

# Employee Handbook

2025-2026



## WE VALUE...

### **Open communication and demonstration of mutual respect.**

*The necessity to continually modify programs, services, and projects to effectively accommodate changes in the educational needs of those we serve.*

### **Responsiveness and accountability to the needs of the educational community.**

*Positive interaction of staff, family, students, and community to increase the potential for learner success.*

### **Integrity in all that we do.**

*Credibility and the belief that on-going evaluation is necessary to monitor quality, goal attainment, and informed decision-making.*

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## MISSION STATEMENT

Southern Oregon Education Service District, as a responsible partner, provides services and leadership to optimize educational opportunities for the children, schools, and communities it serves.

- **We value:**

Open communication and demonstration of mutual respect.

*The necessity to continually modify programs, services, and projects to effectively accommodate changes in the educational needs of those we serve.*

- **We value:**

Responsiveness and accountability to the needs of the educational community.

*Positive interaction of staff, family, students, and community to increase the potential for learner success.*

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*Credibility and the belief that on-going evaluation is necessary to monitor quality, goal attainment, and for informed decision-making.*



### PURPOSE OF THE HANDBOOK

These guidelines are "how to" steps to follow policies established by the ESD Board of Directors, in pursuit of our mission. Staff should become familiar with this document. Although it is revised periodically, there may be areas that necessitate further amplification and clarification. Please discuss these with your supervisor.

## **PREFACE**

The material covered within this employee handbook is intended as a method of communicating to employees regarding general district information, rules, and regulation and is not intended to either enlarge or diminish any Board policy, administrative regulation, or Collective Bargaining Agreement. Material contained herein may, therefore, be superseded by such Board policy, administrative regulation, Collective Bargaining Agreement, or changes in state or federal law. Board policies are available on the district website.

Any information contained in this employee handbook is subject to revision or elimination. Appropriate notice will be provided.

This handbook is not intended as a contract and does not modify any terms of the employment arrangement.

No information in this document shall be viewed as an offer, expressed or implied, or as a guarantee of any employment of any duration.

Equal employment opportunity and treatment shall be practiced by the district, and the district does not discriminate on the basis of an individual's perceived or actual race, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, marital status, pregnancy, childbirth or a related medical condition, age, veterans' status, service in uniformed service, familial status, genetic information, an individual's juvenile record that has been expunged, or mental or physical disability, or economic status, if the employee, with or without reasonable accommodation, is able to perform the essential functions of the position.

The following staff has been designated to coordinate compliance with these legal requirements, including Title VI, Title VII, Title IX, and other civil rights or discrimination issues; the Americans with Disabilities Act; Health Insurance Portability and Accountability Act (HIPAA); Section 504 of the Rehabilitation Act of 1973; and may be contacted for additional information and/or compliance issues:

### **SOESD Title IX, Civil Rights and ADA Coordinator**

Ryan Swearingen

ryan\_swearingen@soesd.k12.or.us

541-776-8590 ext. 1104

**District Website** School Board policies: SB Policy and Complaint Process

- Bias Incident Complaint Procedure
- 3800 Complaint & Grievance Procedures
- 5920 Diversity, Equity and Inclusion
- 5930 All Students Belong

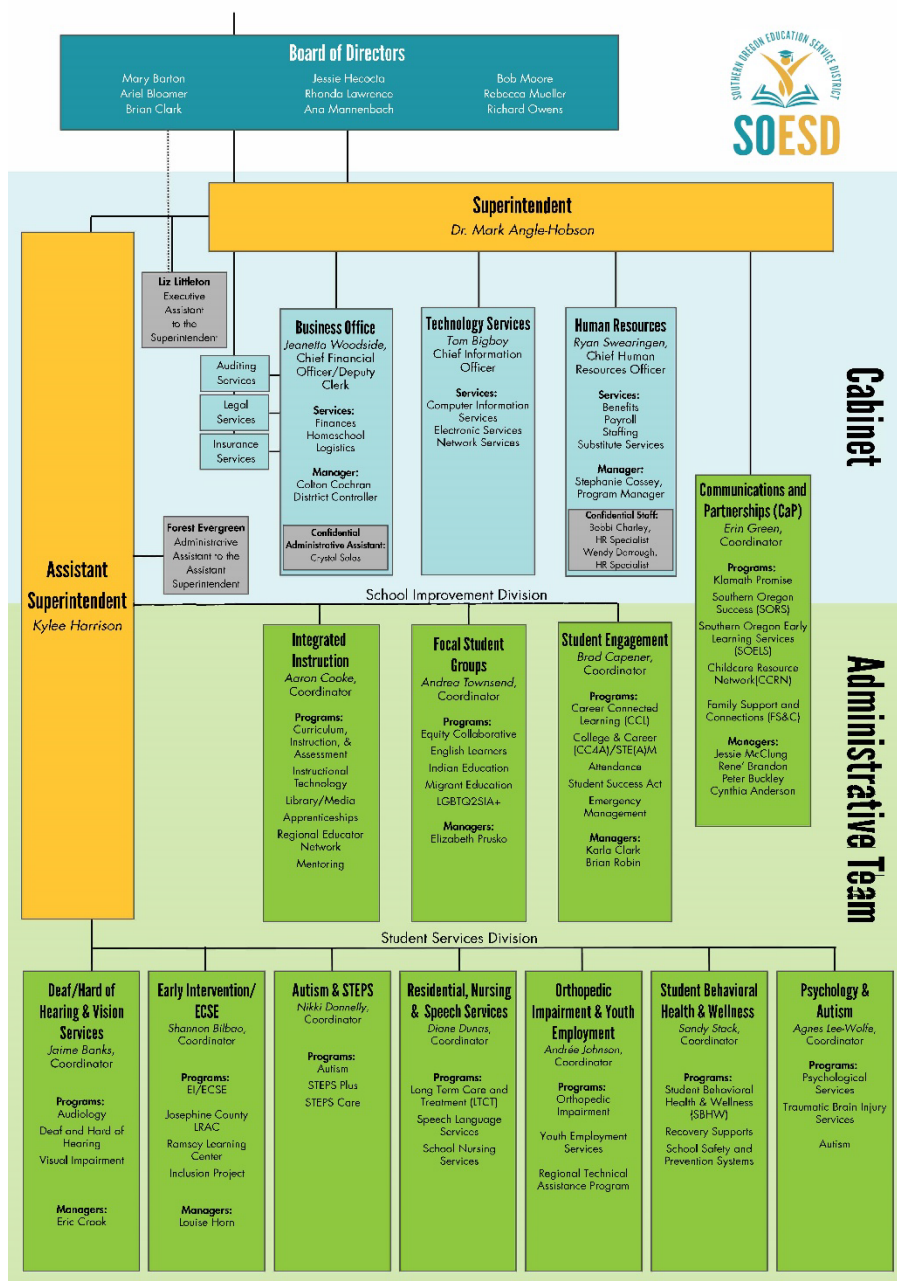
<sup>1</sup>“Sexual orientation” is defined as an individual's actual or perceived heterosexuality, homosexuality, bisexuality, or gender identity, regardless of whether the individual's gender identity, appearance, expression, or behavior differs from that traditionally associated with the individual's sex at birth.

## SOESD OVERVIEW

Southern Oregon ESD is one of 19 ESDs in the state. It serves 13 school districts, over 100 buildings, 3,500 teachers, and 49,000 students in Jackson, Josephine, and Klamath counties. Southern Oregon ESD's 10,600 square-mile geographic area represents the largest ESD service area in the state and ranks fifth highest in the state for the student population.

Governed by a nine-member Board of Directors and staffed by approximately 320 employees, our agency brings the cooperative benefits of "The Regional Advantage" to every student, teacher, administrator, and resident of our service area every day.

## ORGANIZATIONAL CHART



## ABSENCE REPORTING

All staff are to attend work regularly and report to work for all scheduled workdays at the assigned time, fit for duty and are required to report all absences to the immediate supervisor. All staff are to maintain satisfactory attendance, which shall mean reporting for duty and staying on duty during all assigned times, unless when on a form of leave protected by the collective bargaining agreement or under federal and/or state statutes, or on any other form of leave given by written consent of the District. In accordance with federal and state law, the District will not count protected leave under state and federal statutes (e.g., FMLA/OFLA, etc.) against satisfactory attendance.

Staff members unable to report to work for any reason must notify their immediate supervisor and enter their absence in Absence Management as soon as possible. Absence reporting into Absence Management must be done before the scheduled start time to ensure that the appropriate substitute arrangements may be made (if needed). Whenever possible, and as appropriate, substitutes will be retained during the course of the absence.

Refer to the association contracts for types of leaves available to specific positions and information required. Contact the Human Resources Office if you have any questions on the appropriateness of requests.

The program administrator will:

1. Approve absences in Frontline **Absence Management**.
2. Track those employees who do not submit absence reports.
3. Review, on a case-by-case basis, absences that exceed available paid leave.
4. If a long-term pattern of absences, discuss with the employee:
  - a. that absences are disrupting completing work (document the disruption);
  - b. any ADA issues or possible FMLA/OFLA eligibility;
  - c. that if the pattern continues employee could be subject to discipline;
  - d. scheduling an absence review in two months.
  - e. Take disciplinary action if needed. If the continued pattern of absences, discipline up to and including termination.

### FAQs

1. Medical and dental office visits may be counted as personal or sick leave.
2. Sick leave may be used in connection with illness in the immediate family, **or per collective bargaining agreement**.
3. Military leave will be granted following state and federal law. If a request is received, the administrator will contact the Chief Human Resources Officer.

## ABSENCE WITHOUT PAY

If an employee has not accrued appropriate leave and the employee does not report to work, the employee's pay will be docked. Example: An employee does not have vacation time but wishes to take a day off in the current month and requests to "trade" that time for a day of vacation that will be earned

in the following month. This will be denied by the immediate supervisor. It is not the employee's automatic right to take voluntary leave without pay (dock) when no paid leave is available.

## ASBESTOS LAW

Asbestos plans are available in the Medford offices. In addition, the Chief Financial Officer has copies of all asbestos plans. Building inspections made at both locations did not show any friable asbestos.

## ACCIDENT REPORTING

The employee is to file an incident report in Frontline **Central**, which is routed to Human Resources. If the accident results in medical services, the employee will need to file a worker's compensation report (801 form) with the Employee Specialist.

### Employee Accidents

Employees are to file an Incident Report in Frontline **Central** and report all accidents to their immediate supervisor. If the accident involves personal injury and necessitates medical intervention, employees are to contact Human Resources as soon as possible, but no later than **24** hours from the time of injury, to file a Worker's Compensation claim (Form 801). If the employee is incapacitated, the immediate supervisor or designee is required to contact HR's Employee Specialist on behalf of the employee to complete the necessary report. If a motor vehicle is involved in the accident, the Chief Financial Officer is to be contacted immediately.

### Student Accidents

All student accidents are to be reported within 24 hours of the time of the incident. A copy of the written student incident report is to be forwarded to the SOESD Chief Financial Officer.

### Accident Investigation

The immediate administrator is responsible for a thorough investigation as soon as possible after any accident has occurred. An accident follow-up form must be completed by the immediate supervisor and submitted to HR. These forms are available through Frontline **Central**.

Accident investigation has one primary goal: to prevent accidents. It can also help in auditing the effectiveness of our overall safety program. The true objective is to make the workplace safer for everyone.

There are four steps in a good accident investigation:

1. Immediate response.
2. Investigation to get the facts.
3. Analysis of the facts to determine the causes.
4. Development of specific corrective actions.

## ASSET INVENTORY

When ordering or paying for equipment and supplies on the same PO or ATP, break out the cost between the 410s and the 460s or 540s.

If the value is \$.01 to \$499.99 the object code is 410. If the value is \$500.00 to \$4999.99 the object code is 460. If the value is \$5000.00 or more the object code is 541 or 542.

If the program administrator wants to track items that are valued at less than \$500.00, they will track them within their department.

When deleting an item, be sure to put the reason for the deletion on the form, i.e. broken, beyond economical repair, can't find, etc.

When transferring equipment from one area to another, an asset inventory form needs to be completed and forwarded to the Business Office.

### Purpose

Federal, state, and local auditors require that a record be kept of all ESD assets. Above and beyond this requirement is the fact that knowing what is owned and where the items are located makes good common sense.

### What is an Asset?

To be an asset, a purchase should meet all of the following criteria:

1. Will not be consumed in the year of purchase.
2. The expected usable life is greater than one year.
3. The item costs over \$500 per unit (purchase price should include shipping costs).

### Use of the Information

In addition to the requirement that records of assets be kept for audit purposes, the information is used in other ways:

1. An important purpose of the information is to indicate the location of certain items. Furniture, equipment, etc., are often requested by ESD teachers for their classrooms. If the Business Office staff knows where all equipment is located, items that are considered "surplus" by one program can be used elsewhere.
2. ESD assets are insured against fire and other hazards. The insurance company must be furnished with a list of the assets and their location. However, the ESD does not carry insurance on district-owned laptop computers. When one is lost or stolen, the cost of replacement falls entirely on the ESD.

### New Purchases

Capital purchases are tagged by the receiving department/program. Program staff must complete an inventory slip on all new equipment/assets and attach a copy of the invoice or purchase order for the equipment. If a piece of equipment is noticed that is not tagged, the Business Office in Medford should be informed.

There are two ways of tagging merchandise:

1. Tag merchandise and send in the completed inventory slip along with payment via a Purchase Order or ATP.

2. If an inventory slip is not submitted with payment, the Business Office will send a copy of the Purchase order/ATP with an inventory tag and slip to the program Administrative Assistant to complete and return.

### Taking Inventory

The inventory list will be provided by the Business Office in November. These lists will contain all items recorded for a particular location. The items should be checked against the listing and identified tag numbers. If an item cannot be located, it should be noted as "can't find" on the list. The Business Office will identify and review these "can't find" items and may contact the program supervisor for further investigation of these items. Departments/programs will be held accountable for any fixed assets marked as "can't find" on the asset inventory. Items that are in an office or classroom may not be on the list. If they have an approximate value of \$500 or more, they should be noted at the bottom of the list so information can be corrected by the Business Office. As part of this process, the Business Office will send an instruction sheet with inventory listings.

### Disposal

Beyond Economic Repair (BER) When programs/departments are considering the disposal of electronic equipment assets, they will contact Electronic Services to determine if the equipment is beyond economical repair.

## **ASSIGNMENT CHANGES**

Many conditions may affect changes in personnel assignments:

- Vacancies and Transfers
- Location changes
- Reduction in Force
- Terminations
- Change of Hours
- Resignations
- Retirements
- FMLA/OFLA
- Unpaid Leaves
- Budget code changes

A Payroll Change Notice must be completed by the administrator for any change in personnel assignment.

## **BENEFITS**

### **EMPLOYEE ASSISTANCE PROGRAM (EAP)**

Southern Oregon ESD provides an Employee Assistance Program (EAP) for its employees. This program provides services to help employees privately resolve problems that may interfere with work, family, and other important areas of life. Employees can access more information about SOESD's EAP by calling 800-433-2320 or visiting [my.canopywell.com](http://my.canopywell.com). Organization name: OEGB

## **HEALTH INSURANCE**

Insurance benefits are stipulated in the Collective Bargaining Agreements for classified and licensed employees and in the Conditions of Employment for administrative and confidential employees. Benefits typically include:

- Full family medical, dental, and vision
- Term life insurance
- Long-term disability
- Retirement
- Section 125 cafeteria plan
- Accident insurance
- Tax-sheltered annuity

Information on the actual coverage of these plans is available by contacting Human Resources' Employee Specialist (541-776-8590 ext. 1183) or on the SOESD website under "For Staff" using the "Insurance" tab.

Employees have thirty days after marriage, birth, adoption, etc., to add dependents to the insurance coverage provided by the ESD. If changes are not made within the thirty days allowed by the insurance companies, the additions cannot be made until open enrollment.

Should an employee or a spouse of an employee lose coverage for any reason (termination for any reason, divorce, etc.), eligibility may continue under the ESD for some time. If changes should occur that might influence an employee's eligibility, that employee should contact Human Resources to see what eligibility remains, and for what period.

## **PUBLIC EMPLOYEES RETIREMENT SYSTEMS (PERS)**

Because of changes in PERS, employees hired on or after August 29, 2003, will be covered under the Oregon Public Service Retirement Plan (OPSRP). For current employees hired before August 29, 2003, contributions are made to an individual account program (IAP).

### PERS Break in Service for Tier 1 and Tier 2 Members

Employees hired before August 29, 2003, have established membership in PERS. To retain PERS status, employees must work a minimum of 600 hours per year and must not have a break-in-service of more than six months' duration unless exempted (i.e., family medical, professional development, active military duty).

### Social Security

All ESD employees are covered under Social Security.

### Tax Sheltered Annuities – 403(b)

SOESD makes available to all permanent staff and any substitute or temporary employee (who averages 20 hours or more per week for a calendar year) the ability to participate in a 403(b) Tax Sheltered Annuity program. This is a salary reduction program where the employee determines the amount that they will contribute and that amount is taken out of their monthly salary. Employees interested in

participating must contact the SOESD Human Resources office for more information and to obtain a list of participating companies.

### Worker's Compensation

All employees are covered under a Worker's Compensation plan. This plan covers employees who are injured in the course of their work. Should an injury occur, employees must notify HR's Employee Specialist office as soon as possible and complete the necessary incident report on the SOESD website. If medical attention is required, the appropriate worker's compensation claim forms (801 Form) must be completed by the employee and forwarded to the Human Resources office within 72 hours of seeking medical attention.

If an injury is serious enough to require hospital care, the administrator is responsible for notifying the ESD HR's Employee Specialist immediately. The Human Resources office then must notify the carrier immediately upon receipt of the information. Future claims may depend upon the timely filing of accident reports.

## **BREAKS**

Scheduled breaks are provided to all nonexempt employees to ensure safety, efficiency, and to meet the requirements of law. All classified staff members who work 4 or more consecutive hours are entitled to one paid 15-minute break. Those working 8-hour days are entitled to two paid 15-minute breaks.

Employees who work six or more consecutive hours receive an unpaid 30-minute meal break, unless otherwise provided by law.

Nonexempt (e.g., includes some confidential) employees are expected to adhere to the break schedule established by the supervisor. Deviation from the regularly scheduled break period requires prior supervisor approval.

Licensed employees receive a 30-minute continuous duty-free lunch period.

## **BUILDING MAINTENANCE**

If you have concerns, needs, or complaints about ESD buildings, contact the ESD Chief Financial Officer.

### Classrooms

Classroom needs, concerns, or complaints should be referred to the designated Coordinator.

## **BUILDING SECURITY**

SOESD buildings in Medford and Klamath Falls have security systems installed. You cannot enter these buildings after hours without setting off the alarms. The security alarm code should be kept confidential. An employee needs to make sure to disable and re-enable the alarm when entering/exiting the building.

All visitors must enter the front office of the building. Employees should not let others into the building who have not checked in with the front office.

Staff should refrain from keeping personal items of value in or about their desks. Personal items should never be left unsecured. Students should be instructed to leave valuables at home. The district will not be responsible for the loss of, or damage to, personal property.

## **CALENDAR**

### Master School Calendar

The superintendent's office develops a master school calendar after input from the 13 school districts in the ESD's three-county service area.

### Employee Work Calendars

Employee calendar templates are available to supervisors and office professionals to create individual staff calendars each year in the Agency-wide G drive. 258 and 260-day calendars are standard and need not have employees initial and submit each year. 190 and 220-day calendars can be edited for slight variations. All 190-day and 220-day calendars should be published in the fall (with employee initials showing the employee received a copy) and sent to HR.

## **CHILD ABUSE REPORTING**

All SOESD employees are mandatory reporters. All staff are required to participate in annual training in the prevention and identification of child abuse and the obligation of reporting. Oregon law recognizes these types of abuse:

- Physical
- Neglect
- Mental Injury
- Threat of harm
- Sexual abuse and sexual exploitation

Employees shall be alert to possible cases of child abuse and shall immediately report these to the legal authorities and inform the program administrator of the report. The Oregon Department of Human Services report phone number is (855) 503-7233. A copy of the completed child abuse report must be forwarded to the SOESD superintendent. A child abuse reporting form can be found in the agency-wide G drive. Failure to report suspected child abuse or to comply with the confidentiality of records requirements is a violation punishable by law and by district disciplinary action up to and including dismissal.

## **CHILDREN IN THE WORKPLACE**

Infrequent visits by an employee's child, which are of brief duration and are not disruptive to other employees, are permitted. The child must either stay by the parent's side or be in or near the parent's workspace at all times – not in the hallways or other people's offices. The parent/employee is solely responsible for the child's behavior at all times.

## **COMMUNICABLE DISEASE/BLOODBORNE PATHOGENS/INFECTION CONTROL PROCEDURES**

The district provides for the reasonable protection against the risk of exposure to communicable disease to all staff while engaged in the performance of their duties. Reasonable protection from communicable diseases is generally attained through immunization, exclusion or other measures in accordance with Oregon law, by the local health department, or in the Communicable Disease Guidance published by the Oregon Department of Education and the Oregon Health Authority. Infection control procedures, including provisions for handling and disposing of potentially infectious materials, have also been established through Board policy and administrative regulations for staff and student protection.

A staff member may not attend work while in a communicable stage of a restrictable disease or when an administrator has reason to suspect that the staff member has or has been exposed to any disease for which exclusion is required, in accordance with law and per Board policy GBEB – Communicable Diseases in Schools.

All staff shall comply with all other measures adopted by the district and with all rules set by the Oregon Health Authority, Public Health Division, and the local health department.

Staff members have a responsibility to report to the district when infected with a communicable disease unless otherwise stated by law.

## **COMPLAINTS**

### **STAFF COMPLAINTS**

Any staff member who believes there is evidence of, and wishes to report a violation, misinterpretation, or inappropriate application of district personnel policies and/or administrative regulations; a mismanagement, gross waste of funds or abuse of authority; or a substantial and specific danger to public health and safety caused by the actions of the district should be directed to the immediate supervisor for informal discussion and resolution. If the staff complaint is against the superintendent, the complaint should be referred to the Board chair.

If the complaint is not resolved informally, formal complaint procedures may be initiated by staff in accordance with Board policy and administrative regulations.

Disputes and disagreements related to the provisions of any collective bargaining agreement will be resolved as provided in the dispute resolution procedure of the agreement.

### **BIAS INCIDENT COMPLAINTS**

All employees are entitled to work in an environment that is free from discrimination or harassment based on perceived race, color, religion, gender identity, sexual orientation, disability or national origin.

“Bias incident” means a person’s hostile expression of animus toward another person, relating to the other person’s perceived race, color, religion, gender identity, sexual orientation, disability or national origin, of which criminal investigation or prosecution is impossible or inappropriate. Bias incidents may include derogatory language or behavior directed at or about any of the preceding demographic groups.

“Symbol of hate” means nooses, symbols of neo-Nazi ideology or the battle flag of the Confederacy.

The district prohibits the use or display of any symbols of hate on school property, or in an education program except where used in teaching curriculum that is aligned with state standards of education for public schools.

The complaint process is outlined in administrative regulation ACB-AR - Bias Incident Complaint Procedure.

## COMPUTER/SOFTWARE USAGE

All ESD employees will sign a “Computer, Network, and Internet Use Agreement” informing them of Southern Oregon ESD’s policies and procedures as stated in the agreement.

Computer usage is to be in accordance with guidelines stated in the "Computer, Network and Internet Use Agreement" and Board Policy 8700. Southern Oregon ESD reserves the right to monitor or examine all computer and network activities including electronic mail and the content of your computer's hard drive. **Note: Email is not confidential.**

## COMPUTER INFORMATION SERVICES (CIS)

Computer Information Services (CIS) provides technical support for computers, software, and peripherals, including assistance with email and server access; purchase and installation or relocation of computers and peripherals; and installation or removal of software. CIS manages mail and file services and the agency's website. CIS purchases all computer hardware and software for the agency, consults with staff regarding their computer hardware and software purchases and manages the agency's computer software licensing. CIS also provides custom web and data solutions and delivers computer training.

### Contacting the Help Desk

Computer Information Services operates a technical support Help Desk providing phone support; remote and on-site troubleshooting; diagnosis and repair of servers/desktop computers/peripherals; remote training; and advice on planning and purchasing.

To contact the Help Desk:

Phone: 541 776-8590 Ext 1106

Email: [support@soesd.k12.or.us](mailto:support@soesd.k12.or.us)

Web: [www.soesd.k12.or.us/helpdesk](http://www.soesd.k12.or.us/helpdesk)

When contacting the Help Desk, communication should include your name, department, worksite, phone, email address, a brief description of the problem, and equipment tag number or serial number.

### Computer Training

Technology trainings are sometimes offered throughout the year. SOESD staff development offerings can be viewed on our web site at <https://pdnetworks.soesd.k12.or.us/public/events/find-events>. Staff must obtain approval from their supervisor to attend training, and may register online. Departments may also request individual training and arrange for custom workshops by contacting the Computer Information Services Help Desk by calling ext. 1106 or emailing [support@soesd.k12.or.us](mailto:support@soesd.k12.or.us).

### Computer Hardware and Software Purchases

Computer Information Services process all purchases for computers, peripherals, and software agency-wide. To request hardware or software purchases, staff may contact the Computer Information Services Help Desk by calling ext. 1106 or emailing [support@soesd.k12.or.us](mailto:support@soesd.k12.or.us). The Help Desk can assist by determining staff needs, making recommendations, and discussing staff need with supervisors, who can approve purchase requests. Staff is encouraged to communicate their purchase requests with their supervisor, who must approve staff requests to purchase hardware and software.

### Computer Software Installation

To request the purchase or installation of software, please contact the Computer Information Services Help Desk by calling ext. 1106 or emailing [support@soesd.k12.or.us](mailto:support@soesd.k12.or.us).

Employees issued agency-owned mobile devices are encouraged to have CIS purchase and remotely deploy software to their devices, to maximize cost savings for the agency.

Personal software should not be installed on agency devices. The installation and use of unauthorized and/or illegal (not properly licensed) software is not allowed. Systems for monitoring adherence to software licensing will be maintained. If it is found that an employee's computer contains software in violation of copyright laws and/or agency policy, or that software installed by the employee repeatedly causes incompatibility issues or threatens the security of the network, the employee's account privileges may be changed to exclude the ability for staff to download/install software and the appropriate administrator will be notified. Unauthorized and/or illegal (not properly licensed) software is not allowed.

### Databases

Password-protected databases are accessible on Southern Oregon ESD's servers. These databases include agency-wide, as well as program-specific databases. To request the addition of databases to the server, or for assistance accessing or using these services, please contact the Computer Information Services Help Desk by calling ext. 1106 or emailing [support@soesd.k12.or.us](mailto:support@soesd.k12.or.us).

### Web Site

Southern Oregon ESD's website is designed to enhance communication and collaboration among component school districts, assist the ESD in delivering services to local education agencies, and provide information to the community concerning ESD services. The site provides resources concerning educational and related topics, facilitates sharing and cooperation among educational providers, and promotes the learning and development of educational professionals and students. The website can be accessed at [www.soesd.k12.or.us](http://www.soesd.k12.or.us).

Computer Information Services maintains the agency's website and content management system, assists with content development, and develops custom software for the agency's departments and the three-county component school districts.

Program Administrative Assistants are trained as "Content Managers" and are responsible for updating content on their program's pages on the website. Content is approved by department administrators. Administrators may request they or their staff be assigned as "Content Managers." Please contact the Computer Information Services Help to request assistance with web services.

## **CONFERENCE ROOM USE**

The conference rooms in the Medford and Klamath Falls offices of the Southern Oregon ESD are available for use by staff and programs. SOESD has priority use of rooms, which may necessitate canceling meetings if a priority need arises. Conference rooms at the Medford location are also available for use by the public based on a fee schedule. Applications and use guidelines for these rooms are available in the superintendent's office. All conference rooms in Medford and Klamath Falls are scheduled by Jenni Wisdom (541-776-8590 ext 1140). After-hours use of conference rooms must be sponsored by an administrator to provide building security.

## **COPY MACHINE USAGE**

ESD employees may use the machines for personal copying under the following guidelines:

1. The cost is \$.05 per page.
2. Payment is expected at the time of use.
3. The number of copies is limited to 36 at one time.

## **COPYRIGHT LAW**

Copyright Law attempts to balance the protection of the rights of the author with the needs of society. Even though the author or creator is given certain specific rights under Section 106 of the law, Section 107 begins to set some limitations on those rights followed, in other sections, by specific exemptions granted for particular situations.

"Fair Use" Exemptions for educators are outlined in general guidelines that are available in print or electronically on the Internet. The Media Materials Library has several resources available for assistance in determining copyright guidelines.

## **DONATIONS (POLICY 8600)**

The Board authorizes the superintendent or designee to accept or refuse donations on behalf of the ESD. When a department is offered a non-monetary donation, the department administrator will correspond with the superintendent or designee identifying the donation and stating its intended use and purpose. The superintendent or designee will decide whether or not to accept the donation. If accepted, the business office will determine the value of the item and will send a letter to the donor recognizing the donation and stating its fair market value. If not accepted, the superintendent or designee will notify the administrator, who will communicate this action to the donor.

## **DRUG FREE WORKPLACE**

No staff member, engaged in work for the district, shall unlawfully manufacture, distribute, dispense, possess, or use on or in the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or any other controlled substance or alcohol, as defined in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. § 812) and as further defined by regulation at 21 C.F.R. §§ 1308.11 through 1308.15.

"Workplace" is defined to mean the site for the performance of work done in connection with a federal grant or contract. That includes any school building or any school premises; any school-owned vehicle or

any other school-approved vehicle used to transport students to and from school or school activities; and off school property during any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district where work on a federal grant is performed.

No district employee shall knowingly sell, market or distribute steroid or performance enhancing substances to kindergarten through grade 12 students with whom the employee has contact as part of the employee's district duties; or knowingly endorse or suggest the use of such substances.

Each staff member must notify their supervisor of a conviction of any criminal drug statute based on conduct occurring in the workplace, as defined above, no later than five days after such conviction.

Each staff member must abide by the terms of the district's drug-free workplace policy.

The district, upon determining that a staff member has engaged in the manufacture, distribution, dispensation, possession or use, on or in the workplace, of a controlled substance or alcohol, or upon having reasonable suspicion of a staff member's use of a controlled substance or alcohol in the workplace, shall, pending any criminal drug statute conviction for a violation occurring in the workplace, take appropriate action with regard to the employee. Such action may include transfer, granting of leave with or without pay, suspension with or without pay or dismissal.

Within 30 days of a staff member's criminal drug statute conviction for a violation occurring in the workplace, the district shall:

1. Take appropriate action with regard to the employee, which may include discipline up to and including dismissal; and/or
2. Require satisfactory participation by the employee in drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

## **EMERGENCY SCHOOL CLOSURE**

School-based staff will follow the closure for the district to which they are assigned. Employees who serve multiple districts will follow the closure of the districts they were scheduled to serve on that day. Emergency closures for office-based staff in Grants Pass Regional Programs and Klamath Falls offices will follow the closure or delayed start schedules of the school districts in which their offices are located. If there is an emergency specific to a SOESD building, staff will be notified.

NOTE: For the Medford and Gilbert Creek ECS offices only, the SOESD superintendent will decide after consulting with the program administrators located in these offices, whether or not to close the Medford and/or Gilbert Creek ECS office(s). A closure in SOESD offices affects only employees assigned to these offices who are not assigned to follow a district calendar.\* The emergency phone tree will be used to contact employees and SOESD Computer Information Services will continue to post closures on the SOESD website.

\*For those employees assigned to follow a school district calendar, at the beginning of each school year, the program administrator will establish with the employee what to do in the event of an office closure that affects the employee's work calendar.

If there are all-day closures due to weather, water contamination, electrical outages, or other conditions, those days are considered non-work days and may be made up at the end of the school year at the discretion of the Superintendent and/or component districts.

Employees may utilize appropriate paid leave for weather conditions if they deem it too hazardous to get to work or if they determine it is too hazardous to return to work from the field. If an employee has reported to work and is driving to serve a district and in their judgment finds the conditions too hazardous, they may return to their office site without taking their leave. This situation will be considered within the scope of work. We cannot sanction employees working from home on emergency closure days. Employees will not be required to utilize available personal leave for a delayed start or early dismissal emergency closures.

For school closure information check the SOESD and school district websites or, tune into the following stations: Radio Stations: Radio Medford (KAKT, KBOY, KCMX, KTMT); Bi-Coastal Media, Inc. (KMED, KOOL, KRWQ, KISS, KZZE); Jefferson Public Radio (KSOR); KDOV; Opus Broadcasting (KROG, KCNA, KEZX, KRTA); KAJO/KLDR; KRRM. Television Stations: KDRV, KOBI, KTVL, KMOV (KOBI).

## EMPLOYEE DEFINITIONS

### Temporary

- Hired as an addition to regular staff to fill a particular need for a defined period of more than 30 days or is hired to replace a regular employee for an extended and usually unpaid leave of absence. (These positions must be posted if over 30 calendar days).
- A temporary employee working in a classified position is defined as an employee hired for less than six (6) months. See the employment period defined below for both licensed and classified.

### Substitute

- Hired to work in place of a regular employee taking leave time: sick leave, bereavement leave, personal leave, etc. Hired to work for a vacant, posted position that has not yet been filled.

LICENSED PERSONNEL		
CATEGORY	TIME EMPLOYED	BENEFITS
Teachers/Specialists	Full-time/part-time contracted by the SOESD board	Covered by Collective Bargaining Agreement
Temporary/substitutes	On-call / at-will or based on contract	One hour of sick time is earned for every 30 hours worked.

CLASSIFIED PERSONNEL		
CATEGORY	TIME EMPLOYED	BENEFITS
Regular	One-half time or more, hired for more than six months	Covered by Collective Bargaining Agreement
Part-Time	Less than half-time	Not covered by Collective Bargaining Agreement. Sick time is earned on a prorated basis. One hour of sick time is earned for every 30 hours worked. No other leave is earned; no insurance coverage
Temporary/substitutes	Less than six months or varies based on position/need	One hour of sick time is earned for every 30 hours worked.

## EQUIPMENT USAGE

If equipment is to be lent to staff or outside agencies/individuals, equipment loan agreements must be filled out and submitted to the program office lending the equipment. A copy of the equipment loan agreement is also to be forwarded to the SOESD business office for asset management purposes. It is important to remember that equipment is to be used for educational and/or staff development purposes only.

## ETHICS: OREGON GOVERNMENT ETHICS COMMISSION (FORMERLY GSPC)

State statute states that "No public official shall use or attempt to use official position or office to obtain financial gain or avoidance of financial detriment that would not otherwise be available but for the public official's holding of the official position or office . . ." Public official is defined as "any person who is serving the State of Oregon or any of its political subdivisions or any other public body of the state as an officer, employee, agent."

Employees are reminded that they may not receive a benefit on a personal account for items purchased for the ESD.

## ESD SPONSORED ACTIVITIES

Activities originating from or sponsored by the ESD will not include alcohol, whether hosted or non-hosted.

## EVALUATIONS

### Evaluation of Performance

All evaluations are to be conducted by the appropriate administrator. After he/she reviews the evaluation, the administrator will forward the evaluation to the Human Resources Office to be placed in the employee's personnel file. All evaluations will include the ***Expectations of Employee*** rubric, the Professional Communication, and Conduct rubric, and an evaluation summary that identifies goals. All employee evaluations are to be signed by the appropriate administrator and the employee.

Classified	Classified employees shall be evaluated before the end of their six-month probationary period and at least biannually thereafter.
Licensed	See the <b><i>Teacher and Administrator Evaluation and Support System Employee Guide</i></b> posted on the SOESD Agency-wide G Drive.

### Flagrant or Serious Violation

A flagrant violation of a rule, policy, law, or directive is an example of a substantive deficiency that could result in immediate termination without a plan of assistance according to procedures outlined in evaluation guidelines and the classified contract.

### Programs of Assistance for Improvement

When an administrator determines that a program of assistance is needed for improvement to develop a skill set necessary to perform a job, a meeting with the CHRO is scheduled to review initial data and concerns, prepare a program of assistance for improvement, and design the data collection process. The program of assistance is not intended for correcting behavior.

Programs of assistance for improvement will be developed according to evaluation guidelines, collective bargaining agreements, and statutes. A review of the program and accompanying data may require consultation with the district's legal counsel.

Programs of assistance for improvement must be signed by both the employee and administrator with the original filed in the employee's personnel file located in the ESD Human Resources office.

Classified	See Article 13 of OSEA Chapter 104 Bargaining Agreement.
Licensed	See the <b><i>Teacher and Administrator Evaluation and Support System Employee Guide</i></b> posted on the SOESD agency-wide G drive.

## EXPECTATIONS OF EMPLOYEES IN THE WORKPLACE

The following are SOESD expectations:

### Attendance and Punctuality

The employee is consistently on time, adheres to the daily schedule (arrives at work on time and leaves at the appropriate time), has regular attendance at work and work activities, and is punctual in meeting deadlines, attending meetings, and following schedules. The employee uses established procedures for requesting leave and leave requests are consistent with the appropriate and allowable use of leaves. For extended absence due to a medical condition, the employee uses established procedures for applying for FMLA and/or OFLA and provides documentation of a serious health condition. If the employee is absent and a substitute is required, the employee reports the absence by 6:00 a.m. to the **Absence Management** system. If no substitute is required, the employee notifies the appropriate supervisor of his/her absence. The employee submits absence reports in a timely manner to the appropriate personnel.

### Confidentiality

The employee maintains the integrity of confidential information relating to a student, family, colleague, or district patron. The employee uses or relays personal information only in the course of performing assigned responsibilities and in the best interest of the individuals involved.

### Following Policies and Directives

The employee follows all state, SOESD, district, and school policies, rules, regulations, memos, bulletins, announcements, applicable job position descriptions, and reasonable requests by proper authority. The employee performs job-related tasks as designated by the supervisor. Special education employees are also required to implement all required special education procedures including parent rights, eligibility, IEP placement, discipline, and student records according to stated timelines. The employee prepares and maintains classroom materials, equipment, telephone contact log, and specific substitute instructions.

### Gifts

Per Board Policy 8600, employees shall not accept gifts from students, parents, vendors, or outside individuals and any solicitations of employees and/or students shall be authorized only by the superintendent. The SOESD Board considers cards, letters, and plaques as acceptable tokens of gratitude or appreciation.

### Personal Appearance

The employee is dressed and groomed in a neat, clean, and proper professional manner for the assignment and work setting. Attire will be modest, unrevealing, safe, and commensurate with job duties. During summer hours, based on work location and conditions, more casual attire is allowed with superintendent approval.

### Physical Requirements and Safety

The employee performs physical requirements unaided or with the assistance of reasonable accommodation. The employee will maintain a safe working, teaching, and learning environment. The

employee who interacts with students will implement safe teaching practices, use only proper equipment/materials (reflective of age, grade level, and content area), and follow classroom rules/supervision that promotes safe conduct.

#### Professional Conduct and Communication

The employee uses respectful, friendly, clear, and win/win-oriented professional communication skills and behavior with other employees, students, and families. The employee demonstrates positive support for the school district, the SOESD, and the community and serves as a liaison to promote good public relations between SOESD, staff, families, component districts, and the community. The employee accepts constructive feedback, shows the ability to be flexible in the workplace, gets along, and works well with the educational team. The employee avoids relationships or activities that have the potential to interfere with professional judgment and objectivity or blur the boundaries of professional relationships. If there is a conflict of interest with an employee, student, or family, the employee is to inform the program administrator of the conflict of interest. Proper internet use, which does not violate the computer use agreement, will be followed. SOESD protocol, procedure, and policy will be followed when communicating complaints and concerns. Use of personal cell phones for personal calls during the work day should be limited to break periods or personal emergencies. The employee demonstrates ethical standards related to his/her professional practice and follows SOESD and/or district policy. For example, the ASHA Code of Ethics, CEC Special Education Professional Ethical Principles and Practice Standards, DEC Code of Ethics, NASP Standards, NAEYC Code of Ethics, and TSPC Statement of Professionalism.

#### Professional Growth

The employee participates in activities that are considered to be professionally enhancing and connected to respective job descriptions/duties. The employee is self-motivated and takes initiative. The employee completes an Employee Request to Attend Inservice form and submits the request to the program administrator for approval. An agenda for the workshop or conference should be attached for review by the administrator.

#### Physical Requirements and Safety

The employee performs physical requirements unaided or with the assistance of reasonable accommodation. The employee will maintain a safe working, teaching, and learning environment. The employee who interacts with students will implement safe teaching practices, use only proper equipment/materials (reflective of age, grade level, and content area), and follow classroom rules/supervision that promote safe conduct.

### **EXPRESSION OF MILK IN THE WORKPLACE**

When possible, an employee must give reasonable notice of the intent to express milk. The district shall provide the employee a reasonable rest period to express milk each time the employee has a need to express milk [or breast-feed]. If feasible, the employee will take the rest period at the same time as the rest periods or meal periods provided by the district.

The district will make a reasonable effort to provide a location, other than a public restroom or toilet stall, in close proximity to the employee's work area, where an employee can express milk in private, concealed from view and without intrusion by other employees or the public. "Close proximity" means

within walking distance from the employee's work area that does not appreciably shorten the rest or meal period. If a private location is not within close proximity to the employee's work area, the district may not include the time taken to travel to and from the location as part of the break period.

An employee who expresses milk during work hours may use any available refrigeration to store the expressed milk. The district must allow the employee to bring a cooler or other insulated food container to work for storing the expressed milk and ensure there is adequate space in the workplace to accommodate the employee's cooler or insulated food container.

The list of designated locations is also available upon request in the central office of each school facility and in the district's central office.

Board policy GBDA – Expression of Milk in the Workplace only applies to employees who are expressing milk for children 18 months of age or younger.

## **FAX MACHINE USAGE**

School district personnel and agencies dealing with school districts may utilize the machines for school-related business. There will be no charge for this use.

ESD employees may use the machines for personal correspondence under the following guidelines:

1. The cost is \$.25 per page to receive.
2. The cost is \$.50 per page to send (in-country only).
3. Payment is expected at the time of use.

## **FIELD TRIP PROCEDURE**

A field trip is an additional and supplemental activity, which is not part of the regularly scheduled curriculum, conducted at school and community training sites for the instruction of IEP goals and objectives. Most field trips are sponsored and conducted by local school districts.

### Procedure

1. The teacher completes and submits a "Field Trip Request" form at least 45 calendar days before the planned activity. These forms are available in Frontline **Central**.
2. The director reviews the request with the program administrator. The director decides whether the request complies with the educational goals of the students and meets the definition of a field trip. If approved by the director, the form is forwarded to the superintendent at least 30 days before the planned activity.
3. The superintendent will review the request and within five working days of receipt 1) approve the request, subject to listed requirements attached to the approval, or 2) deny the request.
4. All volunteers and/or chaperones must pass a background check completed by Human Resources.

Staff participation and/or assistance with student activities, which are not field trips, is a personal matter and the ESD does not authorize your participation on the agency's behalf. To the extent you participate in such activities, you are doing so at your own risk and responsibility. The Southern Oregon ESD will assume no responsibility.

## **FIRE EXIT PLAN**

Fire exit plans are posted in the Medford, Klamath Falls, and Grants Pass buildings. You should familiarize yourself with the plan and the building exits. Emergency flip charts should be left accessible by the door or under the telephone, for easy access in case of emergency.

## **FLEX TIME (NON-EXEMPT)**

Flex time is time within the 40-hour workweek. The workweek is defined as Monday through Sunday. It permits flexibility such as four 10-hour workdays and other arrangements agreed to by the employee and supervisor. It refers only to time within the 40-hour workweek.

Arrangements for flex time are to be pre-approved by the program/department administrator before the employee changes their schedule for that week. Flex time is not meant to be used in place of sick time or discretionary leave.

## **GRANTS**

If you intend to write a grant, you must submit the Intent to Submit Proposal for Grant Funding form to the program director. The program director will sign off and submit the intent to the superintendent's office. If the proposal represents a competitive grant, a notice to all departments will be generated providing notification of the intent. If there are no in-house competing grants identified within two weeks, the proposal will be approved to proceed by the signature of the Superintendent. The process is outlined below.

1. The grant application needs to be approved by the program director before submission to the superintendent.
2. If approved by the director, the application must be submitted to the superintendent before submission to the granting agency, preferably one week before the deadline. Discussions with the director and superintendent need to occur about "in-kind" issues and indirect cost charges (please contact the Business Office for current rates). If there is a contract involved with the funding, the contract will be reviewed by the Chief Financial Officer before signing.
3. Once the grant is approved, a copy of the grant proposal and award letter needs to be sent to the business office with a budget breakdown. The budget breakdown needs to follow agency budget coding.
4. The department or program needs to monitor when interim or final reports need to be submitted, as well as requests for funds routed to the business office.
4. If staff time needs to be charged to the grant or contract, the department/program will submit information to the business office documenting the time to be charged to the grant/contract.
5. The department/program will confirm revenue source (federal, state, private) and provide this to the business office (if federal, CFDA number is necessary for the business office files).
6. If there is an in-kind expectation, the department/program will provide that information to the business office for inclusion in the grant file.
7. When preparing the budget for grant submission, please remember to include any benefit percentages for district personnel/contracts and remember to plan for this percentage to change over the life of the grant if it is a multi-year contract (please contact the Business Office for the current rates).

The SOESD Board has given the administration authority to apply for grants, and if received the Board has to approve the grant budget. All contracts should be signed by the service provider, supervisor, and

superintendent before services are rendered. The Chief Financial Officer is authorized by the Board, in the superintendent's absence, to sign grants and contracts.

## **HARASSMENT**

### **WORKPLACE HARASSMENT**

Workplace harassment is prohibited and shall not be tolerated. This includes workplace harassment that occurs between district employees or between a district employee and the district in the workplace or at a work-related event that is off district premises and coordinated by or through the district, or between the district and a district employee off district premises. Elected school board members, volunteers, and interns are subject to Board policy, GBEA – Workplace Harassment.

“Workplace harassment” means conduct that constitutes discrimination prohibited by ORS 659A.030 (i.e., discrimination in employment based on race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, age, or expunged juvenile record), including conduct that constitutes sexual assault or that constitutes conduct prohibited by ORS 659A.082 (i.e., discrimination against person in uniformed service) or 659A.112 (i.e., discrimination in employment based on disability).

Any district employee who believes they have been a victim of workplace harassment may file a report with the district employee designated in the administrative regulation GBEA-AR - Workplace Harassment Reporting and Procedure and may file a report through the Bureau of Labor and Industries' (BOLI) complaint resolution process or under any other available law. The reporting of such information is voluntary. The district employee making the report is advised to document any incidents of workplace harassment.

The district will make Board policy, GBEA – Workplace Harassment, available to all district employees and it shall be made a part of district orientation materials provided to new district employees at the time of hire.

### **SEXUAL HARASSMENT**

#### Definition

Sexual harassment shall include, but not be limited to, unwelcome conduct of a sexual nature that has the purpose or effect of unreasonably interfering with a person's ability to perform his or her job or that creates an intimidating, offensive, or hostile work environment, sexual advances, demands or requests for sexual favors and other verbal or physical conduct of a sexual nature by any person when:

1. Submission to the conduct or communication is made either explicitly or implicitly a term or condition of a student's education or participation in district programs or activities or as a condition of employment for staff;
2. Submission to or rejection of the conduct or communication is used as the basis for decisions affecting a student or employment or assignment of staff;
3. The conduct or communication has the purpose or effect of unreasonably interfering with a student's educational performance or with an employee's ability to perform his/her job;

4. The conduct or communication has the effect of creating an intimidating, offensive or hostile educational or working environment;
5. The conduct or communication has the purpose or effect of demanding sexual favors in exchange for benefits.

All complaints about behavior that may violate this policy shall be promptly investigated. Any student or employee who has knowledge of or feels he/she is a victim of sexual harassment must immediately report his/her concerns to the immediate supervisor or superintendent. The student and the student's parents or staff member who initiated the complaint shall be notified when the investigation is concluded.

The initiation of a complaint in good faith about behavior that may violate this policy shall not adversely affect the educational assignments or student environment of a student complainant or any terms or conditions of employment or work environment of the staff complainant. There shall be no retaliation by the district against any person who, in good faith, reports sexual harassment.

Students found to violate this policy shall be subject to discipline up to and including expulsion. Employees shall be subject to discipline, up to and including dismissal. Other individuals whose behavior is found to violate this policy shall be subject to appropriate sanctions as determined and imposed by the superintendent or board.

The district may report individuals in violation of this policy to law enforcement officials. Licensed staff and those participating in practicum programs as specified by Oregon Administrative Rules shall be reported to the Teacher Standards and Practices Commission.

The district shall ensure appropriate training is provided to all supervisors, staff, and students. This policy as well as the complaint procedure will be made available to all students, parents of students, and staff. All staff and students shall be subject to this policy.

#### Complaint Procedures

The superintendent has responsibility for investigations concerning sexual harassment. The investigator shall be a neutral party having had no involvement in the complaint presented.

##### Step 1

Any sexual harassment complaint shall be presented to the superintendent. All such complaints shall be reduced to writing and will include the specific nature of the sexual harassment and corresponding dates.

##### Step 2

After receiving the complaint, the superintendent or designee shall promptly initiate an investigation. He/she will arrange such meetings as may be necessary to discuss the complaint with all concerned parties within five working days after receipt of the complaint. All findings of the investigation, including the response of the alleged harasser, shall be reduced to writing. The

superintendent or his/her designee conducting the investigation shall notify the complainant in writing when the investigation is concluded. A copy of the notification letter, together with any other documentation related to the sexual harassment incident, will be forwarded to the superintendent.

### Step 3

If the complainant is not satisfied with the superintendent's or designee's decision, a written appeal may be filed with the board within ten working days after receipt of the Step 3 decision. The board shall, within twenty working days, conduct a hearing at which time the complainant shall be allowed to present the appeal. The board shall provide a written decision to the complainant within ten working days following the completion of the hearing.

### Step 4

If the complaint is not satisfactorily settled, the employee may appeal to the U. S. Department of Labor, Equal Employment Opportunity Commission, or Oregon Bureau of Labor and Industry; the student may appeal to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Avenue, Room 3310, Seattle, WA 98174-1099.

All documentation related to sexual harassment complaints may become part of the student's education record or the employee's personnel file as appropriate. Additionally, a copy of all sexual harassment complaints and documentation will be maintained as a confidential file and stored in the district office. The superintendent shall report the name of any person holding a teaching license or participating in a practicum under OAR 584-015-0070 or 584-016-1075 when, after appropriate investigation, there is reasonable cause to believe the person may have committed an act of sexual harassment. Reports shall be made to the Teacher Standards and Practices Commission within 30 days of such a finding. Sexual contact with a student shall also be considered a reportable offense. In the event the superintendent is the subject of the investigation, reports, when required, shall be made by the board chairman.

## **HAZARDOUS CHEMICAL PLANS**

Hazardous chemical plans are available in the Business Office in Medford and in the Special Education Office in Klamath Falls and Grants Pass.

## **INDEPENDENT CONTRACTORS**

An independent contractor is someone who is self-employed and provides a service to SOESD. All independent contractors must have a finalized contract with SOESD before starting work to invoice for payment. Independent contractor contracts are handled by the business office. They must pass a background check if they will be working where students or children are. As well, they are required to take certain trainings if working with students or children. For payment, independent contractors invoice SOESD. At the end of the year, they will receive a 1099 form, not a W4. The SOESD will not withhold income tax.

## INFORMATION REQUESTS

The superintendent's office has a copy of the guidelines regarding access to information, both public and confidential.

### Release of General Staff Information

A staff member's or volunteer's address, personal electronic mail address, date of birth, social security number, and personal phone number contained in personnel records maintained by the district are exempt from public disclosure. Such information will be released by the district only upon written permission of the staff member or volunteer unless otherwise accepted by law.

### Job References

Authorized SOESD personnel may disclose information about a former employee's job performance to a prospective employer under the following conditions:

1. Disclosure of information is upon the request of the prospective employer;
2. Disclosure of information is upon the request of the former staff member;
3. The information is related to job performance; or
4. The disclosure is presumed to be in good faith.

The district will not disclose information that is knowingly false, deliberately misleading, or rendered with malicious purpose.

## INTENT TO RETURN LETTERS

LICENSED TIMELINES	
The district provides written notice to the licensed employee of renewal or non-renewal.	By March 15
Licensed employee accepts or rejects the offer of renewal.	By April 15
The district provides written notice of assignment for the following year (specific if known or a statement indicating it is not yet known)	Before the last working day of the school year.

CLASSIFIED TIMELINES	
Academic Year employees return the “Intent to Return” form to Human Resources	By April 15
Academic Year employees apply by letter to the program administrator for available summer openings.	By April 15

## INTEREST IN OTHER ESD POSITIONS

Open ESD positions are posted on the ESD’s website and all employees receive an email notification of the job posting. Employees interested in posted positions need to submit their application through the SOESD website and discuss with their supervisor the positions they are interested in.

## LEAD-IN-THE-WATER

Water has been tested at all SOESD buildings. All drinking fountains have been approved.

## LEAVES

### Paid Leaves

<b>Classified</b> <b>(Oregon School Employees Association – Article 7.2 and Article 8)</b>	
Discretionary Leave	<p>Three days maximum, one-hour portions.*</p> <p>Must be employed for at least three months. One (1) unused day of Discretionary Leave may be carried over from one year to the next for a maximum of four (4) days total in a contract year. All limitations have been removed.</p> <p>*Discretionary leave may be used in one-half-hour portions when the half-hour is in conjunction with the use of one or more hours.</p> <p>Acceptable: 1 and 1/2 hours, 2 and 1/2 hours, etc.</p> <p>Unacceptable: 1/2 hour</p>

Bereavement	<p>Five (5) days maximum, non-cumulative.</p> <p>To be used for the death of a family member (spouse, child, parent, son- or daughter-in-law, father- or mother-in-law, brother, sister, grandparent, grandchild, brother- or sister-in-law, step-parent, step-children; aunt, uncle, cousin).</p> <p>Sufficient time off with pay to attend the local funeral of a friend, co-worker, or student.</p> <p>Any leave over five days will be charged to accrued sick leave and/or vacation leave. Leave requests must state the nature of the bereavement and the family relationship.</p>
Sick	<p>One day per month, accumulative, to be used for personal illness or injury, or injury or illness of an employee's immediate family and any person living in the home; the district may request a physician's certification if the absence is more than five consecutive days.</p> <p>Shall be taken in not less than one-half-hour increments.</p> <p>Immediate family is defined as spouse, same-gender domestic partner, custodial parent, step-parent, non-custodial parent, the biological, adoptive or foster parent or child of the employee, parent-in-law, parent of same gender domestic partner, grandparent or grandchild of the employee, brother, sister, brother-in-law, sister-in-law, any person living in the home of the employee, or a person with whom the employee is or was in a relationship of in loco parentis. No limit on accumulation.</p>
Vacation	<p>Annual full-time classified employees earn between 6.67 and 13.34 hours per month depending upon their length of service. Vacation is prorated for annual employees who work less than full-time but half-time or more. Employees who work less than a full year (258 calendars) do not earn vacation.</p> <p>Must be employed three months before accessing leave time. Employees who earn between 6.67 and 13.34 hours per month may accumulate up to a maximum of 240 hours. Employees who earn 16.67 hours per month may accumulate up to 320 hours.</p>

Legal	An employee called for jury duty, or who has received a subpoena at the request of the district or as a witness to represent the district for a job-related reason, will receive full pay for the length of the jury or other applicable service, except that part-time classified personnel shall receive pay only for that portion of the day that the employee regularly works. The compensation paid to an employee for the period of leave shall be reduced by the amount of compensation or witness fees received by the employee, excluding mileage reimbursement. For the services, the employee may turn such compensation (except mileage reimbursement) directly over to the district without any consequent deduction in the employee's compensation. The employee shall immediately return to work after duty. This provision shall not apply to any legal actions or proceedings to which the employee is a party. As an individual or by class determination, nor shall it apply to any instances when the employee's presence is not at the request of the district.
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<b>Licensed</b> <b>(Southern Oregon Bargaining Council – Article 5. C. and Article 14)</b>	
Discretionary	Five-day maximum, usable in not less than 1/2 day portions if substitute required or in one-hour portions if substitute not required. One day may be carried over from one year to the next for a maximum of six (6) days total in a contract year. The days are prorated by FTE and calendar for those not working full time or full academic year.
Bereavement	The ESD shall comply with state leave laws regarding bereavement leave for grieving, estate matters, funerals, and memorials. Leave must be scheduled within sixty (60) days of the date the employee received notice of the death of a covered family member. The first two (2) days of bereavement leave will be district-paid leave, and for any remaining days, the employee shall choose whether they are using discretionary or sick leave for the remaining eight (8) days.
Sick	<p>One day per month, accumulative. Leave to be used for personal illness or injury, or injury or illness of an employee's immediate family; the district may request a physician's certification if the absence is more than five consecutive days. Immediate family is defined as spouse, child, parent, son or daughter-in-law, father- or mother-in-law, brother, sister, brother- or sister-in-law, grandparent, or any other person living in the home. No limit on accumulation.</p> <p><i>Note: Licensed employees who work 190-219 days earn 10 days of sick leave per fiscal year and licensed employees who work 220 days earn 11. One additional day of sick leave may be earned by an employee contracted for 190-219 days, if a calendar has been filed with Human Resources denoting that the employee will be on duty for at least 10 days in a month not already used to calculate sick leave</i></p>

Legal	An employee called for jury duty, or who has received a subpoena to testify in a legal proceeding or at a legislative hearing, regarding ESD-related business, or under subpoena as a disinterested witness will receive full pay for the length of the jury or other service, except that part-time personnel shall receive pay only for that portion of the day regularly worked. Paid leave shall not be granted when an employee is a complainant against the District or if related to a personal legal/litigation matter. The compensation paid to an employee for the period of leave shall be reduced by the amount of compensation or fees (excluding mileage), received by the employee for the services referred to above, or the employee may give the compensation to the District without any consequent deduction in the employee's compensation. An employee called under the condition of this paragraph who is excused from duty shall immediately return to work.
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<b>Administrative - Licensed</b> <b>(Contracted by the SOESD Board of Directors)</b>	
Personal/Emergency	Four (4) normal work days per contract year, and is usable in not less than one-hour portions. Non-cumulative.
Bereavement	Five days maximum, no restrictions on the amount taken, non-cumulative. To be used for the death of a family member and any person living in the home; to attend a local funeral of a friend, co-worker, or student. Any leave over five days will be charged to accrued sick leave and/or vacation leave. Must state the nature of bereavement to include the family member. A family member is defined as spouse, child, parent, son- or daughter-in-law, father- or mother-in-law, brother, sister, grandparent, grandchild, brother or sister-in-law, step-parent, step-children, aunt, uncle, cousin.
Sick	One day per month, cumulative. Leave to be used for personal illness or injury, or injury or illness of an employee's immediate family; the district may request a physician's certification if the absence is more than five consecutive days. Immediate family is defined as spouse, child, parent, son or daughter-in-law, father- or mother-in-law, brother- or sister-in-law, step-parent, or step-children. No limit on accumulation.
Vacation	Twenty (20) days per year. As of September 1 of each year, no more than 240 hours may be accumulated.

Legal	An employee called for jury duty, or who has received a subpoena to testify in a court proceeding or at a legislative hearing involving the district, will receive full pay (for that portion or the day that the employee regularly works) for the length of the jury or other service, except those days served on non-contract or non-paid days. The compensation paid to an employee for the period of leave shall be reduced by the amount of compensation or witness fees received by the employee, excluding mileage reimbursement, for the services referred to above or the employee may turn such compensation directly over to the ESD without any consequent deduction in the employee's compensation. An employee called under the conditions listed in this paragraph and who is excused from duty shall immediately return to work.
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<b>Administrative – Non-Licensed</b>	
Discretionary	Granted at the rate of three (3) normal work days per year, and is usable in not less than half-hour portions after the first hour. Discretionary leave may accumulate up to a maximum of four (4) days. Employees will not be eligible to take discretionary leave until they have been employed for three months.
Bereavement	Five days maximum, no restrictions on the amount taken, non-cumulative. To be used for the death of a family member and any person living in the home; to attend a local funeral of a friend, co-worker, or student. Any leave over five days will be charged to accrued sick leave and/or vacation leave. Must state the nature of bereavement including the family member. A family member is defined as spouse, child, parent, son- or daughter-in-law, father- or mother-in-law, brother, sister, grandparent, brother- or sister-in law)
Sick	One day per month, cumulative. Leave to be used for personal illness or injury, or injury or illness of an employee's immediate family; the district may request a physician's certification if the absence is more than five consecutive days. Immediate family is defined as spouse, child, parent, son or daughter-in-law, father- or mother-in-law, brother- or sister-in-law, step-parent, or step-children. No limit on accumulation.

Vacation	Administrators (non-licensed) who are contracted for 260 days receive twenty (20) vacation days per year. The employee has until September 1 to use accumulated vacation so that on September 1 there are no more than 240 hours remaining. Any hours over the 240 hours on September 1 will be forfeited.
Legal	An employee called for jury duty, or who has received a subpoena to testify in a court proceeding or at a legislative hearing involving the district, will receive full pay (for that portion or the day that the employee regularly works) for the length of the jury or other service, except those days served on non-contract or non-paid days. The compensation paid to an employee for the period of leave shall be reduced by the amount of compensation or witness fees received by the employee, excluding mileage reimbursement, for the services referred to above or the employee may turn such compensation directly over to the ESD without any consequent deduction in the employee's compensation. An employee called under the conditions listed in this paragraph and who is excused from duty shall immediately return to work.

#### Association/Council Leave

- Licensed Staff: See SOBC contract, Article 5, Section C
- Classified Staff: See OSEA collective bargaining agreement, Article 7, Section 7.2.

If an employee desires to use association leave, they should discuss this with their supervisor to schedule at an appropriate time. The request is then submitted in Frontline **Absence Management** (select "duty" and note "association" leave in the comments field).

#### FMLA/OFLA

FMLA and OFLA are laws that entitle employees to leave benefits for their serious health condition, birth, adoption, or foster-placement of a child, and to care for a seriously ill family member. Eligibility requirements differ between the two acts but at the minimum, you must be employed at least 180 days and work an average of 25 hours per week to qualify.

Each eligible employee has an annual (beginning the start date of an approved leave) entitlement of 12 weeks of leave under FMLA/OFLA. Oregon regulations provide that leave taken under FMLA will count toward OFLA entitlement. Both FMLA and OFLA guarantee your right to be restored to the position you held at the commencement of your leave or to an equivalent position.

At Southern Oregon ESD, FMLA and OFLA leaves run concurrently with paid leave, such as sick leave, vacation leave, personal leave, and leave for workers' compensation injury (FMLA only). An FMLA/OFLA leave will be paid to the extent that you have accrued paid leave available. Also under FMLA, the ESD will continue to pay the employer portion of insurance premiums, though you may not have accrued paid leave.

If an employee is absent for five consecutive workdays, the administrator or his designee will contact the employee and ask questions to determine if the leave qualifies for FMLA/OFLA, and if appropriate, the employee may request to start the FMLA/OFLA process. If approved, it is understood that the employee will not work during the period of his/her leave for another agency as an employee or a private contractor during his/her normally scheduled work hours at SOESD.

To request FMLA/OFLA leave, please contact the HR department for detailed information regarding how to apply. The application is available in Frontline **Central**. Important: Any time you are absent, whether it qualifies for FMLA or not, you need to communicate with your supervisor that you will be absent and submit the absence in **Absence Management**.

## LICENSURE

TSPC licensed employees are responsible for furnishing directly to the Teacher Standards and Practices Commission any license renewal application and payment, as well as any other required documentation (i.e. transcripts if applicable). The Superintendent's Office will complete and forward directly to TSPC a Professional Educational Experience Report (PEER) form after verifying that the employee and supervising administrator have reviewed continuing Professional Development Units (PDUs) and that the appropriate number of PDUs have been documented for TSPC license renewal. Send PEER forms to the superintendent's office; the executive assistant will verify them and send completed forms to TSPC and HR. A copy of the completed PEER form is provided to the TSPC licensed employee and a copy is placed in the employee's personnel file.

For all positions that require a license (for example TSPC, ODE, various boards, Electricians), it is the responsibility of the employee to give a copy of the valid license to the SOESD Human Resource Department. Failure to hold a valid license or ODE reauthorization automatically terminates employment, since the requirement of licensure is mandated by state law and/or SOESD Board Policy. If a second license or certificate is requested by the ESD, the district will reimburse up to \$300 of the cost of the renewal fee (per SOBC contract, Article 20, J, (5)).

## LUNCH and BREAKS

### Classified Lunch

Some educational assistants working six (6) hours or more a day, receive a 30-minute paid lunch period, during which duties may be assigned as required by (OAR 839-20-0050). Other classified staff generally have a duty-free, non-paid lunch period as arranged by their supervisor. By law, if the work period is at least six hours but less than seven hours, the meal period is to be taken between the second and fifth hour worked. If the work period is more than seven hours, the meal period is to be taken between the third and sixth hours worked.

### Classified Breaks

A 15-minute break will be provided at approximately the midpoint of each four hours worked. Breaks may not be saved and taken during the lunch period or at the end of the day.

### Licensed Lunch

At the minimum, licensed employees receive a 30-minute, continuous, duty-free lunch period during the regularly scheduled lunch hours as required by ORS 342.608.

## **MAIL**

All ESD mail is processed in the media library (Medford office). The deadline for outgoing mail to be in the media library is 2:00 pm. Any large mailings (more than 50 pieces) need to be in the media library by noon of the day it is to be mailed. All items must be properly labeled and identified by the department in the left-hand corner. Certified letters will continue to be metered by the media library; however, it will be the responsibility of the department sending the certified mail to take those letters to the post office to get the required certified mail stamp from the post office. Any envelopes 6" x 9" or larger must be sealed. Smaller envelopes can be sealed by the media library.

### Courier

The ESD Technology and Media Services provide courier services during the school year to ESD and school buildings in Jackson, Josephine, and Klamath counties directly or in partnership with district delivery services. A schedule of delivery times is printed and distributed each fall. The courier schedule is posted on the SOESD website. Updated courier information is posted on the website throughout the year. During the summer months, courier delivery is not available.

### Courier Mail Address Format

To ensure delivery of courier mail, please use the following format for addressing courier mail:

To: Recipient's District Name / Recipient's School/Building Name / Recipient's First and Last Name

From: Sender's First and Last Name / Sender's Building Name

Some schools do not receive daily delivery; therefore, you should consult a courier schedule to determine the time needed to have an item delivered. Only official school correspondence is allowed; no personal material. A more detailed policy is available from Technology and Media Services.

## **MATERIALS SELECTION AND AVAILABILITY /MEDIA REQUESTS/BOOKING**

Technology and Media Services provides instructional materials (DVDs, kits, models, and digital resources) to local public school districts. These items may be requested by calling the Media Library booking department at ext. 1134, coming in during regular hours (Monday – Friday, 7:30 AM – 4:30 PM), or by using our online booking system (<http://media.soesd.k12.or.us>).

## **NAME CHANGES**

All name changes are to be submitted to the Human Resources Department for initial processing. Official documentation is required to change a name. HR will require a new I-9 to be completed by the employee with appropriate identification that reflects the new name. Once received, the name change will be processed and the necessary departments will be notified so that the appropriate changes can be made. For example, email address, direction information, name badges, Accounts Payable, etc.

## **NONDISCRIMINATION (POLICY AC)**

The ESD prohibits discrimination and harassment on any basis protected by law, including but not limited to, an individual's perceived or actual race<sup>1</sup>, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, mental or physical disability, pregnancy, familial status, economic status, veterans' status, marital status or age, or because of the perceived or actual race, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, mental or physical disability, pregnancy, familial status, economic status, veterans' status, marital status or age of any other persons with whom the individual associates.

The ESD prohibits discrimination and harassment in, but not limited to, employment, assignment and promotion of personnel; educational opportunities and services offered students; student discipline; location and use of facilities; educational offerings and materials; and accommodating the public at public meetings.

The Board encourages staff to improve human relations within the ESD, to respect all individuals and to establish channels through which patrons can communicate their concerns to the administration and the Board.

The superintendent shall appoint individuals at the ESD to contact on issues concerning the Americans with Disabilities Act and the Americans with Disabilities Act Amendments Act (ADA), Section 504 of the Rehabilitation Act, Title VI, Title VII, Title IX and other civil rights or discrimination issues, and notify students, parents, and staff with their names, office addresses, and phone numbers. The ESD will publish complaint procedures providing for prompt and equitable resolution of complaints from students, employees and the public, and such procedures will be available at the ESD administrative office and available on the home page of the ESD website.

The ESD prohibits retaliation and discrimination against an individual who has opposed any discrimination act or practice; because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing; and further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising the rights guaranteed under state and federal law.

### Informal Procedure

Any person who feels that he/she has been discriminated against should discuss the matter with the program administrator, who shall in turn investigate the complaint and respond to the complainant within five to ten school days. If this response is not acceptable to the complainant, he/she may initiate formal procedures. If the program administrator is the subject of the complaint, the individual may file a complaint directly with Human Resources. If the superintendent is the subject of the complaint, the complaint may be filed with the board chair.

### Formal Procedure

#### Step 1

A written complaint must be filed with the program administrator within five school days of receipt of the response to the informal complaint. The program administrator shall further investigate, decide the

merits of the complaint and determine the action to be taken, if any, and reply, in writing to the complainant within ten school days.

#### Step 2

If the complainant wishes to appeal the decision of the program administrator, he/she may submit a written appeal to the superintendent within five school days after receipt of the program administrator's response to the complaint. The superintendent shall meet with all parties involved, as necessary, make a decision and respond in writing to the complainant within ten school days.

#### Step 3

If the complainant is not satisfied with the decision of the superintendent, a written appeal may be filed with the board within five school days of receipt of the superintendent's response to Step 2. In an attempt to resolve the complaint, the board shall meet with the concerned parties and their representative at the next regular or special board meeting. A copy of the board's decision shall be sent to the complainant within ten days of this meeting.

If the complainant is not satisfied after exhausting local complaint procedures, or 90 days, whichever occurs first, he/she may appeal in writing to the Superintendent of Public Instruction.

## ODE REIMBURSEMENTS

Employees need to complete the reimbursement paperwork to reflect that the payment is to be made to Southern Oregon ESD. If this is not done, ODE will issue a 1099 to the employee, which may have tax consequences.

## PARKING

### Medford Parking

Employees who work at the Medford offices are to get a parking pass from the business office. Display the pass when parking in staff parking. Do not use guest parking.

### Klamath Falls Parking

Employees assigned to the Klamath Falls office are to park in the ESD-designated parking spaces only.

### Gilbert Creek

Employees at the Early Childhood Services site in Grants Pass are to park on the street or in the hospital parking lot, except on Mondays, when the Gilbert Creek lot is available.

## PAYROLL

### Pay Days

A payroll calendar is published each school year with all due dates and paydays. For regular employees, the normal pay date is **on or before** the 20th of each month. For substitutes, the normal pay date is the 15th of each month. Exceptions:

- If the pay date is on Saturday, the pay date will be the Friday before.
- If the pay date is on Sunday, the pay date will be the Monday after.

If an employee quits, without prior notice, and does not earn his/her pay through the end of the month, a request for reimbursement will be sent to the employee for the overpayment.

#### Salary Draws

The ESD does not give draws against salaries.

#### Having Someone Else Pick Up Your Check

Employees are strongly urged to set up direct deposit. If the employee does not have direct deposit, under normal conditions, only the employee to whom the check is made out can pick it up. In an emergency, if you need to have someone else pick up your check, please notify the Employee Specialist in writing. This will be retained in the personnel file. NOTE: This pertains to the spouse as well.

#### Voluntary Deductions from Paychecks

Voluntary deductions from paychecks may be made, but only with the employee's written authorization. These deductions may include Section 125 eligible expenses (i.e. cancer insurance premiums, insurance deductibles, co-insurance payments, daycare), tax-sheltered annuities, United Way, Credit Union, etc.

#### Paycheck Automatic Deposit

Automatic deposit of paychecks is highly encouraged. An "Authorization Agreement for Direct Deposits" is available in Frontline **Central**.

#### Tax Withholdings

Current-year State and Federal W-4 forms are in Frontline **Central**. To change personal tax withholdings, the employee must submit the applicable W-4 in Frontline Central.

#### Temporary Pay Provision

An employee, who assumes the duties of an absent employee, will be paid at the absent employee's code (if that code is higher) on the 21st working day of assuming the duties, with compensation retroactive to day one.

### **PERSONAL ELECTRONIC DEVICES AND SOCIAL MEDIA (POLICY 8700)**

Personal Electronic Devices are to be used to promote educational excellence for all students by facilitating resource sharing, innovations and communication which support learning and teaching. Use of social media, websites, and other electronic data systems by staff and students will be appropriate and professional to prevent substantial disruption at school. Use by employees will protect the rights of students both off and on duty.

A "personal electronic device" is a device not issued by the district and that is capable of electronically communicating, sending, receiving, storing, recording, reproducing and/or displaying information and data.

Staff may be allowed to use and possess personal electronic devices during the work day and on ESD property, in ESD facilities, or at ESD-sponsored activities, provided such devices are not used in any manner that may disrupt the learning environment, interfere with work duties or ESD sponsored

activities, or violate Board policies, administrative regulations, and any additional rules as may be established by the superintendent. At no time, whether on or off duty, will a personal electronic device be used in a manner that interferes with staff duty and responsibility for the supervision of students. Devices which have the capability to take photographs or record video or audio shall not be used for such purposes while on ESD property or while a staff member is on duty in ESD-sponsored activities, unless as expressly authorized by the supervisor or designee for use directly related to and consistent with the employee's assigned duties.

The ESD will not be liable for loss or damage to personal electronic devices brought to ESD property and ESD-sponsored activities.

Staff members, while on or off duty, will utilize social media websites, public websites and blogs, judiciously by not posting confidential information about students, staff or ESD business.<sup>6</sup> Staff may not post images of students without written authorization from persons with authority to grant such a release. Staff members, while on or off duty, will treat fellow employees, students and the public with respect while posting on social media websites, etc., in order to prevent substantial disruption in school. Communication with students using personal electronic devices will be appropriate and professional. Communication with students using personal electronic devices should be for educationally appropriate purposes.

Exceptions to the prohibitions set forth in this policy may be made for health, safety or emergency reasons with superintendent or designee approval.

Staff are subject to disciplinary action up to and including dismissal for using a personal electronic device in any manner that is illegal or violates the terms of this policy. Staff actions on social media websites, public sites and blogs, while on or off duty, which disrupt the school environment, are subject to disciplinary action up to and including dismissal. A "disruption" for purposes of this policy includes, but is not limited to: one or more parent threatens to remove their children from a particular class or particular school, actual withdrawal of a student or students from a particular class or particular school and /or a threatened or actual negative impact on the learning environment. The taking, disseminating, transferring or sharing of obscene, pornographic or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring or sharing obscene, pornographic or otherwise illegal images or photographs, will be reported to law enforcement and/or other appropriate state or federal agencies.

Licensed staff are subject at all times to the Standards of Competent and Ethical Performance for Teachers.

The superintendent shall ensure that this policy is available to all employees.

## **PERSONAL REFERENCES FOR EMPLOYMENT**

Employees are to contact Human Resources prior to responding to any requests (written or phone) for references of or for employment. District letterhead, for this purpose, will only be used with written permission from the Human Resources department.

## PERSONNEL RECORDS

An official personnel file is established for each person employed by the district. A staff member's personnel file may contain such information as applications for employment, references, records relative to compensation, payroll deductions, evaluations, complaints, and written disciplinary actions. All charges resulting in disciplinary action shall be considered a permanent part of a teacher's personnel file and shall not be removed for any reason. Employees may submit a written response to any materials placed in their personnel file.

All records containing medical condition information such as workers' compensation reports and release/permission-to-return-to-work forms will be kept confidential, in a separate file from personnel records. Except as provided below, or required by law, district employees' personnel records will be available for use and inspection only by the following:

1. The individual employee. An employee may arrange with the personnel office to inspect the contents of their personnel file on any day the personnel office is open for business;
2. Others designated by the employee in writing may arrange to inspect the contents of the employee's personnel file in the same manner described above;
3. The comptroller or auditor, when such inspection is pertinent to carrying out their respective duties, or as otherwise specifically authorized by the Board. Information so obtained will be kept confidential. No files will be removed from their central location for personal inspection;
4. A Board member when specifically authorized by the Board. Information will be kept confidential. No files will be removed from their central location for personal inspection;
5. The superintendent and members of the central administrative staff designated by the superintendent;
6. District administrators and supervisors who currently or prospectively supervise the employee;
7. Employees of the personnel office;
8. Attorneys for the district or the district's designated representative on matters of district business;
9. Upon receiving a request from a prospective employer issued under ORS 339.374(1)(b), the district, pursuant to ORS 339.378(1) shall disclose the requested information if it has or has had an employment relationship with a person who is the subject of the request, no later than 20 days after receiving such request. The records created by the district pursuant to ORS 339.388(8)(c) are confidential and are not public records as defined in ORS 192.311. The district may use the record as a basis for providing the information required to be disclosed about an employee under ORS 339.378(1);
10. Upon request from a law enforcement agency, the Oregon Department of Human Services, the Teacher Standards and Practices Commission, or the Oregon Department of Education, in conducting an investigation related to suspected abuse or suspected sexual conduct, to the extent allowable by state and federal law, including laws protecting a person from self-incrimination;
11. Upon request from a prospective employer or a former employee, authorized district officials may disclose information about a former employee's job performance to a prospective employer and such disclosure is presumed to be in good faith. Presumption of good faith is rebutted by showing the information disclosed was knowingly false or deliberately misleading, was rendered with malicious purpose or violated any civil right of the former employee protected under ORS 659 or ORS 659A.

The superintendent may permit persons other than those specified above to use and to inspect employee records when, in their opinion, the person requesting access has a legitimate official purpose. The superintendent will determine in each case the appropriateness and extent of such access.

## PERSONAL PROPERTY

Employees are discouraged from bringing personal property to work. An employee's personal property (printer, microwave oven, radio, etc.) brought to the workplace is not covered by the ESD's insurance. Those items remain the personal property of employees. In addition, the cost of any loss of or repairs to personal property will be borne by the employee.

## POLICIES AND RULES

Board Policies are available on the district website.

## POLITICAL ACTIVITIES

Public employees must be knowledgeable about ORS 260.432 (2).

*260.432 (2) No public employee shall solicit any money, influence, services, or other things of value or otherwise promote or oppose any political committee or promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder while on the job during working hours. However, this section does not restrict the right of a public employee to express personal political views.*

Public funds, which include employee work time, postage, telephone, and supplies, must not be utilized to promote or oppose candidates or issues.

## PROFESSIONAL COMMUNICATION & CONDUCT

This guide was developed to help clarify expectations regarding adult interaction patterns within the school system. Negative, destructive adult-to-adult interactions within a school can destroy the school's ability to effectively implement needed school improvement changes. These negative behavior patterns are destructive to the school climate and can be extremely difficult to address.

### Verbal Communication

Verbal communication is consistently respectful, friendly, clearly stated and obviously seeking win/win.\* Questions are sincere. Contributions of others are frequently acknowledged. Verbal communication is intentionally welcoming of other thoughts and opinions.

\* This is not to suggest an absence of conflict in this person's interaction pattern. In fact, with this person conflicting views often surface more frequently because people feel safe to disagree. This person welcomes the conflicting opinions and people trust that this person will honor their opinions and will strive toward win/win solutions as they work to resolve conflicts.

#### 4:1 Positives to Correctives

This person's communication with any given person is characterized by comments that are consistently positive – maintaining at least a 4:1 positive corrective ratio.

#### Non-Verbal Communication

Non-verbal communication is characterized by frequent smiling, comfortable eye contact, and posture that is pleasant and demonstrates acceptance. One senses from this person's non-verbal communication that they are engaged, focused, and responsive to those with whom they are communicating.

#### Honoring Those Not Present

This person simply refuses to engage in, encourage, or in any way be part of the sharing of negative information about those not present unless such information is shared with a supervisor or is shared in some other situation where there is a professionally compelling "need to know". This person is polite and respectful as they decline to participate in such communication – but they give the clear message that they do not value, and will not participate in such negative communication.

#### Assuming Responsibility

This person consistently asks first "Who am I in the matter?" "how can I think, respond, and act in such a way as to improve this situation?" They then act on the answers they find to those questions. If those actions don't produce results, they ask again.

They do not ignore the contributions of others to the problem and they clearly address those elements as they work to improve the situation – but they subscribe to the general philosophy that there is always something they can personally do to help improve the situation.

They consistently refuse to abandon their personal power to make a difference.

#### Professional Conduct: Job Performance

This person understands key job responsibilities and acts in a self-motivated, self-directed manner to accomplish those tasks. They do not hesitate to ask for direction and clarity when needed, but they generally understand what needs to be done and work to accomplish it in a professional, timely, quality manner. They require very little supervision or oversight.

### **PROHIBITED USE, DISTRIBUTION OR SALE OF TOBACCO PRODUCTS AND INHALANT DELIVERY SYSTEMS**

To comply with state law, the use, distribution or sale of tobacco products or inhalant delivery systems by staff and all others is prohibited on all district property and in district-owned buildings and vehicles, on school grounds including parking lots, and at district-sponsored events.

"Tobacco product" is defined to include, but not limited to, any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, spit tobacco also known as smokeless, dip, chew, or snuff in any form. This does not include products that are USFDA-approved for sale as a

tobacco cessation product or for any other therapeutic purpose, if marketed and sold solely for the approved purpose.

“Inhalant delivery system” means a device that can be used to deliver nicotine or cannabinoids in the form of a vapor or aerosol to a person inhaling from the device; or a component of a device or a substance in any form sold for the purpose of being vaporized or aerosolized by a device, whether the component or substance is sold or not sold separately. This does not include products that are USFDA-approved for sale as a tobacco cessation product or for any other therapeutic purpose, if marketed and sold solely for the approved purpose.

Violation of the policy by staff may result in discipline up to and including dismissal.

## PROVIDING INSERVICE WITHIN ESD PROGRAMS

ESD personnel may provide services to other programs (evaluations, workshops, etc.) within the agency if their administrator gives prior approval and arrangements are made so that normal workstation responsibilities are met. Employees may not be compensated for such services to other programs if provided during normal working hours. Sometimes it may be necessary to arrange additional payment to an employee for providing a special in-service. In all such cases, the superintendent is to be informed when these service arrangements are made.

### Payment Procedures

Because of existing laws, it is not possible to issue a check separate from the normal payroll procedures. In a case where an employee is to receive extra pay for an inservice presentation (or any other reason), the pay must be put through the normal payroll procedure. This is accomplished by preparing a timesheet in Frontline ***Time and Attendance*** showing:

1. Name
2. Amount to be paid
3. Account to be charged
4. Approval of the administrator requesting the in-service

The time sheet will then be processed with the next payroll in the normal manner.

## PURCHASING

### Quote & Bid Requirements

Quotes are not required for purchases of less than \$10,000. If available, three quotes are required for purchases of \$10,000 or greater. If three quotes are not available, a documented explanation is required. Quotes must be obtained for any dollar amount when transacting with a related party.

### Timelines

Purchase Requisitions – in Business Office by Thursday end of business. Processed each Friday, and mailed out on Monday.

- **Prepaid Purchase Orders:** Mark Pre-Pay in red or highlight. Prepays will go out in the next week's check run

- **Processing Purchase Orders to pay, ATP's & Out of Service Area Travel:** in the Business Office on Fridays by noon. Attach the original & a copy of the receipt/invoice (Turn in the yellow copy of the Purchase Order).
- **ATP's:** For anyone submitting paperwork for reimbursement please put all the receipts on one ATP for the week. You can use multiple account codes if needed on one ATP. (In the past, we have received up to four ATP's for one person in the same week.)
- **Check Runs:** Processing begins on Monday, checks will be mailed on Friday, sooner if possible.
- **In Service Area Travel** – forms are due in the Business Office by the 19th of each month. The checks will be mailed on the 25th.
  - ✓ We are paying for the month just past, the current month's travel will not be paid until the following month. (In the summer the travel is included in the weekly AP run).
  - ✓ Use a new reimbursement form for each month. The claimant & supervisor need to sign all pages.
  - ✓ We need the original travel form with original signatures, not faxed copies.
  - ✓ Forms that arrive after the 19th will not be processed until the following month.
  - ✓ Reimbursement will only occur for the month just past, plus two prior. i.e.: It is February, and you can turn in travel forms for January, December & November, anything older than that is too late to be reimbursed for.
  - ✓ Updated forms are available on our Web site; hard copies are available from the Business Office. **Please make sure your staff receives and uses only the updated forms.**
  - ✓ Review travel for accuracy. Tally and calculate totals. We will let you know the current travel rates as soon as possible (changes are usually the first of January).
  - ✓ We have to have a mailing address for the person asking for reimbursement, so we can give them a vendor number. ix. In the service area, travel is a 341 object code.

#### Credit Cards / Debit Cards

The agency has its credit card. The use of this card is based on the following:

- ✓ May be used to hold a Hotel/Conference Reservation if a check is to be mailed or hand carried. Call the Business Office for information. You may want to verify with the vendor that they will accept a corporate check.
- ✓ If payment can only be made by credit card, the Chief Financial Officer's approval will be needed. You will need to contact the Business Office and give them all the information regarding the credit card charges. We have to check the available balance on the card to allow its use and reconcile the statements. Upon completion of all reservations, please shred the agency credit card information.
- ✓ Other requests will be discussed between the program administrator and the Chief Financial Officer.
- ✓ A purchase approval will be made based on the special circumstances of each request.

#### Receipts

Only an original receipt will be accepted. This prevents an invoice from being paid twice. The receipt needs to show what was purchased, the total, and the method of payment. The Business Office keeps the original receipt/invoice on file. Copies will be sent with payment.

For travel reimbursement, make sure you submit original gas receipts and any pre-authorized conference purchases. Hotel receipts must be turned in to your program secretary as soon as possible. Any additional charges to your bill besides room and tax will be your responsibility.

#### Asset Inventory

When ordering or paying for equipment and supplies on the same P.O. or ATP, break out the cost between the 410s and the 460s or 540s. If the value is \$.01 to \$499.99 the object code is 410. If the value is \$500.00 or more the object code is 460. If the value is \$5000.00 or more the object code is 541 or 542. If the program administrator wants to track items that are valued at less than \$500.00, they will track them within their department.

When deleting an item, be sure to put the reason for the deletion on the form, i.e. broken, beyond economical repair, can't find, etc.

When transferring equipment from one area to another, a form needs to be filled out. We can only track our inventory if we know where it is.

#### Petty Cash

Petty Cash can be utilized for occasional minor purchases of \$20.00 or less. Purchases over \$20.00 will need to follow our regular procedure. Petty Cash may not be used for travel reimbursement.

Petty Cash should be reimbursed at least every quarter. End of September, end of December, end of March, and end of June.

Petty cash funds exist in all five ESD sites. The fund at Medford will be under the control of the Business Office, at Phoenix and Klamath Falls under the auspices of the Special Education Office, and at Gilbert Creek, under the control of the EI/ECSE program.

#### Use of Personal Credit/Debit Card

The Southern Oregon Education Service District discourages the use of credit/debit cards for district business purchases. As a public agency, our accounts payable records are not confidential and are open to the public for review.

When employees find it necessary to use their credit/debit card for purchases, they should first receive approval from their supervisor for the purchase. Credit/Debit card receipts will be accepted when necessary for authorized travel costs such as gasoline and lodging.

It is important for all individuals (paid employees and non-paid employees/agents) to recognize the expectations and requirements of SOESD with respect to reimbursement when using personal debit cards or credit cards. ORS 244 mandates that public employees receive no additional benefit from their public employment. Public employees may use personal debit cards or credit cards and ask for reimbursement if the credit or debit card does not generate a benefit to the public employee (i.e. air miles, cash back, etc.). Before using personal debit cards or credit cards for agency purchases, employees will be required to complete and sign a statement attesting to the fact that the employee receives no personal benefit.

NOTE: Employees are not to use personal membership or reward cards when purchasing supplies for SOESD. (Examples include but are not limited to Safeway, Albertsons, Fred Meyer, Costco, Staples, etc.) SOESD has membership cards for the following vendors:

- Albertsons
- C&K Market – Ray’s Food Place
- Fred Meyer
- Safeway
- Staples
- Sherm’s Food 4 Less
- Thunderbird

#### Cooperative Purchasing

Southern Oregon ESD’s cooperative purchasing program maintains an inventory of classroom and office supplies. For special purchases, the program explores the most cost-effective means of the purchase of SOESD department and classroom supplies. The SOESD website hosts a listing of items available throughout the year. Employees should review the list for common classroom and office supplies and check with the cooperative purchasing program first, before making purchases. (See [www.soesd.k12.or.us/business](http://www.soesd.k12.or.us/business) for the cooperative purchasing list of supplies.)

#### Authorization to Pay (ATP)

Authorization to Pay is a form used to request payment to a business or person who has performed a service and no purchase order was used. The form should be filled out completely with a current address and a full description of the purchase or service.

It is important to note that purchases requiring reimbursement should be in keeping with program needs. Employees should seek administrator approval before committing personal funds toward an agency or program purchase. The administrator reserves the right to refuse reimbursement should the purchase be outside of the parameters set by the administrator. Example: A reimbursement to an individual for a purchase made with their funds; purchase of supplies from a company that does not require a purchase order; or a contractor paid for services rendered. An original receipt, invoice, or statement and a copy of the original receipt, invoice, or statement must accompany the ATP.

Deadline to turn in to the Business Office for the next week’s check run is Friday, noon. For anyone submitting paperwork for reimbursement please put all the receipts on one ATP for the week. You can use multiple account codes if needed on one ATP.

The final step should be an authorized signature and if the ATP is to that person, it must be signed by the authorized signer’s supervisor. ATPs are processed once a week.

#### Prepaid Authorization to Pay (ATP)

A prepaid ATP is a form used to request prepayment for goods or services not yet received when no purchase order is required by the business or person for initiating the purchase or service. As in all cases of expenditures, administrator approval is required. Following the delivery of goods or services provided, a written receipt must be submitted to the business office.

## RELATIONSHIPS: EMPLOYEE/STUDENT/FAMILY

Employees are to maintain proper and professional relationships with students/families and refrain from exploiting professional relationships for personal gain, or in support of persons or issues. Some examples of impropriety are solicitation of items and services between staff and students/families; inappropriate sexual relationship with a student's family member; using work contact to establish personal outside business.

- Employees shall maintain the dignity of the education profession by respecting and obeying the law and exemplifying personal integrity and honesty.
- Employees are not to demonstrate or express improper interest in a student's personal life.
- Employees shall not engage in any sexual contact with a student.
- Employees shall not engage in any form of harassment, including sexual harassment, racial harassment, religious harassment, ethnic harassment, or any other form of harassment of a student.
- Employees are not to accept, give or exchange gifts or notes with students.
- Employees are to report to their supervisor, if they believe a student is becoming romantically attached or involved with them.

All complaints of improper or unprofessional conduct against an employee, concerning that employee's relationship with a student, shall be investigated by the administrator. Note: Any activities by employees which occur beyond the scope and hours/days of employment are as a private individual, and the Southern Oregon ESD has no responsibility for the employee's actions.

## RESIGNING, RETIRING, AND ENDING EMPLOYMENT

### Resignations

Licensed and Administrators	<ol style="list-style-type: none"><li>1. Resignations must be given with <u>at least 60 days' notice</u>. <i>Failure of the employee to provide proper notice may result in a request to TSPC to have the employee's license suspended.</i></li><li>2. A letter of resignation is written to the superintendent clearly stating the last day of work. Written notice may be an email. Please cc Human Resources and your supervisor.</li><li>3. The program submits a Payroll Change Notice (PCN) in Frontline <b>Central</b> with the resignation letter attached. This places the resignation in the employee's personnel file.</li><li>4. The superintendent's office places the resignation on the School Board's consent agenda.</li><li>5. Once approved, the superintendent responds to the employee in writing with copies of his response to the Administrator and HR.</li></ol>
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Classified and Confidential	<ol style="list-style-type: none"> <li>1. Proper notice is defined as <u>10 working days</u></li> <li>2. A letter of resignation clearly stating the last day of work is written to the supervisor. Written notice may be an email. Please cc Human Resources.</li> <li>3. The supervisor responds to the employee in writing.</li> <li>4. The program submits a Payroll Change Notice (PCN) in Frontline <b>Central</b> with the resignation letter uploaded. This places the resignation in the employee's personnel file.</li> </ol>
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## Retirement

One year before retirement:

- ☐ Carefully read the applicable Collective Bargaining Agreement regarding eligibility for retirement benefits: Article 25 from the Collective Bargaining Agreement with SOBC for licensed employees, and Article 19 from the Collective Bargaining Agreement with OSEA Chapter 104 for classified employees.
- ☐ Obtain a "Benefit Estimate" from PERS/OPSRP. The "Estimate Request" form can be obtained on the PERS website ([www.oregon.gov/PERS](http://www.oregon.gov/PERS)).
- ☐ It is recommended that you attend a PERS "one year to retirement" group counseling session. Refer to the PERS website for dates and times.
- ☐ Schedule an appointment with SOESD's Employee Specialist to discuss: your cost for insurance premiums; insurance benefits you will receive from SOESD; possible conversion of your life insurance; and how your sick leave balance at the time of retirement may affect your retirement benefit.

Six months to one year before retirement:

- ☐ Read the PERS "Pre-retirement Guide," which can be obtained on the PERS website. If you have questions about the information in the guide, contact PERS Customer Service at 1.888.320.7377.
- ☐ Acquire a "Retirement Packet" from PERS, which can be obtained on the PERS website. Two to three months before retirement:
- ☐ Submit the completed "Retirement Packet" to PERS. If mailing, send via certified mail to:
 

PERS  
P.O. Box 23700  
Tigard, OR 97281-3700
- ☐ Follow the resignation steps above no later than two months before your retirement date. (This should be done no later than the date you submit the completed "Retirement Packet" to PERS.) Include in your resignation letter that this is a retirement.
- ☐ Schedule an appointment with the Employee Specialist to discuss: absence reports, the payoff of accrued vacation, possible legislative changes that may affect your retirement, and calculations of your final paycheck (403b deductions, dues, Section 125 deductions, automatic deposit, employee paid insurance, etc.).

***Please note: You are not entitled to be paid for unused sick leave. Your sick leave balance at the time of retirement will be submitted to PERS. PERS will calculate your final retirement benefit by applying***

***unused sick leave to the calculation to determine what is most advantageous for you. You are not entitled to be paid for unused personal, emergency, or bereavement leave. If you are in a position that accrues vacation, you will be paid for unused vacation.***

#### Continued Employment

An employee who wishes to continue working may apply for a subsequent vacancy with the district under the same application and interview procedures as all other applicants for employment with the Southern Oregon ESD. Decisions to rehire an individual in his/her current position will be made by the supervisor and the hiring committee.

If you wish to retire and continue working a break in service must be arranged. Returning as a hire to a position will be scheduled at least two days after your retirement date.

#### Check Out Process

On or around your last day at work, you will meet with your supervisor to follow a check-out procedure. The supervisor will fill out the Check Out Form and when concluded ask you to sign it. Bring your keys, SOESD badge, and all mobile technology to the meeting. You will be asked to list all equipment, final reports submitted, and specially bought furniture. Current contact information will be collected. The form is placed in your personnel file.

Do not forget to keep your contact information up to date with HR in the future for tax forms and communications.

### **SAFETY COMMITTEE**

A building safety committee has been established to help implement the district's safety program and as a part of any ongoing effort to help ensure the safety and health of students, staff, and others while on district property.

The building safety committee meets monthly, conducts workplace safety inspections quarterly to locate and identify safety and health hazards, and makes recommendations for corrections as needed. All significant safety-related incidents are investigated to help prevent similar events from reoccurring.

All potential hazards are to be reported immediately to a safety committee member or to the office.

### **SALARY/RATE OF PAY PLACEMENT**

#### LICENSED

1. Substitutes - The rate of pay is determined by state regulation in half and full-day increments.
2. Contracted Employees – The salary Schedule is published in The Collective Bargaining Agreement.
3. Summer Work - ESD teachers working in the summer, under the same job description they worked during the school year, will receive their regular rate of pay on an hourly basis.
4. If there is no existing position description for a proposed licensed position, a draft job description CAN be written and submitted to the superintendent for review.

5. Placement is based on employment documents provided during the application process (application and resume). An appeal of original placement must be requested before signing the offer letter of employment.

#### CLASSIFIED

1. Newly-hired classified employees may be placed above step five on the salary schedule if they have more than five years of pertinent experience and the following condition is present:
  - i. The position was identified before Oregon's Equal Pay Act and historically received full credit (Oregon's Equal Pay Act requires positions to provide standardized placement routines).
2. Placement is based on employment documents provided during the application process (application and resume). An appeal of original placement must be requested before signing the offer letter of employment.
3. Substitutes - Paid on appropriate job level code, step one.
4. Part-Time/Temporary - Paid on appropriate job level code, step to be determined by experience with placement not to exceed step five.
5. If a position description is needed for work for which there is no existing job description, a job description will be written and submitted to the superintendent. The code will be determined through the code review process.
6. When employees are assigned to a higher code, per review by the code committee and the Superintendent's approval, they will be placed on the salary schedule for the new code which provides a salary at least one step higher than that provided by the employee's prior code and step.
7. When employees are involuntarily transferred to a lower code on the salary schedule they will be paid at the rate provided in the lower code but at the same step as previously held. (This does not apply to a reduction in force.)
8. When an employee applies for and is successful in acquiring a position in a different job category, the rate of pay (salary schedule step) will be determined based on the experience of the employee relative to the new position. The employee will begin work in the new position as soon as reasonably possible, taking into consideration the required time for posting the position, interview timeline, notice required by the new hire's former supervisor, and training of a replacement.

### **SERVICES TO "OUTSIDE AGENCIES"**

An employee may consult or provide services to an outside agency if approved by the administrator, and if the employee receives no additional compensation from the ESD or other agency for the services provided. In all cases, the administrator must approve all arrangements. In all such cases, the administrator will inform the superintendent of these arrangements.

### **SEXUAL CONDUCT**

Southern Oregon ESD is committed to providing a learning environment free of all forms of abuse, assault, harassment, and coercive conduct, including sexual misconduct. All employees of SOESD have an obligation to know what sexual conduct is, to discourage it at all times, and to report to supervisors when the employee becomes knowledgeable that such conduct has occurred or is occurring.

"Sexual conduct" means any verbal or physical conduct by a school employee that:

- Is sexual in nature;

- Is directed toward a kindergarten through grade 12 student;
- Has the effect of unreasonably interfering with a student's educational performance; and D. Creates an intimidating, hostile, or offensive educational environment.

Although not an exhaustive list, examples of sexual conduct are:

- A student older than second grade sitting on a staff member's lap.
- Holding hands with a student older than second grade.
- Staff performing back rubs on a student.
- Kissing students.
- Touching students frequently.
- Commenting on students' bodies or appearance in a sexual manner.
- Exchanging romantic gifts or communications with a student.
- Showing pornography and obscene or suggestive photos to the student.
- Videotaping or photographing a student in revealing or suggestive poses.
- Discussing/writing about sexual topics unrelated to the curriculum with students, making sexual jokes, gestures, pictures, and innuendos or engaging in inappropriate banter with students (e.g. discussion of student's dating behavior).
- Sharing your own sexual exploits or marital difficulties.
- Intentionally invading the student's privacy (e.g. walking in on him/her in the bathroom intentionally).
- Going to the student's home without parental supervision.
- Using email, text messaging, or instant messaging to discuss sexual topics with individual students.
- Dating a student.

Substantiated reports of sexual conduct or child abuse may be released to future employers.

## **SICK LEAVE BANK**

SOESD established the sick leave bank because of inequities that came about as the result of individual requests. The following situations created inequities in how employees were helped.

- The agency experienced years where employees were asked to donate multiple times.
- The first requests always received more donations than the fourth or fifth requests in a year.
- An annual employee needing the donations in the summer would not have easy access to academic year employee donations.
- A well-known employee might gather days beyond their needs while another employee, who was relatively new or not as familiar, did not receive as much support.
- ESD employees in Jackson County had a larger network of co-workers who would donate on their behalf.
- The agency had situations in which an employee did not use all the donations that were given and donating employees asked that their contribution be returned.

- While the sick leave bank would cost the ESD money, it was decided to put a system in place to equitably help employees who were experiencing unpaid time due to absence from work because of a serious medical condition.

Since accrued leave time is given at the beginning of the year, all employees have enough sick leave and personal leave “on the books” in September to be eligible to contribute to the sick leave bank, if they choose to participate. During each open enrollment period (September 1 – October 15), employees are encouraged to donate to the sick leave bank. The bank provides an opportunity for employees, who have donated leave time, to make withdrawals from the bank for a serious health condition when all other appropriate paid leave provisions have been exhausted.

The sick leave bank exists for employees who have exhausted all paid leave time (sick, personal, discretionary, and vacation) and are off the job for more than ten working days due to an FMLA/OFLA illness/injury of the employee or for the employee to care for member(s) of his/her immediate family who has suffered an illness/injury.\*\* (For example: An employee has a combined leave balance of vacation, personal, and sick leave of 60 hours. The employee must be off ten working days - 80 hours for a full-time employee. The employee must use all 60 hours, plus an additional 20 hours will be docked from the employee’s paycheck before the employee is eligible to use donated time.)

Time from the bank will be given as sick leave and will be used for the purpose stated above. Immediate family is defined as spouse, same-gender domestic partner, custodial parent, step-parent, non-custodial parent, the biological, adoptive or foster parent or child of the employee, parent-in-law, parent of same-gender domestic partner, grandparent or grandchild of the employee, brother, sister, brother-in-law, sister-in-law, any person living in the home of the employee, or a person with whom the employee is or was in a relationship of in loco parentis. A “Sick Leave Bank Application” is available from the HR Office. The employee is eligible for sick leave bank access for a full calendar year (January-December) to draw for other serious health conditions of the employee or immediate family as long as a doctor’s certification is submitted verifying the serious health condition and verifying the dates of absence.

Note: Time loss covered under workers' compensation does not count toward eligibility for use of the sick leave bank.

#### \*\* Elective/Cosmetic Procedures and Maternity Leave

The bank was intended for unplanned or catastrophic illnesses and injuries. Planned medical procedures such as elective surgery, cosmetic surgery, or maternity leave are not considered to be eligible for sick leave bank withdrawals. Eligibility for sick leave bank hours has to be considered as a medical procedure by our insurance carrier, meet the unplanned and catastrophic designation, and be approved by the administration. Unplanned complications as a result of childbirth will be considered on a case-by-case basis for the sick leave bank. This sick leave bank determination does not impact FMLA requirements in which parents may take unpaid leave to care for their newborns.

#### Eligibility

Employees have three participation options: 15, 30, or 45 days.

***Sick Leave Bank donations are accepted each year from  
September 1 through October 15 for use January 1 through December 31.***

To be eligible for...	The employee must have accrued...	Employee must donate...
<b>Fifteen (15) workdays of leave from the bank</b> (based on the employee's FTE)	A minimum of five (5) combination sick/personal/discretionary leave days. (40 hours for full-time employees and prorated for less than full-time employees.)	<b>One day</b> (8 hours for full-time employees and prorated for less than full-time)
<b>Thirty (30) workdays of leave from the bank</b> (based on the employee's FTE)	A minimum of ten (10) combination sick /personal/ discretionary leave days. (80 hours for full-time employees and prorated for less than full-time employees.)	<b>Two days</b> (16 hours for full-time employees and prorated for less than full-time)
<b>Forty-five (45) workdays of leave from the bank</b>	A minimum of fifteen (15) combination sick /personal/ discretionary leave days. (120 hours for full-time employees and prorated for less than full-time employees.)	<b>Three days</b> (24 hours for full-time employees and prorated for less than full-time)

Employees may donate up to a maximum of 24 hours per year for use in the following calendar year for a qualifying absence.

Time from the bank will be given as sick leave and will be used for FMLA/OFLA illness/injury of employees or for the employee to care for members of his/her immediate family who have suffered an illness/injury.

#### Procedure for Donating to Sick Leave Bank

1. Employee accesses donation form through the Frontline **Central** program.
2. Employee completes donation portion of the form in Frontline **Central** and submits for review.
3. HR's Employee Specialist checks the available sick leave and personal leave of the employee to ensure that the employee is eligible to donate.
4. HR's Employee Specialist deducts donated leave from the donor's sick leave and/or personal leave account.
5. HR's Employee Specialist maintains a file of donors and donated time.

### Procedure to Access Sick Leave Bank

1. Employee accesses Sick Leave Bank Application form in Frontline **Central**.
2. Employee submits application form in Frontline **Central**.
3. The Frontline **Central** system routes the form and secures the superintendent's signature, then notifies the employee and appropriate administrator regarding approval or denial of the request.
4. If approved, hours are added to the employee's sick leave account and an equivalent number of hours are deducted from the Sick Leave Bank.

NOTE: Only employees who donate annually to the sick leave bank are eligible to participate. Part-time employees can participate on a pro-rata basis. Donations cannot be made for specific individuals. Donated time in the bank does not expire. If the bank does not contain sufficient time to fund requests of more than one employee, the available time is split equitably, and more donated time is requested from employees.

Eligible employees are limited to receipt of a maximum of 45 days per calendar year, from the sick leave bank, depending on their level of donation, up to a total maximum of 90 days during their employment with Southern Oregon ESD.

The Human Resources office will maintain a tally of time donated and used. Time granted but not used will be deducted from the employee's sick leave account and returned to the bank.

## **SOLICITATIONS**

Per Board Policy 8400, solicitations of employees and/or students shall be authorized only by the superintendent. The following is meant as a guideline when these situations come up:

### Fundraisers and Direct or E-mail Solicitation of ESD Employees

Questions periodically come up related to fundraisers and direct or e-mail solicitation of employees for financial contributions of one kind or another. It is hoped that the following guidance will be useful as such issues arise in the future.

Under Oregon law, all ESD employees are considered "public officials." ORS 244.040 outlines the following guidelines relative to "public officials":

1. Public officials may not use or attempt to use their official position or office to obtain a personal financial gain or to avoid a personal financial detriment if the opportunity would not otherwise be available but for their holding the official position or office.
2. Public officials may not use or attempt to use their official position or office to obtain a financial gain or to avoid a financial detriment for a public official's
3. relative if the opportunity would not otherwise be available but for their holding the official position or office.
4. Public officials may not use or attempt to use their official position or office to obtain financial gain or to avoid a financial detriment for a member of the public official's household if the opportunity would not otherwise be available but for their holding the official position or office.
5. Public officials may not use or attempt to use their official position or office to obtain financial gain or to avoid a financial detriment for a business with which the public official, relative of the public official, or member of the public official's household is associated if the opportunity would not otherwise be available but for their holding their official position or office.

## FAQs

The following set of questions and answers relative to Southern Oregon ESD has been developed in light of ORS 244.040 and related guidance published by the Oregon Ethics Commission (see Oregon Government Ethics Law: A Guide for Public Officials, 2008).

- 1. Can I bring items to the ESD and sell them to my fellow ESD employees, or employees of the schools we serve, for the profit of me, my friends, or members of my family or household?**
  - a. No. Access to fellow employees at the workplace is an opportunity that would not otherwise be available but for the holding of your “official position” as an ESD employee (see ORS 244.040 summary above).
- 2. Can I advertise goods or services to my fellow ESD employees or employees of the schools we serve that, if purchased, will profit me, my friends, or members of my family or household?**
  - a. Again, no – for the same reasons outlined in question #1.
- 3. My child is participating in a fundraiser for school, church, or some other community organization. Can he/she come to the ESD and sell items or solicit donations?**
  - a. It is not appropriate to bring children to work to directly solicit donations from staff or for employees to go about the ESD directly soliciting such donations. However, it may be permissible to have donation materials available either visible at the staff member’s work space or in the staff room if
    - a) the fundraising activity is clearly for a cause that benefits children in the community, and
    - b) if the material has been reviewed and initialed by the superintendent.
- 4. Can I use ESD e-mail or other ESD resources (copy machines, phones, courier, etc.) to advertise an event, product, or service (garage sale, sale of items, sale of services, etc.) that could bring profit to me, my friends, or members of my family or household?**
  - a. No, for reasons outlined in question #1.
- 5. Can I use ESD e-mail or post a flyer on the ESD staff room bulletin board to advertise an event, product, or service that could bring profit to benefit students in an ESD-operated program?**
  - a. Yes, in some circumstances with direct superintendent approval.
- 6. Can I use the ESD courier or other ESD resources (copy machines, telephones, etc.) to advertise an event, product, or service that could bring profit to benefit students in an ESD operated program?**
  - a. Yes, in some circumstances with direct superintendent approval.
- 7. Can ESD e-mail or other ESD resources (copy machines, telephones, courier, etc.) be used to solicit financial or other assistance from a fellow ESD employee in need of such assistance?**
  - a. Typically, ESD e-mail and other resources would not be used for a purpose such as this as a protection of ESD employee privacy. Some rare circumstances could occur where limited e-mail notification could be allowed with superintendent approval.

## **STAFF DRESS AND GROOMING**

All staff are expected to be neat, clean, and to wear appropriate dress for work that is in good taste and suitable for the job at hand.

Employees are allowed to wear religious attire while maintaining religious neutrality and refraining from endorsing religion in the educational environment. Please contact your building administrator or supervisor for additional information/guidance.

Education as a profession demands setting a good example for students in every possible way. As adults and professionals, staff are expected to be guided in their grooming habits by what is most generally acceptable in the business and professional world.

## **STAFF ETHICS**

District employees are prohibited from engaging in, or having a personal financial interest in, any activity that raises a reasonable question regarding the use of their official position in regard to their duties and responsibilities as district employees. This also applies to any personal financial benefit for the district employee's relative or member of household of the employee, or any business with which the district employee or a relative or member of the household of the district employee is associated.

This means that:

1. Employees, relatives, or members of the district employee's household will not use the employee's position to obtain financial gain or avoidance of financial detriment from students, parents, other staff, or others;
2. Any device, publication or any other item developed during the staff member's paid time shall be district property;
3. Employees shall not further personal gain through the use of confidential information gained in the course of or by reason of their position or activities in any way;
4. No district employee may serve as a Board or budget committee member in the district;
5. Staff members are prohibited from performing any duties related to an outside job during their regular working hours or during the additional time needed to fulfill the position's responsibilities;
6. If an employee authorizes a public contract, the employee may not have a direct beneficial financial interest in that public contract for two years after the date the contract was authorized.

District facilities, equipment, or materials may be used under the same conditions as this property is made available to the general public and the authorized use is consistent with ORS Chapter 244.

## **STAFF HEALTH AND SAFETY**

In order to assure the safety of staff and students, information and/or training are provided as necessary to assist all staff to recognize and to respond appropriately to the presence of hazardous materials in the workplace, including proper handling, labeling, storage, and disposal of such materials.

Safety Data Sheets (SDS), which accompany any hazardous substance used in the school setting, are maintained on file in the [office and elsewhere in the building, as necessary,] and readily available to any staff member who must handle such materials or who may have been exposed to such products. Staff will adhere to standard precautions. Standard precautions require that staff and students approach infection control as if all direct contact with human blood and body fluids is known to be infectious for bloodborne pathogens. The district's Exposure Control Plan is available through the district office.

All staff members are expected to conduct their work in compliance with first aid and infection control procedures established by the district and the following safety rules of the district:

1. All injuries shall be reported immediately to the person in charge or other responsible representative of the district;
2. It is the duty of all employees to make full use of safeguards provided for their protection. It shall be the employee's responsibility to abide by and perform the following requirements:
  - a. Employees shall not operate any machine unless guard or method of guarding is in good condition, working order, in place, and operative;
  - b. Employees shall stop any machine or moving parts and properly tag-out or lock-out the starting control before oiling, adjusting, or repairing, except when such machine is provided with means of oiling or adjusting that will prevent possibility of hazardous contact with moving parts;
  - c. Employees shall not remove guards or render methods of guarding inoperative except for the purpose of adjustment, oiling, repair, or setting up a new job;
  - d. Employees shall report to their supervisor any guard or method of guarding that is not properly adjusted or not accomplishing its intended function;
  - e. Employees shall not use their hands or any portion of their bodies to reach between moving parts or to remove jams, hang-ups, etc. (Use hook, stick, tong, jig, or other accessory.);
  - f. Employees shall not work under objects being supported that could accidentally fall (such as loads supported by jacks, the raised body, or a dump truck, etc.) until such objects are properly blocked or shored;
  - g. Employees shall not use defective tools or equipment. No tool or piece of equipment should be used for any purpose for which it is not suited and none should be abused by straining beyond its safe working load.
3. Employees shall not remove, deface, or destroy any warning, danger sign, or barricade; or interfere with any other form of accident prevention device or practice provided which they are using or which is being used by any other worker;
4. Employees must not work underneath or over others thereby exposing them to a hazard without first notifying the other employee(s) or seeing that proper safeguards or precautions have been taken;
5. Employees shall not work in unprotected, exposed, or hazardous areas under floor openings;
6. Long or unwieldy articles shall not be carried or moved unless adequate means of guarding or guiding are provided to prevent injury;
7. Hazardous conditions or practice observed at any time shall be reported as soon as practicable to the person in charge or some other responsible representative of the employer;
8. Employees observed working in a manner which might cause immediate injury to either themselves or other workers shall be warned of the danger;
9. Before leaving a job, workers shall correct, or arrange to give warning of, any condition which might result in injury to others unfamiliar with existing conditions;

10. Good housekeeping methods shall be observed in all operations. Materials shall be so handled and stored as to minimize falling, tripping, or collision hazards;
11. Working and storage areas and passageways shall be kept free of unnecessary obstructions. No loose object shall be placed in any area where its presence will necessitate employees crowding between such objects as moving machinery, steam pipes, or other objects with which contact would be dangerous;
12. Any materials which might cause an employee to slip or fall shall be removed from floors and other treading surfaces immediately or suitable means or methods shall be used to control the hazardous condition;
13. All sharp, pointed, or otherwise hazardous projections in work areas shall be removed or rendered harmless.

## **STUDENT INSURANCE**

Each school district provides or makes available student insurance.

## **SUBPOENAS TO STAFF**

If subpoenaed or contacted by an attorney in a child custody situation, staff should inform Human Resources, who will provide guidance. Testimony from school employees is rarely relevant in a custody case. School personnel can only testify to what you see with the child, not make any speculation on parenting quality, etc. Under FERPA, a parent (even if it is a parent's subpoena) must be notified regarding the potential release of student information during any proceeding, which also covers any records request that may be part of the subpoena. The notice allows parents to object to any attorney who issued the subpoena.

## **TELEPHONE USAGE**

Phone usage, other than business related, is to be kept to a minimum.

The district may provide cellular telephones for the professional use of ESD staff members. ESD-provided cell phones should be on during the workday.

Personal calls are not permitted on these phones unless an emergency exists during the workday. If a call is made under an emergency condition, report it to your administrator, who will report it to the Chief Financial Officer. No personal or emergency calls may be made after work hours using ESD cell phones.

Southern Oregon ESD wants all employees to be safe as they provide services to our component school districts. When behind the wheel of a motor vehicle, it is extremely important to stay in the "here and now" with body and mind. SOESD employees are expected to comply with hands-free cell phone use while operating a motor vehicle during the work day. SOESD does, however, recommend that while driving, allow calls to go to voice mail and retrieve voice mail when a safe location has been reached and the motor vehicle is stopped.

### Standards

The following telephone standards have been adopted for use in all ESD offices:

1. Phones are to be attended during the hours the agency is open: 7:30 AM to 4:30 PM.
2. Whenever possible, arrangements are to be made with other individuals or departments to cover the phones instead of using voice mail.
3. All voicemail messages are to include identification of the agency, the department, and the person. (It is the responsibility of each staff member to maintain his/her voicemail message)

## **TIMESHEETS**

If employees are employed on a timesheet basis, they are responsible for recording daily the hours worked and for submitting the timesheet in Frontline ***Time & Attendance*** following the published payroll calendar due dates. Administrators are responsible for signing timesheets before the cut-off date on the payroll calendar.

## **TRAINING**

All SOESD employees will complete the following mandatory training annually by October 1 of each year:

- Abuse, Sexual Conduct, and Appropriate Communication
- Bloodborne Pathogens for School Employees
- Bullying Prevention
- CIPA – Media Literacy and Digital Safety
- Communicable Disease Plan
- Computer, Network, and Internet Use Agreement
- Discriminatory Harassment
- Email Safety: Phishing, Malware, and Ransomware
- Preventing Bias Incidents and Hate Crimes in Schools
- Recognizing and Responding to Child Neglect
- Sexual Harassment
- SOESD Handbook
- Student Privacy Rights (FERPA)

## **TRANSPORTING STUDENTS**

The transportation of students is the responsibility of local school districts. ESD staff members are not to transport students in privately owned vehicles with the single exception of an emergency concerning the safety of the student. The staff member will immediately notify his/her supervisor of that emergency transportation.

If an employee's job requires transporting students in ESD-owned vehicles, or the job description requires a valid Oregon Driver's license, employees are required to maintain a valid Oregon Driver's License and to report a revocation of a driver's license to the appropriate administrator.

Transporting students in rented vehicles requires that the ESD employee obtain additional insurance through the rental company. The additional insurance must cover these three areas: damage waiver, supplemental liability, and personal accident.

## **TRAVEL**

### General Guidelines

SOESD expects employees to use the most economical means of travel. Travel time, number of employees traveling together, safety, road conditions, and distances are considered when determining economies and efficiencies.

SOESD has purchased a limited number of vehicles for work-related travel for ESD employees. SOESD liability coverage is only extended to employees on work-related activities in agency vehicles. If an employee uses their vehicle for work-related activities, the employee's insurance is primary and SOESD insurance is secondary.

Family members, non-employees, or students are not to be transported in ESD vehicles unless it is required in the job description of the position. SOESD or school district employees attending a SOESD work-related meeting may be transported in ESD vehicles.

### In-Service Area Travel Reimbursement

In Service Area, Travel Reimbursement forms are due in the Business Office by the 19th of each month. The checks are mailed on the 25th. Forms that arrive after the 19th are processed the following month. The Business Office processes reimbursements for the month prior. The current month's travel is not reimbursed until the following month. (In the summer the travel is included in the weekly AP run.)

Updated forms are available from the SOESD website. Travel is reviewed for accuracy and totals are calculated by the administrative assistant. The appropriate account code is recorded on the travel form by the administrative assistant. Note: In the service area travel is a 0341object code.

Employees are to use a new reimbursement form for each month. The claimant and supervisor are required to sign all pages of the original travel reimbursement.

Reimbursement for actual miles traveled on ESD business shall be at the current IRS-approved rate per mile. Only those miles traveled in connection with ESD business may be claimed and mileage will be computed by using the Mileage Chart – Selected Cities in Oregon, prepared by the Oregon Department of Transportation, or ESD mileage charts. Mileage reimbursement must be submitted at least every three months. Examples:

- The business office receives travel requests for December, January, and February. The business office receives this on March 19th. This individual will be paid for all three months with the March payment process.
- The business office receives travel requests for December, January, and February. The business office receives this on March 31st. This individual will be paid for all three months with the April payment process.

- The business office receives travel requests for December, January, and February. The business office receives this on April 1st. This individual will not be paid for all three months, only January and February. Superintendent approval is required for mileage reimbursements submitted that are older than three months.

Mileage reimbursement to and from the worksite will not be granted unless otherwise stipulated in the collective bargaining agreement.

The following are guidelines to be followed for all mileage reimbursement claims:

1. Travel forms must be completed in ink or may be completed on a computer using the approved agency format.
2. Ditto marks will be accepted on up to five entries only.
3. For non-ESD locations, the street address of the departure location and travel destination must be included.
4. Each travel sheet must be signed by the claimant and immediate administrator.
5. Mileage claims must be received at the program level by the 7th of the month and received in the Business Office by the 19th of the month, or they will not be processed until the following month's travel check run.
6. Mileage claims must be submitted in complete months.
  - a. Example: March travel submitted on April 4 should not include travel during those first four days of April.
7. Only abbreviations that can be clearly understood may be used.
8. The address at the top of the travel form must be completed if it is for a new employee or if there is an address change since the last travel check was issued. Highlight the change.
9. Mileage should be rounded up/down to the nearest whole mile (under five rounds down/five and over rounds up to the nearest whole number).
10. If the mileage presented for reimbursement is less than that allowed on the ESD mileage chart, reimbursement will be for the mileage submitted. If the mileage submitted is more than that shown on the chart, reimbursement will be only for the number of miles on the chart.
11. No employee will be paid for mileage to and from work.
12. All travel forms that do not follow these guidelines will be returned to the administrator for correction.

NOTE: When using personal vehicles for agency business, only mileage reimbursement at the IRS approved per mile rate will be granted. Gas receipts will not be reimbursed.

#### Car Rentals

Car rental should be utilized whenever mileage reimbursement exceeds the cost of the car rental. The program Administrative Assistant will make arrangements with the rental company to direct bill the ESD for the car rental. If employees wish family members or friends to accompany them in ESD-rented vehicles, prior approval must be obtained from the administrator. Employees must obtain additional insurance from the rental company and reimburse the district for the additional insurance cost. The additional insurance must cover these three areas; damage waiver; supplemental liability, and personal accident. The rental agreement must be in the employee's name. If combining ESD business with vacation or personal leave, the employee must rent the car in the employee's name.

Employees must check rental cars for damage when the cars are returned. This is necessary, as the ESD has been charged for damage to vehicles since the employees renting the vehicles had not checked them upon return and it was not known when the damage occurred. Reimbursement for gas purchases may be made. Original gas receipts are required.

#### ESD-Owned Vehicles

Southern Oregon ESD owns vehicles available for check-out for ESD or school-related business. If the employee is combining ESD business with vacation or personal leave, the employee is not permitted to use an ESD-owned vehicle. Only Southern Oregon ESD employees are authorized to drive ESD-owned vehicles. In addition, family members and friends are not to travel in ESD-owned vehicles, unless they are on ESD business. The Business Office and the Special Programs Office are in charge of reserving these vehicles.

Checking out a vehicle requires a reservation. Reservations are made through the office professional in the Business Office. Since there are a limited number of vehicles, please do not reserve a vehicle for trips of less than thirty miles (sixty miles round trip). Note: This requirement does not apply when transporting students. You can pick up the keys from the assigned office professional on the reserved date.

The vehicle and keys are to be returned promptly at the end of the trip. The interior of the vehicles is to be kept clean and free of litter. Smoking is not allowed in the vehicles. Accidents or vehicle damage are to be reported to the immediate supervisor and the ESD Chief Financial Officer.

#### Insurance Costs

It is the responsibility of the owner or driver of the vehicle to make certain that adequate personal liability and property damage (as required by Oregon State Law) is maintained. Persons who transport students should carry a minimum of \$300,000 liability.

#### Out-of-Service Area/State Travel Using Personal Vehicle

Out-of-service area or out-of-state use of a personal vehicle while on district business must be approved by the appropriate administrator. A request for release time/travel advance must be completed and approved by the employee's immediate administrator before any out-of-service area/state travel can be confirmed. A completed Out-of-Service Area/Overnight Lodging Travel Reimbursement form for mileage, lodging, and meals must be submitted to the program administrator in advance of the travel date. \*\* If this procedure is not followed, concerning receipt in the business office of the completed, approved form before travel occurs, disciplinary action may follow. If approved, the program administrator will forward the Out-of-Service Area/Overnight Lodging Travel Reimbursement form to the business office before the date of travel.

All out-of-state travel requests and requests to use air travel must be submitted to the supervisor who will then submit the written request to the superintendent for review. The superintendent signs the request giving approval or denial and returns it to the program office. The request should be submitted one month in advance; however, in unique situations, the timeline may be shortened.

### Travel Outside of the Continental United States

Travel for ESD business outside of the continental United States requires prior approval from the SOESD Board of Directors.\*\* All requests for this type of travel must go through the program director to the superintendent. If approved by the superintendent, the request will be presented to the Board at the next regularly scheduled Board meeting.

\*\* Enough time should be allowed to process the paperwork through all the appropriate channels. If sufficient time is not allowed, the requests for pre-payment will be denied and the employee will be reimbursed when appropriate receipts are submitted.

### Travel by Air

If traveling by air, all flight arrangements will be made by the superintendent's office. The program Administrative Assistant will complete a Travel Coordinator's Worksheet, secure the program director's approval for air transportation, and forward it to the superintendent's office. The superintendent approves all air travel. If the employee feels that the travel arrangements made by the superintendent's office are not convenient for the employee, the superintendent's office is to be notified and will redirect the employee to make his or her arrangements. However, any increased cost for the changes will be the responsibility of the employee and not SOESD.

NOTE: When travel arrangements include family members or friends, the ESD employee is requested to make his/her own arrangements and the ESD will reimburse at its normal rate of reimbursement.

### Travel Advance/Accounting

An employee may receive travel expenses in advance not to exceed the following:

Mileage: Shortest route, IRS-approved rate. For either an advance or for filing travel upon return, employees will receive the GSA Rate.

Per Diem Meal Allowance: The Per Diem Reimbursement is based on the US General Services Allowance guidelines. The Reimbursement amount is based on the travel location. **The GSA Rate is automatically calculated on the Out-of-Area Reimbursement Form.** The Business Office does not require receipts for meals.

For reference, the reimbursement rates can be found here: <https://www.gsa.gov/travel/plan-book/per-diem-rates>

### Lodging

A receipt for **all** lodging is required and must be submitted to the Business Office to be filed with the original paperwork.

Employees are expected to shop for economical lodging. When out of town on ESD business, the ESD will pay for a single room unless the single and double room rates are the same. If an employee wishes a double room, the employee must pay the difference between the double and single rate. When traveling in or out of state, lodging inquiries will always include a request for the "state rate." Lodging must be prepaid to the motel/hotel or conference sponsor or direct billed to the ESD unless prior arrangements between the employee and their supervisor have been made. Hotel receipts must be turned in to the appropriate program administrative assistant as soon as possible. Any additional charges to an employee's lodging bill besides room and tax will be the employee's responsibility. If you are making reservations for anyone who is not an employee of the ESD, please

email Accounts Payable with the vendor name, dates, and their names. This information is very important when the bills arrive.

#### Travel and Related Meal Expenses

1. Meal receipts may be requested by your supervisor.
2. To be eligible for breakfast and/or lunch reimbursement, travel must be from your home or designated work site requiring an overnight stay the night before.
3. Any travel (including out-of-state) from your designated worksite which causes you not to return home that night, or to return home after 6:00 p.m. via the most direct route, makes one eligible for dinner reimbursement with the following exception: if the employee has a flexed workday, i.e. 12:00 noon to 8:00 p.m., the employee would not be reimbursed for dinner. This procedure will be reviewed regularly by the administrative team.

#### Normal Reimbursable Expenses

Approvable expenses include toll charges, parking fees, tips, valet services, cleaning, pressing, and laundry if the length of the trip or circumstances demand such expenses. Specify each type and amount of the expense.

Non-reimbursable expenses include, but are not limited, to the following:

1. Repairs, towing, or service of personal vehicle
2. Any mileage except actual miles driven on district business
3. Personal expenditures for entertainment, medicines, alcoholic beverages, etc.
4. Gifts for employees
5. Air travel life insurance fees
6. Expenses for spouse
7. Repair or replacement of personal items
8. Doctor bills for illness or treatment
9. Gratuities over 15% (unless an automatic gratuity above 15% is included in the bill).

#### Combining District Travel and Vacation/Personal Travel

SOESD personnel traveling to a work assignment are not encouraged to extend work with personal activities. Oregon Government Ethics Commission guidelines do not allow public employees to personally benefit from their employment. However, if employees choose to extend their work-related trip for personal reasons the following guidelines apply:

1. If combining vacation or personal business with business travel, the employee is to make all of the travel arrangements and is not eligible for SOESD/government agency discounts.
2. The ESD will reimburse at the rate it would have cost the district had the employee not combined vacation or personal leave with business travel and the employee will be reimbursed for one-way travel if the travel is extended for personal reasons.
3. All time away from work caused by travel by less than the most expeditious means available must be charged to vacation or other appropriate leave.
4. Time delays forced by business or travel schedules will be charged to working time.
5. If the employee travels for vacation purposes to a point that he/she would not have visited for business, the employee must pay the additional cost.
6. Work-related travel costs associated with combining work with personal will be reimbursed at established SOESD rates.

### Travel Options

Options for travel reimbursement are:

1. Travel is not authorized by the district but the employee may take personal leave or unpaid leave and the employee pays costs.
2. Travel is at the request of the district or authorized by the district and the district will pay costs.
3. Travel is at the request of the employee and attended with district approval, the district agrees that the employee may take duty time and the district pays the costs.
4. If attended with district approval, but the budget does not allow for full payment, the employee can take duty time and partial payment (registration, travel, lodging, meals, or gas, etc.) may be available.

### Out of District Travel

- a. All out-of-state travel must be approved by the Superintendent. All travel outside the continental U.S. must have prior approval by the Southern Oregon ESD Board of Directors.
- b. Out-of-area conferences, and workshops (including airfare, hotels, and meals) are a 342 object code.

### Hotel/Car Reservations

- a. If you are making reservations for anyone who is not an employee of the ESD, please email Accounts Payable with the vendor name, dates, and their names. This information is very important when the bills arrive.

## **VISITORS TO INSTRUCTIONAL SITES**

### Definitions

"Instructional site" is defined as any location in which students are receiving specialized instruction or related services from an employee of Southern Oregon ESD.

"Visitor" is defined as any person other than:

1. those providing direct or consultative services to the students,
2. a teacher or administrator affiliated with the instructional site, or
3. an ESD administrator.

### Procedures

To help ensure that student instructional programs are not excessively interrupted, visitors are expected to provide adequate prior notice through prearrangement with the teacher or administrator regarding any anticipated visitation. As necessary, teachers are to inform potential visitors of this prior notice procedure and are expected to notify their immediate administrator before the scheduled visitation occurs.

If instructional plans are such that in the teacher's or administrator's opinion, the planned visitation would be too disruptive, the visitation should be scheduled for another day within a reasonable period.

For instructional sites located in public schools, visitors are expected to check in at the building office before visiting the classroom and follow all building procedures. For instructional sites not located in public schools, visitors are expected to check in at the program office affiliated with that instructional site.

If a teacher desires a visitation by any person in an elected office or representative of the media, the teacher must make visitation arrangements through his/her immediate administrator and the office of the superintendent. If any elected official or representative of the media requests a teacher to visit an instructional site, the teacher must inform the person to make any visitation arrangement(s) through his/her immediate administrator and the office of the superintendent.

## **VOLUNTEERS**

Volunteers must meet all five criteria to operate outside of the employment relationship:

1. All placements of volunteers will be approved by the superintendent.
2. All volunteers who work with students will submit to a criminal history check. This check will be paid for by Southern Oregon ESD.
3. The superintendent will ensure that all appropriate training and orientation procedures are followed.
4. The work must be for public service or a humanitarian act at the volunteer's initiative, without any expectation of pay.
5. If the volunteer is an employee for other purposes, the volunteer duties may not be the same as his/her regular work duties.

## **WEINGARTEN RIGHTS**

Weingarten is a short-handed term used to refer to the right of a bargaining unit member, at the employee's request, to have a union representative present during an "investigative interview" which the employee reasonably believes could lead to discipline. The term Weingarten is drawn from a private sector decision, *NLRB v. J. Weingarten, Inc.*, 420 U.S. 252 (1975).

An Association representative may be present at any grievance meeting.

A pre-disciplinary investigatory meeting, which is a meeting where the employee will be questioned and the employee could reasonably believe that discipline may result from the outcome of the investigation, is the sole circumstance under which Weingarten rights apply. Weingarten means only that the employee may be accompanied by an Association representative; however, the supervisor still has the right to question the employee and insist that the employee, not the representative, answer the questions.

Also, Weingarten does not require that the Association representative have an opportunity to caucus with the employee during the meeting, however, it does require that the representative

be allowed time to meet with the employee at the start of the meeting; the representative will need to make such arrangements for a pre-meeting on his/her own time.

If the choice of representative unreasonably disrupts the process when other representatives are easily available, the employee "does not have an unfettered right to select a particular Weingarten representative." Memorandum - NCLRB - March 13, 2003.

If a supervisor has scheduled an investigatory meeting and does not have advance notice the Association representative will be attending, the supervisor cannot refuse to allow such attendance, under Weingarten; however, the supervisor can reschedule the meeting to a time when another administrator can attend, as well.

If a supervisor is conducting an investigatory meeting where the employee being interviewed is a witness only, where the employee may have relevant information about the topic being investigated, but is not in any way possibly subject to disciplinary action as a result, then the employee has no right to be accompanied by an Association representative, and the supervisor may refuse to allow a representative to attend. In doing so, the supervisor should clearly state to the employee that this is not a matter where disciplinary action may result from the employee being interviewed.

Meetings concerning staff evaluation, including goal- setting meetings, meetings to review data and observations related to goal-setting, pre and post- observation meetings, and meetings to review a written evaluation: There is no right to Association representation in these meetings under Weingarten, because these are not disciplinary situations, and there is no right to such representation in the Collective Bargaining Agreement.

Meetings concerning Programs of Assistance for Improvement: the meeting where the employee is informed that they will be placed on a PAI is still an evaluation meeting for which no right to Association representation exists. However, if the supervisor is sharing a draft PAI or starting to discuss the content of the PAI, then a right to representation would exist. From that point forward throughout the life of the PAI, the employee has the right to representation at any meeting concerning the PAI.

Even where a right to representation exists, it is the responsibility of the employee to assert such right; the supervisor has no obligation to inform the employee that the right exists.

Under ERB case law, the role of the representative includes three functions:

1. To ask about and clarify the purpose of the meetings at the beginning of the meeting;
2. To inform the employee of any contractual rights; and
3. At the end of the supervisor's questioning, the representative may ask additional questions of the employee to bring out any other relevant information.

If the Association representative exceeds these functions and/or attempts to answer for the employee or in any other way disrupt or disturb the purpose of the meeting, the representative may be instructed to cease and desist immediately, or the meeting will be terminated.

Where no right to representation exists, the supervisor may choose to allow it; however, if the representative impedes the purpose of the meeting, the supervisor may stop the meeting at that point and ask the representative to leave.

## **WHISTLEBLOWER**

When an employee has a good faith and reasonable belief the employer has violated any federal, state, or local, law, rule, or regulation; has engaged in mismanagement, gross waste of funds or abuse of authority; or has created a substantial and specific danger to public health and safety by its actions, and an employee then discloses or plans to disclose such information, it is an unlawful employment practice for an employer to:

1. Discharge, demote, transfer, reassign, or take disciplinary action against an employee or threaten any of the previous actions.
2. Withhold work or suspend an employee.
3. Discriminate or retaliate against an employee with regard to promotion, compensation, or other terms, conditions, or privileges of employment.
4. Direct an employee or to encourage an employee to not disclose or to give notice to the employer prior to making any disclosure.
5. Prohibit an employee from discussing, either specifically or generally, the activities of the state, any agency of the state, or political subdivision in the state, or any person authorized to act on behalf of the state, any agency of the state, or political subdivision in the state, with:
  - a. Any member of the Legislative assembly;
  - b. Any Legislative committee staff acting under the direction of any member of the Legislative assembly; or
  - c. Any member of the elected governing body of a political subdivision in the state or any elected auditor of a city, county, or metropolitan service district.

An employee's good faith and reasonable belief shall serve as an affirmative defense to civil or criminal charges related to the employee's disclosure of lawfully accessed information related to the violation, including information that is exempt from disclosure by public records law.

The district will use the complaint process in [administrative regulation KL-AR(1) - Public Complaints Procedure] to address any alleged violations of Board policy, GBMA – Whistleblower

## **WORK HOURS**

Work hours are determined by the supervisor. Regular working hours for all classified staff will be set by the supervisor. Nonexempt staff are not to work before, beyond, or outside their established working hours and are not to work overtime without prior authorization from the supervisor.

All employees' time sheets must be a true reflection of all time worked, whether it is more or less than regularly scheduled work hours.

Failure to comply may result in disciplinary action in accordance with applicable provisions of Board policy, administrative regulations, and collective bargaining agreements.

#### Overtime

Overtime is time worked by a nonexempt employee in excess of forty (40) hours per week and shall be paid at the rate of time and one-half (1 1/2). Licensed employees are exempt. Overtime worked by a nonexempt employee must be approved in advance by his/her administrator. If employees work overtime without approval, the administrator may initiate disciplinary action. Timesheets are filed using Frontline **Time & Attendance**. When filling out a timesheet for extra/overtime work, employees will write a short description of the activity (including location) resulting in the overtime.

### **WORKING FROM HOME**

With prior approval from his/her supervisor a licensed bargaining unit member may request to work from home up to three (3) times a year not to exceed eight (8) hours in a day. This is not an option that can be used during inclement weather. If there is a need to work from home beyond the time outlined above, the supervisor may submit a request to the Superintendent for approval. If sick, use sick leave instead of working from home.

The agency does not encourage working from home. Any request to work from home from non-licensed bargaining unit members must be pre-approved by the superintendent who has sole authority to grant or deny these requests.