

DC WEST
Classified Staff



Handbook
2024-2025

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Receipt of Handbook

FOREWORD

Welcome to DC West Community Schools! This handbook is intended to be used by classified employees to provide general information about the District and to serve as a guide to the District's policies, rules, and regulations, benefits of employment, and performance expectations.

References in this handbook to "classified employees" are intended to apply to all staff who are not required by their position to hold a teaching or administrative certificate.

Each classified employee is responsible for becoming familiar with the handbook and knowing the information contained in it. Although the information found in this handbook is detailed and specific on many topics, the handbook is not intended to be all encompassing so as to cover every situation and circumstance that may arise. This handbook is intended to supplement other documents that deal with your employment, including your employment contract and the policies and regulations of the Board of Education. In reading this handbook, please understand that where a direct conflict exists, state or federal law, the negotiated agreement, and Board policies and regulations adopted after this handbook, will control.

This handbook does not create a "contract" of employment. Classified employee positions and assignments may be ended or changed on an "at will" basis notwithstanding anything in this handbook or any other publication or statement, except for a contract approved by the Board of Education.

The administration will be responsible for interpreting the rules contained in the handbook and shall have the right to make decisions and make rule revisions at any time. Should a situation or circumstance arise that is not specifically covered in this handbook, the administration will make a decision based upon applicable school district policies, state and federal statutes and regulations, and the best interests of the District. In the event that a staff member does not understand a provision of this Handbook, it is the staff member's responsibility to seek the administration's interpretation of such provision.

Every staff member is subject to the Policies of the Board of Education. As such, every classified staff member should review the Policies of the Board of Education, available online at: www.dewest.org, Staff Only, Staff Handbooks.

This handbook will be in effect for the 2024-2025 and subsequent school years unless replaced by a later edition.

Article 1 – SCHOOL CALENDAR AND SCHEDULES

Section 1 Severe Weather and School Closures

The Superintendent is authorized by the Board of Education to close school in case of severe weather or extenuating circumstances. If the Superintendent closes school, reasonable steps will be taken to notify staff as soon as practical. All staff members are expected to check the local news, their phone, and any other typical means of communication to determine if the school is closed on a workday. A staff member who reports to work on a closure date, but failed to check their phone, email, or other typical method of communication, will not be paid for that workday, unless the Superintendent or designee approves their pay or requires them to work that day.

Article 2 – EMPLOYMENT, COMPENSATION AND BENEFITS

Section 1 Employment

Classified employees may be asked in the spring whether they wish to continue employment during the following school year. This is done for staff planning purposes and does not constitute an offer of employment.

Should an employee wish to resign from employment the employee should give two weeks' written notice of resignation to the Superintendent or the employee's immediate supervisor.

Classified employees are "at-will" employees and may be terminated at any time by the school district. Notice of termination may be delivered by the administration at any time.

Section 2 Assignments

The duties to be performed are subject to assignment by the administration and your supervisor. Job descriptions, where available, may provide additional information about the position duties.

Employees are expected to devote full time attention and effort to their work and to perform the assigned duties diligently and faithfully to the best of the employee's ability.

Section 3 Personnel File

The District will follow the requirements of state and federal law and regulation regarding an employee's personnel file.

Section 4 Grievances and Complaints

Employee grievances or complaints shall be addressed through the administrative chain of command including the process set forth in board policy or this handbook.

Section 5 Compensation

Compensation. Compensation is paid only as authorized by the Board of Education.

Salary Payments. Employees are paid on the 15th of the month, or the last preceding business day, if the 15th falls on a holiday or weekend. Employees will be expected to accurately report hours worked. Falsification of time is a serious offense.

With administration approval, classified employees who work less than 12 months annually and

are participating in the group health insurance may request that their pay be spread out over 12 months so that their health insurance premium can be withheld during the summer months. The monthly amount will be based on an estimated number of hours. Adjustments to the monthly amount based on the number of hours actually worked shall be made after the school year is completed.

Section 6 Benefits

Classified employees are provided benefits in accordance with their employment agreement and Board policy. Annual fringe benefit elections are to be made by September 1 of each school year. Should an employee fail to make such an election, the employee election from the immediately preceding school and contract year shall be continued. Employees are responsible for informing the Superintendent's Office in writing of any changes in benefit status.

Life Insurance (available to employees who work 20 or more hours weekly)

The district provides a \$25,000 term life insurance benefit which includes a \$25,000 accidental death or dismemberment benefit. Additional life insurance and dependent life insurance may be purchased by the employee.

Long Term Disability Insurance (available to employees who work 20 or more hours weekly)

This coverage protects 66 2/3% of your earnings should you become disabled and unable to work. The premium will show up as a payment as well as a deduction on your pay form. No taxes would be paid on any subsequent benefits.

Section 125 Plan (available to employees who work 20 or more hours weekly)

This program allows employees to pay for elected benefit premiums with pre-tax dollars. Additionally, beginning January 1 each year, employees can enroll with Payflex and begin contributing pre-tax dollars for unreimbursed medical expenses and dependent care expenses.

Health and Dental Insurance (available to employees who work an average of 30 hours or more weekly based on PPACA calculations)

A portion of the health premium may be paid by the school district for staff members in certain job categories. This premium designation will be noted on the Classified Employee Employment Agreement. This insurance is part of a group plan through Blue Cross Blue Shield and the employee's portion of the premium will be paid as a deduction from your salary. Employee employee/spouse, employee/child(ren), or family health and dental coverage may be elected or dental only.

Continued health insurance benefits are available through COBRA, subject to certain qualifying requirements. A Notice of COBRA Continuation Coverage Rights will be provided to you or will be made available upon request from the Superintendent's office.

The Health Insurance Portability and Accountability Act (HIPAA) provides rights and protections for participants and beneficiaries in group health plans. HIPAA includes protections for coverage under group health plans that limit exclusions for preexisting conditions; prohibit discrimination against employees and dependents based on their health status; and allow a special opportunity to enroll in a new plan to individuals in certain circumstances. HIPAA may also give you a right to

purchase individual coverage if you have no group health plan coverage available, and have exhausted COBRA or other continuation coverage. Further information may be obtained from the Plan Administrator of the group health plan.

Section 7 State Retirement (NPERS)

The State of Nebraska requires participation in the School Employees Retirement Plan for all permanent employees working 20 hours/week or more or any employee whose average hours increase to 20 hours/week or more for any 3 calendar months in a plan year (July 1 - June 30). The contribution rate is determined by the state. The school district matches your contributions at 101%. Annual statements are received from the Retirement System. The Retirement web site www.npers.ne.gov provides a variety of information about the retirement program.

Section 8 Overtime

Overtime is paid to classified employees in accordance with the Fair Labor Standards Act (FLSA).

Classified employees may be classified as either “exempt” or “non-exempt” for overtime purposes. Employees who are classified as exempt employees are not eligible for overtime. Those who are “non-exempt” are eligible for overtime.

The regular workweek for overtime purposes is from 12:00 a.m. on Monday through 11:59 p.m. on Sunday. The administration may establish a different 7-day period workweek from time to time for specified employees or employee groups.

Employees will be expected to accurately report hours worked. An employee who falsified their time worked may be terminated, effective immediately.

Non-exempt employees must receive prior approval from their immediate supervisor to work additional hours beyond their regular work schedule. Non-exempt employees will be paid for each hour worked in excess of 40 hours in a workweek and are expected to accurately and timely report overtime hours to their supervisor.

Overtime pay for non-exempt employees will be paid at the rate of not less than 1 1/2 times the employee’s regular rate of pay for hours worked in excess of the 40-hour workweek. Employees with two or more non-exempt positions may be eligible for overtime pay based upon the total number of hours worked in one workweek. If applicable, the employee and the Superintendent will agree upon the overtime rate, in compliance with FLSA regulations.

The District’s policy is to not permit improper deductions from the salary of exempt employees who are required to meet a “salaried basis” test for the overtime exemption to be applicable. An employee who feels an improper deduction affecting exemption status has occurred shall submit a complaint to the Superintendent or the Superintendent’s designee, who shall promptly investigate the complaint. Reimbursement shall be made and a good faith commitment to comply in the future will be given in the event it is determined that an improper deduction affecting overtime exemption has been made.

The Superintendent or Superintendent's designee may suspend an employee with or without pay for the employee's violation of District policy or rules. Such suspensions and deductions (when applicable) will be made pursuant to law.

Section 9 Expense Reimbursement

Reimbursement for authorized mileage will be paid to employees required to drive their own vehicles during their regularly scheduled working hours between two or more work sites. Employees must receive prior approval from their supervisor before incurring any mileage. Claims for reimbursement should be submitted to the employee's immediate supervisor. The allowable rate shall be governed by Board policy, unless otherwise required by law. The District is not liable for physical damage to employee vehicles. A request for reimbursement shall be accurate. Any employee who falsifies a reimbursement request may be terminated from employment.

Reimbursement for purchase of materials or for meals or other expenses related to travel must be submitted to and approved by either the Superintendent or, if the expense relates to an activity, by the Athletic Director. The request for reimbursement should include an itemized receipt sufficient to establish that the expense was actually incurred and that the expense was reasonable and related to a school purpose.

Necessary materials and supplies are provided by the District. If an employee needs additional materials for performance of duties, the request should be made to the Superintendent. Employees who purchase materials or supplies without advance approval may not be reimbursed.

Reimbursement for meals or other expenses related to District-required travel must be submitted to and approved by either the Superintendent or, if the expense relates to an activity, by the Athletic Director. The request for reimbursement should include a voucher sufficient to establish that the expense was actually incurred and that the expense was reasonable and related to a school purpose.

Article 3 – ABSENCES FROM WORK

Section 1 Absence Procedures

Requesting Leave. Leave requests should be made as soon as practicable under the circumstances. An employee who wants to use available leave is to submit a request for leave through the school's leave request and system. A leave request should be submitted at least 5 duty days prior to the requested leave day. The supervisor may require that more notice be given, depending on the nature of the employee's duties or the need to schedule a substitute.

Giving Notice of Unscheduled Absences. An employee who is unable to request advance approval for an absence because of the nature of the circumstance requiring the absence (such as personal illness or unforeseen emergency) is to report the need to be absent as soon as the situation is known. To report the need to take unexpected leave, employees are to contact their immediate supervisor as soon as practical. Before the end of the day on the first day of the

absence, and on each subsequent day of absence, the employee is to report to their immediate supervisor whether the employee will be able to return to work on the next duty day.

Returning from Absences. If an employee is absent without advance approval either: (1) the day immediately preceding or immediately following a regularly scheduled school break (such as winter break, spring break, and quarter or semester breaks) or (2) during the first two weeks or the last two weeks of school, the employee may be required to give verification (for example, a doctor's note) to establish that the employee was unable to work for an excusable condition or excusable reason.

Section 2 Paid Leave

Employees are provided with paid leave as detailed in this handbook. During such paid leaves, employees continue to receive their wages/salary and fringe benefits. At least 90 days of employment is required prior to the use of sick, personal or bereavement leave, unless otherwise granted by the Superintendent.

Sick leave, personal leave, and vacation hours are added to the employees leave bank in September of each year. Employees hired mid-year will receive a prorated number of leave hours. Employees may be provided with sick, personal, or other forms of paid leave in accordance with Board policy and administrative approval. These leaves provided by the District are to be used for the purpose intended. Abuse of leave privileges affects the students, other staff, and the entire District and will not be permitted.

Section 3 Sick, Personal, Bereavement, Vacation, and Holiday Paid Leaves

Sick Leave

- Sick leave must be used in 1 hour increments
- Employees may use sick leave when unable to work due to illness. Sick leave may be used for personal illness or illness of a family member living in the employee's household.
- Maximum accumulation of sick leave is 360 hours.

Sick leave is calculated in hours based on the following ranges:

<u>Annual Hours worked</u>	<u>Hours of Sick Leave</u>
700-900	36
900-1100	45
1100-1300	54
1300-1500	63
1500-1700	72
1700-2000	80
2000+	96

Upon leaving the District after fifteen (15) consecutive years of service, a classified employee shall receive one-half of their final hourly pay rate for each hour of accumulated sick leave- up to a maximum of 360 hours. Consecutive years shall also include years of service at Waterloo Public Schools and Valley Public Schools.

Personal Leave

- Personal leave must be used in 1 hour increments.
- Compensation will be given for unused personal leave at the regular hourly rate in June of each year.
- Personal leave days cannot be carried forward to the next school year.

Personal leave is calculated in hours based on the following ranges:

<u>Annual Hours worked</u>	<u>Hours of Personal Leave</u>
700-900	8
900-1100	9
1100-1300	11
1300-1500	13
1500-1700	15
1700-2000	16
2000+	16

Bereavement Leave

Bereavement leave is to be used for purposes of addressing issues related to the death and to attend funeral services.

Classified employees are allowed bereavement leave of:

- a maximum of five (5) consecutive days following the death of an immediate relative. “Immediate relative” includes spouse, child, stepchild, parent, step parent, grandparent, grandchild, brother, or sister.
- a maximum of three (3) consecutive days following the death of a near relative. “Near relative” includes aunt, uncle, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent-in-law, and/or any other relative who is a permanent resident of the employee’s home.

Vacation (only available to full time 12 month employees)

- Vacation must be used in 1 hour increments
- Vacation shall not be carried forward to the next school year

Vacation leave is calculated from original hire date and awarded as follows:

Year 1	0 hours
Year 2	80 hours maximum (prorated based on date of 1st anniversary)
Year 3-8	80 hours
Year 9-14	120 hours
Year 15+	160 hours

Holidays

Classified staff will be allowed paid holidays, if the holidays fall during the employee’s required work year. Pay will be for the regular number of scheduled hours. The holidays shall be New Year’s Day, Memorial Day, July 4, Labor Day, Thanksgiving Day, and Christmas Day.

Section 4 Payroll Deductions for Absences in Excess of Paid Leave

Should an employee be absent from work in excess of the employee's accumulated paid leave, the employee's compensation may be reduced by the day or days of work missed.

Section 5 Leaves of Absence

An employee may apply to the Superintendent for a leave of absence. The Superintendent may consider a leave of absence request on a case-by-case basis. Every leave of absence shall be without pay except as may be required under applicable state or federal laws.

Section 5 Unpaid Leaves

The District complies with all laws that require leave to be allowed, such as for FMLA leaves, military service, and jury duty. Should an employee be absent from work in excess of the employee's available paid leaves, the absence will be unpaid leave except as may be required by law. The employee's salary may be subject to reduction for the day or days of work missed.

Section 6 Jury Duty Leave

An employee who is summoned for jury service must promptly notify their immediate supervisor. The employee will be allowed time off for jury duty, pursuant to law.

There will be no loss of salary or deduction to the employee for time spent in jury service. The District will reduce the employee's salary by an amount equal to any compensation, other than expenses, paid by the court for jury duty service.

If an employee reports for jury duty in the morning and is then dismissed from jury duty for the remainder of the day, the employee is to report for work and resume duties for the balance of the day, except as may be otherwise arranged by the employee's immediate supervisor.

Section 7 Family and Medical Leave

Employee Rights and Responsibilities under the Family and Medical Leave Act

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

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

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

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

Military Leave Entitlement. Eligible employees with a spouse, son, daughter, or parent on active duty or call to active-duty status in the National Guard or Reserves in support of a

contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

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

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

An employee's use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of the FMLA leave.

Eligibility Requirements. An employee is eligible if he or she has been employed with DC West Community Schools for at least one year, for 1,250 hours over the previous 12 months, and if there are at least 50 employees of the District within 75 miles of your work location.

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

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

Use of Leave. The employee must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the District's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave. An employee may choose, or DC West Community Schools may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, the employee must comply with the District's normal paid leave policies.

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

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

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

Unlawful Acts by Employers. FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

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

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

For additional information you may refer to FMLA poster at school or contact the U.S. Wage and Hour Division at:

1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627

www.wagehour.dol.gov

To submit a request for use of FMLA, or to plan for payment of benefits while on FMLA leave, contact the Superintendent.

Section 8 Military and Family Military Leave

Military leave and family military leave will be granted to the extent required by state and federal law and in accordance with Board policy.

Employees requesting to take military leave or family military leave under the Nebraska statutes must notify the Superintendent at least 14 days in advance of taking such a leave if the leave will be for 5 or more consecutive days and consult with their immediate supervisor to schedule the leave so as to not unduly disrupt operations of the District. For leaves of less than 5 days, the employee is to notify the Superintendent of the leave request as soon as practicable. Employees

are to attach a copy of their orders to a leave request form when they prepare the request for military leave.

Section 9 Adoption Leave

Adoption leave will be permitted to be taken by an adoptive parent for the same time and on the same terms as an employee is permitted to take a leave of absence upon the birth of the employee's child.

The adoptive parent leave of absence begins following the commencement of the parent-child relationship. The parent-child relationship commences, for purposes of adoption leave, when the child is placed with the employee for purposes of adoption. The employee shall be deemed to have waived any adoptive leave days not taken following the commencement of the parent-child relationship, except as the Superintendent and the employee may otherwise agree. Advance notice of an anticipated adoption shall be provided by the employee to the Superintendent as early as possible.

Section 10 Subpoena to Testify Leave

An employee must promptly notify their immediate supervisor when the employee receives a lawfully issued subpoena to testify in court or to give a deposition that may require an absence from duty.

In the event the subpoena involves a job-related matter in which the employee is testifying on behalf of the District, the absence will be treated similar to a jury duty leave.

In the event the subpoena involves a personal matter, the employee will be required to use available leave days. The Superintendent shall make the final determination as to whether a matter is personal to the employee.

Section 11 Voting Leave

Employees will be allowed paid time off to vote in an election if the employee: (a) is a registered voter; (b) does not have 2 consecutive hours between the time of the opening and closing of the polls during which the employee is not required to be present at work; and (c) applies for voting leave prior to or on election day with their immediate supervisor.

When voting leave is available, an employee will be entitled to be absent from work on election day for such a period of time as will, when considering the employee's non-working time, total 2 consecutive hours between the time of the opening and closing of the polls. When voting leave is used, no deduction shall be made from the employee's salary or wages on account of such absence. The immediate supervisor may specify the hours during which the employee may be absent for voting leave.

Article 4 – DUTIES AND RESPONSIBILITIES

Section 1 Hours of Work & Meetings

Regular, dependable in-person attendance at work is an essential function of a classified employee's employment position.

Employees are required to attend meetings called by the administration or their supervisors, except those meetings which are designated for optional attendance.

Section 2 Arrival to Duty Assignments

Classified employees' work assignments may or may not be scheduled during the regular school day. Classified employees are expected to know their duty dates and times, and to be on time for work.

Timecard. All classified employees will keep track of their work time through an automated time card system. Employees will clock in and out on a computer through a web based program. This includes clocking out and back in for lunch breaks. Any paid leave hours are to be noted in the time card system as a leave request that must be approved by the supervisor. Hours are to be submitted for approval at the end of each week.

Lunch & Breaks. Classified employees are given a 30 minute unpaid lunch break as scheduled by their supervisor. Additionally, a 15 minute break may be taken once during the day if the employee works at least a 6.0 hour daily schedule. If an employee wishes to leave the building during the break, they should notify office personnel as they leave and return.

Section 3 Leaving School

Employees are to be on duty at all times during the assigned workday. Employees may not leave school or their assigned area during duty hours without the approval of their immediate supervisor. If approval is given, employees must sign out in the office when leaving the building.

Employees who leave the school during their designated lunch period or for an approved absence must check out and check back in the office. Employees who need to leave during the school day for unexpected reasons (such as illness or an emergency) must notify their immediate supervisor as soon as practical.

Section 4 School Procedures

Employees are expected to adhere to the following school procedures in the performance of their duties:

1. Use of Cell Phones. Employees must ensure that any use of a cell phone does not interfere with their job duties, distract from their attention to the job, or extend beyond a reasonable time, as determined by their immediate supervisor.

Employees are not to use cell phones or otherwise engage in distracted driving while transporting students, driving a school vehicle, or while on duty. This rule applies to the driver regardless of whether the vehicle is in motion. The only exception to these rules is in the case of emergencies. Employees will abide by all rules of the road and any applicable rules of the Nebraska Department of Education and the District relating to driving a motor vehicle. Seat belts and child restraint systems must be used by all occupants.

2. Checking Out of Equipment. All equipment must be checked out through the

Superintendent. School equipment may be used only for school purposes. School equipment and other resources may be used for personal purposes only as authorized by the Superintendent or designee.

3. Requisition of Equipment and Supplies. Books and supplies which are needed for instruction should be requested through the Principal's office. Employees shall not make purchases on behalf of the District without prior approval of the Principal.
4. Email. Employees will be assigned a school email address for email correspondence. Employees should check email throughout the duty day, and should timely respond to emails which require a response, but should avoid checking and responding to emails during supervision time. Use of the district's email system for personal communications should be limited, and is subject to the rules governing overall computer usage found in Board policy and this handbook.

Section 5 Supervision of Students

Proper supervision of students is necessary. Employees responsible for student supervision are expected to meet the four "P's" for student supervision and safety. All employees of the school should be familiar with these principles, to the extent they may be involved in supervision of students or interacting with students.

1. Proper Supervision
 - Report to all duty assignments on time.
 - Circulate through your duty area. Pay particular attention to areas and activities that pose an increased risk of injury.
 - Be vigilant while supervising students. Never leave the students unattended; the need to make a copy is not greater than the need to supervise the students. If an emergency requires that an employee must leave students, the employee must request that another nearby staff member supervise those students or notify the office so someone can help. If the employee is on recess duty, the employee's responsibility is to supervise the students in the assigned area. When talking with other adults or students, remember that the employee's primary duty is supervision, and the employee is to be aware of what all students are doing.
 - If the employee has seen or has been informed that a particular student has a propensity to act dangerously or in an unpredictable manner, the employee's supervision of that student must increase with the known risk of injury. (Remember, though, that this type of information may be confidential—do not share confidential information about students except with other staff who need to know the information to perform their jobs).
 - Be careful with touching students. Touching students should be limited to that necessary to protect the student. Corporal punishment is prohibited in our school district and is not to be used. Physical force may only be used to the extent reasonably necessary to protect the student, yourself, and others, and to protect property as may be reasonable.

- Use good judgment when dealing with difficult situations involving students. Physical confrontation generally escalates tense situations.
 - Be careful with language. Profanity or abusive language should not be used. Be a good role model for students. If a student uses such language, you should correct the student and take disciplinary action as is appropriate, which may include making a report to the administration.
2. Proper Instructions
- Proper instructions are important to reduce the risk of injury when students undertake an activity, especially an activity that has an increased risk of harm to students.
 - Repeat the instructions on how to complete a task that has a heightened risk of danger, as often as needed. Do not assume because students heard the directions once they will be remembered.
3. Proper Maintenance of Buildings, Grounds, and Equipment
- Conduct periodic inspections of equipment under your control or in your area of supervision.
 - If equipment is broken and presents a risk of injury, immediately take it out of service (if it can't be moved, tape a "Do Not Use" sign) and notify the Principal immediately so repairs may be undertaken.
4. Proper Warnings
- If you have knowledge of a hazard that can likely cause injury, take steps to warn other staff and students. Tell your immediate supervisor immediately so additional warnings may be given.

Contact the Principal for Assistance

The Principal should be contacted immediately when a situation exists which could cause injury to students or others. Examples include:

- student fight
- student health problem (fainting, bleeding, high temperature, difficulty breathing, etc.); if the Principal cannot be immediately located, call 911 if the problem appears to be of immediate and serious concern
- a report or a suspicion that a student has a weapon or other dangerous item or drugs, alcohol, or other illegal substances
- presence of an intruder (a non-student or staff member who refuses to go to the office)

Violations of student rules which are also violations of state law are required to be reported to law enforcement. Make a report of such conduct to the Principal so this law may be followed.

Student Searches

Only certificated staff may conduct searches of students. The Principal must be contacted so they can be present during searches of students or their belongings. A

student suspected of having an item in violation of school rules should be directed to wait until a certificated staff is present. Do not use physical force to detain the student or to make the student accompany you except as reasonably necessary to protect the student or others.

Student Rights

Treat students fairly and consistently without consideration of race, color, religion, gender, or disability. Students who need special accommodations are to be given those accommodations as needed for them to participate in school and school activities. Follow IEP and 504 Plans for the students for whom you are responsible. Be attentive and respond to “bullying”. Maintain the confidentiality of student records. Student record information should be shared only with other school staff with a need to know the information to perform their duties.

Section 6 Reporting Child Abuse

Nebraska state law and District policy requires staff to promptly make a report to the proper law enforcement agency or the Department of Health and Human Services (Child Protective Services) when the employee has reasonable cause to believe that a child has been abused or neglected, including sexual abuse, or a child is in a situation which would reasonably result in abuse or neglect. According to Nebraska state law, abuse or neglect means knowingly, intentionally, or negligently causing or permitting a minor child to be:

1. Placed in a situation that endangers his or her life or physical or mental health;
2. Cruelly confined or cruelly punished;
3. Deprived of necessary food, clothing, shelter, or care;
4. Left unattended in a motor vehicle if such minor child is six years of age or younger;
5. Sexually abused; or
6. Sexually exploited by allowing, encouraging, or forcing such person to solicit for or engage in prostitution, debauchery, public indecency, or obscene or pornographic photography, films, or depictions.

Employees are to inform the Principal that they intend to make a report. However, simply informing a Principal or supervisor does not end the employee’s responsibility; employees are obligated by law to make certain a report was made if they do not do it themselves.

This requirement shall apply to all school employees, including coaches and volunteers, participating in interstate amateur athletic competitions. The term “promptly” means “within a 24-hour period.”

It is vital that the report be made as accurately and as soon as possible. To assure accuracy, you are encouraged to document the date of the incident and specific statements or explanations made by a child regarding an abuse/neglect concern. Timeliness in making a report will assist in minimizing further risk to the child by allowing the police or Child Protective Services workers to promptly interview the child. A counselor or an administrator will help you with any questions or concerns that you may have.

Article 5 – PERSONAL AND PROFESSIONAL CONDUCT

Section 1 Ethics Standards

The DC West Community School District expects its classified employees to adhere to ethics standards which are modified from those established by the Nebraska Department of Education for certificated employees. The classified school employment job ethics standards which classified employees are expected to adhere to include those set forth below.

Principle I - Commitment as a School Employee:

Employees shall exhibit good moral character, maintain high standards of performance, and promote equality of opportunity.

In fulfillment of the employee's contractual and personal responsibilities, the employee:

1. Shall not interfere with the exercise of political and citizenship rights and responsibilities of students, colleagues, parents, school patrons, or school board members.
2. Shall not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status.
3. Shall not use coercive means, or promise or provide special treatment to students, colleagues, school patrons, or school board members in order to influence personal decisions.
4. Shall not make any fraudulent statement or fail to disclose a material fact for which the employee is responsible.
5. Shall not exploit school relationships with students, colleagues, parents, school patrons, or school board members for personal gain or private advantage.
6. Shall not sexually harass students, parents or school patrons, employees, or board members.
7. Shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation in the performance of job duties.
8. Shall report to the Superintendent any known violation of paragraphs 2 or 5 above.
9. Shall seek no reprisal against any individual who has reported a violation of this rule.

Principle II - Commitment to the Student:

Mindful that the employee's classified position exists for the purpose of serving the best interests of the school district's students and patrons, the classified employee shall perform his/her job duties with genuine interest, concern, and consideration for the student. The employee shall work to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the employee:

1. Shall make reasonable effort to protect the student from conditions which interfere with the learning process or are harmful to health or safety.
2. Shall keep in confidence personally identifiable information that has been obtained in the course of employment unless disclosure is approved by the administration or is required by law.
3. Shall not discipline students using corporal punishment.

Principle III - Commitment to the Public:

The magnitude of the responsibility inherent in the education process requires dedication to the principles of our democratic heritage. The classified employee bears responsibility for instilling an understanding of confidence in the rule of law, respect for individual freedom, and a responsibility to promote respect from the public for the integrity of the profession.

In fulfillment of the obligation to the public, the employee:

1. Shall not misrepresent an institution with which the employee is affiliated and shall take added precautions to distinguish between the employee's personal and institutional views.
2. Shall not use institutional privileges for private gain or to promote political candidates, political issues, or partisan political activities.
3. Shall neither offer nor accept gifts or favors that will impair judgment to be exercised in the course of employment.
4. Shall support the principle of due process and protect the political, citizenship, and natural rights of all individuals.
5. Shall not commit any act of moral turpitude, nor commit any felony under the laws of the United States or any state or territory.
6. Shall, with reasonable diligence, attend to the duties of the employee's position.

Principle IV - Commitment to Classified Position Employment Practices:

The employee shall regard the employment agreement as a pledge to be executed both in spirit and in fact. The employee shall believe that sound personnel relationships with governing administration and board of education are built upon personal integrity, dignity, and mutual respect.

In fulfillment of the obligation to employment practices, the employee:

1. Shall apply for, accept, offer, or assign a position or responsibility on the basis of preparation and legal qualifications.
2. Shall not knowingly withhold information regarding a position from an applicant or employer or misrepresent an assignment or conditions of employment.
3. Shall give prompt notice to the employer of any change in availability of service.
4. Shall conduct job-related business through designated procedures, when available, that have been approved by the employing agency.
5. Shall not assign unqualified personnel tasks for which an employee is responsible.
6. Shall permit no commercial or personal exploitation of his or her employment position.
7. Shall use time on duty and leave time for the purpose for which intended.

Competent Performance

Employees must possess the abilities and skills necessary to accomplish the designated task.

Therefore, each employee shall:

1. Keep records for which he or she is responsible in accordance with law and policies of the school system;
2. Supervise others in accordance with law and policies of the District;
3. Recognize the role and function of community agencies and groups as they relate to the District and to his or her position, including but not limited to health and social services, employment services, community teaching resources, cultural opportunities, educational advisory committees, and parent organizations.

Each employee shall:

1. Utilize available materials and equipment necessary to accomplish the designated task;
2. Adhere to and enforce written and dated administrative policy of the District which has been communicated to the educator;
3. Use channels of communication when interacting with educators, community agencies, and groups, in accordance with policy.

Each supervisor shall:

1. Make reasonable assignment of tasks and duties in light of individual abilities and specialties and available personnel resources.

Communication Skills: In communicating with students and other employees, each employee, within the limits prescribed by his or her assignment and role, shall:

1. Utilize information and materials that are relevant to the designated task;
2. Use language and terminology which are relevant to the designated task;
3. Use language which reflects an understanding of the ability of the individual or group;
4. Assure that the designated task is understood;
5. Use feedback techniques which are relevant to the designated task;
6. Consider the entire context of the statements of others when making judgments about what others have said;
7. Encourage each individual to state his ideas clearly.

Management techniques: The employee shall:

1. Resolve discipline problems in accordance with law, board policy, and administrative regulations and policies;
2. Maintain consistency in the application of policy and practice;
3. Develop and maintain positive standards of conduct.

Human and Interpersonal Relationships: Employees shall possess effective human and interpersonal relations skills and therefore:

1. Shall allow others who hold and express differing opinions or ideas to freely express such ideas;

2. Shall not knowingly misinterpret the statement of others;
3. Shall not show disrespect for or lack of acceptance of others;
4. Shall provide leadership and direction for others by appropriate example;
5. Shall offer constructive criticism when necessary;
6. Shall comply with reasonable requests and orders given by and with proper authority;
7. Shall not assign unreasonable tasks;
8. Shall demonstrate self-confidence and self-sufficiency in exercising authority.

Personal Requirements: Each employee within the scope of delegated authority shall:

1. Be able to engage in physical activity appropriate to the designated task except for temporary disability;
2. Be able to communicate so effectively as to accomplish the designated task;
3. Appropriately control his or her emotions;
4. Possess and demonstrate sufficient intellectual ability to perform designated tasks.

Contractual Obligations: Employees shall adhere fully to the terms of a contract or appointment.

Section 2 Role Model

Employees serve as role models for students and their actions and conduct reflect on the school as a whole. Employees are in all respects to conduct themselves in a professional manner.

Section 3 Professional Boundaries

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

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

- Using e-mail, text messaging, instant messaging, or social networking sites to discuss with a student a matter that does not pertain to school-related activities, such as the student's homework, class activity, school sport or club, or other school-sponsored activity. Electronic communications with students are to be sent simultaneously to multiple recipients, not to just one student, except where the communication is clearly school-related and inappropriate for persons other than the individual student to receive (for example, emailing a message about a student's grades).
- Engaging in social-networking friendships or communications with a student on social networking sites. Material that employees post on social networks that is publicly available to those in the school community must reflect the professional image applicable to the employee's position and not impair the employee's capacity to maintain the respect of students and parents or impair the employee's ability to serve as a role model for children. Employees shall not friend, communicate with, or follow students on any social networking site.

- Engaging in sexual activity, a romantic relationship, or dating a student or a former student within one year of the student graduating or otherwise leaving the District.
- Making any sexual advance - verbal, written, or physical - towards a student.
- Showing sexually inappropriate materials or objects to a student.
- Discussing with a student a sexual topic that is not related to a specific curriculum.
- Telling sexual jokes to a student.
- Invading a student's physical privacy (e.g., walking in on the student in a restroom).
- Hugging or other physical contact with a student that is initiated by the employee when the student does not seek or want this attention.
- Being overly "touchy" with a specific student.
- Allowing a specific student to get away with misconduct that is not tolerated from other students, except as appropriate for students with an IEP or 504 Plan.
- Discussing with the student the employee's problems that would normally be discussed with adults (e.g., marital problems).
- Giving a student a ride in the employee's personal vehicle without express permission of the student's parent or school administrator unless another adult is in the vehicle.
- Taking a student on an outing without obtaining prior express permission of the student's parent or school administrator.
- Inviting a student to the employee's home without prior express permission of the student's parent and school administrator.
- Going to the student's home when the student's parent or a proper chaperone is not present.
- Giving gifts of a personal nature to a specific student.
- Discussing alcohol, tobacco, or other illicit drugs in a non-instructional setting, such as describing a party that the employee attended.
- Discussing another student's or employee's personal matters when it is not appropriate outside of the instructional setting.
- "Grooming," which includes building trust with a student and individuals close to the

student in an effort to gain access to and time alone with the student, with the ultimate goal of engaging in sexual contact or sexual penetration with the student, regardless of when in the student's life the sexual contact or sexual penetration would take place.

Appropriate exceptions are permitted to the foregoing for legitimate health or educational purposes and for reasons of family relationships between employees and their children who are students in the District. A staff member seeking an exception must receive advance approval from his or her administrator. If a staff member is unable to communicate with an administrator in advance (such as in the event of an emergency), the staff member must notify the administrator as soon as possible, but not later than 24 hours immediately following the event.

Any person who suspects a District employee of engaging in any prohibited conduct under this policy, including grooming, should contact the Superintendent as soon as practical.

An employee who violates this policy may face discipline, up to and including termination of employment, and may be referred to the appropriate certification or credentialing agencies for further discipline.

A violation of this policy will result in referral to the Department of Health and Human Services, law enforcement, or both.

Section 4 Relationships

It is important for employees to maintain an effective working relationship with the administration and all co-workers. Employees are also to maintain appropriate relationships with students.

Section 5 Civility

All employees shall behave with civility, fairness, and respect in dealing with fellow employees, students, parents, patrons, visitors, and anyone else having business with the District. Uncivil behaviors are prohibited. Employees may be subject to disciplinary action up to and including termination for engaging in uncivil behaviors.

Uncivil behaviors are any behaviors that are physically or verbally threatening, either overtly or implicitly, as well as behaviors that are coercive, intimidating, violent or harassing. Such interactions are prohibited in all forms of communication, including telephone conversations, texting, voice mail messages, face-to-face conversations, written communications, and email messages.

Any employee aware of another employee's uncivil behavior shall report the conduct to the employee's immediate supervisor or to the Superintendent. There will be no retaliation against the person for making the report.

Section 6 Notification of Arrest, etc.

Employees must notify Superintendent by the next business day after:

1. Arrest or Criminal Charges. The employee is arrested, ticketed, or issued a criminal charge where:
 - a. The maximum penalty for the crime equals or exceeds six months incarceration;
 - b. The crime relates to abuse, neglect or endangerment of a minor, a minor was allegedly a victim or a witness, or the crime involves alleged sexual misconduct;
 - c. Conviction would impact performance of employee's job responsibilities, including offenses that:
 - i. Would impact the responsibility to be a role model for students or relations with other employees of the District;
 - ii. Would impact the employee's ability to operate a motor vehicle if the employee's work duties include driving; or
 - iii. Would impact the employee's Commercial Driver's License if the employee's job requires that the employee have a CDL.
 - d. The arrest or the alleged criminal activity occurred while the employee was on duty, on District property, or in a school owned or utilized vehicle, or at a school-supervised activity or school-sponsored function.Employees must also promptly report to the Superintendent whenever the employee has been sentenced to be incarcerated for any period of time, even if the offense is not otherwise reportable.
2. Certificate or License. The employee becomes aware that a complaint has been filed against the employee that could affect a certificate or license required for the employee's position.
3. Child Abuse. The employee becomes aware that a report of child abuse or neglect has been made against the employee under the Child Protection Act.

Further, employees must give full disclosure of any Child Protection Act investigation that resulted in an "inconclusive" determination that occurred at any time. Current employees must give such disclosure within ten days following receipt of this handbook.

Employees must give full disclosure of the existence and nature of the above proceedings and must also promptly notify the Superintendent of the disposition of the proceedings.

Legal documents relating to the proceedings shall be treated and maintained as part of the employee's confidential criminal background file.

Failure to notify as required under this policy may subject the employee to disciplinary action, including termination.

Section 7 Evaluations

Evaluations of employees will be conducted in accordance with the District's evaluation policy. Supervisors reserve the right to observe, appraise or evaluate employees more frequently than

required by policy on an as-needed basis. Employees are expected to make themselves available for evaluation on request, to participate constructively and positively in the evaluation process, and to accept and implement constructive suggestions and improvement strategies developed by the administration.

Section 8 Employee Complaints or Concerns

Employees are to inform their supervisor or the Superintendent of any complaints or concerns about the operations of the District using the established chain of command (immediate supervisor, next higher-level supervisor, etc.) on all matters that require administrative attention; that is, on all matters or issues that their job responsibilities require them to report to a supervisor.

It is important to the efficient and successful operation of the District and a duty of all employees to share any such complaints or concerns in a responsible, professional manner such as to: (1) not disrupt the proper functioning of their duties, (2) not undermine the authority of their co-workers, supervisors, or superiors, (3) maintain close working relationships with their co-workers, supervisors, and superiors, and (4) ensure that all applicable laws and regulations are followed. All official communications from employees must be accurate, demonstrate sound judgment, and promote the District's mission. Employees must ensure that all applicable laws and regulations are followed by the District and its employees. In the event an employee becomes aware of any such non-compliance, the employee is to report such to the employee's immediate supervisor (or the next higher level, if the supervisor is responsible for the problem) and maintain the confidentiality of the report so that the problem can be appropriately corrected in the best interests of the District.

Employees are to use the appropriate complaint or grievance mechanism for matters involving discrimination or harassment or other established mechanism specific to the nature of the complaint or concern.

The District will not tolerate unlawful retaliation against an employee for engaging in legally protected activity. A protected activity includes an employee's act of opposing an unlawful practice prohibited by employment discrimination or other laws that protect the conduct in question. Any act of unlawful retaliation by a supervisor or other employee may result in serious disciplinary action up to and including termination. Any employee may file a complaint with the Superintendent or appropriate Coordinator if the employee feels that they have experienced unlawful retaliation in any form.

Section 9 Attire

It is important for employees to project a professional image to students, parents, co-workers, and patrons. Appropriate attire and grooming are one of the means of projecting a professional image. Employees are expected to maintain professional attire and grooming when on duty. As a minimal guide, employees should not wear clothing which students would not be permitted to wear at school. The administration may establish more detailed guidelines for individual employees should that be necessary.

Section 10 Outside Employment

Employees shall not perform duties unrelated to District employment during duty hours. In addition, employees shall not engage in employment which conflicts with their school duties.

Section 11 Employee Fundraising

Any employee who directly or indirectly seeks to use their position as a District employee to fundraise (such as through a crowdfunding initiative) must obtain prior approval from the Superintendent or Superintendent's designee before taking any action to fundraise.

District employees who engage in fundraising efforts in their private capacities need not abide by this policy.

Article 6 – USE OF SCHOOL FACILITIES AND EQUIPMENT

Section 1 Drug-Free Workplace

The District has established the school as a drug-free workplace. The drug-free workplace for this purpose includes school grounds, school utilized vehicles, and places in which school activities are held.

The unlawful manufacture, distribution, disposition, possession, or use of tobacco, alcohol or a controlled substance is prohibited in the workplace. The possession, use or distribution of illicit drugs or alcohol, the use of glue or aerosol paint or any other chemical substance for inhalation, and being under the influence of illicit drugs, alcohol, or inhalants, is prohibited in any place on school grounds, in a school utilized vehicle or any location over which the District had control. The possession or distribution of a look-alike drug or look-alike-controlled substance is similarly prohibited. Any level of impairment from illicit drugs, alcohol, or inhalants, and the presence of any odor of illicit drugs (such as marijuana) or alcohol on an employee in the workplace or on duty time shall be a violation of the drug-free workplace. In addition, employees are expected to serve as role models for students and will be considered to have violated the District's expectations in the event the employee commits a criminal drug or alcohol offense off the workplace or off duty time.

As a condition of employment employees will abide by the District's drug-free workplace policies and notify the Superintendent of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after such conviction. Disciplinary sanctions up to and including termination of employment and referral for prosecution will be imposed for violations of the District's drug-free workplace policies. Sanctions may include the requirement that the employee complete an appropriate rehabilitation program, a reprimand, or termination of employment. Drug and alcohol counseling and rehabilitation and reentry programs are available through local health agencies.

Section 2 Smoke and Tobacco-Free Workplace

The use of tobacco products is prohibited on school grounds.

“Tobacco products” means any tobacco product (including but not limited to cigarettes, cigars, and chewing tobacco), vapor products (such as e-cigarettes), electronic nicotine delivery

systems, alternative nicotine products, tobacco product look-alikes, and products intended to replicate tobacco products either by appearance or effect. This does not preclude adults from wearing non-visible nicotine patches, or using nicotine gum without displaying the product container, as part of a smoking cessation program.

Section 3 Weapon-Free Workplace

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

The phrase “possession of a weapon” includes, without limitation, a weapon in an employee's personal possession or within reach (such as in the employee’s vehicle), as well as in an employee’s desk, locker, briefcase, backpack, or purse.

Section 4 Use of School Facilities

An employee who is issued school keys or fobs shall not lose their keys or fobs and shall not allow others to have access to or to use their keys or fobs. Employees are permitted to have access to school facilities during non-school time provided such access is for work-related purposes and the Principal or supervisor has given permission for such access. When employees leave the building, they are to close all windows, lock doors, and make sure that the entry door is fully closed and locked. This is especially important when employees are using the school facilities during any weekend or evening use.

Use of school supplies (paper, staples, etc.), school equipment (copiers, fax machines, telephones, etc.) and school postage is to be for approved school-related purposes only. Excess or surplus supplies or equipment, including items which have been placed in the trash, must not be removed for non-school use without approval from the Principal.

Section 5 Recording of Others

To ensure the privacy and confidentiality of student information, no employee is authorized to record or transmit any sound or image of any person (including themselves) without the prior consent or authorization of either (1) the person or persons being recorded or whose image or sound is being transmitted, (2) by authorized staff for purposes of child welfare (for example, to record images of injuries to students caused or believed to be caused by another person), or (3) the Superintendent or Superintendent’s designee. This prohibition applies to all staff, regardless of the content or context of the image or sound; however, this provision shall not apply to District-sponsored athletic or activity events where the focus of the recording or transmission is on the student performances or activity. Nothing in this provision shall prohibit the recording of an Individualized Education Program meeting if the recording is necessary to ensure that the parent understands the IEP or the IEP process or to implement other parental rights guaranteed by the Individuals with Disabilities Education Act.

Article 7 – STATE AND FEDERAL PROGRAMS

Section 1 Notice of Nondiscrimination

DC West Community Schools does not discriminate on the basis of sex, disability, race

(including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status in admission or access to, or treatment of employment, in its programs and activities. The Coordinators listed in Section 2 have been designated to handle inquiries regarding complaints, grievance procedures or the application of these policies of nondiscrimination.

Local complaint or grievance procedures are provided for by the District and set forth in this handbook. If an employee does not feel that a complaint of nondiscrimination has been satisfactorily resolved at the school level, the employee may file a complaint with the appropriate federal or state agency. Complaints are to be filed with the regional Department of Education, Office for Civil Rights where the complaint relates to Title IX (discrimination, harassment or lack of equity based on gender), Title VI (discrimination or harassment based on race (including skin color, hair texture and protective hairstyles), color, or national origin) or Section 504 (discrimination, harassment, or failure to accommodate a disability). Complaints are to be filed with the regional U.S. Equal Employment Opportunity Commission (EEOC) if the complaint relates to Title VII (discrimination or harassment based on race (including skin color, hair texture and protective hairstyles), color, gender, national origin, or religion), the Americans with Disabilities Act (discrimination, harassment, or failure to accommodate a disability), or the Age Discrimination in Employment Act (discrimination based on age). The contact information for the OCR and the EEOC in this regard are:

Office for Civil Rights (OCR)
 One Petticoat Lane
 1010 Walnut St. 3rd Floor, Suite 320
 Kansas City, MO 64106
 (816) 268-0550 (voice)
 Fax (816) 268-0599

The U.S. Equal Employment
 Opportunity Commission (EEOC)
 Gateway Tower II
 400 State Avenue, Suite 905
 Kansas City, MO 66101
 (800) 669-4000
 TDD: (800) 669-6820

(800) 877-8339 (telecommunications device
 for the deaf), or ocr.kansascity@ed.gov.

Section 2 Designation of Coordinators

Any person having inquiries concerning the District’s compliance with nondiscrimination laws or policies or other programs should contact or notify the following person(s) who are designated as the coordinator for such laws, policies, or programs. The contact address for the coordinator is: DC West Community Schools, [Address], [City], Nebraska [Zip]; Phone: ([Area Code]) [Telephone Number]:

Law, Policy, or Program	Issue or Concern	Coordinator
Title VI	Discrimination or harassment based on race (including skin color, hair texture and protective hairstyles), color, or national origin;	Superintendent

	harassment	
Title IX	Discrimination or harassment based on sex; gender equity	Superintendent Director of Learning Building Principals
Section 504 of the Rehabilitation Act and the Americans with Disability Act (ADA)	Discrimination, harassment, or reasonable accommodations of persons with disabilities	Superintendent Special Services Director for student matters
Homeless student laws	Children who are homeless	Superintendent
Safe and Drug Free Schools and Communities	Safe and drug free schools	Superintendent

Section 3 Anti-discrimination & Harassment Policy

DC West Community Schools is committed to offering employment and educational opportunities to its employees and students in a climate free of discrimination. Accordingly, unlawful discrimination or harassment of any kind by administrators, teachers, and other employees, students or other persons is prohibited. In addition, the District will endeavor to protect employees and students from reported discrimination or harassment by non-employees or others in the workplace and educational environment.

For purposes of this policy, discrimination or harassment based on a person’s sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status is prohibited. The following are general definitions of what might constitute prohibited harassment:

1. In general, verbal or physical conduct relating to a person’s protected status constitutes harassment when the conduct unreasonably interferes with the person’s work performance or creates an intimidating work, instructional or educational environment.
2. Age harassment has been defined by federal regulations as a form of age discrimination. It can consist of demeaning jokes, insults or intimidation based on a person’s age.
3. Sexual harassment has been defined by federal and state regulations as a form of sex discrimination. It can consist of unwelcome sexual advances, requests for sexual favors, or physical or verbal conduct of a sexual nature by supervisors or others in the workplace, classroom, or educational environment. Sexual harassment may exist when:
 - a. Supervisors or managers make submission to such conduct either an explicit or implicit term and condition of employment (including hiring, compensation, promotion, or retention);

- b. Submission to or rejection of such conduct is used by supervisors or managers as a basis for employment related decisions such as promotion, performance evaluation, pay adjustment, discipline, work assignment, etc.
- c. The conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive working, classroom, or educational environment.

Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing," "practical jokes," jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, and physical contact, such as patting, pinching, or brushing against another's body.

Grievance Procedures

1. Employees should initially report all instances of discrimination or harassment to their immediate supervisor. However, if the employee is uncomfortable in presenting the problem to the supervisor, or if the supervisor is the problem, the employee is encouraged to go to the next level of supervision.
2. If the employee's complaint is not resolved to his or her satisfaction within five to ten working days, or if the discrimination or harassment continues, please report your complaint to the Superintendent. If a satisfactory arrangement cannot be obtained through the Superintendent, the complaint may be processed to the Board of Education.
3. The supervisor or the Superintendent will promptly and thoroughly investigate all complaints. These situations will be treated with the utmost confidence, consistent with resolution of the problem. Based on the results of the investigation, appropriate corrective action, up to and including discharge of offending employees or removal of offending students may be taken.
4. The person who makes the complaint shall not be threatened or retaliated against for alleging a violation of this anti-discrimination policy or for use of this grievance procedure.

Section 4 Grievance Procedure for Persons with a Disability

The Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act address discrimination, harassment, or failure to provide reasonable accommodations to persons with a disability. The following grievance procedure shall be used for resolution of complaints by employees of alleged violations of the ADA or Section 504:

1. Complaints shall be filed with the ADA and Section 504 Coordinator. Complaints shall be made in writing, unless the Complainant's disability prevents such, in which event the Complaint can be made verbally.
2. Complaints shall set forth: (a) the name of the Complainant, (b) the address and telephone number or other such information sufficient to enable the Coordinator to contact the Complainant, (c) a brief description of the alleged violation, and (d) the relief requested by the Complainant.

3. Complaints shall be investigated by the Coordinator or the Coordinator's designee. Investigations shall be thorough, but informal, and the Complainant shall be given a full opportunity to submit evidence relevant to the complaint.
4. The Coordinator shall make a decision on the Complaint within 30 days of the filing of the Complaint, unless such time period is extended by agreement with the Complainant, or a longer period is reasonably necessitated by the circumstances. The decision shall be made in writing, shall set forth the Coordinator's proposed resolution of the Complaint, and shall be forwarded to the Complainant.
5. The Complainant shall have 10 days from the date the Coordinator's decision is sent to the Complainant to accept or reject the Coordinator's proposed resolution. The Complainant shall be deemed to have accepted the proposed resolution unless the Complainant rejects the proposed resolution within such time period.
6. In the event the Complainant rejects the proposed resolution, the Complainant shall be given the opportunity to file a request for reconsideration within 10 days from the date the Coordinator's decision is sent to the Complainant. The request for reconsideration shall be filed with the Coordinator. Upon receipt of the request for reconsideration, the Coordinator shall promptly forward the request for reconsideration and all evidence received by the Coordinator in connection with the Complaint to a third person for review (either an administrator or other employee of the District, or members of the Board of Education or Committee of the Board).
7. A decision on the request for reconsideration shall be made within 10 days after the request for reconsideration was filed unless the Board or Committee of the Board is the reviewer, in which event the decision shall be made within 30 days of the filing of the request for reconsideration, unless such time period is extended by agreement with the Complainant, or a longer period is reasonably necessitated by the circumstances.

**RECEIPT OF 2024-2025 CLASSIFIED EMPLOYEE HANDBOOK OF
DC West Community SCHOOLS**

This signed receipt acknowledges receipt of the 2024-2025 Classified Employee Handbook of DC West Community Schools. This receipt acknowledges that I understand that I will read and be familiar with the handbook, that I understand the handbook contains a disclaimer of contract, that I understand that the handbook includes the District's policies of non-discrimination and equity, and that specific complaint and grievance procedures exist in the handbook which should be used for responding to harassment or discrimination.

Date: _____

Employee's Signature