b>Support Staff Position</b>		BEG	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
<b>LANE 1</b>	Summer Help	\$10.00										-
<b>LANE 2</b>	HS Secretary Front Desk, Cashiers, Dishwashers, Para Educators- Regular/ Title, Library Para-Educator	\$11.98	\$12.19	\$12.40	\$12.61	\$12.82	\$13.04	\$13.25	\$13.46	\$13.67	\$13.88	\$14.09
<b>LANE 3</b>	Assistant Custodians, Attendance Clerk, CO Receptionist, Elem/Counselor Secretaries, Asst Cooks, ELL Para Educator, Special Ed Para-Educator	\$12.74	\$12.97	\$13.19	\$13.42	\$13.64	\$13.87	\$14.09	\$14.32	\$14.54	\$14.77	\$14.99
<b>LANE 4</b>	Head Custodians, Grounds Keeper, Office Assistant - HS Activities, CO, CTC, FS, Purchasing/AP, Head Cook, Cashier Manager	\$13.41	\$13.65	\$13.89	\$14.12	\$14.36	\$14.60	\$14.83	\$15.07	\$15.31	\$15.54	\$15.78
<b>LANE 5</b>	Technology Asst, CO Tech Admin Asst, MS Kitchen Manager, Academic Resource Room, Employment Specialist, Para Professional, HS Asst Kitchen Mgr	\$14.27	\$14.52	\$14.77	\$15.03	\$15.28	\$15.53	\$15.78	\$16.03	\$16.28	\$16.54	\$16.79
<b>LANE 6</b>	HS/MS Head Maintenance, District Asst Maintenance, HS/MS Office Manager, Payroll, Accounts Payable, HS Kitchen Manager,	\$15.18	\$15.45	\$15.72	\$15.98	\$16.25	\$16.52	\$16.79	\$17.06	\$17.32	\$17.59	\$17.86
<b>LANE 7</b>	District Maintenance Director, Supt Administrative Assistant	\$16.15	\$16.44	\$16.72	\$17.01	\$17.29	\$17.58	\$17.86	\$18.15	\$18.43	\$18.72	\$19.00

**GUIDELINES:**

1. Placement of new employees will be the Beginning Lane.
2. Administrators may request staff not receive a raise based on performance.
3. For 2017-2018 only employees over 11 plus years experience will receive a 2% increase plus 25 cents

## **STAFF CODE OF CONDUCT**

### **Purpose**

The Board has adopted this policy with the intent of fostering learning and working environments that operate efficiently; are safe, ethical, and equitable for students and staff; and meet community expectations.

### **Application of Policy**

All school district employees, including teachers, administrators, other contracted staff, and ancillary staff, are required to adhere to this policy.

### **Code of Conduct**

All staff members are responsible for becoming familiar with and abiding by the laws of the state as they affect their work, professional codes of ethics associated with their licensure if applicable, the school district's policies and the regulations designed to implement them.

The Board may have adopted or may adopt additional conduct policies applicable to specific categories of employees (e.g., academic freedom standards for teachers). Such policies are also considered part of this code of conduct, and the Superintendent is charged with disseminating such policies using the policy dissemination procedure contained in this policy.

In addition to district policies governing staff conduct, each staff member is required to:

1. Conduct oneself professionally whenever serving in his/her official capacity as a school district employee including maintaining professional decorum and professional boundaries in all interactions with students.
2. Exercise honesty and integrity when executing all duties.
3. Comply with confidentiality laws (e.g., student education records are protected by FERPA).
4. Be faithful and prompt in attendance at work.
5. Support and enforce policies and regulations of the District
6. Diligently execute all duties as assigned by supervisors and as set forth in job descriptions, district policies, or the negotiated agreement; staff members are also required to fulfill the terms of their contracts if applicable.
7. Demonstrate care and conservation of school property and resources.
8. Make job-related decisions in a manner that is fair and consistent with district policy and the district's mission.
9. Not use his/her position with the District for private gain.
10. Treat all staff, students, and community members with dignity and respect.
11. Report suspected violations of this code of conduct, district policy, or workplace violations of law to an immediate supervisor or individual/entity designated by law/policy to receive such reports.

### **Dissemination of Staff Conduct Standards**

The Superintendent or designee shall develop a procedure to ensure that this code of conduct and other policies governing staff conduct are provided to all staff annually. The Board further directs the Superintendent or designee to compile a list of state laws related to staff conduct and disseminate this information to staff annually. The Superintendent or designee also shall provide a copy of the Education Standards and Practices Board Code of Professional Conduct for Educators to teachers and administrators annually. Administration should require staff to acknowledge, in writing, receipt and understanding of all documents provided to them under this policy.

If a staff conduct policy contains specific policy dissemination procedures that are more comprehensive than the policy dissemination requirements contained herein, the more comprehensive policy dissemination procedures should be followed.

### **Reporting and Investigation**

Any staff member who has reason to believe that this policy may have been violated is required to report the alleged violation to an immediate supervisor or individual/entity designated by law/policy to receive such reports as soon as possible. Students and community members who have reason to believe this policy has been violated are encouraged to report this to a building principal.

The reporter may submit a written or oral report of the alleged violation. The supervisor or administrator receiving the report should document the date and time that the report is received, nature of the alleged violation, name of the reporter (if choosing to identify him/herself), and names of any witnesses to the alleged violation if this information is not submitted by the reporter in writing.

The supervisor shall refer the report to the Superintendent as soon as possible for investigation and resolution. The Superintendent shall investigate the alleged violation in a timely manner not to exceed 60 days unless the Superintendent determines additional time is needed. The Superintendent shall issue a summary of the investigation's findings to the employee who is the subject of the investigation.

At any time during the investigation process, the Superintendent or designated investigator may refer the alleged violation to law enforcement if a violation of law is reasonably believed to have occurred and/or ESPB if a violation of the Code of Professional Conduct for Educators is reasonably believed to have occurred. Such referrals do not relieve the District of its responsibility to complete an internal investigation of the alleged violation.

If a staff conduct policy contains an investigation procedure that is in conflict with the investigation procedure contained herein, the most comprehensive investigation protocol of the two in conflict must be used to conduct the investigation.

### **Alleged Violations by the Superintendent**

If the Superintendent is believed to have violated this policy, the alleged violation shall be reported to the Board President who is responsible for conducting the investigation and rendering a final decision on the outcome of the investigation in accordance with this policy. The Board President may retain an attorney or consultant to assist with the investigation process.

### **Violations**

Violations of this policy shall result in appropriate disciplinary action as determined by the Superintendent. The superintendent's decision is final. If the violation is covered by another district policy on staff conduct (e.g., discrimination or harassment), any specific disciplinary consequences contained in that policy shall apply.

### **Retaliation and Providing False Information Prohibited**

The District prohibits retaliation for an individual's participation in an investigation and/or initiation of a report under this policy, including instances when an allegation is not substantiated. The District also prohibits knowingly filing a false report and/or knowingly making false statements during an investigation. Staff and students who violate these prohibitions are subject to appropriate disciplinary action.

## **FRINGE BENEFITS**

### **HEALTH INSURANCE**

1. A health insurance committee will recommend a medical plan to the

- Jamestown Public School District for approval. Premiums, deductible, co-pay, etc. will be determined on an annual basis.
2. All full-time employees working at least 30 hours or more per week are eligible for coverage on the first or the 16<sup>th</sup> of the month following date of hire of continuous full-time employment.

## **GROUP TERM LIFE INSURANCE**

1. The district will contribute up to 100% of the cost of a single premium for a \$25,000 policy. An employee's term life insurance policy terminates when he/she leaves the school system. The employee will have the opportunity to purchase a voluntary life portability option.

### Eligibility

Any employee who works twenty (20) hours per week and is paid over a nine (9) month period of time is eligible to participate in the plan. Employees working part-time will receive pro-rated benefits based on the number of hours worked and the balance of cost will be the responsibility of the employee.

### Exclusions

1. Emergency employees who are employed for emergency work.
2. Part-time employees whose service does not exceed the lesser of twenty (20) hours per week or 50 percent of the normal work week.
3. Employees who hold positions of a basically temporary or seasonal in nature for a period not in excess of 100 working days in any calendar year.
4. Coverage is effective the first of the month following 30 days of employment.

## **ND PUBLIC EMPLOYEES RETIREMENT PLAN**

This plan was established in accordance with the Act for the purpose of providing retirement, disability, survivors, prior service and other benefits supplementary to Social Security benefits to North Dakota Public Employees and as may otherwise be provided in the Act. 7% is deducted from each employee's monthly salary and 8.26% is matched by the Jamestown Public School District. Each employee working 20 hours or more weekly is subject to the ND Public Employees Retirement Plan.

### PEP - Portability Enhancement Provision

Participants in the North Dakota Public Employees Retirement System can sign up for a qualified deferred compensation plan

(403(b) Tax Sheltered Annuities) and a corresponding portion of the employer contribution into NDPERS will be posted to the employees account. This is subject to service credit and cannot exceed 4%.

## **SOCIAL SECURITY**

All employees in the Jamestown Public Schools are covered by Social Security, making it necessary for all employees to secure a Social Security card.

## **WORKERS COMPENSATION**

In accordance with state law, the Jamestown Public School District must provide Worker's Compensation Insurance to all employees injured on-the-job. Workers Compensation Insurance covers medical and hospital expenses resulting from on-the-job injury. It will also pay weekly disability benefits after the seventh consecutive day of disability. If an injury occurs at work, no matter how small, the employee is required to notify your supervisor and file a **"Employee Incident Report"**. The form needs to be signed by the employee and supervisor and taken to the Central Office within 24 hours of the incident. If the employee needs medical attention and will be seeing a doctor, workers compensation forms can be picked up from the Central Office.

## **INCOME PROTECTION PLAN**

Support staff working a minimum of 30 hours per week are eligible to participate in the Income Protection Plan by paying 25% of the premium and in meeting the guidelines established by the company that offers the policy.

## **EMPLOYEE ASSISTANCE PROGRAM**

Employee Assistance Program can provide you and all members of your household with a number of services including personal, financial, and legal counseling.

## **VISION PROGRAM**

The school district offers a volunteer vision plan.

## **FLEX (CAFETERIA) PLAN**

The school district will provide a flex plan at no cost to the employee or school district. The plan year is September 1 through August 31.

## **ACTIVITY TICKETS**

Each employee will receive an ID which allows entrance into the events of Jamestown Public Schools. An additional activity pass will be given to each employee for their guest.

## **SICK LEAVE**

### **Professional Staff**

Fifteen (15 days per the first two (2) years will be granted to each teacher signing his/her first contract in the Jamestown Public Schools. Each succeeding year, ten (10) days will be granted per year, accumulating to a possible 135.

### **Support Staff**

Employees earn one sick day (based on hours reflected on letter of employment) per month, cumulative to 960 hours. The District Administrator may request a medical examination if excessive absence occurs. Excessive absences are defined on a case by case basis by the District Administrator.

When paid leave is available for FMLA (Family and Medical Leave Act) purposes, the paid leave must be taken first and will be counted



as part of the FMLA leave.

**Requesting Sick Leave**

Requests for sick leave must include the nature of the illness, injury, or disability. The Superintendent has the right at its discretion to request medical certification as a prerequisite for the awarding of sick leave and the response to the request shall be made in accordance with board regulations. In the event a second medical opinion is requested by the Superintendent, the Board shall pay the expense.

**Disability Resulting from Pregnancy Leave**

Disability or physical limitations resulting from pregnancy shall be treated the same as any other illness, injury, or disability for the purpose of sick leave and is subject to the limitations of this policy. The employee is free to determine when she will commence her leave in accordance with her healthcare provider's recommendations. The District will not mandate that pregnancy leave be taken for a prescribed duration of time. Requests for sick leave resulting from a disability or physical limitation related to pregnancy, child birth, or a post-pregnancy condition shall be made in accordance with board regulations on sick leave documentation requirements and may, at the employee's discretion, occur earlier than timeframes contained in regulations in order to allow the District ample time to locate a replacement.

**Long-Term Sick Leave**

Leave for a serious health condition will be granted in accordance with District's FMLA policy.

**SICK LEAVE BANK**

The Jamestown Public School District will maintain a Sick Leave Bank for participating employees . The purpose of the Sick Leave Bank is to cover unexpected catastrophic illness or injury to participants in the Sick Leave Bank, their spouses, and children.

- a. Catastrophic Illness or injury  
"Catastrophic" means extreme or life threatening. This term does not include conditions associated with a normal pregnancy.
  
- b. Participation  
The offer to join the Sick Leave Bank is a one-time offer. Sick Leave Bank shall be available to employees only upon their initial qualifying employment. A new employee will have thirty (30) days from the time of signing their initial contract to accept or reject membership in the Sick Leave Bank. The sick leave bank will provide coverage for all eligible employees (those also eligible for coverage in the District health insurance plan) of the Jamestown School District, and James Valley Career and Technology Center (JVCTC) who choose to participate in the district plan. Each participating employee shall invest 2 days in the bank. Whenever the

balance falls below 180 days, each member shall be assessed one (1) additional day, not to exceed (2) sick leave days in any single contract period. Unused sick leave bank days will accumulate to the next school term.

Any participant of the Sick Leave Bank may withdraw from the Bank at the end of a school year by giving written notice to the Sick Leave Bank Committee. Sick days invested in the bank will not be returned upon leaving the bank. Once a participant withdraws from the Bank, the participant is no longer eligible to rejoin the Bank.

c. Application

Any participant having used all of his(her) accumulated sick and personal leave days would be eligible to apply.

Application must be in writing by completing the Sick Leave Bank Application Form and shall be given to the sick leave bank committee for consideration. Applications must be accompanied by a medical doctor's certificate verifying the severity, nature and projected duration of the illness. If the illness or injury qualifies for employee disability coverage, the individual must apply for disability coverage. The Business Manager shall verify that an application for disability has been filed.

The application must request a specific number of days, up to forty (40) per application. A participant may apply two (2) times in any single contract period and may be granted no more than 80 days of sick leave from the Sick Leave Bank for that particular illness/injury.

No participant shall be eligible to withdraw more than a lifetime total of one hundred eighty (180) days. Participants may not draw sick leave days from the bank once they receive employer-related disability benefits.

d. Committee

The make-up of the Sick Leave Bank Committee will be: two-teacher appointed by the Association, one administrator appointed by the Superintendent, and one member of the Board of Education appointed by the President. The business manager will also serve on the committee, as an ex officio member with no voting rights. Members will serve a three-year term and all terms will begin on July 1.

The committee will meet within five (5) working days upon receipt of a request and a decision will be made at that time. They will review applications, give written notice of acceptance or rejection, determine the number of days granted to the applicant, provide reasonable assurance the bank is not abused, and prepare quarterly reports for the Superintendent. Decisions of the

Committee will be made by majority vote and all decisions are final. The Sick Leave Bank records and accounting will be maintained by the District's Business Manager.

## **BEREAVEMENT LEAVE**

In the event of the death of any family member/partner or relative, an employee may use up to five(5) days to attend the funeral without salary reduction to make final arrangements.

In the event of the death of a non-family member, up to one (1) day per school year funeral leave will be granted. With the Superintendent's approval, additional leave may be allowed to attend the funeral of a non-family member with salary deduction.

## **COMPENSATION TIME**

There will be no compensation time for employees of the Jamestown Public Schools.

## **PERSONAL LEAVE**

Staff working less than the 12 months will receive 2 days of personal leave per year. Personal days are non-accumulative.

If you have any questions concerning these plans or your eligibility to participate in them, you should promptly contact your immediate supervisor or the Superintendent's office.

## **EMERGENCY CLOSINGS**

The Board authorizes the Superintendent to delay the opening of, dismiss early, or close district schools in the event of hazardous weather, an epidemic, or other emergencies that threaten the health and/or safety of students and employees. The Superintendent's rationale for exercising this authority shall not be arbitrary, capricious, or based merely on convenience.

The Superintendent shall, at a minimum, consider the following factors when exercising his/her authority under this policy:

1. Actual occurrence or imminent possibility of any emergency condition that would make operation of school difficult or dangerous.
2. Ability of students and staff to safely report to school. The Superintendent may consider items such as, but not limited to, weather and road conditions.
3. Whether or not conditions pose a threat to one or all district schools. If conditions only affect certain schools, only the affected schools shall be closed.

The Superintendent may consult traffic, weather, law enforcement authorities, and administrators from neighboring districts when weighing the above factors.

### **Notification**

The Superintendent shall develop procedures for notifying students, parents, and staff of emergency closings, which should be published in district handbooks and disseminated annually.

**Compliance**

Staff shall comply with the superintendent’s work reporting instructions during an emergency closing unless emergency conditions make this impossible. Staff that do not comply and/or do not have good cause for noncompliance may be subject to disciplinary consequences in accordance with policy, law, and, when applicable, the negotiated agreement.

**HOLIDAYS**

July 04, Labor Day, Veterans Day, Thanksgiving Day, Christmas Day, New Years Day, Good Friday, and Memorial Day - these days off with pay if you are on duty at the time (on duty is defined as working the immediate regular work day before the holiday or the immediate regular work day after the holiday or being on approved leave with pay).

For staff who works less than a 200 day contract, the holiday time must fall within the school calendar. (i.e.; if school begins after Labor Day, Labor Day will not be counted as a holiday, or if school ended prior to Memorial Day, Memorial Day will not be counted as a holiday. If one of the legal school holidays falls on a Sunday, the following Monday shall be granted as a holiday, as per North Dakota Statutes. If one of the legal school holidays falls on a Saturday, the preceding Friday shall be granted as a holiday.

**VACATION LEAVE**

The District provides vacation benefits in order that employees receive time for rest and renewal.

**Ancillary Employees:**

All twelve-month full-time ancillary employees shall be eligible for paid vacation benefits as delineated below:

- One day per month accumulating to 12 days for the first five years of employment
- One and a quarter (1.25) days per month accumulating to 15 days from the 6<sup>th</sup> year thru the 10<sup>th</sup> year of employment, and,
- One and one half (1.5) days per month accumulating to 18 days from the 11<sup>th</sup> year thru the 15<sup>th</sup> year of employment

After completing 15 years of employment, the employee earns one and three fourths (1.75) days per month accumulating to 21 days.

Vacation is accumulated July 1 through June 30 and must be used up before the following June 30<sup>th</sup>.

**Licensed Employees**

Vacation is subject to the master agreement for Administrators. Refer to the Non-Teaching Professional Handbook for vacation designation for those personnel.

**Separation**

Upon separation from district employment, any employee granted paid vacation time shall be entitled to prorated monetary reimbursement for unused vacation days as required by law.

## **POLICIES AND PROCEDURES**

### **VACANCIES**

Except when discharged for cause, any employee shall be given two (2) weeks notice in advance of dismissal.

Employees shall give two (2) weeks notice of resignation.

A qualified person may apply for any vacancy which may occur providing they have been on duty one year or more in that particular position, or unless requested to do so by the school district. In all instances, requests for transfers shall go through the application procedure. All positions will be advertised by the school district.

### **PAYROLL**

Non-certificated staff members will be paid on a per hour basis. Pay day shall be the twentieth of each month. If the twentieth falls on a Saturday, pay day shall be on Friday. If the twentieth falls on a Sunday pay day shall be on Monday. Direct Deposit will be distributed via email.

### **SCHOOL YEAR**

A school fiscal year is defined as the period from July 1 through June 30.

### **PAY DEDUCT**

All appropriate leave will be used before granting pay deduct.

### **REPORTING ABSENCE FROM WORK**

Jamestown Public School work week is Monday 12:01 AM and ends Sunday at 11:59 PM. Absence from work should be reported at once to the supervisor, which may be school administrators, district administrator or building coordinator. The absence should be reported in ample time to secure a substitute. Approval to make up time will be determined by employee's supervisor. If make up time is approved a maximum of 4 hours is allowed. Make up time is required to be completed in the same week.

### **SIGNIFICANT INFECTIOUS DISEASE - EMPLOYEES**

The Jamestown School Board shall follow the guidelines established by the state health department regarding their employees, who are diagnosed as having significant infectious disease, such as Acquired Immune Deficiency Syndrome, AIDS Related Complex, Cytomegalovirus or Hepatitis B. The employee's physician, upon learning that the employee has a significant infectious disease, shall notify the local health officer and call for a meeting of the significant infectious disease committee to determine whether the employee is eligible to be permitted to work. This committee shall consist of the local superintendent of schools or designee, the local health officer or physician designated by this board, and the employee's physician. Any member of this committee may call for a meeting of the committee. Technical assistance is available from the state health department.

This committee shall meet in executive session (closed to the public). However, the employee may be present for discussion. The vote will be taken in executive session. Majority vote rules. Each employee's case will be evaluated individually on a medical basis. The following criteria may be used for assistance in determining whether the employee's condition allows him/her to be eligible to work:

1. Has an open sore;

2. Is incontinent of bodily fluids;
3. Is not well enough to work; or
4. Is an unacceptable risk to acquire disease.

The decision of this committee may be appealed to the local board of health. The school district shall place the employee on sick leave, if sick leave is available to that employee. If sick leave is not available, the employee shall be placed on leave of absence without pay. Employee will remain on leave of absence until a determination is made as to the communicability of the disease and a medical opinion is received relative to the employee's ability to return to work.

The local board of health has the power and duty to adopt health and safety rules and regulations to include quarantine when the infectious and contagious disease exists under its' jurisdiction. See North Dakota Century Code 23-07-16 and 23-05-01, subparagraphs 3 and 6.

**HEALTH INSURANCE COVERAGE FOR ACTIVE EMPLOYEES (Ages 65 or Older)**

The Jamestown Public School District will make available to any active full-time employee, age 65 or older, the same group health plan coverage provided for employees under 65 as their primary coverage. However, employees age 65 or older may opt to retain Medicare as their primary health care coverage. The Jamestown Public Schools will not pay Medicare supplementary coverage.

**CONTINUED INSURANCE FOR TERMINATED STAFF - COBRA**

The School district will offer to all terminated employees covered by the group health insurance a maximum of 18 months additional coverage with the following stipulations:

- A. Full payment of the monthly premium must be made payable to the Jamestown Public School District Health Insurance Fund by the 25th of each month for the following month coverage.
- B. Insurance coverage will be dissolved when one of the following occurs:
  1. 18 months of coverage has been provided
  2. Payment for coverage is not received by the 25th of each month to the Director of Payroll
  3. If you become eligible for Medicare or any other insured or uninsured arrangement which provides hospital, surgical or medical coverage
  4. If the Jamestown Public School District ceases to provide any group health plan to employees.

**HEALTH INSURANCE FOR WIDOWS, SPOUSES AND DEPENDENTS**

In the case of widows, spouses and dependents, the School District will offer continued coverage by the group health insurance a maximum of 36 months with the following stipulations

- A. Full payment of the monthly premium must be made payable to the Jamestown Public School District Health Insurance Fund by the 25th of each month for the following month coverage.
- B. Insurance coverage will be dissolved when one of the following occurs:
  1. 36 months of coverage has been provided
  2. Payment for coverage is not received by the 25th of each month to the Director of Payroll
  3. If you become eligible for Medicare or any other insured or

- uninsured arrangement which provides hospital, surgical or medical coverage
4. If the Jamestown Public School District ceases to provide any group health plan to employees.

### **HEALTH INSURANCE FOR DIVORCED OR LEGALLY SEPARATED EMPLOYEES**

In the cases of the divorce or legal separation of the covered employee or a dependent child ceasing to be a dependent under the terms of the plan, the School District will offer continued coverage by the group health insurance maximum of 36 months with the following stipulations:

- A. Full payment of the monthly premium must be made payable to the Jamestown Public School District Health Insurance Fund by the 25th of each month for the following coverage.
- B. Insurance coverage will be dissolved when one of the following occurs:
  1. 36 months of coverage has been provided
  2. Payment for coverage is not received by the 25th of each month to the Director of Payroll
  3. If you become eligible for Medicare or any other insured or uninsured arrangement which provides hospital, surgical or medical coverage
  4. If the Jamestown Public School District ceases to provide any group health plan to employees

### **LIABILITY INSURANCE**

The School District will furnish legal liability coverage for all employees, with coverage as stated in the school insurance policy.

## **TAX SHELTERED ANNUITIES**

The School Board has made available a tax sheltered annuity program. The Board will deduct from salary for this program. In accordance with legal requirements, an agreement must be prepared which indicated the deduction to be made. The plan provides that an authorized deduction may be changed one week before September payroll, one week before the January payroll and one week before the payroll in the month of your choice. No other changes may be made during the school year.

## **UNEMPLOYMENT COMPENSATION**

North Dakota Century Code Chapters 52-01 through 52-08 impose an obligation upon all school districts to either pay taxes (contributions) for the required unemployment compensation coverage or to reimburse the state on a dollar-for-dollar basis for all benefits paid resulting from claims of former employees of the school district.

## **ANNUAL SALARY REVISION**

Typically, prior to July 1 of each year, all support staff will sign an engagement letter which will specify their wage for the next school year. If engagement letters are not provided prior to July 1 they must be signed within 14 days from issuance.

All support staff shall be informed as to the policies under which they work and the supervisory relationship.

It is the responsibility of the employees to review the beneficiary status for the state retirement and make any other necessary payroll changes at that time.

## **PERSONNEL RECORDS**

Personnel records shall be maintained in two areas. Those records required for payroll purposes and for record keeping under the Fair Labor Standards Act and other laws pertaining to payroll record keeping will be maintained by the Business Manager. All personal information as defined by law will be maintained in this file. Only employees who have a need to know in order to perform their duties will have access to this information. All other personnel records will be maintained in the Administrative Office.

The district administrator shall keep a personnel folder for each employee, certificated staff and support staff. The folder shall contain such information required by law and shall include performance evaluations, an itemized list of all documents in the file, and a record of access including the date of review and identity of persons, other than school officials - the central office administrators and the administrator who supervises the employee - who reviews the file.

The folder shall be maintained in the district administrative office and shall be available during school hours for review by members of the public under the following procedures:

- A. The person requesting to see the personnel file of any employee shall make the request in writing to the district administrator. Written request shall become a part of the file.
- B. The district administrator shall make an appointment for the person to see the file within two business days after receiving the request.
- C. The district administrator or other designated administrator shall be present during the review of the file.
- D. Copies of any documents in the file shall not be made available.
- E. The employee shall be notified that the file will be reviewed or has been reviewed.



- F. The district administrator may seek legal advice on matter pertaining to the review.

Records of medical treatment or use of employee assistance programs is not a part of the personnel record and shall not be released without the written consent of the employee.

## **NONDISCRIMINATION & ANTI-HARASSMENT POLICY**

### **General Prohibitions**

The Jamestown Public School District is committed to maintaining a learning and working environment free from discrimination and harassment in all employment and educational programs, activities, and facilities. The District prohibits discrimination and harassment based on a student, parent/guardian, and/or employee's race, color, religion, sex, gender identity, national origin, ancestry, disability, age, or other status protected by law.

It shall be a violation of this policy for any district student, parent/guardian, or employee or third party to harass or discriminate against another district student or employee based on any status protected by law if the conduct occurred within the context of an education program or activity, or had a continuing effect in the educational setting on campus or in an off-campus program or activity. The District will not tolerate harassment or discrimination of a district student, or employee by a third party. The District also prohibits aiding, abetting, inciting, compelling, or coercing discrimination or harassment; discriminating against or harassing any person affiliated with a person protected by this policy and/or law; knowingly making a false discrimination and/or harassment report; and retaliation against individuals who report and/or participate in a discrimination and/or harassment investigation, including instances when a complaint is not substantiated.

The District shall promptly investigate any harassment, discrimination or retaliation complaint and act on findings as appropriate, which may include disciplinary measures such as, but not limited to, termination of employment or expulsion in accordance with board policy, law, and, when applicable, the negotiated agreement. Students and employees are expected to fully cooperate in the investigation process. The District will take steps to try and prevent recurrence of harassment, discrimination or retaliation and remedy discriminatory effects on the complainant and others, if appropriate.

### **Definitions**

- *Complainant* is the individual filing the complaint. When the complainant is not the victim of the alleged harassment/discrimination, the victim will be afforded the same rights as the complainant under this policy and regulation AAC-BR.
- *Disability* is defined in accordance with NDCC 14-02.4-02 (5).
- *Discrimination* means failure to treat a person equally due to a protected status. Protected status is defined in applicable state (NDCC 14-02.4-02 (6)) and federal laws.
- *Employee* is defined in accordance with NDCC 14-02.4-02 (7).
- *Harassment* is a specific type of discrimination based on a protected status. It occurs under the following conditions:
  - a. For employees when enduring the offensive conduct becomes a condition of continued employment, or the conduct is severe or pervasive enough to create a

work environment that a reasonable person would consider intimidating, hostile, or abusive.

- b. For students when the conduct is sufficiently severe, persistent, or pervasive to limit a student's ability to participate in or benefit from the education program or to create a hostile or abusive education environment.

- *Section 504* (Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794) is a federal law designed to protect the rights of individuals with disabilities in programs and activities that receive federal financial assistance from the U.S. Department of Education.
- *Sexual harassment* is a form of harassment based on sex or gender identity. It is defined as unwelcome sexual advances, requests for sexual favors, and/or other verbal, written, or physical conduct or communication of a sexual nature when:
  - a. It is quid pro quo, meaning submission to such conduct or communication is made a term or condition, either explicitly or implicitly, of the basis for employment decisions or educational decisions or benefits for students (e.g., receiving a grade); or
  - b. It creates a hostile environment meaning unwelcome sexual conduct or communication that is sufficiently serious to deny or limit a student's ability to participate in or benefit from the school's program(s). For employees a hostile environment is created when submission to unwelcome sexual conduct is made either explicitly or implicitly a term or condition of an individual's employment.
- *Sexual harassment examples* may include, but are not limited to:
  - a. Sexual or "dirty" jokes
  - b. Sexual advances
  - c. Pressure for sexual favors
  - d. Unwelcome touching, such as patting, pinching, or constant brushing against another's body
  - e. Displaying or distributing of sexually explicit drawings, pictures, and written materials
  - f. Graffiti of a sexual nature
  - g. Sexual gestures
  - h. Touching oneself sexually or talking about one's sexual activity in front of others
  - i. Spreading rumors about or rating other's sexual activity or performance
  - j. Remarks about a person's sexual orientation
  - k. Sexual violence including, but not limited to, rape, sexual battery, sexual abuse, and sexual coercion
- *Title II* (Title II of the Americans with Disabilities Act, as amended, 28 C.F.R. Part 35) extends the prohibition on discrimination established by Section 504 to all services, programs, and activities of State and local government entities.
- *Title IX* (Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 *et seq.*) is a federal law that protects people from discrimination based on sex in education programs or activities that receive federal financial assistance.

## **COMPLAINT FILING PROCEDURE**

The Board has created an informal and formal harassment and discrimination complaint resolution procedure in board regulations coded AAC-BR. The procedure provides for an impartial investigation free of conflicts of interest. Nothing in this policy or in the discrimination & harassment grievance procedure shall prevent an individual from pursuing redress through state and/or federal law.

### **Confidentiality**

An individual wishing to file an anonymous harassment and/or discrimination complaint shall be advised that confidentiality may limit the district's ability to fully respond to the complaint and that retaliation is prohibited. The appropriate grievance coordinator (nondiscrimination, Title IX, or 504/Title II) shall perform a confidentiality analysis to determine when a request for confidentiality cannot be honored due to safety reasons or the district's obligation to maintain a nondiscriminatory educational environment, and the complainant shall be notified in writing of the confidentiality analysis outcome. A harassment or discrimination investigation report is subject to the open records law after 60 days or when the investigation is complete (whichever comes first), with limited exceptions such as when the record is protected by FERPA.

### **Complaint Recipients**

All District employees are responsible for receiving complaints of discrimination or harassment and shall forward complaints to the appropriate grievance coordinator. All District employees shall receive appropriate training on their reporting duties.

### **Policy Training and Dissemination**

The Board authorizes the Superintendent to develop harassment and discrimination awareness training for students and employees. In addition, the Superintendent shall display this policy and complementary grievance procedure in a prominent place in each district building and publish it in student and employee handbooks.

## **GRIEVANCE COORDINATORS**

The Title IX Coordinator's core responsibilities include overseeing the District's response to Title IX reports and complaints and identifying and addressing any patterns or systemic problems revealed by such reports and complaints. The Title IX Coordinator must have knowledge of the requirements of Title IX, of the District's policies and procedures on sex discrimination, and of all complaints raising Title IX issues throughout the District. To accomplish this, the Title IX Coordinator must be informed of all reports and complaints raising Title IX issues, even if the report or complaint was initially filed with another individual or office or if the investigation will be conducted by another individual or office. The Board designates Sally Ost, Business Manager, as the Title IX Coordinator. She can be contacted at: 207 2<sup>nd</sup> Avenue SE, Jamestown, ND 58401, [Sally.Ost@k12.nd.us](mailto:Sally.Ost@k12.nd.us), or 701-252-1950.

The 504/Title II Coordinator's core responsibilities include overseeing the District's response to disability discrimination reports and complaints. The 504/Title II Coordinator must have knowledge of the requirements of Section 504 and Title II, of the District's policies and procedures on disability discrimination, and of all complaints raising Section 504/Title II issues throughout the District. To accomplish this, the 504/Title II Coordinator must be informed of all reports and complaints raising Section 504/Title II issues, even if the report or complaint was initially filed with another individual or office or if the investigation will be conducted by another individual or office. The Board designates Rhoda Young, Director of James River Special Education Cooperative, as the 504/Title II Coordinator. She

can be contacted at: 207 2<sup>nd</sup> Avenue SE, Jamestown, ND 58401, [Rhoda.Young@k12.nd.us](mailto:Rhoda.Young@k12.nd.us), or 701-252-3376.

The Nondiscrimination Coordinator's core responsibilities include overseeing the District's response to discrimination and harassment reports and complaints that do not include sex or disability, but instead the other protected statuses. The Board designates Robert Lech, Superintendent as the Nondiscrimination Coordinator. He can be contacted at: 207 2<sup>nd</sup> Avenue SE, Jamestown, ND 58401, [Robert.Lech@k12.nd.us](mailto:Robert.Lech@k12.nd.us), or 701-252-1950.

The Title IX, 504/Title II, and Nondiscrimination Coordinators, and any other school official responsible for investigation of discrimination complaints, shall receive appropriate training. This training shall include (1) what constitutes discrimination, harassment, and retaliation; (2) the handling of complaints under the Discrimination & Harassment Grievance Procedure (AAC-BR); and (3) applicability of confidentiality requirements.

### **SEXUAL HARASSMENT REPORTING PROCEDURES**

Any person who alleges sexual harassment by any staff member or student in the district may use the district's complaint procedure or may complain directly to the building principal, guidance counselor or other individual designated to receive such complaints.

If the complaining party is not satisfied with the response at the first level, they should contact the district administrator.

Filing of a complaint or reporting sexual harassment will not reflect an individual's employment nor will it affect future employment, grades, or work assignment.

The right to confidentiality, both of the complaining party and the accused, will be respected consistent with the need to investigate and where necessary later corrective action.

A substantiated charge against a staff member in the school district will result in disciplinary actions up to and including termination.

### **FAMILY AND MEDICAL LEAVE ACT**

The employee and District will follow the steps below to determine if a leave request falls under The Family and Medical Leave Act. The Family and Medical Leave Act are mandated by federal regulations and guidelines.

#### **Step 1**

Under normal conditions, employees must provide a written notice at least 30 days in advance, to the District of the date when a leave is to begin. If 30 days' notice is not practicable, then a verbal notice must be given within 2 business days of when the need becomes known to the employee.

Employees shall provide at least verbal notice sufficient to make the District aware that he or she needs a family and medical leave, and the anticipated timing and duration of the leave. Failure to give the required notice may result in a delay in granting the request leave until at least 30 days after the date the employee provides notice.

#### **Step 2**

Once the District is aware that an employee desires to apply for Family and Medical Leave, a meeting will be set up between the superintendent or his designee and the employee, to establish the circumstances involving the leave request which will be used to determine if the leave request falls under The Family and Medical Leave Act. Its implementing

regulations will guide the District's decision, in determining whether a leave request falls under family and medical leave.

### Step 3

A written response will be provided to the employee whether the leave qualifies as a family and medical leave or not. If the leave qualifies under the Family and Medical Leave Act a written response will contain the leave's terms and procedures. The Family and Medical Leave Act and its implementing regulations will guide the District's response.

## **PATERNITY/ADOPTION LEAVE POLICY**

Revised 2-7-2014

### **Adoption Leave**

In the event an adoption of a child under the age of five (5) by a certified/licensed employee of the district, employed at least fifty percent (50%) time, the employee shall be entitled to 15 consecutive days of adoption leave. Application for the adoption leave will be filed with the Superintendent at the time the employee is approved for adoption privileges. All adoption leave days are to be deducted from the employee's sick leave. In the event that accumulated sick leave is less the 15 days, any days used beyond those accumulated will be subject to a salary deduction. Additional leave may be available for family medical leave. Adoption may not be taken for adoption of stepchildren or adoption of a foster child that has been living with the family.

### **Child Care/Paternity Leave**

To care for a newborn child within one year of birth a certified/licensed employee of the district, employed at least fifty percent (50%) time, the employee shall be entitled to 15 consecutive days of paternity leave. Application for the paternity leave will be filed with the Superintendent prior to the birth of the employee's child. All paternity leave days are to be deducted from the employee's sick leave. Intermittent leave is not available for this type of leave. In the event that accumulated sick leave is less the 15 days, any days used beyond those accumulated will be subject to a salary deduction. Additional leave may be available for family medical leave.

Before revisions to this policy, the Jamestown Public School Board agrees to consult with District Employees.

## **CONFIDENTIALITY POLICY**

Any person working for or providing services to the District has a responsibility to protect the privacy of students and their parents. This responsibility applies to time spent at school as well as away from school. Questions from the general public concerning students or staff should be referred to an administrator.

### **Federal Requirements**

District employees and service providers must follow confidentiality requirements under the Family Education Rights and Privacy Act (FERPA), Pupil Protection and Rights Amendment (PPRA), Children's Online Privacy Protection Act (COPPA), and the Individuals with Disabilities Education Act (IDEA).

### **Information Release**

Information concerning students shall only be released in accordance with the district's policy on student education records and privacy (FGA). Information concerning district employees, activities, and operations shall be released in accordance with the district's policy on employee speech (DEBF).

### **Violations**

Employees that violate this policy may be subject to disciplinary action up to and including dismissal in accordance with law and district policy.

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### **SUMMARY OF RIGHTS AS PARENT/GUARDIAN**

These safeguards are guaranteed to handicapped children and their families by Public Law 94-142, the Education for All handicapped Children Act of 1975, and Section 504 of Public Law 93-122, The Vocational Rehabilitation Act of 1973.

1. You must receive written notification before the school may conduct individual testing of your children. The school has the right to go ahead with individual testing if you do not answer any of the school's attempts to get permission for evaluation.
2. You must receive written notification of any initiation or refusal to initiate a change in your child's education placement.
3. You have the right to present your views regarding the identification, evaluation, placement or provision of a free appropriate education to your child. This includes the right to request an educational evaluation.
4. You have the opportunity to present information from an independent educational evaluation of your child.
5. You have access to all relevant school records of your child.
6. Either you or the school may initiate an impartial due process hearing to resolve difference that could not be resolved informally. The request is filed with the ND Department of Public Instruction. In conducting such a hearing, parents must:
  - a. receive timely and specific notice of the hearing
  - b. has the right to be accompanied and advised by counsel and/or by individuals with special knowledge or training with respect to the problems of handicapped children
  - c. confront, cross-examines and compel the attendance of witnesses
  - d. present evidence relevant to the decision
  - e. obtain written or electronic verbatim record of the hearing, and obtain written findings of facts and decisions.
7. The hearing is to be conducted by an impartial hearing officer who is not an employee of the school system involved.
8. The decision of the hearing is binding on all parties pending appeal.
9. Either party has the right to appeal the finds and decision of the hearing through the court system.
10. During the above process your child shall remain in the original program or any other program to which both parties can agree.
11. Students receiving special education and related services must receive a periodic re-evaluation every three years.
12. These rights transfer to your child when he/she reaches the age of 18 unless a guardian has been appointed by the court. These rights would then be retained by a court appointed guardian.

## **TECHNOLOGY ACCEPTABLE USE POLICY FOR STAFF AND STUDENTS**

**(Adopted 7-18-2016 )**

### **TECHNOLOGY VISION STATEMENT**

It is the vision of the Jamestown School District to maximize learning for students through the use of current technology. By including technology in our K-12 curriculum, we can continue to instruct students in the basics, promote self-worth, promote active student-centered learning, and equip students with present and future skills. The use of technology as a tool improves the ability of students, teachers, administrators, and the entire community to gather, use, and distribute information more efficiently and more effectively.

### **POLICY**

The Jamestown School District's technology resources shall be used for educational purposes consistent with the district's mission and goals, district policies, state laws, and federal laws. The Jamestown Board of Education will provide the opportunity and the training for staff to appropriately use the district's technology resources.

Staff and Student ("users") use of technology resources that include but are not limited to:

- Computers and related peripherals (including printers, portable hard drives/USB/flash drives, mp3 players, etc.)
- Personal Learning Devices (including iPads, Nooks, Kindles, etc)
- Networks including local, cloud based, and cellular.
- Local and wide area networks, including wireless networks
- File and application servers both onsite and offsite
- Video networks, digital video camcorders, and cameras
- Telephones, voice mail systems, cell phones, smart phones PDAs, fax, and copy machines
- Televisions, projectors and other audio visual equipment. VCRs, DVDs, laserdisc players, etc.
- Printers of all types
- Internet access
- Office 365 Suite including Outlook, One Drive, Word, Excel, PowerPoint, Sway, Video, Delve, Calendar and more including access to Internet web building.
- IVN or interactive learning
- SMARTBoard and SMART technologies.

Use of these technologies must be consistent with academic actions of the Jamestown Public Schools (JPS). Users are expected to adhere to the district policies as they apply to district and personal technology resources. Users are also required to comply with all local, state, and federal laws which include regulations against computer/network hacking, software piracy, copyright infringement, bullying and other illegal behaviors.

JPS prohibits technology uses, whether with district or personal technology used on district property, which could injure a person either physically or emotionally. Prohibited uses include, but are not limited to:

- Bullying or harassing others
- Use of the network for product advertisement or political lobbying.
- Sending or displaying offensive messages or pictures, including pornography.
- Students taking pictures of others and sharing publicly any photo without that person's permission or knowledge
- Use of the network for hate mail, discriminatory remarks, and offensive or inflammatory communication.

- Using obscene language.
- Harassing, insulting or attacking others.
- Damaging computers, computer systems or computer networks.
- Violating copyright laws including plagiarizing, downloading or exchanging pirated software, music, or other files.
- Use others' passwords, tampering with or forging names on electronic mail or other online environments. Trespassing in others' folders, work or files.
- Using another person's identity or falsifying your own within any digital correspondence or online persona.
- Any action hacking with intent to damage or for the purposes of circumventing standard technology configurations or policies.
- Loading or use of unauthorized games, programs, files, or other electronic media.
- Intentionally wasting network resources.
- Storage of games and excessive picture, music, and video files.
- Unauthorized posting of personal information about others, including phone numbers, names, etc.
- Performing any action which results in a compromise of the system security.
- Inappropriate use of personal handheld electronic devices, including cell phones.
- Using the network for any illegal, unethical, or commercial activities.
- Negligent release of confidential data.

Employee technology use, that is not specific to one's job duties, is acceptable under the conditions that it does not:

- interfere with the performance of that employee's duties.
- create the appearance of impropriety.
- result in political or personal commercial purposes.
- increase operational costs for the district.

### **1:1 Devices**

The Jamestown Public School District is cognizant that students and staff may be using personal technology resources in the school environment. Examples are cell phones, PDAs, laptops, iPads, tablets, etc. The use of personal technology resources not owned by the school falls under the Technology Acceptable Use Policy. The school is not responsible for the loss of items with significant personal or financial value. School administrators shall use their discretion to determine a building policy for personal technology resources used in the school which may not be specifically addressed in this document.

Jamestown Public School District staff, students and parents/guardians fully acknowledge that the use of a personal device on the premises of JPS is subject to all guidelines, rules, and regulations governing responsible use as established by the Jamestown Public Schools. It is further understood that the use of a personal device is restricted to those activities as required or related to the student's program of study and any other use may be subject to disciplinary action including the loss of device use privileges. Students will not access websites with inappropriate content using a 3G or 4G connection.

By logging on to the JPS wireless guest network, staff and students are accepting the terms of the JPS Technology Use Policy. The JPS wireless network will provide filtered Internet access just like the network for JPS devices.

### **Electronic Communication**

Electronic communication between staff and students should always be Transparent, Accessible, and Professional (TAP) as defined below:



1. The communication is **TRANSPARENT**: All digital communication between staff and students should be transparent. As a public school district, we expect to maintain openness, visibility, and accountability with regards to all communications.
2. The communication is **ACCESSIBLE**: All digital communication between staff and students, shall be considered a matter of record, part of the District archives, and/or may be accessible by others.
3. The communication is **PROFESSIONAL**: All digital communication from staff to students should be written as a professional representing the Jamestown Public School District. This includes word choice, tone, grammar, and subject matter that model the standards, and integrity of the profession.

### **Communication Methods**

1. Acceptable Methods of communication between staff and students.
  - a. School Website – [www.Jamestown.k12.nd.us](http://www.Jamestown.k12.nd.us) and other web sites or portals endorsed by the district.
  - b. Jamestown Public School Google Domain
  - c. PowerSchool, ParentLink-Teacher Connect or Edmodo
  - d. One-way or Two-way Messaging – Internet service sending text to registered individuals to receive notifications. The preferred method of communication for school district personnel is the district’s calling/texting service (ParentLink-Teacher Connect).
  - e. Two-way Messaging – Not encouraged. If two-way texting is necessary, Jamestown School District personnel must follow TAP guidelines, and he/she must have parental permission prior to using two-way texting.
2. Unacceptable Methods
  - a. Non-District Email Accounts – Jamestown School personnel should never use personal email accounts to communicate with students about school matters. Coaches may obtain a school district email account and must also follow these expectations.
  - b. Coaches will be provided with a ParentLink Teacher Connect account and will need to create groups to make contact with players and/or parents.
  - c. Online Games and Related Activities – While many people enjoy gaming (Wii, Xbox, etc.) and recreational websites that allow them to compete with others through the Internet, this is not an acceptable activity for school personnel to engage in with students.

### **Social Media**

#### **General Guidelines**

Staff members who are using social media should be cautious in the communication with these technologies. Comments or posts placed on these sites can be visible by a large audience including parents and students. Staff members should never “friend” students who are currently enrolled in Jamestown Public School. The separation between the role of a public educator and a personal friendship with students should always be visible and strongly communicated.

Any content staff members publish, pictures they post, or dialogue they maintain within any social media, or blog, should never compromise their professional integrity or ethics in their role as a professional employed by Jamestown Public School.

Personnel are not authorized to speak on behalf of the district in an official capacity, without prior consent by the Administration. Any opinions or comments about the district and related programs should clearly acknowledge that the comments are their

personal opinions and not reflect the opinions of the district.

1. Facebook

- a. The Jamestown Public School uses Facebook as a means to communicate with students, personnel, and patrons. Facebook can be a valuable tool to communicate with others and its use by school personnel is NOT prohibited.
- b. If school personnel use Facebook for valid educational objectives in their classroom or student organization the page should be set up as an Artist, Band or Public Figure Page, not a personal page. This allows all public to view the page and keep all content on it visible for all to monitor.
- c. Communication with students within a Facebook Page should be centered on one-way communication. If two-way communication is used it should be monitored frequently by school personnel to ensure TAP guidelines are being followed. You can set your page up so that comments are not posted until you have reviewed them and this is recommended.
- d. Any page created for educational purposes should be owned and monitored by Jamestown Public School personnel. If you wish to create a Facebook page to be used within your course or student group be sure to notify parents of your intent to communicate in this fashion.

2. Twitter

- a. JPS uses Twitter as a communication tool to share vital information and details to events held in the district.
- b. Any use of Twitter as a professional in the district to communicate with students and parents should be education focused and one-way.
- c. By establishing an account it is your responsibility to monitor it closely.

**Electronic Mail and Internet Use**

- Users must adhere to this policy at all times when using the Internet and/or email, including after hours, weekend and/or holiday use.
- District email accounts will be provided to all employees and students grades five through twelve.
- Users are prohibited from using district or district provided (EduTech) email or Internet access for commercial or personal gain.
- Material hosted on district servers and published on the Internet may be reviewed for appropriateness. Materials that represent JPS and are hosted on non-district servers should adhere to this policy.
- Student email accounts will be provided through EduTech and will include the Office 365 Suite of software. Students are not allowed to access non-approved email accounts while in school. Student accounts may be revoked if used inappropriately as outlined in the EduTech Acceptable Use Policy or the Jamestown Public Schools Technology Acceptable Use Policy.

**Office 365 Suite**

Office 365 is a total Suite of tools. These tools continue to expand to even greater opportunities. Included with the Office 365 Suite are five free downloads for any student or staff with an @k12 account.

Collaborate with Office Online:

Mail	Calendar	People
Newsfeed	OneDrive	Sites
Tasks	Delve	Video
Word Online	Excel Online	PowerPoint Online
One Note Online	Sway	

Many instructors are using these in their classrooms so it is vital that staff, students and parents are aware of the impact inappropriate use of an @k12.nd.us account can have. If you risk having your account shut down due to violation of the District Technology Policy you could lose all features listed above and more that may be added in the future. This would also include the program downloads you have accessed at home. You would not be able to login to any portion of the program if it becomes necessary to lock your account. You also would not be able to login to a website if that was a class you were taking. This program through EduTech allows you have the tools you need to do your job in school and should be used wisely.

#### **Internet Safety and Use of Filters**

JPS participates in Internet filtering services provided through EduTech to help prevent access to Internet content that is obscene, pornographic, or harmful as defined by the Child Internet Protection Act. By default, filtering measures shall be in operation at all times during the use of the district's computers. Some filtering protection measures may be disabled by an authorized administrator, supervisor, or other authorized person in order to provide access to valid research or for other lawful purposes. In cases where JPS staff provide minimally filtered access to students, the teachers are expected to supervise students and can be held responsible for any student act that violates the Acceptable Use Policy. Problems with the filtering system should be reported immediately to the district Technology Department.

Although the district provides a filtering system to limit user access to potentially objectionable material, no filtering system can provide complete protection and it is the user's responsibility to access Internet resources appropriately. Staff are responsible for supervising students using Internet resources.

Internet safety precautions are the responsibility of all users. Safety tips include:

- Keep your personal information (name, phone numbers, address, passwords, etc.) private.
- Don't read email or download attachments from people you don't know.
- Understand that nothing done on the Internet is private.
- Tell a trusted adult or supervisor if someone says things or sends you something that you consider inappropriate (do not respond to the person either directly or indirectly).
- Never meet online-only friends in person (you have no way to confirm the real identity of someone you meet online).
- Practice proper 'Netiquette' while online and avoid conflicts with other users.

Potentially objectionable material includes, but is not limited to:

- Visual depictions that are obscene or depict child pornography as defined by the Child Internet Protection Act.
- Violence/violent behavior
- Drugs/drug culture
- Cults/satanic
- Militant/Extremist
- Gambling
- Alcohol/tobacco/drugs
- Unrestricted email/chat

#### **Privacy**

Privacy is not guaranteed when using JPS technology, including the network. Files, communications (including email), and use history may be reviewed to maintain system

integrity and ensure that users are adhering to the Acceptable Use Policy and guidelines. The district will cooperate with local, state, and federal authorities when necessary. All activity could fall under North Dakota open record laws, which means that someone can ask to review this information at any time.

### **Security**

Network and computer security systems help maintain the integrity of the district technology resources. Any attempts to circumvent, disable, or misuse security systems are prohibited. If users feel they can identify a security problem they should notify the Technology Department.

### **Vandalism**

Vandalism includes any malicious attempt to harm or destroy any JPS equipment or software or the data of another user on a computer, local network, or global network. Vandalism is prohibited and may result in cancellation of privileges or other disciplinary action.

### **Sanctions**

The building administrator, supervisor, and/or teacher is responsible for applying sanctions when the Staff and Student Acceptable Use Policy has been violated. Possible sanctions include, but are not limited to:

- Loss of access to district or personal technology resources.
- Removal of students from classes with loss of credit.
- Suspension
- Termination of employment.
- Expulsion
- Restitution for costs associated with repair of equipment or software or associated with improper use of district equipment or systems.
- Additional disciplinary action may be determined at the site or district level in line with existing discipline procedures.
- When applicable, law enforcement agencies may be involved.

Documentation of all violations of this Acceptable Use Policy may be placed in the employee's personnel file or the student academic file. Prior to the suspension/revocation of the use of technology resources or termination, the building administrator will inform the user of the suspected violation and give the user an opportunity to present an explanation. A system user may appeal the suspension or revocation within seven (7) calendar days to the superintendent.

### **Legal Disclaimer**

JPS will not be responsible for damages users may suffer, including loss of data resulting from delay, non-delivery, or service interruptions; damages to personal property used to access school computers, networks, or on-line resources; or unauthorized financial obligations resulting from use of school accounts to access the Internet. JPS specifically denies any responsibility for the accuracy or quality of information obtained through Internet services.

Since all transactions conducted through district technology resources could be perceived as authorized district activities, users of district technology resources are responsible for respecting and adhering to local, state, federal and international laws. Any attempt to break those laws through the use of district technology resources may result in legal action against the offender by the district, injured third parties and/or governmental authorities. If such an event should occur, the district will fully comply with any requests for information

related to the legal proceeding, subject only to prohibitions of law. The Jamestown Public Schools is not liable for the actions of users, which violate the conditions of this document.

The Jamestown Public Schools reserve the right to inspect, review, or delete contents if it has reasonable cause to suspect that a student is using technology for illicit or illegal purposes, is in violation of policy, or for general maintenance. School authorities may conduct such inspection when they deem it necessary, without notice, without consent, and without search warrant.

### **PERSONAL WORK AREA**

Personal work areas are to be appropriately maintained and organized. Upon leaving your area, all windows should be closed, all lights out and shades adjusted to mid-window.

### **ETHICS**

Discussion of school affairs outside your school responsibility is considered unethical.

### **STAFF DRESS CODE**

As role models, staff should always be conscious of how their dress and grooming affects students. All staff shall wear attire appropriate to their profession and the occasion, which provides protection and safety as necessary.

### **BREAKS**

Paid work breaks for support staff are permitted as follows:

Hours Worked Per Day	Breaks Allowed Per Day
7.5 to 8 Hours	Two 15 Minute Breaks
4 hours to less than 7.5 Hours	One 15 Minute Break
Less Than 4 Hours	No Break

Paid work breaks should be scheduled at times approved by supervisors. Breaks may not be accumulated if not taken. Breaks may not be used for coming to work late, leaving early, or in conjunction with the employee's lunch period. Employees should not leave the premises during their paid work break without notifying their supervisors.

Employees scheduled to work five hours or more must punch out for a ½ hour unpaid lunch break, unless otherwise approved by your supervisor. Supervisors must notify the Superintendent of any exceptions to the ½ hour unpaid lunch break rule.

### **SMOKING**

The Jamestown School Board will enforce a "No Smoking" policy on school owned property, and it will encourage the proprietors of property leased by the school system to enforce a "No Smoking" policy.

### **BAN ON USE OF ELECTRICAL APPLIANCES**

(3-7-95)

No electrical appliances, other than radios, are permitted unless they have an educational purpose, their use is supervised by a qualified staff member, and the building principal has provided written authorization for their use.

Electrical appliances include but are not limited to the following: coffee pots, hair dryers, curling irons, irons, crock pots, cup warmers, etc.

### **KEYS**

Upon termination of employment, each employee will complete the “JPS Employee Exit Form”. Their signature states they have turned in assigned keys to their supervisor or HR Department.

Any staff person who violates this policy will be held responsible for whatever liability occurs

### **DRUG & ALCOHOL FREE WORKPLACE**

The Jamestown Public School District enforces the Drug-Free Workplace Act. The District prohibits employees from:

1. Unlawfully manufacturing, distributing, dispensing, possessing or using a controlled or prohibited substance including, but not limited to, alcohol on district property and grounds, in any vehicle belonging to the District, and at any school-related activity
2. Knowingly or intentionally aiding or abetting in any of the above activities

#### **Awareness Program**

The Superintendent shall create an employee drug-free awareness program in accordance with federal law.

#### **Policy Dissemination**

The Superintendent shall give a copy of this policy to each employee and maintain documentation of receipt of this information.

#### **Violation Reporting**

As a condition of employment, each employee shall agree to abide by this policy and notify the Superintendent of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. The Superintendent, in accordance with law, will notify the appropriate federal agency after receiving any notice of a conviction for a violation occurring in the workplace. An employee is also required to inform his/her immediate supervisor when the employee’s ability to perform job duties is impaired due to on- or off-duty controlled substance use.

#### **Violations**

Violations of this policy may result in the following:

1. Mandatory participation in the Employee Assistance Program (EAP)
2. Unpaid leave or suspension;
3. Termination of employment; due process procedures shall be followed prior to termination, if applicable;
4. Notification of proper law enforcement authorities.

#### **Assistance**

The Board recognizes that alcohol and drug addiction is a treatable disease and that early intervention and support improve the success of rehabilitation. The District shall offer an Employee Assistance Program (EAP) to assist in rehabilitation and intervention efforts. Use of the EAP will not jeopardize employment or promotion opportunities. Treatment for alcohol and/or drug addiction may be covered by the employee benefit plan; however, the ultimate financial responsibility for this treatment belongs to the employee.

#### **Confidentiality**

All information received by the District as a result of this policy is confidential. Access to this information is limited to those who have a legitimate need to know.

### **DRUG & ALCOHOL TESTING PROGRAM FOR EMPLOYEES**

**Definitions**

For the purpose of this policy:

- *Drugs and controlled substances* are interchangeable and have the same meaning.
- *Controlled substance* refers to substances covered by the Omnibus Transportation Act, including but, not limited to, marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP) (See 21 CFR part 1308).
- *Covered employee/position* means an employee/position subject to the Omnibus Transportation Employee Testing Act.
- *Safety-sensitive position* means a job in which a momentary lapse in the discharge of duties poses a safety threat with potentially severe consequences. In addition to covered positions, the board recognizes the following as safety-sensitive positions: school vehicle drivers as described in NDCC 15.1-07-20.

**Statement of Philosophy**

The Jamestown Public School District is committed to the establishment of a drug and alcohol testing program that meets all applicable requirements of the Omnibus Transportation Employee Testing Act. All covered and safety-sensitive employees are prohibited from using controlled substances and alcohol as stipulated in this policy.

**Prohibitions and Hours of Compliance**

Covered and safety sensitive employees are prohibited from using a controlled substance at all times unless use is at the instruction of a physician, and the physician has advised that use will not affect the employee's ability to perform safety-sensitive duties.

Covered and safety sensitive employees are prohibited from using alcohol while on duty, four hours prior to performing duties, and up to eight hours following an accident or until the employee performs a post-accident test (whichever occurs first).

No supervisor having actual knowledge that an employee covered by this policy has used a controlled substance or alcohol within prohibited hours shall permit the employee to perform or continue to perform safety-sensitive duties.

**Notice of Medication Use**

Employees covered by this policy shall notify the District any time they are using medication prescribed by a physician that could adversely affect performance of safety-sensitive duties. Employees shall not drive or perform other safety-sensitive duties at any time they have been advised by a physician that medication may or will adversely affect their ability to safely perform these duties.

**Participation in Drug and Alcohol Testing Program Required**

Employees serving in positions covered by this policy are required to participate in all applicable drug and alcohol testing as a condition of employment.

**Circumstances for Testing**

1. All covered employees shall be subject to pre-employment, reasonable suspicion, random, post-accident, return-to-duty and follow-up alcohol and drug testing pursuant to procedures set out in the federal regulations. Pre-employment controlled substance and alcohol testing shall be administered to an applicant offered a covered position in the District prior to the first time the employee performs any safety-sensitive duties for the District unless the applicant meets exemption criteria contained in federal regulations. Employment with the District is conditional upon the applicant receiving negative test results.

2. An individual applying for, transferring to, or being promoted to any safety-sensitive position shall initially be subject to controlled substance and alcohol testing. Verified positive test results shall prevent an applicant/employee from moving into a safety-sensitive position. School vehicle drivers shall also be subject to post-accident, reasonable suspicion and random testing. Non-transportation safety-sensitive positions shall be subject to post-accident and reasonable suspicion tests.
3. Transportation contracts approved by the District shall contain assurance that the contractor will establish or join a drug and alcohol testing program that meets the requirements of federal regulations and this policy and regulations and will actively enforce the regulations of this policy and regulations as well as federal requirements. An independent contractor who drives his/her own bus/vehicle is subject to the same requirements as the district's own employees.

#### **Testing Procedures**

Testing will be performed in accordance with federal drug and alcohol testing regulations and testing procedures are outlined in administrative regulations.

#### **Refusal to Submit**

An employee covered by this policy may not refuse to take a required test. Refusal includes tampering with, adulterating, or substituting a specimen for testing; inability to provide sufficient quantities of the substance being tested without a valid medical exemption; interfering with the collection procedure; not immediately reporting to the collection site; leaving the collection site before the collection process is complete; and/or leaving the scene of an accident without a valid reason before a drug and alcohol test has been conducted. Employees who refuse required testing will, at a minimum, be prohibited from performing safety-sensitive duties.

#### **Violations**

If the testing confirms prohibited alcohol concentration levels or the presence of a controlled substance, the employee shall be removed immediately from safety-related duties and may be subject to the disciplinary consequences contained in the Drug and Alcohol Free Workplace policy. Before an employee is reinstated, if at all, the employee shall comply with all applicable return-to-duty requirements, including evaluation, rehabilitation, and drug/alcohol testing requirements. An employee who is prohibited from performing safety-sensitive duties may be assigned to non safety-sensitive duties until such time as the employee complies with the requirements for returning to duty. The District will follow treatment referral procedures contained in federal regulations for covered employees.

Employees with verified alcohol concentrations below prohibited amounts shall be removed from safety-sensitive positions and may be subject to the disciplinary consequences contained in the Drug and Alcohol Free Workplace policy.

The District is not required to provide rehabilitation, pay for substance abuse treatment, or to reinstate the employee. The Board retains the authority consistent with law to discipline or discharge any employee who is an alcoholic or chemically dependent and whose current use of alcohol or drugs affect the qualifications for and performance of his/her job.

#### **Confidentiality of Records**

The District shall maintain records in compliance with law. Drug and alcohol testing records are confidential and shall be maintained in a secured location. An employee shall be entitled, upon written request, to obtain copies of any records pertaining to the employee's use of alcohol or controlled substances including information pertaining to alcohol or drug tests.



Records shall be made available to a subsequent employer upon receipt of a written request from an employee only as expressly authorized by the terms of the employee's request.

Necessary records and reports shall be maintained and made available to federal and state transportation agencies upon request in accordance with federal regulations.

**Records from Former Employers**

With the employee's consent and in accordance with 49 CFR 40.25, the District may obtain any information concerning drug and alcohol testing from the employee's previous employer.

**Training**

The District shall take steps to ensure that supervisors receive proper training to administer the drug and alcohol testing program.

**Identity of Contact Person**

The Board designates the Superintendent to serve as the contact person for questions concerning the drug and alcohol testing program and this policy. This designee may be reached at the District Office, 207 2<sup>nd</sup> Ave SE, Jamestown, ND or calling 701-252-1950.

**Policy Dissemination**

The Superintendent shall disseminate this policy and other educational material in accordance with federal law. Each employee subject to this policy shall certify in writing that s/he has received this material upon receipt. The Board designates the Superintendent as the individual responsible for answering questions related to this material.

**Conflict Between Regulations and Federal Law And Regulations**

In the event of a conflict between the provisions of federal law or regulations concerning alcohol and drug testing and this policy or regulations, the federal law or regulations shall control.

**RECORD OF OBSERVABLE BEHAVIOR**

**Attendance**

1. Frequently absent
2. Frequently tardy
3. Unexplained gaps of time (e.g., takes 15 minutes to get from one room to another)

**Appearance - Health**

1. Appears to neglect personal appearance (untidy)
2. Bloodshot eyes
3. Unexplained bruises
4. Changes in facial color and/or degree of alertness from day to day or hour to hour
5. Appears dazed, giddy or out of it
6. Coughs (constantly, persistently)
7. Dilated pupils
8. Needle or burn marks
9. Runny nose
10. Shaky hands
11. Skin eruptions (sudden change)
12. Glassy, bloodshot eyes, dark glasses
13. Weeping eyes
14. Weight loss or gain

**Possible Alcohol/Drug Behavior**

1. Selling or delivering drugs
2. Possession of alcohol or drugs
3. Use of alcohol or drugs in school
4. Under influence of alcohol or drugs
5. Odor of alcohol or drugs
6. Talks freely about use
7. Associates with known user(s)
8. Possession of drug paraphernalia

**Work Performance**

1. Declining quality of work
2. Incomplete work
3. Perfectionists or Workaholic

**Disruptive Behavior**

1. Verbal threats to other staff or student
2. Threatening behavior
3. Defiance of rules, constant discipline needed
4. Vandalism (actual or suspected)
5. Thefts or other illegal activity (suspected or actual)
6. Sudden outbursts
7. Obscene language or gestures
8. Frequent visits to lavatory
9. Aggressive sexually to staff or students
10. Observed fighting

**Other Unusual Behavior**

1. Erratic behavior
2. Sudden change in friends
3. Mood swings
4. Time disoriented
5. Depressed
6. Unrealistic goals
7. Changes in personal values

<b>SITUATIONAL CATEGORY</b>	<b>IMMEDIATE ACTION</b>	<b>INVESTIGATION</b>	<b>NOTIFICATION OF POLICE</b>	<b>DISCIPLINE REHABILITATION</b>
1. Employee suspected of possible alcohol or other drug use. No violation or physical evidence.	Employee informed of available help and encouraged to seek assistance.	Limited to supervisor contacting counselor or nurse for assistance.	Not applicable	None. Referral to Substance Abuse Professional.
2. Employee contacts supervisor in regard to alcohol or other drug use of another employee.	Employee who contacts supervisor encouraged to get employee with problem to personally seek assistance.	Limited to supervisor, although, counselor or nurse may be contacted for assistance.	Not applicable	None. Referral to Substance Abuse Professional.
3. Employee voluntarily informs supervisor about personal alcohol or other drug use and asks for help.	Employee informed of services available and encouraged to seek assistance.	Supervisor may request advice from counselor or nurse.	Not applicable	None. Referral to Substance Abuse Professional.
4. Employee has alcohol or other drug related medical emergency.	Nurse summoned immediately. Employee transported to medical facility.	Supervisor will investigate incident. May include search of employee and possessions.	Only where safety of emergency victim or school population is at risk	Referral to Substance Abuse Professional. If further violation, see appropriate situational category.
5. Employee possesses drug related paraphernalia. No evidence of use.	Supervisor summoned; Personnel involved write anecdotal report of incident.	Supervisor will investigate incident.	At discretion of supervisor	Required meeting with counselor and/or supervisor. If further violation, see appropriate situational category.
6. Employee possesses, uses, or is under influence of alcohol or other drugs during workday. 1st offense. Cooperative behavior.	Supervisor summoned. Personnel involved write anecdotal report of incident. Employee relieved of duties for remainder of day if using or under influence.	Supervisor will investigate incident.	At discretion of supervisor	Notice given that repeated violation may result in recommendation for discharge. Required participation in chemical abuse program.
7. Employee possesses, uses, or is under influence of alcohol or other drugs during workday. 1st offense. Uncooperative behavior.	Supervisor summoned. Personnel involved write anecdotal report of incident. Employee relieved of duties for remainder of day if using or under influence.	Supervisor will investigate incident.	Yes	Notice given that repeated violation will result in recommendation for discharge. Required participation in chemical abuse program.
8. Employee possesses, uses, or is under influence of alcohol or other drugs at school related activity on or off school property in official capacity.	Supervisor will be contacted. Employee relieved of duties.	Supervisor will investigate incident	At discretion of supervisor	Discipline as provided by appropriate situational category following investigation.
9. Employee distributing alcohol, drugs, or controlled substance during duty time or on school property.	Police summoned. Personnel witnessing write anecdotal report of incident.	Supervisor will investigate and make recommendation.	Yes	Immediate recommendation for discharge.

## **RADON, LEAD, AND ASBESTOS MONITORING**

Jamestown Public Schools monitors drinking water (Lead), Radon gas, and Asbestos. If EPA and/or State standards are not met, immediate corrective measures are done to correct the problem, and to insure a safe environment for students, parents, and staff.

## **USE OF BUILDINGS AND EQUIPMENT**

Staff members are not permitted to schedule the use of any building or the loan of any equipment without authorization from the administration.

## **EMPLOYEE USE OF TIME**

All staff should exhibit an atmosphere of professionalism at all times. The best way to convey this impression is to come to work on time with a wholesome attitude which includes organization, pride in your work, dependability and loyalty.

## **GENERAL ANNOUNCEMENTS AND SOLICITATIONS**

Any announcement made for a school organization or for an organization outside of school life must have the approval of the school administrator or director in that building or be received by the teacher through the school administrator or director. It is likewise desirable that solicitation or sales of any type be conducted only after having received such approval. The intention is naturally to maintain a uniform policy throughout the system and to eliminate the excessive use of the schools as an advertising agency.

## **EXCUSING STUDENTS FROM THE BUILDING**

The power to excuse students from the building rests entirely with the school administrators, directors and the district administrator. No teacher or secretary has the right to send students on errands off the premises or to excuse students from the buildings.

## **CORPORAL PUNISHMENT**

North Dakota Century Codes 15.1-19-02 and 12.1-05-05 reads, Corporal Punishment is banned except for the following circumstances: to quell a physical disturbance, to quell a verbal disturbance, in self-defense, to preserve order, or in obtaining possession of a weapon.

The Jamestown Public School system does not endorse the use of corporal punishment. Teachers, ~~and/or~~ administrators, and/or other staff members who use corporal punishment may be subject to legal action for assault and battery. Such charges may be filed by parent(s)/legal guardian(s), considered as grounds for dismissal or such other action as recommended by the school board.

## **CARRYING WEAPONS POLICY**

### **Definitions**

- *Firearm* is defined in accordance with 18 U.S.C. 921.
- *School property* is defined in NDCC 15.1-19-10 (6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by the District, and the site of any school-sponsored event or activity.
- *Weapon* includes, but is not limited to:
  - a. Any dangerous weapon as defined by NDCC 62.1-01-01
  - b. Any device designed to stun through use of voltage whether through direct contact or through a projectile
  - c. Any firearm look alike or dangerous weapon look alike brought on school property with the intent to threaten or intimidate
  - d. Any other object that a student used, attempted to use, or intended to use to threaten or intimidate, cause destruction to property, or to cause injury to self or others

- e. Spray or aerosol containing ortho-chlorobenzamalonitrile or other irritating agent intended for use in the defense of an individual

**Prohibitions**

No student will *knowingly* possess, handle, carry, or transmit any firearm or weapon on school property.

**Disciplinary Consequences**

Violation of this policy will result in disciplinary action up to and including suspension or expulsion. Bringing a weapon other than a firearm to school will require that proceedings for the suspension for up to 10 days and/or expulsion for up to 12 months be initiated immediately in accordance with the district's suspension and expulsion policy.

Bringing a firearm to school will require that the District immediately initiate proceedings for the expulsion of the student involved for a minimum of one calendar year in accordance with the district's suspension and expulsion policy. The Superintendent may modify the length of a firearms-related expulsion on a case-by-case basis based on the following criteria:

1. The totality of the circumstances, including the severity of the incident and the degree of endangerment of other students and staff.
2. The age and grade level of the student.
3. The prior disciplinary history of the student being expelled.
4. Relevant factors that contributed to the student's decision to possess a firearm in violation of this policy.
5. The recency and severity of prior acts resulting in suspension or expulsion.
6. Whether or not the optional provision of educational services in an alternative setting is a viable alternative to modifying the duration of the expulsion.
7. Input, if any, provided by licensed professionals (psychologists, psychiatrists, counselors) as to whether or not the expelled student would place himself/herself or others at risk by returning to the school prior to the expiration of the expulsion period.

Parents will be notified and all weapons will be confiscated and may be turned over to the student's parents or to law enforcement officials at the discretion of the administration. Firearms will be confiscated and turned over to law enforcement.

**Special Education Students**

A student who is defined as having a disability under the Individuals with Disabilities Education Act (IDEA) who has brought a weapon to school shall be handled in accordance with IDEA regulations. The District shall make manifestation determinations, disciplinary decisions, and placement decisions of such students in accordance with IDEA regulations.

**Nonapplicable Provisions**

This policy does not apply to students enrolled and participating in a school-sponsored shooting sport, provided that the student informs the school principal of the student's participation and the student complies with all requirements set by the principal regarding the safe handling and storage of the firearm. The principal may allow authorized persons to display weapons, other dangerous objects or look-a-likes for educational purposes. Such a display will be exempt from this policy.

## **CONTAGIOUS DISEASES**

Any student who, in the opinion of the teacher, shows symptoms of sickness should be sent to see the school nurse. If the nurse is not on duty, the student should be sent to the building principal who may make arrangements. However, do not send the student home until you have carefully investigated how far he/she lives from school. If the parents are not home, arrangements should be made for keeping the student in school until the parent comes home or comes to the school to pick up the student.

Students who have had or are suspected of having had a communicable disease are to be admitted after securing a permit from the family physician, school nurse, or city health officer. A special bulletin on health regulations will be issued to each instructor.

## **FIRST AID AND EMERGENCY CARE**

The school is responsible for giving first aid or emergency treatment only in case of sudden illness or injury to a pupil or member of the staff. Further medical attention in the case of a pupil is the responsibility of the parent or guardian, or the person designated for emergencies; and, in the case of a member of the staff, or the particular individual.

Each principal will be charged with directing the immediate care of ill or injured persons who come within his/her area of responsibility.

At each school, procedures for the proper handling of such emergencies will be developed and made know to the staff. Procedures will incorporate the following requirements:

1. No treatment except first aid is permitted in schools. The school's responsibility is to place the ill or injured student in the care of the home or family physician as soon as possible.
2. Teachers or other trained persons, or bus drivers if the injury occurs on a school bus, will be responsible for administering first aid to students with minor injuries such as scratches, abrasions, bruises, etc.
3. A master first aid kit will be kept and properly maintained in each school and school bus.
4. No drugs will be administered by school personnel unless authorized by a physician.
5. **Parents will be asked to sign and submit an emergency medical authorization which will indicate the procedure they wish the school to follow in the event of a medical emergency involving their child.**
6. In all cases, where the nature of an illness or an injury appears serious, the parent or guardian will be contacted, if possible, and the instructions on the child's emergency card followed. In extreme emergencies, arrangements usually may be made for a child's immediate hospitalization whether or not the parent or guardian can be reached.
7. No young child who is ill or injured will be sent home alone. An older child will not be sent home unless the illness is major and the parent or guardian has been informed in advance.

## **DISPENSING MEDICINE TO STUDENTS**

### **Administering Medicines to Students**

(Adopted 8-4-2014)

The Jamestown Public School Board has established a program for providing medication to students that includes authorizing individuals to provide medication to a student if the individual has received education and training in medication administration and has received written consent of the student's parent or guardian. (NDCC 15.1-19-23)

Students who must depend on receiving prescription medication during school hours for medical reasons must have a written order from a physician, dentist, or other legally designated health care professional giving specific directions for taking the medication. Such written order may be the prescription label on the original pharmacy labeled container.

The administration of aspirin/Tylenol, or generic equivalents, at school is not approved without the prior consent of a parent or legal guardian. Other over-the-counter medication may be administered only with written consent of the parent or legal guardian.

Any medication, which is ordered to be administered at school, may only be given using procedures developed by the administration and approved by the board.

A student who has been diagnosed with asthma or anaphylaxis may possess and self-administer emergency medication for the treatment of such conditions provided the student's parent files with the school a document that is signed by the student's physician and which:

1. Indicates that the student has been instructed in self-administration of emergency medication for the treatment of asthma or anaphylaxis.
2. Lists the name, dosage, and frequency of all medication prescribed to the student for use in the treatment of the student's asthma or anaphylaxis; and
3. Includes guidelines for the treatment of the student in case of an asthmatic episode or anaphylaxis.

Neither a school district nor any employee of the district is liable for civil damages incurred by a student who administers emergency medication to himself or herself, or an individual because a student was permitted to possess emergency medication.

#### **SYRINGES**

Staff or students who are required to receive injections during the school day shall be responsible for self-administering the injections, or the injections shall be given by a qualified medical person. All persons requiring injections shall establish a safe-keeping plan for syringes with the building principal.

The building principal shall have final authority for determination where syringes may be stored or how they will be disposed of.

#### **DO NOT RESUSCITATE (DNR) ORDERS**

Jamestown Public School recognizes that parents and physicians have given thoughtful consideration to Do Not Resuscitate (DNR) orders. However, DNR orders put educators in a position of making medical decisions which places school personnel in a position of liability. Jamestown Public School District will follow the School Board's policy for notification of emergency personnel at any time that a student is in a life threatening situation, and will not honor a parent/legal guardian's DNR request. Parents presenting a DNR order will be requested to sign a written statement indicating they have been informed of the District's policy.

#### **Procedures:**

- A. Parents presenting a DNR order will be referred to the building administrator.
- B. Building administrator informs parent of district policy and provides a copy of the district policy to parents.
- C. Building administrator requests parent signature verifying receipt of the policy.
- D. Building administrator notifies District Administrator and provides a copy of the written documentation of parent contact.
- E. District Administrator sends a follow-up letter to parents via certified mail.
- F. Written documentation of the parent contract and follow-up letter will be placed in the student's cumulative folder.

## **ACCOMMODATING STUDENTS WITH SPECIAL DIETARY NEEDS**

**(Board Adopted 9-18-06)**

The School Board believes all students, through necessary accommodations where required, should have the opportunity to participate fully in all school programs and activities.

In some cases, a student's disability may prevent him/her from eating meals prepared for the general school population. Substitutions to the regular meal will be made for students who are unable to eat school meals because of their disabilities, when that need is certified in writing by a physician. Meal service shall be provided in the most integrated setting appropriate to the needs of the student with a disability.

The nature of the student's disability, the reason the disability prevents the student from eating the regular school meals, including foods to be omitted from the student's diet, indication of the major life activity affected by the disability, the specific diet prescription along with the substitution(s) needed should be specifically described in a statement signed by a licensed physician. The district, in compliance with USDA Child Nutrition Division guidelines, will provide substitute meals to food-allergic students based upon the physician's signed statement. Care will also be taken to consider these students when planning field trips and/or classroom treats.

The Board recognizes that students with documented life-threatening food allergies are considered disabled and are covered by the Americans With Disabilities Act, Public Law 93-112, and Section 504 of the Rehabilitation Act of 1973. A clearly defined "504 Accommodation Plan" will be developed and implemented for all such identified students in which necessary accommodations are made to ensure full participation of identified students in student activities. Such plan shall be signed by the appropriate staff, the parent/guardian of the student and the student's physician.

All schools are responsible for developing and implementing guidelines for the care of food-allergic students. Such guidelines shall include, but not be limited to, staff development, strategies for identifying students at risk for life-threatening allergic reactions, means to manage the student's allergy including avoidance measures, designation of typical symptoms, and dosing instructions for medications.

Cross Ref: Policy ACBD Administering Medicine to Students  
Policy FHCB Bus Conduct  
Policy GBG Field Trips

Legal Ref:

42 U.S.C. 12183(b)

Americans With Disabilities Act 1973 Rehabilitation Act,  
Section 504 FCS Instruction 783-2, Revision 2

20 U.S.C. 1232g

Family Education Rights and Privacy Act

20 U.S.C. 1413

Individuals with Disabilities Education Act

### **GUIDELINES**

#### **ACCOMMODATING STUDENTS WITH SPECIAL DIETARY NEEDS**

In order to properly implement the policy pertaining to the management of food allergies, the following administrative regulations are hereby established:

1. Each school shall establish a method of ensuring that relevant information is transmitted to all supervising persons of an identified student. It is incumbent upon the school to notify any person who may be supervising a student with identified food allergies, especially those which may be life-threatening, including but not limited to peanut allergies.
2. The primary concern of the school is the prevention and appropriate treatment of potentially severe allergic reaction, anaphylaxis.
3. Parents with allergic children must provide the school with an individualized action plan prepared by the student's physician.
  - a. Parents and guardians should be notified at registration and in student parent handbooks that if their child has special dietary needs they need to complete and/or have their physician complete the special dietary needs form. (See Appendix G)



- b. The principal will keep the form on record with the student's file and provide a copy to food service.
  - c. The principal will note any changes on a yearly basis and alert staff of the dietary needs/modifications and any medical precautions/training necessary.
  - d. At risk students should have some means of identification, such as a medical alert bracelet.
  - e. Most food-allergic children bring their lunch from home. However, guidelines established by the USDA Child Nutrition Division in charge of school lunches requires school food service staff to provide substitute meals to allergic students if the physician of the student sends written instructions certifying the child's allergy, what foods are to be avoided and safe substitutions.
  - f. A no-food trading policy will be enforced.
4. Parents will be encouraged to review/preview menus in order to select safe foods their child may eat.
  5. Consider the following avoidance strategies due to the fact that risk can never be fully eliminated in the school environment:
    - a. Parents should be encouraged to instruct their children in how to avoid contact with substances to which they are allergic.
    - b. Carefully monitor identified children, especially in the younger grades.
    - c. Allergic children should consider eating foods that are only prepared at home.
    - d. Students should be encouraged not to exchange foods or utensils with other students.
    - e. Surfaces, toys, and equipment should be washed clean of allergy containing foods.
    - f. Food personnel should be instructed about necessary measures required to prevent cross contamination during food handling, preparation and serving of food.
    - g. Check hand soap ingredients to be sure it does not contain peanut oils.
    - h. Establish a buddy system for identified students.
    - i. Provide staff updates at monthly faculty meetings.
  6. Provide training for staff in basic first aid, resuscitative techniques and in the use of epinephrine auto injections.
  7. Epinephrine should be kept in close proximity to students at risk of anaphylaxis, and in all cases where it is administered the student must be sent to the hospital immediately.

### **SIGNIFICANT INFECTIOUS DISEASE - STUDENTS**

The Jamestown School Board shall follow the guidelines established by the state health department regarding the admittance of children, who are diagnosed as having significant infectious disease, such as Acquired Immune Deficiency Syndrome, AIDS Related Complex, Cytomegalovirus or Hepatitis B. The child's physician, upon learning that the child has a significant infectious disease, shall notify the local health officer and call for a meeting of the significant infectious disease committee to determine whether the child is eligible to be permitted to attend school.

The local board of health has the power and duty to adopt health and safety rules and regulations to include quarantine when an infectious and contagious disease exists under its' jurisdiction. North Dakota Century Code 23-07-16 and 23-05-01, subparagraphs 3 and 6.

### **SANITARY CLEANUP AND DISPOSAL**

Hygienic procedures should be practiced by all school personnel when disposing of human secretions and excretions including blood, feces, semen, urine and vomit since they may contain infectious agents capable of spreading disease.

The steps listed below should be followed in all such cleanup situations since carriers of infectious or contagious diseases are often undetected. The procedures are not intended to replace basic common sense principles of health and hygiene.

1. Put on disposable gloves.
2. Sprinkle Fragra-Sorb or Rapid-Sorb on spill. Let it set until all fluid has been absorbed.
3. Using the spatula, scoop up the absorbed liquid and put it into a plastic bag.
4. Using a hand broom and dust pan, sweep up all traces of the Fragra-Sorb and Rapid-sorb and soil. Try not to create any dust.
5. Place the sweeping into a plastic bag. Make sure that the dust pan, spatula, and broom are cleaned thoroughly after each use. Use the spray bottle containing a mixture of 100-1 hilex and water for

- cleaning the dust pan, broom and spatula.
6. Spray the 100-1 hilex solution on the contaminated area. Let set for 10 minutes, then wipe with absorbent towel. Place soiled towel in a plastic bag.
  7. Secure the opening of the plastic bag with the tie.
  8. Remove the disposable gloves and place the gloves and the sealed plastic bag into a second plastic bag. Secure with a tie.
  9. Wash hands with soap and water.
  10. Spray Lysol disinfectant on area to eliminate any lingering odor and as a final step in disinfection. Allow surface to air dry.
  11. Dispose of plastic bags into the dumpster immediately.
  12. If assisting a person with a bloody nose or wound, disposable gloves should be worn and the blood should be removed with disposable paper towels, gauze or rags. The exposed skin should be cleaned with an appropriate antiseptic (alcohol, iodine, etc.) and a leakproof dressing applied if appropriate.
  13. Scoops or implement to be reused should be washed and sprayed with disinfectant. After use, the cleansing materials, gloves and soiled diapers should be secured in plastic bags and disposed of in a specifically designated sanitary disposal site.
  14. When changing diapers, disposable gloves will be used. After use, the cleansing materials, gloves and soiled diapers will be secured in plastic bags, tied and disposed of in a sanitary disposal site.
  15. Soiled clothing or personal items will be bagged and sent home with the child, not cleaned or rinsed at the school.
  16. Using the following procedures, wash hands immediately after completing the cleaning and disinfecting process.
    - a. Wet hands and apply antiseptic soap.
    - b. Rub hands together vigorously for at least 15-30 seconds paying particular attention to finger tips, nails and jewelry.

## **STORM POLICY**

The District Administrator has the exclusive right to call a storm day and, at his discretion, may start school late and/or dismiss school early. However, parents have the right to excuse their children from school attendance during inclement weather. Assignments may be made up without loss of credit.

On those occasions when school is cancelled because of inclement weather, the District Administrator may permit activities to be held.

When school is closed due to inclement weather, hourly paid teachers, teacher aides, and para-professionals will not be paid for their regular working hours. This also includes days closed when called by the Governor.

Storm announcements will be made through the following media: KSJB, KQDJ, KFYZ radio, KVLV TV and KCSI TV and through Staff Community Notification Systems.

## **INTERCOM**

Only authorized personnel are to operate the intercom. Use the intercom sparingly. Give messages before class begins, at recess, noon and just before school is out.

## **SUPPLIES**

Requisition form should be filled out with a list of supplies needed, approved by the school administrator director and then submitted to the District Administrator. Please do not expect your supplies the same day that you request them.

Office personnel should notify the Business Manager, at the District Central Office, of any defect or repair necessary to

computers, printers, copy machines, etc., by completing the AC 813 form. The Central Office will call for repair upon receipt of this form. DO NOT CALL THE REPAIRMAN DIRECTLY.

*ALL SUPPORT STAFF ARE TO BE FAMILIAR WITH THE FOLLOWING HANDBOOKS:*

- Jamestown Public School Board Policies Handbook*
- Information for Teachers Handbook*
- Staff Responsibilities Handbook*
- Information for Para Educators and Para-Professionals*

## CUSTODIAN EVALUATION

Name of Custodian: \_\_\_\_\_ School: \_\_\_\_\_ Date: \_\_\_\_\_

1 = Ineffective      2 = Acceptable      3 = Effective      4 = Exemplary

### COMMITMENT TO TOTAL PROGRAM

1.	Shows interest and enthusiasm in work	1	2	3	4
2.	Is willing to put in essential time and effort	1	2	3	4
3.	Is punctual	1	2	3	4
4.	Has regular attendance	1	2	3	4
5.	Willingly accepts and carries out assignments	1	2	3	4

### PERSONAL CHARACTERISTICS

6.	Develops respect by example in appearance, behavior and language	1	2	3	4
7.	Establishes a warm and openly supportive relationship with staff & students	1	2	3	4
8.	Maintains a high level of ethical behavior	1	2	3	4
9.	Demonstrates an attitude of cooperation	1	2	3	4
10.	Displays initiative toward custodial responsibilities	1	2	3	4
11.	Is helpful in assisting others when there is an obvious need	1	2	3	4
12.	Is receptive to constructive criticism and suggestions	1	2	3	4
13.	Avoids criticism of students, staff, principal, and the school	1	2	3	4

### SKILL PERFORMANCE

14.	Keeps assigned area indoors clean and sanitized	1	2	3	4
15.	Keeps assigned area outdoors clean and trim	1	2	3	4
16.	Knows how to use a variety of cleaning procedures	1	2	3	4
17.	Is well organized and attends to details	1	2	3	4
18.	Is able to maintain an accurate inventory of supplies and equipment	1	2	3	4
19.	Is able to deal with unexpected problems that arise	1	2	3	4

### COMMENTS

\_\_\_\_\_  
Signature of Custodian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Principal

\_\_\_\_\_  
Date

## SECRETARY EVALUATION

Name of Secretary: \_\_\_\_\_ School: \_\_\_\_\_ Date: \_\_\_\_\_

1 = Ineffective      2 = Acceptable      3 = Effective      4 = Exemplary

### COMMITMENT TO TOTAL PROGRAM

1.	Shows interest and enthusiasm in work	1	2	3	4
2.	Is willing to put in essential time and effort	1	2	3	4
3.	Is punctual	1	2	3	4
4.	Has regular attendance	1	2	3	4
5.	Willingly accepts and carries out assignments	1	2	3	4

### PERSONAL CHARACTERISTICS

6.	Develops respect by example in appearance, behavior and language	1	2	3	4
7.	Establishes a warm and openly supportive relationship with staff & parents	1	2	3	4
8.	Establishes a warm and openly supportive relationship with students	1	2	3	4
9.	Maintains a high level of ethical behavior	1	2	3	4
10.	Demonstrates an attitude of cooperation	1	2	3	4
11.	Displays initiative toward office responsibilities	1	2	3	4
12.	Is able to keep confidential information	1	2	3	4
13.	Is helpful in assisting others when there is an obvious need	1	2	3	4
14.	Is receptive to constructive criticism and suggestions	1	2	3	4
15.	Avoids criticism of students, staff, principal, and the school	1	2	3	4

### SKILL PERFORMANCE

16.	Uses good telephone etiquette	1	2	3	4
17.	Knows how to use a variety of office machines	1	2	3	4
18.	Is well organized and attends to details	1	2	3	4
19.	Is able to maintain an accurate records	1	2	3	4
20.	Is able to deal with unexpected problems that arise	1	2	3	4

### COMMENTS

\_\_\_\_\_  
Signature of Secretary

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Principal

\_\_\_\_\_  
Date

## PARA EDUCATOR EVALUATION

Para Educator: \_\_\_\_\_ School: \_\_\_\_\_ Date: \_\_\_\_\_

1 = Ineffective                  2 = Acceptable                  3 = Effective                  4 = Exemplary

1.	Reinforces desired and appropriate student behavior	1	2	3	4
2.	Under supervision of the classroom teacher, works with individual or small groups on programs written by the classroom teacher	1	2	3	4
3.	Respectfully observes the time frame scheduled by the teacher	1	2	3	4
4.	Effectively assists and serves as the chief source for a substitute teacher	1	2	3	4
5.	Has knowledge of the curriculum and ability to teach basic skills	1	2	3	4
6.	Has the ability to appropriately discipline students	1	2	3	4
7.	Closely observes students to assist teacher in measuring progress	1	2	3	4
8.	Establishes a warm and openly supportive relationship with students	1	2	3	4
9.	Establishes a warm and openly supportive relationship with teacher	1	2	3	4
10.	Maintains a high level of ethical behavior	1	2	3	4
11.	Is able to keep confidential information	1	2	3	4
12.	Develops respect by example in appearance, behavior and language	1	2	3	4
13.	Is helpful in assisting the teacher when there is an obvious need	1	2	3	4
14.	Is receptive to constructive criticism and suggestions	1	2	3	4
15.	Avoids criticism of students, teachers, and the school	1	2	3	4
16.	Gets along with other staff members	1	2	3	4
17.	Prompt in notifying the teacher and school about absences.	1	2	3	4

**COMMENTS**

\_\_\_\_\_  
Signature of Para Educator

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Principal

\_\_\_\_\_  
Date