

Athens-Meigs ESC

Employee Handbook



2018-2019

Bold Text, not including section titles, indicate areas that have changed.

PURPOSE OF THIS EMPLOYEE HANDBOOK

The purpose of this handbook is to provide a summary of policies, procedures, rules, and copies of current forms which impact your employment and is not an all-inclusive resource. This is not a substitute for the current version of the Governing Board By-Law and Policy Manual which you are welcome and encouraged to review. An electronic version of this Board By-Law and Policy Manual is available on-line at www.athensmeigs.com.

This handbook will also inform you about the Athens-Meigs Educational Service Center's benefit programs provided to you as a valued employee.

We ask that you read this handbook carefully, and refer to it whenever questions arise. However, no employee manual can answer every question, nor would we want to restrict the normal question and answer interchange among us. If anything is unclear, please discuss the matter with your supervisor.

The Governing Board specifically reserves the right to modify or rescind any provision of this handbook at any time and without any notice to its employees.

PHILOSOPHY

The goals of education are derived from the demands of society and from the needs, interests, and characteristics of our students. The curriculum and instruction in schools should be planned, systematic, and provide opportunities and experiences designed to meet the specific learning needs of each student. Students must be prepared for living in a changing world and have the abilities necessary to assume meaningful roles in a democratic society.

The primary function of educational programs is to provide learning experiences that encourage the comprehensive development of the talents and potentialities of our students. This can be accomplished by encouraging habits, skills, abilities, and attitudes essential for active participation in society.

This philosophy and its goals can best be attained through the realization of the following objectives:

- A. to develop a positive self-concept in all students;
- B. to develop competency in the basic skills necessary for learning;
- C. to develop the ability to think critically and act responsibly;
- D. to develop the skills, knowledge, and understandings which are essential to earning a living and developing consumer effectiveness;
- E. to develop a knowledge and appreciation of duties, responsibilities, and privileges of citizenship and a respect for our heritage;

F. to develop and maintain the mental and physical health of the individual by developing uses of leisure time that are satisfying and acceptable to society;

G. to develop moral and spiritual values.

A.C. 3301-35-01, 3301-35-02 (A)

MISSION

The mission of the Athens-Meigs Educational Service Center is to work in partnership with the community to improve student achievement, build capacity, and raise expectations for all individuals in our service region.

VISION

The vision of the Athens-Meigs Educational Service Center is to serve as a collaborative partner and educational leader.

GOALS

The Governing Board of the Athens-Meigs Educational Service Center, in collaboration with the administrative team, establishes and communicates annual goals at the start of each (school/calendar) year.

GOVERNING BOARD

The Governing Board of this Educational Service Center shall be known officially as the Athens-Meigs Educational Service Center Governing Board. The governing board is an elected body representing the service center districts. Its duties are to adopt policies and procedures that regulate the administration of the ESC. The By-Laws and Policy Manual of the AMESC is available on-line through the AMESC website (www.athensmeigs.com) by choosing the Governing Board link and then navigating to the NEOLA Board Policy link.

The board meets the second and fourth Wednesday of each month at the AMESC Office, 21 Birge Drive, Chauncey. The board reserves the right to change meeting dates, times and locations.

AMESC WEBSITE

The official website for AMESC is located at www.athensmeigs.com. The website is a forum to provide information to our customers whether they are school districts, parents, organizations or community members. The website also contains useful information for AMESC employees.

ESC personnel are encouraged to use the site to convey appropriate newsworthy items by contacting their immediate supervisors with items to be considered for posting.

Access to the content management system of the website may be granted by contacting the superintendent or his designee. The center's website is governed by policy 7540.02.

CALAMITOUS WEATHER

The ESC Offices are generally open during district calamity days. Therefore all staff members are expected to report to work.

When the local county law enforcement officials declare hazardous road conditions exist to warrant a leveled emergency the following shall be observed.

Level 1 Emergency – Offices will be open

Level 2 Emergency – Superintendent will determine office opening

Level 3 Emergency – Offices will be closed

In the event that the road conditions or weather inhibit the ability to arrive at the designated office, employees may choose to use personal or vacation leave days.

District-Assigned Staff

Staff assigned to a district or districts, shall follow the schedule of the district assigned for that day. In the event that the assigned district approves a school calendar adjustment for days/time missed, the staff member will be responsible for ensuring that this time is covered. If assigned to multiple districts and calendar adjustments would likely cause work days beyond the staff members contracted days, he/she should consult with his/her immediate supervisor as soon as possible.

Please contact your supervisor if you have questions related to office/work closings.

DUTY HOURS

The Central Offices of the AMESC are open Monday through Friday from 8:00 am to 4:30 pm.

Certified staff members duty hours are 8:00 am to 4:00 pm and Classified staff member duty hours are 8:00 am to 4:30 pm except as otherwise determined by the staff members immediate supervisor.

Duty hours for employees vary by job description and assignment. AMESC employees assigned to districts are expected to follow the normal duty hours of the teachers/staff in that district.

OUTSIDE ACTIVITIES

Staff members should avoid situations in which their personal interests, activities, and associations conflict with the interests of the AMESC. If such situations threaten a staff member's effectiveness within the system, the Superintendent shall evaluate the impact of such interest, activity, or association upon the professional staff member's responsibilities.

By law, you cannot receive compensation from two sources during the workday. If you are compensated for 1) program presentations during the workday; 2) program presentations delivered after the workday but prepared during the workday; 3) or any program presentation where you officially represent the AMESC; this money must be turned in to the Treasurer's Office and/or used for your actual expenses. All expenses must be documented by receipts turned into the Treasurer's Office.

PERSONNEL FILES

Personnel files are an important legal record for both the Board and employee. All new employees shall complete the necessary employment forms and return them to the Chauncey office. If all required personnel forms and necessary items are not on file, your check may be withheld.

Personnel files are public records and contain only information which pertains to the professional role of the employee. It is the responsibility of the staff member to provide updated information, in a timely manner, for inclusion in the personnel file.

CRIMINAL HISTORY RECORD CHECK

Each employee of the AMESC is required to have an Ohio Bureau of Criminal Identification and Investigation (BCII) background check and a FBI background check.

A satisfactory criminal records check is a precondition to employment. *Applicants may be conditionally employed by the AMESC until the criminal records check results are received.* If the results of the background check indicate that the applicant does not qualify for employment, the applicant will be immediately released from employment by the Board.

Electronic background checks are performed at the AMESC, 21 Birge Drive, Chauncey, OH and 39105 Bradbury Road, Middleport, OH.

Fingerprinting regulations require all school employees to complete background checks every five years from date of previous background check. Employees will need to complete only an FBI criminal background check if they have lived continuously in the State of Ohio for the previous five years: and have a BCII background check on file with ODE. Employees who have *not* lived continuously in the state for the past five years will need to complete both a BCII and FBI background check.

In accordance with Policy 3121/4121 and State law, the Superintendent shall immediately suspend any staff member from all duties that require the care, custody, control of a child during any pending criminal action for which that staff member has been arrested, summoned and/or indicted for any crimes set forth in O.R.C. 3319.39.

WHISTLEBLOWER PROTECTION

The Governing Board expects all employees to be honest and ethical in their conduct and to comply with applicable state and federal laws, Board policies and administrative guidelines. The Board encourages staff to report possible violations of these Board expectations to their immediate supervisors.

It is the responsibility of an employee who is aware of conduct on the part of any Board Member or employee that possibly violates federal or state law, or Board Policy, to call this conduct to the attention of his/her immediate supervisor. If the employee's immediate supervisor is not responsive or is the employee whose behavior is in question, the employee may report violations to the Superintendent.

After such a report is made, the immediate supervisor will ask that the employee's report be put in writing. Any employee making such a report shall be protected from discipline, retaliation, or reprisal for making such report as long as the employee made a reasonable and good faith effort to determine the accuracy of any information reported. Employees are subject to disciplinary action, up to and including termination, for purposely, knowingly, or recklessly making a false report under this policy. Conversely, employees are subject to disciplinary action, up to and including termination, if they are aware of a violation of federal, state, or local law that the Board has the authority to correct and they do not make a report confirmed in writing to their immediate supervisor.

CONFIDENTIALITY

State and federal laws require that student education records be maintained as confidential. State law further exempts certain information and records from public disclosure. Individuals who have access to student education records may not remove them from Board property without express permission from their supervisor. An individual authorized to remove student education records from school property is responsible for the safety and security of the records and for returning them to the district intact. Confidential information and records may not be disclosed except as authorized by Board policy and administrative guidelines. Individuals who have access to confidential information and records while employed by the Board are reminded that their legal obligation to maintain such confidences extends beyond their term of employment and they are prohibited from releasing, disclosing, or otherwise disseminating confidential information or records subsequent to leaving the Board's employ.

DRUG FREE WORKPLACE

The Board does not permit the manufacture, possession, use, distribution, or dispensing of any controlled substance, alcohol, and any drug paraphernalia by any member of the AMESC staff at any time while on AMESC property or while involved in any AMESC related activity or event. Any staff member who violates this policy will be subject to disciplinary action. Staff members are hereby notified that they may be subject to drug or alcohol test at any time. Refusal of consent to testing or a positive test result may lead to termination of employment.

SMOKE FREE WORK PLACE

The Smoke Free Workplace Act generally prohibits smoking in all public places as well as places of employment. All employees are required to comply with any and all regulations regarding the smoke free workplace act at their assigned school district, program or institution.

FRAUD REPORTING

The Ohio Auditor of State's office maintains a system for the reporting of fraud, including misuse of public money by any official or office. The system allows all Ohio citizens, including public employees, the opportunity to make anonymous complaints through a toll free number, the Auditor of State's website, or through the United States mail.

Auditor of State's fraud contact information:

Telephone: 1-866-FRAUD OH (1-866-372-8364)

US Mail: Ohio Auditor of State's office

Special Investigations Unit

88 East Broad Street

P.O. Box 1140

Columbus, OH 43215

Web: www.ohioauditor.gov

DISCRIMINATION

The Governing Board does not discriminate on the basis of race, color, religion, national origin, sex, disability, or age in its programs and activities, including employment opportunities.

The Superintendent shall appoint a compliance officer whose responsibility it will be to ensure that Federal and State regulations are complied with and that any inquiries or complaints are dealt with promptly in accordance with law. The compliance officer for the AMESC shall be the Superintendent or his/her designee. For complete policy details please refer to By-Law and Policy Manual 3122 and 4122.

WORK PLACE BULLYING

The Governing Board believes that a staff member should be able to work in an environment free of threatening speech or actions.

Threatening behavior consisting of any words or deeds that intimidate a staff member or cause anxiety concerning his/her physical well-being is strictly forbidden. Any student, parent, visitor, staff member, or agent of this Board who is found to have threatened a member of the staff will be subject to discipline or reported to the authorities.

HARASSMENT – Board Policy 3362 and 4362

It is the policy of the Governing Board to maintain an education and work environment which is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all Center operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against harassment based on sex, race, color, national origin, religion, disability, or any other unlawful basis, and encourages those within the Center community as well as third parties, who feel aggrieved to seek assistance to rectify the problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated; the Board will take immediate steps to end the harassment. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

For purposes of this policy, "Center community" means students, administrators, teachers, staff, and all other school personnel, including Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on Center property (e.g., visiting speakers, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the Center community at school-related events/activities (whether on or off School Center property).

Other Violations of the Anti-Harassment Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating harassment charges comprises part of one's supervisory duties.

Definitions

Sexual Harassment

Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity;
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual;
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Physical assault.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
- D. Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the work or educational environment, which may embarrass or offend individuals.
- F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- G. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
- H. Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- I. Consensual sexual relationships where such relationship leads to favoritism of a student or subordinate employee with whom the teacher or superior is sexually

involved and where such favoritism adversely affects other students and/or employees.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment.

NOTE: Any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of the criminal charge of "sexual battery" as set forth in O.R.C. 2907.03. The issue of consent is irrelevant regarding such criminal charge.

Race/Color Harassment

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin Harassment

Prohibited national origin harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disabling condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like.

Reports and Complaints of Harassing Conduct

Members of the Center community and third parties are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor or other Center official so that the Board may address the conduct before it becomes severe, pervasive, or persistent.

Members of the Center community or third parties who believe they have been unlawfully harassed by another member of the Center community or a third party are entitled to utilize the Board's informal and/or formal investigation and complaint processes. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file an informal or a formal complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

The names and titles of the Anti-Harassment Complaint Coordinators with whom complaints of sexual and other forms of unlawful harassment should be filed are set forth in the administrative guidelines which supplement this policy. The names and titles of these individuals will be published annually in the staff handbooks.

The Superintendent shall establish Administrative Guidelines describing both a formal and an informal process for making a charge of harassment, a process for investigating claims of harassment, and a process for rendering a decision regarding whether the claim of harassment was substantiated. This Policy and the Administrative Guidelines will be readily available to all members of the Center community and posted in appropriate places throughout the Center.

Any Board employee who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Complaint Coordinators. Thereafter, the Complaint Coordinator must contact the student, if over age eighteen (18) or the student's parents if under the age eighteen (18), to advise s/he/them of the Board's intent to investigate the alleged misconduct, including the obligation of the Complaint Coordinator or designee to conduct an investigation following all the procedures outlined for a formal complaint.

Confidentiality

The Center will make reasonable efforts to maintain the confidentiality of the parties involved in a harassment investigation. Confidentiality, however, cannot be guaranteed.

Informal Process for Addressing Complaints of Harassment

The administrative guidelines will include an informal complaint process to provide members of the Center community or third parties who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their concerns. Members of the Center community or third parties who believe that they have been unlawfully harassed are encouraged to initiate their complaint through this informal complaint process, but are not required to do so. Those members of the Center community or third parties who believe that they have been unlawfully harassed may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

Formal Process for Addressing Complaints of Harassment

The administrative guidelines will also include a formal complaint process. While the formal complaint process may serve as the first step to resolution of a charge of unlawful harassment, it is also available in those circumstances when the informal complaint process fails to satisfactorily resolve a concern. Because of the need for flexibility, no specific time lines are established for initiating the formal complaint process; however, once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within thirty-one (31) calendar days of the complaint being received).

Although not required, members of the Center community or third parties who feel they have been unlawfully harassed should file a formal written complaint with *their supervisor* or with one of the Complaint Coordinators identified in the Administrative Guidelines. Oral complaints of harassment will be reduced to writing by the individual receiving the complaint and the Complainant will be asked to verify the accuracy of the reported charge by signing the document. Complaints received by a *Director/Supervisor* will be immediately reported to the appropriate Complaint Coordinator identified in the Administrative Guidelines.

After a complaint is filed, the Complaint Coordinator or designee shall conduct a prompt and timely investigation. The investigation may include interviews of the complainant, the individual accused of engaging in harassing behavior, and any other witness who may reasonably be expected to have information relevant to the situation. All interviewed parties and witnesses will be provided an opportunity to present any evidence that they reasonably believe to be relevant to the situation.

At the conclusion of the investigation the Complaint Coordinator or designee will prepare and deliver to the Superintendent a written report summarizing the evidence gathered during the investigation and providing his/her recommendations regarding whether or not the complaint of unlawful harassment has been substantiated. The written report must be based on the totality of the circumstances involved in the

complaint, the nature of the alleged conduct, the context in which the alleged conduct occurred, and the ages and maturity of the individuals involved.

A copy of the written report will also be delivered to the member of the Center community or third party making the complaint and the individual accused of the harassing conduct.

Upon review of the written report the Superintendent will either issue a final decision regarding whether or not the complaint of unlawful harassment was substantiated, or request that further investigation be conducted. A copy of Superintendent's action will be delivered to both the Complainant and the individual accused of the harassing conduct.

A Complainant who is dissatisfied with the Superintendent's decision may appeal it to the Governing Board by submitting written notice to the Superintendent within ten (10) days of the date of the Superintendent's decision. Upon receipt of a notice of appeal, the Board shall meet in executive session at its next regularly scheduled meeting, which is scheduled to occur at least ten (10) days after the Superintendent's receipt of the appeal notice, to review the complaint and the summary of the investigation. Following the meeting, the Board will issue a decision either affirming, modifying, or rejecting the Superintendent's decision. The decision of the Board shall be final.

The Complaint process set forth in the policy and in the administrative guidelines is not intended to interfere with the rights of a member of the Educational Service Center community or a third party to pursue a complaint of unlawful harassment with the United States Department of Education, Office for Civil Rights, the Ohio Civil Rights Commission, or the Equal Employment Opportunity Commission.

The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment regardless of whether the member of the Center community or third party alleging the harassment pursues the complaint.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the Center community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to eliminate such conduct in the future.

Education and Training

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate training to all members of the Center community related to the implementation of this policy and its accompanying administrative guidelines. All training regarding the Board's policy and administrative guidelines and harassment in general, will be age and content appropriate.

R.C. 4112.02, 42 U.S.C. 2000d et seq., 42 U.S.C. 2000e et seq., 29 U.S.C. 621 et seq., 29 U.S.C. 794, 42 U.S.C. 12101 et seq., 20 U.S.C. 1681 et seq., 42 U.S.C. 1983

EMPLOYEE DISCIPLINE – Board Policy 3139 & 4139

The Governing Board retains the right and the responsibility to manage the work force. When the discipline of a staff member becomes necessary, such action shall be in proportion to the employee's offense or misconduct, consistent with appropriate procedural and substantive due process and State law. The Governing Board has adopted an Employee Discipline and Due Process Plan which is included as Appendix A of this Handbook.

DISCIPLINE PROCEDURES

According to O.R.C. 3319.081, administration is responsible to discipline employees in a progressive, corrective manner, to be determined by the administrator. Discipline will be assigned, determined on a case by case basis. The sequence of the discipline shall be determined by the administrator based on the severity of infraction. Discipline measures may result in verbal reprimand, written reprimand, suspension or loss of pay or termination.

The Superintendent will file a report with the Ohio Department of Education, concerning the professional staff member's pleading guilty to a conviction of certain specified crimes and/or where it is reasonably determined that the professional staff member has engaged in conduct which is unbecoming the teaching profession. See section of Reporting of Misconduct for more information.

RESIGNATION AND TERMINATION – Board Policy 3140, 4140

A certified staff member may resign in accordance with the terms of the employment contract. Ohio Revised Code Section (RC) 3319.15 sets out the procedure a teacher seeking to cancel his or her contract with the board must follow. The statute states that teachers, as well as superintendents and other administrators, may terminate their contracts by providing five days written notice to the employing board. However, the law prohibits teachers from terminating contracts after July 10 of any school year without the consent of the board. After July 10 it is the board's prerogative to permit the individual to separate employment and it *may* choose to do so if a suitable replacement may be available.

A classified staff member under contract may resign by filing a written resignation with the Treasurer or the Superintendent at least thirty (30) days prior to the effective date of the resignation.

TERMINATION

An employment contract may be suspended or terminated, upon a majority vote of the Governing Board, for reasonable and just cause such as gross inefficiency, immorality, willful and persistent violation of Board policy or Center guidelines, or for disclosing a question to a student on a State proficiency test. In such cases, the Board shall abide by due process and statutory procedures.

NETWORK, INTERNET & TECHNOLOGY POLICY

All staff must complete and sign the *Network Privacy and Acceptable Use Form*.

The computers, telephone systems, electronic mail systems, and voice mail systems are intended for educational uses and work-related communications. Incidental use of the electronic communications by staff members for personal communications is permitted as long as such communications are limited in number and do not interfere with the primary intended uses of the system. Staff members are prohibited from sending offensive, discriminatory, or harassing computer, electronic, or voice mail messages.

Staff members shall not take any action that would compromise the security of any computer, network, or messaging system.

Staff members may not install any hardware or software that is not authorized by the System Administrator. Staff members may not copy software on any AMESC computer.

The AMESC reserves the right to access and review all electronic and voice mail, computer files, data bases, and any other electronic transmissions contained in or used in conjunction with the Board's computer system, telephone system, electronic mail system, and voice mail system. Staff members should have no expectation that any information contained on such systems is confidential or private. Staff members will not be permitted to use the network to access the Internet without signing an *Acceptable Use and Internet Safety Form*.

ABSENCE (LEAVE) AND TIME MANAGEMENT

The AMESC has implemented an online attendance and time management tool for all employees to submit any requested and required leave and submitting time worked for payroll purposes. Each site or individual will have a location at their worksite of have access to the system individually to complete the submission of leave requests and timesheet/work time information. All requests for leave shall be completed using Absence Management and should be entered prior to taking the leave. If leave is taken for an emergency that would prohibit requests in advance, please submit the request within 2 days of taking the leave. If you have issues or concern relative to the use or operation of Absence and/or Time Management please contact your immediate supervisor. If you have issues or concerns relative to the information contained within Absence and Time Management, please contact the Treasurer's Office.

SICK LEAVE – BOARD POLICY 3432 and 4432

The Governing Board recognizes its statutory duty to pay employees of this Center in full for days on which they are absent from work for reasons of personal disability or pregnancy, and illness, injury or death in the employee's immediate family.

All regular, full-time employees of the Educational Service Center are eligible to accumulate fifteen (15) paid sick leave days annually at the rate of one and one-quarter (1 1/4) days per month. Regular, part-time employees shall be entitled to sick leave accumulation in proportion to the time worked.

Unused sick leave shall be cumulative up to a maximum of 182 days.

The Board shall accept by transfer the accumulated sick leave up to 182 days which any new employee has acquired in another position of public service in Ohio, provided that the last termination of such service shall have been within the last ten (10) years.

New employees, upon request, shall be credited with five (5) days sick leave in advance which shall be part of the fifteen (15) days that can be accumulated for the year.

Sick leave may be used for personal illness, pregnancy, injury, exposure to contagious disease which could be communicated to others, and for absence due to illness, injury, or death in the employee's immediate family.

Sick leave may be used in ½ hour increments. An employee must report sick leave using the leave reporting method prescribed by the board. Any employee who is absent three or more consecutive work days may be asked to complete a Family Medical Leave Certification form and to provide a medical excuse supporting the absence. An employee who is absent ten or more nonconsecutive work days in a school year may be required to submit a medical excuse supporting the absence to the Treasurer's Office. The medical excuse must be from a licensed health care provider, and must state the period of absence, and that the absence from work is due to a health condition.

Falsification of a statement and misuse of sick leave is grounds for suspension or termination of employment.

VACATION – BOARD POLICY 3433 and 4433

The Governing Board believes that it is beneficial to the Educational Service Center that personnel employed to work twelve (12) months/260 days per year be given periodic relief from the responsibilities of their job without loss of compensation. Twelve (12) month/260 day supervisory staff will be granted twenty (20) days of vacation per year. After the first year of employment up to ten (10) unused vacation days may be carried over to the next contract year. The maximum number of vacation days that can be used in any contract year is thirty (30).

The governing Board reserves the right to specify the conditions when not otherwise covered by the terms of the present policy under which vacation time may be taken.

- A. Application - Eligible employees must apply for three (3) or more days vacation to the Superintendent.
- B. Time of Vacation - Vacations will be granted only at times of the year when they will not interfere with the normal performance of assigned duties.
- C. Termination of Employment - An employee who anticipates termination in this Educational Service Center may take accrued vacation prior to the termination date with proper approval as noted.

Accrued vacation for no more than three (3) weeks immediately preceding his/her separation may be paid:

- 1. to the estate of a deceased employee;
- 2. to a retiring and resigning employee.

VACATION: All non-supervisory personnel employed for 260 days will be eligible for vacations according to the following schedule:

Years of Service	Accrual per month	Per year
0-9	.83 days	10 days
10-19	1.25 days	15 days
20	1.66 days	20 days

Vacations must be taken in the calendar year of time earned except that up to a maximum of ten (10) days may be carried over to the next calendar year. Eligible employees must apply for vacation to their supervisor at least two weeks in advance of the desired start date; vacation requests submitted less than two weeks in advance may be approved at the sole discretion of the supervisor.

PERSONAL LEAVE – BOARD POLICY 3436 and 4436

The Governing Board recognizes that a professional staff member may need to be absent for a short time for personal reasons.

The Board reserves the right to specify within the limits of law, the manner of proof of personal necessity, the type of situations in which such leave will be permitted, and the total number of days which may be used in any school year for personal leave.

Up to three (3) full days of personal leave with pay may be used, if approved by the Superintendent, each contract year by full-time employees. Personal leave is not cumulative.

Personal leave requires three (3) days prior supervisor approval for usage. One day may be used as Emergency and does not require prior approval. Personal leave may not be used the day before or after a holiday or during the first or last week of school year or work calendar.

JURY DUTY

Federal Law requires employers to allow employees to serve jury duty with no repercussions in the work place.

Employers, however, are not required to pay employees for time not worked. So, even though employees are entitled to leave for jury duty, they may not be compensated other than what the state reimburses.

FMLA – BOARD POLICY 3430.01 and 4430.01

In accordance with Federal law, the Governing Board shall provide up to twelve (12) weeks of unpaid FMLA leave in any twelve (12) month period to eligible professional staff members for the following reasons:

- A. the birth of a child and/or the care of a newborn child within one (1) year of the child's birth;
- B. the placement of a child with the staff member by way of adoption or foster care and/or to care for the child within one (1) year of the child's arrival;
- C. the staff member is needed to care for a spouse, son, daughter, or parent if such individual has a serious health condition; or
- D. the staff member's own serious health condition prevents him/her from performing the functions of his/her position.

Professional staff members are "eligible" if they have worked for the Board for at least twelve (12) months, *and* for at least 1,250 hours over the twelve (12) months prior to the leave request. All full-time professional staff members are deemed to meet the 1,250 hour requirement.

Twelve (12) month period is defined as a rolling twelve (12) month period measured backward from the date the staff member uses FMLA leave (i.e. the "leave year" is specific to each individual staff member).

Serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves:

- A. Inpatient care, including any period of incapacity or any subsequent treatment in connection with such inpatient care; or
- B. Continuing treatment by a healthcare provider, including:
 - 1. a period of incapacity of more than three (3) consecutive calendar days and any subsequent treatment or period of incapacity relating to the same condition, that also involves either treatment two (2) or more times by a healthcare provider, or treatment by a healthcare provider on at least one

- (1) occasion which results in a regimen of continuing treatment under the supervision of a healthcare provider;
 2. any incapacity due to pregnancy or for prenatal care;
 3. any period of incapacity or treatment for such incapacity due to a chronic serious health condition;
 4. a period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective;
 5. Any period of absence to receive multiple treatments by a healthcare provider either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).
- C. Conditions for which cosmetic treatment are administered are not "serious health conditions" unless inpatient hospital care is required or complications develop. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomachs, minor ulcers, headaches other than migraines, routine dental or orthodontia problems, periodontal disease, etc., are conditions that do not meet this definition and do not qualify for FMLA leave.

The Superintendent may allow a staff member to take FMLA leave intermittently or on a reduced-leave schedule for reason (A) or (B) above. A staff member may take FMLA leave on an intermittent or reduced-leave schedule when medically necessary as indicated in reason (C) above. Regardless, the taking of such leave results in the total reduction of the twelve (12) weeks only by the amount of leave actually taken. If the intermittent or reduced-leave schedule is foreseeable based on planned medical treatment, the Superintendent may require the staff member to transfer temporarily to an available alternative position which better accommodates recurring periods of leave. The alternative position shall have equivalent pay and benefits but not necessarily equivalent duties. Instructional staff members (i.e. individuals whose principal function is to teach and instruct students in a class, a small group, or an individual setting) who request intermittent leave or a reduced-leave schedule which would exceed twenty percent (20%) of the total number of working days over the period of anticipated leave must elect either to:

1. take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or
2. transfer temporarily to an available alternative position offered by the Superintendent for which the instructional staff member is qualified, and that has equivalent pay and benefits and that better accommodates the recurring periods of leave than the staff member's regular position.

Whenever the leave is necessitated by the serious health condition of the staff member or his/her immediate family member, and is foreseeable based on planned medical treatment, the staff member shall provide the Superintendent with thirty (30) day's notice. If there is insufficient time to provide such notice because of the need for

treatment, the staff member shall provide such notice as early as practicable. When planning medical treatment, the staff member must consult with the Superintendent and make a reasonable effort to schedule the leave so as not to unduly disrupt the regular operation of the Educational Service Center, subject to the approval of the healthcare provider.

1. The Board shall require the staff member to substitute any of his/her earned or accrued paid vacation leave, personal leave or family leave for unpaid FMLA leave provided for either reason (A) or (B) above.
2. The Board shall require the staff member to substitute any of his/her earned or accrued paid vacation, personal leave or sick leave for unpaid FMLA leave provided for either reason (C) above.

If the staff member has not earned or accrued adequate paid leave to encompass the entire twelve (12) week period of FMLA leave, the additional weeks of leave to obtain the twelve (12) weeks of FMLA leave the staff member is entitled to shall be unpaid. Whenever a staff member uses paid leave in substitution for unpaid FMLA leave, such leave counts toward the twelve (12) week maximum leave allowance provided by this Policy.

The Superintendent or his/her designee will notify the staff member when the Center intends to designate leave as FMLA-qualifying. Such notice may be given orally or in writing. When verbal notice is given, it will be followed by written notice within ten (10) business days. (Form 3430.01 F1) In the case of intermittent or reduced-leave schedule leave, only one (1) such notice is required unless the circumstances regarding the leave have changed. If the Superintendent does not have sufficient information about the reason for an employee's use of paid leave, the Superintendent may inquire further to ascertain whether the paid leave is FMLA-qualifying. Once the Superintendent learns that a paid leave is for an FMLA leave-qualifying reason, the Superintendent or his/her designee will promptly notify the staff member that the paid leave will count toward the staff member's twelve (12) week FMLA-leave entitlement.

In cases in which the Board employs both spouses, the total amount of FMLA leave is twelve (12) weeks for the couple, except when the leave is due to the serious health condition of either spouse or a child.

When FMLA leave is taken for reason (C) above, the staff member must provide medical certification from the healthcare provider of the eligible staff member or his/her immediate family member.

When the need for FMLA leave is foreseeable and at least thirty (30) days notice has been provided, the staff member must provide the medical certification before the leave begins. When this is not possible, the employee must provide the requested certification to the Superintendent within fifteen (15) calendar days after the staff member requests FMLA leave unless it is not practicable under the circumstances to do so despite the staff member's diligent and good faith efforts.

The Board reserves the right to obtain, at its expense, the opinion of a second healthcare provider and, in the event of conflict, the opinion of a third healthcare provider whose decision shall be binding and final.

A staff member who takes leave for reason (C) above, prior to returning to work, must provide the Superintendent with a statement from his/her healthcare provider that s/he is able to resume work.

Upon return from any FMLA leave, the Board will restore the staff member to his/her former position or to a position with equivalent employment benefits, pay and conditions of employment. During FMLA leave, the Board shall maintain the staff member's current coverage under the Board's group health insurance program on the same conditions as coverage would have been provided if the staff member had been continuously working during the leave period. If the staff member was paying all or part of the premium payments prior to going on FMLA leave, the staff member must continue to pay his/her share during the leave.

Any leave or return from leave during the last five (5) weeks of an academic term shall be reviewed individually by the Superintendent to minimize disruption to the students' program.

The staff member shall not accrue any sick leave, vacation, or other benefits during a period of unpaid FMLA leave.

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

If the staff member fails to return to work at the end of the leave for reasons other than the continuation, recurrence, or onset of a serious health condition of the staff member or of the staff member's immediate family member, or for circumstances beyond the control of the staff member, the staff member shall reimburse the Board for the health insurance premiums paid by the Board during the unpaid FMLA leave period.

A staff member who fraudulently obtains FMLA leave is not protected by this policy's job restoration or maintenance of health benefits provisions.

The Superintendent shall prepare any guidelines that are appropriate for this policy and ensure that the policy is posted properly.

The Superintendent shall provide a copy of the policy upon the request of a staff member.

29 U.S.C. 2601 et seq.
29 C.F.R. part 825
45 C.F.R. Part 160, 164

FLEX TIME – CERTIFIED STAFF

When it is necessary for an eligible certified staff member to work on Center business beyond the regularly scheduled calendar work days of regularly scheduled duty hours, flex-time will be granted in accordance with the following guidelines:

- A. All requests to accumulate Flex-time shall be approved in advance by the staff member's immediate supervisor and approved by the Superintendent.
- B. Staff members will complete and submit a monthly flex-time form that includes information about the date, time, and description of the service required.
- C. Flex-time will be earned at the rate of one (1) hour for every hour worked beyond forty (40) hours.
- D. Accumulation of unused flex-time is limited to forty (40) hours.
- E. Accumulation of unused compensatory-time is limited to forty (40) hours and must be used within 60 calendar days of accrual. No extension of compensatory-time will be approved beyond the 60 days.
- F. The use of more than one (1) day of flex-time must be approved by the Superintendent.

Exempt employees are not eligible for Flex Time. *With few exceptions, to be exempt an employee must (a) be paid at least \$23,600 per year (\$455 per week), and (b) be paid on a salary basis, and also (c) perform exempt job duties. These requirements are outlined in the FLSA Regulations (promulgated by the U.S. Department of Labor).*

COMPENSATORY TIME - CLASSIFIED

When it is necessary for an eligible classified staff member to work on Center business beyond the regularly scheduled calendar work days of regularly scheduled duty hours, flex-time will be granted in accordance with the following guidelines:

- A. All requests to accumulate compensatory time shall be approved in advance by the staff member's immediate supervisor and approved by the Superintendent.
- B. Staff members will complete and submit a monthly compensatory-time form that includes information about the date, time, and description of the service required.
- C. Compensatory-time will be earned at the rate of one and a half (1.5) hours for every hour worked beyond forty (40) hours.
- D. Accumulation of unused compensatory-time is limited to forty (40) hours and must be used within 60 calendar days of accrual. No extension of compensatory-time will be approved beyond the 60 days. Staff with

accumulated time beyond 60 days will need to use the leave or receive monetary compensation in lieu.

- E. The use of more than one (1) consecutive day of compensatory-time must be approved by the Superintendent.

SALARY AND BENEFITS

Initial Placement

Initial placement on the salary schedule shall be in accordance with the Athens-Meigs Educational Service Center Policy and By-Laws section 3411 for Certified Staff.

Initial Placement for Classified Staff shall be in accordance with the following:

The Governing Board retains the authority to specify the salary of new positions and to determine the credit to be awarded for placement on an existing salary schedule. Staff members are required to submit credentials for salary schedule placement to the Superintendent by September 15th of each school year, or within 60 days of employment. The Superintendent is authorized to credit for placement on the salary schedule past service of an applicant for employment on the following basis:

- a. One (1) year credit for each full year of secretarial, bookkeeping or local school district experience.
- b. To a maximum of five (5) years credit.
- c. For service in the military of this country during the time of war or national emergency one (1) year of credit on the schedule for each one (1) year served to a maximum of five (5) years credit.

In order to advance one step on the salary schedule, an employee must have served at least 120 days of the prior school year with the AMESC.

Horizontal Movement on Salary Schedule

The Governing Board encourages all staff members to improve their skills through advance training and, as an inducement thereto, provides extra compensation for those who do so successfully.

The Governing Board reserves the right to approve a change in salary for an employee who successfully meets Educational Service Center guidelines advanced studies.

The Governing Board delegates to the Educational Service Center Superintendent the responsibility for assuring that staff members comply with the following regulations when claiming credit for advance studies:

1. Courses shall have been given at an accredited institute and have been previously approved by the Superintendent.
2. Courses shall be those offered for the attainment of a graduate degree or those specialized courses directly related to the employees' duties as approved by the Superintendent.
3. Successful completion of the course shall be designated by a grade of C or better as submitted directly by the institute.
4. A change in the salary schedule placement will be made only in September and only upon receipt of an original transcript by September 15th each school year.
5. This policy maybe modified only at the discretion of the Superintendent or his Designee.

In order to advance one step on the salary schedule, an employee must have served at least 120 days of the prior school year with the Educational Service

CREDENTIAL/LICENSURE

HIGHLY QUALIFIED TEACHER DESIGNATION

Teachers can meet the federal HQT definition in two ways:

1. Be fully licensed in the area they teach and fulfill qualifications designated on the HQT Worksheet Form(s) A-E; or
2. Be fully licensed in the area they teach and if eligible, achieve 100 points on either the Ohio HQT Abbreviated or Expanded Rubric.

Although teachers must report their HQT status every year, they do not need to re-qualify every year. Once a teacher is HQT in a subject and grade level, he/she are always HQT in that subject and grade level (supporting evidence should be maintained by the teacher).

Local Professional Development Committee (LPDC)

The LPDC is a group sanctioned by the State to review coursework and professional development (PD) activities proposed and completed by educators to determine if state certification and licensure requirements have been met. A list of committee members shall be listed on the Athens-Meigs ESC website.

Forms

All forms required for LPDC shall be available on the Athens-Meigs ESC website.

Step 1 (if applicable)

If coursework has been completed while working for another organization, submit the Verification Form for Educators Leaving the LPDC from the previous organization when beginning work with Athens-Meigs Educational Service Center (ESC).

SIDE NOTE: Employees who take employment elsewhere and want to transfer coursework need to request that the Athens-Meigs ESC LPDC complete this form.

Step 2

Complete and submit the IPDP. Email the IPDP to the LPDC Chair, send it through the postal service to the Athens-Meigs ESC - 21 Birge Drive Chauncey, OH 45719, or fax it to 740-797-0070.

Step 3

Submit coursework using the Activity Proposal to the LPDC. For webinars, also include the Webinar Proposal. Although the Athens-Meigs ESC does not require that educators obtain pre-approval, if coursework is submitted after the activity, the LPDC cannot guarantee that it will be approved. Coursework should be submitted in a timely manner. Waiting until the end of the renewal cycle is unacceptable. Email the coursework to the LPDC Chair through the postal service to the Athens-Meigs ESC - 21 Birge Drive Chauncey, OH 45719, or fax it to 740-797-0070.

Included in Step 3 is the need to address the Ohio Standards for Professional Development. Committee members use the Standards to evaluate the plans of individual educators. The expanded view of what can qualify as “professional development,” as conveyed by the standards, may influence the activities that are recognized as appropriate for licensure. Each of the Standards must be addressed/approved at least once during the educator renewal cycle. The Athens-Meigs ESC keeps record of the educator's PD standards on the PD Summary. Educators are welcome to use the form to keep track of their own approved PD Standards; however, it is not necessary.

Step 4

Educators can renew licenses as early as January of the expiration year. All educators now use the Connected Ohio Records for Educators (CORE) system in the SAFE Account to renew licenses, permits or certificates online. The online process provides a secure environment for educators to update their demographic data and pay licensure fees using a credit card or electronic check. Before applying for renewal, contact the Athens-Meigs LPDC to verify that state certification and licensure requirements have been met.

Meeting Dates

Refer to the Athens-Meigs ESC website for monthly meeting dates. LPDC DOES NOT MEET IN JUNE OR JULY. All meetings are held at the Athens-Meigs ESC in Chauncey, Ohio.

PARAPROFESSIONAL QUALIFICATIONS

According to the regulations, instructional paraprofessionals who have instructional duties in Title I school-wide buildings or are paid with Title I funds in a Title I targeted assistance buildings are required to meet the following criteria:

1. Complete at least two years of study at an institution of higher education (defined as 48 semester or 72 quarter hours as verified by a college transcript from an accredited institution of higher education*); *OR*
2. Obtain an associate (or higher) degree from an accredited institution of higher education (defined as an associate degree program from an accredited institution of higher education); *OR*

3. Meet a rigorous standard of quality and demonstrate through a formal state or local academic assessment – (i) knowledge of, and the ability to assist in instructing reading, writing and mathematics; or (ii) knowledge of, and the ability to assist in readiness for reading, writing and mathematics.

** An accredited institution of higher education is defined in the Higher Education Act as an educational institution that is legally authorized by the State to provide a program of education beyond secondary education for which the institution awards a bachelor's degree or provides not less than a two year program that is acceptable toward such a degree and is accredited at the college level by an accrediting agency recognized by the U.S. Secretary of Education.*

If you are uncertain as to whether your degree or coursework is from an accredited higher education institution, please check with the institution.

3213 - STUDENT SUPERVISION AND WELFARE

Each professional staff member shall maintain a standard of care for the supervision, control, and protection of students commensurate with their assigned duties and responsibilities.

It is the responsibility of the Superintendent to prepare administrative guidelines for the maintenance of the following standards:

- A. A professional staff member shall report immediately to a building administrator any accident, safety hazard, or other potentially harmful condition or situation s/he detects.
- B. A professional staff member shall provide proper instruction in safety matters as presented in assigned course guides.
- C. Each professional staff member shall immediately report to a building administrator knowledge of threats of violence by students.
- D. A professional staff member shall not send students on any personal errands.
- E. A professional staff member shall not inappropriately associate with students at any time in a manner which may give the appearance of impropriety, including, but not limited to, the creation or participation in any situation or activity which could be considered abusive or sexually suggestive or involve illegal substances such as drugs, alcohol or tobacco. Any sexual or other inappropriate conduct with a student by any staff member will subject the offender to potential criminal liability and discipline up to and including termination of employment.

- F. If a student approaches a staff member to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/or family relationships, etc., the staff member may attempt to assist the student by facilitating contact with certified or licensed individuals in the Center or community who specialize in the assessment, diagnosis, and treatment of the student's stated problem. However, under no circumstances should a staff member attempt, unless properly licensed and authorized to do so, to counsel, assess, diagnose, or treat the student's problem or behavior, nor should such staff member inappropriately disclose personally identifiable information concerning the student to third persons not specifically authorized by law.

- G. A professional staff member shall not transport students in a private vehicle without the approval of the supervising administrator.

Since most information concerning a child in school, other than directory information described in Policy **8330**, is confidential under Federal and State laws, any staff member who shares confidential information with another person not authorized to receive the information may be subject to discipline and/or civil liability. This includes, but is not limited to, information concerning assessments, grades, behavior, family background, and alleged child abuse.

Pursuant to the laws of the State and Board Policy **8462**, each professional staff member shall report to the proper legal authorities immediately, any sign of suspected child abuse or neglect.

R.C. 2907.03

TRAVEL POLICY

The AMESC will partially utilize the U.S. General Services Administration (GSA) guidelines for employees work related travel and expenses. Links to GSA sites noted within this handbook will be posted on the AMESC website.

Mileage Reimbursement

The Personally Owned Vehicle (POV) mileage reimbursement rates will be reviewed and updated effective January 1 of the new calendar year. Information about this rate can be found by visiting – www.gsa.gov/mileage. Mileage reimbursement shall be calculated as the distance traveled to an alternate work site location or event, minus the daily travel miles to the regular work site location.

Parking Reimbursement

When travel requires parking that is not covered by lodging expense, staff members are encouraged to use the most economical means of vehicle parking.

Lodging Allowance/Reimbursement

Lodging allowance/reimbursement is based on the location of the work activities and not the accommodations, unless lodging is not available at the work activity, then the agency may authorize the rate where lodging is obtained. Lodging reimbursement shall be in accordance with per diem rates for the region/city of travel and can be found by visiting www.gsa.gov/portal/category/100120.

Lodging will be afforded when the required one-way travel is more than 70 miles from the staff member's home and/or the event requiring travel lasts more than one day in length.

Lodging allowance/reimbursement is limited to one-half of the double occupancy rate if the person sharing the room is another ESC employee on official travel.

When lodging is included in a registration fee or paid through another source or agency, lodging allowance/reimbursement shall not apply.

All staff seeking lodging arrangement shall contact the Treasurer's office to obtain a Sales Tax Exempt Certificate.

Meals and Incidental Expense (M&IE) Allowance/Reimbursement

Meals will be per diem reimbursed when employees are required to travel more than 70 miles from home or when an event takes them away from home or designated work location for more than 8 hours. Reimbursement shall be based upon the GSA allowance for the region/city of travel. The GSA allowance separates the allowance amount into an amount for breakfast, lunch and dinner. Additionally, each region also is allocated an Incidental Expense amount that may be utilized. Visit www.gsa.gov/mie to obtain the M&IE allocations for the region/city of travel.

If a meal is provided as part of the event or paid through registration, that meal is not reimbursable even if the employee decides not to partake the meal.

At the request of the Coordinator, Director or Supervisor, per diem M&IE reimbursement may be provided in advance of travel.

Requests for Travel Expense Reimbursement and Submission of Documentation

All requests for Travel Expense Reimbursement shall be made in writing on the appropriate forms as provided by the AMESC Treasurer's Office. Receipts, where applicable, shall be attached to forms. Reimbursement requests shall be submitted within 30 days of travel. When traveling during the month of June, employees must submit any and all requests by June 30. If per diem is issued in advance of travel, staff members shall provide receipts and reimbursement to the AMESC for any unused per diem amounts.

If the Program Director or Supervisor utilizes KIOSK for Professional Leave, staff members shall submit detailed reimbursement information through that system.

Travel Policy Exclusion and Exemption

In the event that the Travel Policy for the Athens-Meigs ESC does not meet the travel needs and expenses that may be required for travel an appeal may be made to the Superintendent for review in advance of travel. In the event an unforeseen event or incident would cause an extenuating circumstance which would cause additional time and travel the Superintendent should be contacted as soon as possible.

EMPLOYEE USE OF PRIVATELY OWNED VEHICLES

The following guidelines should be adhered to by AMESC employees using privately owned vehicles for employment purposes. These guidelines shall be applicable in all cases of privately owned vehicle use by an AMESC employee.

General Rules for Use of Private Vehicles

- A. All drivers of private vehicles must maintain a valid Ohio driver's license and automobile liability insurance that meet or exceed Ohio mandatory liability insurance requirements as provided in Ohio Revised Code sections 4507.01, 4509.101, and 4501:1-2-02. Drivers must have a valid Ohio driver's license and proof of automobile liability insurance with them at all times while at any time when using their private vehicle to conduct AMESC approved employment duties or activities. Employees and any volunteers who regularly drive as part of their duties, responsibilities and activities must submit proof of a valid driver's license and automobile liability insurance on at least an annual basis to the Superintendent AMESC.

- B. Drivers must not transport more persons than the vehicle was originally designed to safely carry or more than the number of seat belts equipped in the vehicle.
- C. Drivers and passengers must wear seat belts at all times while occupying a private passenger vehicle to carry out approved activities or employment duties. Under no circumstances shall students be transported in privately owned vehicles.
- D. The Superintendent has discretion whether to authorize the use of a vehicle. In making this decision, the Superintendent may consider the vehicle's overall condition, and as well as the destination.

II. Employee Responsible for Use of Privately Owned Vehicle

- A. AMESC employees may not use privately owned vehicles unless specifically authorized to do so in advance by the Superintendent and in compliance with this document.
- B. Employees who are authorized to use a privately-owned vehicle MUST provide proof and possession of a valid Ohio driver's license and Automobile Liability insurance pursuant to the Ohio Financial Responsibility Law, 4509.101 ORC. Their insurance is the primary source of insurance coverage for the automobile, even when driving the vehicle on AMESC business.
- C. No collision or comprehensive coverage is provided by the AMESC for an employee's privately-owned vehicle whether owned, leased or borrowed. The AMESC does not pay for damage to the employee's vehicle. Additionally, the automobile liability insurance carried on the employee vehicle shall always be primary in the event of an accident resulting in property damage or bodily injury to another party. Beyond that, any additional liability coverage for an AMESC employee depends on whether the privately-owned vehicle use falls within the course and scope of an employee's designated employment.

EMPLOYEE DISCIPLINE AND DUE PROCESS PLAN

Group 1 Acts of Misconduct includes the following minor acts of inappropriate behavior:

- 1-1 Failing to submit lesson plans or other reports as directed by the **Director**, Department Head, or Chief Administrator in a timely manner.
- 1-2 Smoking on school or Board property.
- 1-3 Failing to display proper identification after being directed to do so.
- 1-4 Failing to inform the school or assigned work location of absences or tardies in a timely manner without reasonable justification.
- 1-5 Failing to report to school or assigned work location in a timely manner without reasonable justification.
- 1-6 Failing to return to work on time after breaks, lunch, or rest periods without prior authorization to extend the time of such breaks, lunch, or rest periods.
- 1-7 Using paging, cellular, and other electronic devices while supervising students, during instructional time, or at other inappropriate times without authorization.
- 1-8 Negligently failing to carry out a rule, order, or directive related to the performance of one's duty.
- 1-9 Treating discourteously anyone in the classroom, on school grounds or assigned work location, or while attending school functions.
- 1-10 Violating School rules, or Board rules, policies or procedures that result in minor acts of inappropriate behaviors in the classroom, or on school grounds or assigned work location, or while attending school functions.

Disciplinary Options

- Written Reprimand

Group 2 Acts of Misconduct includes the following acts of inappropriate behavior:

- 2-1 Repeated or flagrant acts of Group I misconduct.
- 2-2 Leaving the classroom, duty assignment, or school without permission.
- 2-3 Using verbally abusive language on school or Board property, but not in front of students
- 2-4 Irregular or poor attendance, tardiness, or a pattern of repeated absence or tardiness at a specific time or on specific days of the week or month, or in relation to holidays.
- 2-5 Negligently supervising students.
- 2-6 Inattention to duty including, but not limited to, sleeping on duty, or loitering in the work area.
- 2-7 Insubordination such as the failure to carry out a rule, order, or directive related to the performance of one's duty.
- 2-8 Posting or distributing written materials on school or Board grounds in violation of Board rules or policies.
- 2-9 Incompetently or inefficiently performing one's duties. (A teacher's unsatisfactory performance of pedagogical duties should be addressed through a remediation

process).

- 2-10 Using corporal punishment that does not result in the physical contact with a student (e.g., humiliating a student, forcing a student to stand or kneel for an inordinate period of time, forcing a student into a physical position that causes pain, or requiring isolated time outs that violates isolated time out procedures).
- 2-11 Violating School rules, or Board rules, policies or procedures that result in acts of inappropriate behaviors in the school, or on the school grounds or assigned work location, or while attending school functions.

Disciplinary Options

- Written Reprimand;
- Suspension Without Pay (1 to 5 days); and/or
- Warning Resolution issued by the Board to employees.

Group 3 Acts of Misconduct includes the following acts that disrupt the orderly educational process:

- 3-1 Repeated or flagrant acts of Group 2 misconduct.
- 3-2 Using school or Board property or services without authorization.
- 3-3 Using verbally abusive language to or in front of students.
- 3-4 Using physical restraint on a student that violates physical restraint procedures.
- 3-5 Making false, inaccurate, or deliberately incomplete statements in an official inquiry, investigation, or other official proceeding.
- 3-6 Violating confidentiality of employee personnel records, student records, or other school or Board records.
- 3-7 Violating or failing to perform any duty required by the Board's Code of Ethics.
- 3-8 Directing, authorizing, allowing or asking an employee to perform services, with or without pay, for unauthorized purposes or accepting the benefits of such performance.
- 3-9 Having recurrently poor attendance, tardiness, or a repeated pattern of absences or tardiness at a specific time or on specific days of the week or month, or in relation to holidays.
- 3-10 Using sick leave in an unauthorized manner for purposes other than allowed under Board Rules and regulations.
- 3-11 Negligently failing to comply with laws or rules governing health, safety or sanitary conditions of a school or Board property.
- 3-12 Intentionally failing to manage or supervise staff such that the health, safety, or sanitary conditions of a school are compromised.
- 3-13 Acting negligently so as to damage Board property.
- 3-14 Engaging in a profession, business, trade, investment, occupation, or other activity that conflicts with an employee's job duties and responsibilities with the Board.
- 3-15 Transporting any student without written consent from the school and parent or legal guardian of the student.
- 3-16 Failing to comply with the Board's student travel policy.
- 3-17 Violating School rules, Board rules, policies or procedures that result in behaviors that disrupt the orderly educational process in the classroom, in the school, and may occur on or off the school grounds or assigned work location.

Disciplinary Options

- Suspension Without Pay (1-15 days); and/or
- Warning Resolutions issued by the Board to employees.

Group 4 Acts of Misconduct includes the following acts that seriously disrupt the orderly educational process:

- 4-1 Repeated or flagrant acts of Group 3 misconduct.
- 4-2 Using racial, cultural, ethnic, or religious epithets, or threatening language.
- 4-3 Assaulting, threatening, intimidating, or physical or verbal abuse, by any employee against any person on school grounds which results in physical contact; or provoking or inciting another person to engage in such conduct.
- 4-4 Using the office, work site, work locations, work vehicle, work tools, or work materials or supplies to conduct a secondary business, trade or occupation.
- 4-5 Unauthorized entry onto a School or Board property.
- 4-6 Any serious violation of the A-MESC's Code of Ethics that may result in direct or indirect financial impropriety, among other things.
- 4-7 Sexually harassing an employee, student, or individual in violation of the Board's Sexual Harassment Policy.
- 4-8 Failing to cooperate with and truthfully answer inquiries of the Board's Title IX Officer or Sexual Harassment Officer.
- 4-9 Discriminating against an employee, student, or applicant because of race, color, religion, sex, disability (including, but not limited to, HIV status), national origin, age, or sexual orientation.
- 4-10 Discriminating in the performance of job duties against any member of the public because of race, color, religion, sex, disability (including, but not limited to, HIV status), national origin, age, or sexual orientation.
- 4-11 Falsifying any attendance or other employment records, including, but not limited to, signing or swiping another employee's time record.
- 4-12 Theft or unauthorized possession of school or Board property.
- 4-13 Excessively poor attendance or tardiness.
- 4-14 Requesting or taking a leave of absence on fraudulent grounds.
- 4-15 Submitting false or fraudulent residency information in violation of the Board's residency policy.
- 4-16 Retaliating against an employee or student; (a) who reasonably and in good faith has filed a grievance, charge, or complaint regarding the terms or conditions of employment; or (b) against an employee who has properly testified, assisted or participated in any manner in an investigation, proceeding or hearing regarding such grievance, charge or complaint.
- 4-17 Forging or falsifying official school or Board documents.
- 4-18 Engaging in any act with the intent of providing inappropriate assistance to a student before, during, or after a test, or engaging in any act that an employee knew or should have known would compromise the integrity of the testing process.
- 4-19 Soliciting funds for personal gain.
- 4-20 Fiscal mismanagement or waste of funds.
- 4-21 Misappropriating any funds of the Board or any other public or private organization.

- 4-22 Intentionally failing to comply with laws or rules governing health, safety or sanitary conditions of a school or Board property.
- 4-23 Acting intentionally to damage Board property.
- 4-24 Negligently supervising students where physical or psychological injury results.
- 4-25 Using corporal punishment that results in the deliberate use of physical force with a student (e.g., slapping, hitting, pushing, shaking, twisting, pinching, choking, swatting, head banging, or other physical contact; using any type of object or instrument that has contact with a student).
- 4-26 Violating School rules, Board rules, policies or procedures that result in behaviors that seriously disrupt the orderly educational process in the classroom, in the school, and may occur on or off the school grounds or assigned work location.

Disciplinary Options

- Suspension Without Pay (1-30 days);
- Warning Resolutions issued by the Board to employees; and/or
- Discharge.

Group 5 Acts of Misconduct includes the following acts that grossly disrupt the orderly educational process (School-based discipline is not appropriate. Please contact the Office of the Superintendent IMMEDIATELY!

- 5-1 Repeated or flagrant acts of Group 4 misconduct.
- 5-2 Absence without leave or authorization (“AWOL”).
- 5-3 Losing one’s professional or other license or failing to obtain prerequisites necessary to hold or renew professional or other license.
- 5-4 Falsifying employment records, or committing other fraudulent acts in attempting to secure employment.
- 5-5 Involvement in the illegal sale, delivery, receipt, possession, or use of any controlled substance either on or off the job site during hours of employment or non-working time.
- 5-6 Conviction for an enumerated crime as defined in the ODE Office of Professional Conduct Code.
- 5-7 Possessing, carrying, storing, or using weapons or dangerous chemicals on the job when not authorized to do so.
- 5-8 Soliciting or accepting for personal use any fee or other valuable thing that may be construed as a bribe. That is when such fee, gift, or other valuable thing is solicited by or given to the employee, in hope or expectation of receiving treatment better than that accorded other persons, or using one’s office so as to give the appearance of such impropriety.
- 5-9 Any cruel, immoral, negligent, or criminal conduct or communication to a student, that causes psychological or physical harm or injury to a student.
- 5-10 Soliciting, commanding, urging, inciting or requesting a sexual act of a student; Or intentionally or knowingly engaging in any sexual conduct or act with a student.
- 5-11 Violating the A-MESC’s drug and alcohol testing policy (e.g., testing positive or refusing to submit to testing).
- 5-12 Failing to submit to a medical examination requested pursuant to the Board’s rules and regulations.
- 5-13 Reporting to work under the influence of alcohol or illegal drugs.
- 5-14 Drinking, using, or possessing alcoholic beverages or illegal drugs, or using legal

- drugs in a manner not prescribed by a physician, while at work.
- 5-15 Engaging in any act or conduct prohibited by Board Rules, applicable laws of other states, or federal statutes that may be deemed irremediable conduct.
- 5-16 Any communication in the presence of students that portrays person(s) as criminal, immoral, indecent, or lacking in virtue, or intended to incite hatred, violence, abuse, or hostility toward a person or group of persons by reason of or by reference to that person's religion, race, color, ethnicity, nationality, sex, age, disability, or sexual orientation.
- 5-17 Violating the School rules, or Board rules, policies or procedures which result in behaviors that grossly disrupt the orderly educational process in the classroom, in the school, and may occur on or off school grounds or assigned work location.

Disciplinary Options

- Dismissal; and/or
- Referral to proper authorities for criminal prosecution.