

# **HARLAN COUNTY PUBLIC SCHOOLS**

2016 - 2017  
Employee Handbook

# **HARLAN COUNTY SCHOOLS**

## **2016 - 2017 Employee Handbook**

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*T. Michael Howard*, Superintendent  
Harlan County Board of Education  
251 Ball Park Road  
Harlan, KY 40831  
Phone 606.573.4330 • Fax 606.573.5767  
[www.harlan.kyschools.us](http://www.harlan.kyschools.us)

As required by law, the Harlan County Board of Education does not discriminate on the basis of race, color, national origin, age, religion, sex, genetic information or disability in its programs and activities and provides equal access to its facilities to the Boy Scouts and other designated youth groups.

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# Introduction

## Welcome

Welcome to Harlan County Schools.

The purpose of the handbook is to acquaint you with general Board of Education policies that govern and affect your employment and to outline the benefits available to you as an employee of the District.

Because this handbook is a general source of information, it is not intended to be, and should not be interpreted as, a contract. It is **not** an all-encompassing document and may not cover every possible situation or unusual circumstance. If a conflict exists between information in this handbook and Board policy or administrative procedures, the policies and procedures govern. It is the employee's responsibility to refer to the actual policies and/or administrative procedures for further information. Complete copies of those documents are available at the Central Office and in the Principal's office. Any employee is free to review official policies and procedures and is expected to be familiar with those related to his/her job responsibilities. Employees and students who fail to comply with Board policies may be subject to disciplinary action. **01.5**

School council policies, which are also available from the Principal, may also apply in some instances. **02.4241**

In this handbook, **bolded policy codes** indicate related Board of Education policies. If an employee has questions, s/he should contact his/her immediate supervisor or the Central Office.

## Philosophy of Education

The Harlan County Board of Education will welcome each individual regardless of race, creed, sex, age, religion, marital status, or handicap into the education system as he/she is. With a collective commitment from the professional staff and working in cooperation with the parents, every possible resource and effort will be given to insure that the educational program provides for meeting the intent of the Board of Education to nurture the academic abilities of each student in order to enhance the full realization of his potential. Furthermore, the educational program of the District provides guidance in the development of constructive attitudes; emphasizes the realization on the part of students as to the value of education; promotes heightened perception of moral, patriotic and civic responsibilities; develops respect for the individuality of all human beings; and instills the values and ethics by which the larger society governs itself.

The Board of Education believes that all educators, teachers, and administrators should possess and practice professional integrity and responsibility while setting examples as leaders worthy of emulation. The professional staff personnel should also continue their professional growth, not as a requirement, but as a personal desire to constantly improve their skills as educators.

## **Future Policy Changes**

Although every effort will be made to update the handbook on a timely basis, the Harlan County Board of Education reserves the right, and has the sole discretion, to change any policies, procedures, benefits, and terms of employment without notice, consultation, or publication, except as may be required by contractual agreements and law. The District reserves the right, and has the sole discretion, to modify or change any portion of this handbook at any time.

## Central Office Personnel and Administrators

Person/Address	Telephone/E-mail	Fax
T. Michael Howard Superintendent & Finance	573-4330 <a href="mailto:Mike.Howard@Harlan.kyschools.us">Mike.Howard@Harlan.kyschools.us</a>	573-5767
Brent Roark Title I Assistant Supt of Curriculum & Inst	573-4330 <a href="mailto:Brent.Roark@Harlan.kyschools.us">Brent.Roark@Harlan.kyschools.us</a>	573-5767
Jody Gilliam Director of Finance	573-4330 <a href="mailto:Jody.Gilliam@Harlan.kyschools.us">Jody.Gilliam@Harlan.kyschools.us</a>	573-5767
Eric Bowling Director of Special Education	573-4330 <a href="mailto:Eric.Bowling@Harlan.kyschools.us">Eric.Bowling@Harlan.kyschools.us</a>	573-5767
Brett Johnson Director of Pupil Personnel	573-4330 <a href="mailto:Brett.Johnson@Harlan.kyschools.us">Brett.Johnson@Harlan.kyschools.us</a>	573-3971
Jim Middleton Director of District Personnel & Safe Schools	573-4330 <a href="mailto:Jim.Middleton@Harlan.kyschools.us">Jim.Middleton@Harlan.kyschools.us</a>	573-3971
Mike Cox Transportation Director	573-4330 <a href="mailto:Mike.Cox@Harlan.kyschools.us">Mike.Cox@Harlan.kyschools.us</a>	573-5767
David Burkhart Director of Technology	573-4330 <a href="mailto:David.Burkhart@Harlan.kyschools.us">David.Burkhart@Harlan.kyschools.us</a>	573-5767
Jack Miniard Food Service Director	573-4330 <a href="mailto:Jack.Miniard@Harlan.kyschools.us">Jack.Miniard@Harlan.kyschools.us</a>	573-5767
Jeff Phillips Public Relations/Community Education	573-4330 <a href="mailto:Jeff.Phillips@Harlan.kyschools.us">Jeff.Phillips@Harlan.kyschools.us</a>	573-5767
Johnnie Turner Director of Maintenance	573-4330 <a href="mailto:Johnnie.Turner@Harlan.kyschools.us">Johnnie.Turner@Harlan.kyschools.us</a>	573-5767

# HARLAN COUNTY SCHOOLS

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## School Calendar 2016-2017

August 9, 2016	Flexible Professional Development for Teachers
August 10, 2016	Opening Day for Teachers
August 11, 2016	<b>First Day for Students – Full Day</b>
September 5, 2016	Labor Day Holiday – No School for Students or Teachers
October 6, 2016	<b>Flexible</b> Professional Development for Teachers – No School for Students
October 7, 2016	Fall Break Day - No School for Students
November 7, 2016	<b>Flexible</b> Professional Development for Teachers – No School for Students
November 8, 2016	Election Day – No School for Students or Teachers
November 23, 2016	<b>Flexible</b> Professional Development for Teachers – No School for Students
November 24, 2016	Thanksgiving Holiday – No School for Students or Teachers
November 25, 2016	No School for Students or Teachers
Dec. 21, 2016 – Jan. 2, 2017	Christmas Vacation
December 25, 2016	Christmas – Holiday
January 1, 2017	New Year’s Day – Holiday
January 3, 2017	<b>Students and Teachers Return from Christmas Break</b>
January 16, 2017	Martin Luther King Day – No School for Students or Teachers
March 27 – March 31, 2017	Spring Break (Possible Make Up Days)
May 15, 2017	<b>Last Day for Students - Full Day</b>
May 16, 2017	Closing Day for Teachers
May 23, 2017	Election Day
May 29, 2017	Memorial Day
May 17 – June 20, 2017	Make Up Days

### **GRADING PERIODS FOR 2016 - 2017**

- 1<sup>st</sup> Nine Weeks Ends October 13, 2016
- 2<sup>nd</sup> Nine Weeks Ends December 19, 2016
- 3<sup>rd</sup> Nine Weeks Ends March 2, 2017
- 4<sup>th</sup> Nine Weeks Ends May 15, 2017
  
- 1<sup>st</sup> Trimester Ends November 2, 2016 (**HCHS ONLY**)
- 2<sup>nd</sup> Trimester Ends February 10, 2017 (**HCHS ONLY**)
- 3<sup>rd</sup> Trimester Ends May 15, 2017 (**HCHS ONLY**)



**2016-2017 SCHOOL CALENDAR**

**District: Harlan County**

Traditional Calendar

Year-round Calendar

**(175) Number of Instructional Days**

JULY 2016					
M	T	W	T	F	S
				1	2
4	5	6	7	8	9
11	12	13	14	15	16
18	19	20	21	22	23
25	26	27	28	29	30

AUGUST 2016 (15)					
M	T	W	T	F	S
1	2	3	4	5	6
8	P	O	11	12	13
15	16	17	18	19	20
22	23	24	25	26	27
29	30	31			

SEPTEMBER 2016 (21)					
M	T	W	T	F	S
			1	2	3
H	6	7	8	9	10
12	13	14	15	16	17
19	20	21	22	23	24
26	27	28	29	30	

OCTOBER 2016 (19)					
M	T	W	T	F	S
3	4	5	P	K	8
10	11	12	13	14	15
17	18	19	20	21	22
24	25	26	27	28	29
31					

NOVEMBER 2016 (17)					
M	T	W	T	F	S
	1	2	3	4	5
P	8	9	10	11	12
14	15	16	17	18	19
21	22	P	H	K	26
28	29	30			

DECEMBER 2016 (14)					
M	T	W	T	F	S
			1	2	3
5	6	7	8	9	10
12	13	14	15	16	17
19	20	K	K	K	24
H	K	K	K	K	31

JANUARY 2017 (20)					
M	T	W	T	F	S
H	3	4	5	6	7
9	10	11	12	13	14
16	17	18	19	20	21
23	24	25	26	27	28
30	31				

FEBRUARY 2017 (20)					
M	T	W	T	F	S
		1	2	3	4
6	7	8	9	10	11
13	14	15	16	17	18
20	21	22	23	24	25
27	28				

MARCH 2017 (18)					
M	T	W	T	F	S
		1	2	3	4
6	7	8	9	10	11
13	14	15	16	17	18
20	21	22	23	24	25
K	K	K	K	K	

APRIL 2017 (20)					
M	T	W	T	F	S
					1
3	4	5	6	7	8
10	11	12	13	14	15
17	18	19	20	21	22
24	25	26	27	28	29

MAY 2017 (11)					
M	T	W	T	F	S
1	2	3	4	5	6
8	9	10	11	12	13
15	C	U	U	U	20
U	23	U	U	U	27
29	U	U			

JUNE 2017					
M	T	W	T	F	S
			U	U	3
U	U	U	U	U	10
U	U	U	U	U	17
U	U	21	22	23	24
26	27	28	29	30	

1st Nine Weeks Ends Oct. 13th - 43 Days

3rd Nine Weeks Ends Mar. 2nd - 43 Days

**High School Only:** 1st Trimester Ends Nov. 2nd - 57 Days

2nd Nine Weeks Ends Dec. 19th - 42 Days

4th Nine Weeks Ends May 15th - 47 Days

2nd Trimester Ends Feb. 10th - 57 Days

1st Semester - 85 Days

2nd Semester - 90 Days

3rd Trimester Ends May 15th - 61 Days

## Section

# 1

## General Terms of Employment

### Equal Opportunity Employment

The Harlan County Board of Education is an Equal Opportunity Employer. The District does not discriminate on the basis of age, color, disability, race, national origin, religion, sex, or genetic information, as required by law.

Reasonable accommodation for individuals with disabilities will be made as required by law.

If considerations of sex, age or disability have a bona fide relationship to the unique requirements of a particular job or if there are federal or state legal requirements that apply, then sex, age or disability may be taken into account as a bona fide occupational qualification, provided such consideration is consistent with governing law.

If you have questions concerning District compliance with state and federal equal opportunity employment laws, contact the Board of Education's Central Office. **03.113/03.212**

### Harassment/Discrimination

The Harlan County Board of Education intends that employees have a safe and orderly work environment in which to do their jobs. Therefore, the Board does not condone and will not tolerate harassment of or discrimination against employees, students, or visitors to the school or District, or any act prohibited by Board policy that disrupts the work place or the educational process and/or keeps employees from doing their jobs.

Any employee who believes that he or she, or any other employee, student, or visitor to the school or District, is being or has been subjected to harassment or discrimination shall bring the matter to the attention of his/her Principal/immediate supervisor or the District's Title IX/Equity Coordinator, as required by Board policy. The District will investigate any such concerns promptly and confidentially.

No employee will be subject to any form of reprisal or retaliation for having made a good-faith complaint under this policy. For complete information concerning the District's position prohibiting harassment/discrimination, assistance in reporting and responding to alleged incidents, and examples of prohibited behaviors, employees should refer to the District's policies and related procedures. **03.162/03.262**

## GENERAL TERMS OF EMPLOYMENT

The following have been designated to handle inquiries regarding nondiscrimination under Title IX and Section 504 of the Rehabilitation Act of 1973:

<u>Brent Roark</u>	<u>251 Ball Park Road, Harlan</u>	<u>(606) 573-4330</u>
Title IX Coordinator	Address	Telephone
<u>Eric Bowling</u>	<u>251 Ball Park Road, Harlan</u>	<u>(606) 573-4330</u>
Section 504 Coordinator	Address	Telephone

**01.1**

Employees wishing to initiate a complaint concerning discrimination in the delivery of benefits or services in the District's school nutrition program should go to the link below or mail a written complaint to the U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington D.C. 20250-9410, or email, [program.intake@usda.gov](mailto:program.intake@usda.gov).

[http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html)

**07.1**

## Hiring

Except for noncontracted substitute teachers, all certified personnel are required to sign a written contract with the District. All regular full-time and part-time classified employees also shall receive a contract.

A list of all District job openings is available at the Central Office, in each school building and online.

For further information on hiring, refer to policies **03.11/03.21**.

## Transfer of Tenure

All teachers who have attained continuing–contract status from another Kentucky district serve a one (1)-year probationary period before being considered for continuing-contract status in the District. **03.115**

## Job Responsibilities

Every employee is assigned an immediate supervisor. All employees receive a copy of their job description and responsibilities for review. Immediate supervisors may assign other duties as needed. Employees should ask their supervisor if they have questions regarding their assigned duties and/or responsibilities. **03.132/03.232**

All employees are expected to use sound judgment in the performance of their duties and take reasonable and commonly accepted measures to protect the health, safety, and well-being of others, as well as District property. In addition, employees shall cooperate fully with all investigations conducted by the District as authorized by policy or law. **03.133/03.233**

**Certified Employees:** All teachers in the District shall review records of assigned students to determine whether an IEP or 504 plan is in place.

## **Criminal Background Check and Testing**

Applicants, employees, and student teachers must undergo records checks and testing as required by law.

**Certified Employees:** New hires and student teachers assigned within the District must have both a state and a federal criminal history background check. **03.11**

**Classified Employees:** New hires must have a state criminal history background check. Applicants that have resided in Kentucky twelve (12) months or less may be required to undergo both state and national criminal history background checks. **03.21**

## **Confidentiality**

In certain circumstances employees will receive confidential information regarding students' or employees' medical, educational or court records. Employees are required to keep student and personnel information in the strictest confidence and are legally prohibited from passing confidential information along to any unauthorized individual. Employees with whom juvenile court information is shared as permitted by law shall be asked to sign a statement indicating they understand the information is to be held in strictest confidence.

Employees may only access student record information in which they have a legitimate educational interest. **03.111/03.211/09.14/09.213/09.43**

Both federal law and Board policy prohibit employees from making unauthorized disclosure, use or dissemination of personal information regarding minors over the Internet. **08.2323**

## **Information Security Breach**

Information security breaches shall be handled in accordance with KRS 61.931, KRS 61.932, and KRS 61.933 including, but not limited to, investigations and notifications.

Within seventy-two (72) hours of the discovery or notification of a security breach, the District shall notify the Commissioner of the Kentucky State Police, the Auditor of Public Accounts, the Attorney General, and the Education Commissioner. **01.61**

## **Salaries and Payroll Distribution**

Checks are issued according to a schedule approved annually by the Board. At the end of the school year, employees who have completed their duties may request to be paid their remaining salary before the end of the fiscal year (June 30). **03.121/03.221**

## GENERAL TERMS OF EMPLOYMENT

**Certified Personnel:** Salaries for certified personnel are based on a single-salary schedule reflecting the school term as approved by the Board in keeping with statutory requirements. Compensation for additional days of employment is prorated on the employee's base pay.

Determination of and changes to certified employees' rank and experience are determined in compliance with Policy **03.121**. No later than forty-five (45) days before the first student attendance day of each year or June 15<sup>th</sup>, whichever comes first, the Superintendent will notify certified personnel of the best estimate of their salary for the coming year.

**Classified Personnel:** Classified personnel may be paid on an hourly or salary basis, as determined by the Board. The length of the work day shall be established for each position and the work week for hourly (non-exempt) employees shall not exceed forty (40) hours per week, unless overtime is authorized by Board policy. **03.221**

### Hours of Duty

**Certified Employees:** Certified employees are not allowed to leave their job assignment during duty hours without the express permission of their immediate supervisor.

Each full-time teacher is provided with a duty-free lunch period each day during the regularly scheduled student lunch period.

When weather conditions require the alteration of normal school or District operations, employees shall refer to guidelines outlined in Board policy. **03.1332**

### Supervision Responsibilities

While at school or during school-related or school-sponsored activities, students must be under the supervision of a qualified adult at all times. All District employees are required to assist in providing appropriate supervision and correction of students. **09.221**

Employees are expected to take reasonable and prudent action in situations involving student welfare and safety, including following District policy requirements for intervening and reporting to their immediate supervisor those situations that threaten, harass, or endanger the safety of students, other staff members, or visitors to the school or District. Such instances shall include, but are not limited to, bullying or hazing of students and harassment/discrimination of staff, students or visitors by any party.

The Student Discipline Code shall specify to whom reports of alleged instances of bullying or hazing shall be made. **03.162/03.262/09.422/09.42811**

## **Bullying**

"Bullying" is defined as any unwanted verbal, physical, or social behavior among students that involves a real or perceived power imbalance and is repeated or has the potential to be repeated:

1. That occurs on school premises, on school-sponsored transportation, or at a school-sponsored event; or
2. That disrupts the education process. **09.422**

**Section**  
**2**

# **Benefits and Leave**

## **Insurance**

The Board provides optional health/life insurance coverage for employees. **03.1211/03.2211**

## **Salary Deductions**

The Harlan County School District makes all payroll deductions required by law. Employees may choose from the following optional payroll deductions:

- Health/life insurance program;
- Dental, vision and disability coverage;
- Tax Sheltered Annuity program;
- Credit Union;
- State approved deferred compensation plan;
- Credit Union;
- Membership dues in professional/job-related organizations, when thirty percent (30%) of eligible members request deductions. **03.1211/03.2211**

## **Cafeteria Plan**

The Harlan County School District offers employees a cafeteria plan of benefits. **03.1213/03.2212**

## **Expense Reimbursement**

Provided the Superintendent/designee has given prior approval to incur necessary and appropriate expenses school personnel are reimbursed for travel that is required as part of their duties or for school-related activities approved by the Superintendent/designee. Allowable expenses include mileage, gasoline used for Board vehicles, tolls and parking fees, fares charged for travel on common carriers (plane, bus, etc.), food (as authorized by policy and/or procedure), lodging, and car rental only when approved by the Superintendent and/or council in SBDM schools.

Employees must submit travel vouchers within one (1) week of travel and will not be reimbursed without proper documentation. Should employees receive reimbursement based on incomplete or improper documentation, they may be required to reimburse the District.

With the exception of charter buses, renting and/or leasing vans or vehicles intended to carry multiple passengers is prohibited.

Itemized receipts must accompany requests for reimbursement. **03.125/03.225**

## **Holidays**

**Certified:** All full-time certified employees and classified employees are paid for four (4) annual holidays as indicated in the school calendar. Personnel employed under a 232 day contract or greater shall receive two (2) additional paid holidays for a total of six (6) paid holidays designated by the Superintendent. Unless otherwise approved by the Superintendent, employees must work or be on paid leave the day prior to a scheduled holiday in order to receive the paid holiday. **03.122/03.222**

## **Annual Leave**

Personnel employed under a 232 day contract or greater, may use their non-contracted days as unpaid vacation leave. Five (5) days not used from a previous year may carry over until July 31 of the current year. Leave may be used only in whole or half-day increments. There will be no compensation for unused annual leave. The use of annual leave must be approved by the employee's immediate supervisor prior to the date(s) requested and shall not interrupt or place a hardship on school operations. **03.122**

## **Leave Policies**

In order to provide the highest level of service, employees are expected to be at work and on time every day. However, when circumstances dictate, the Board provides various types of leave under which absences may be authorized. Employees who must be absent should inform their immediate supervisor as soon as possible.

Listed below is general information regarding several types of leave available to employees. Please note that in many cases a written request, submitted for approval before leave begins, is required.



Employees on extended leave who plan to return the next school year must notify the Superintendent/designee in writing of their intention to return to work by April 1 of the year the leave terminates.

Authorization of leave and time taken off from one's job shall be in accordance with a specific leave policy. Absence from work that is not based on appropriate leave for which the employee is qualified may lead to disciplinary consequences, up to and including termination of employment.

Employees shall not experience loss of income or benefits, including sick leave, when they are assaulted while performing assigned duties and the resulting injuries qualify them for workers' compensation benefits. **03.123/03.223**

For complete information regarding leaves of absence, refer to the District's *Policy Manual*.

## **Sick Leave**

Full-time certified employees who work nine and one quarter (9 ¼) months per year shall be entitled to ten (10) days of paid sick leave each school year. Employees who work under extended employment schedules shall be entitled to one (1) day with pay each school year for each month employed.

All full-time classified employees shall be entitled to one (1) day of paid sick leave for each month employed.

Part-time employees or employees who work for less than a full year are entitled to a prorata part of the authorized sick leave days. Sick leave days not taken during the school year they were granted accumulate without limit for all employees. **03.1232/03.2232**

See the "Retirement" section for information about reimbursement for unused sick leave at retirement.

## **Sick Leave Donation Program**

Employees who have accumulated more than fifteen (15) days of sick leave may request to donate sick leave days to another employee authorized to receive the donation. Employees may not disrupt the workplace while asking for donations.

Applications to donate sick leave should be returned to the Central Office.

Any sick leave that is not used will be returned on a prorated basis to the employees who donated days. **03.1232/03.2232**

## **Family and Medical Leave**

Employees are eligible for up to twelve (12) workweeks of family and medical leave each school year, if they have been employed by the District for twelve (12) months, have worked at least 1,250 hours during the twelve (12) months preceding the start of the leave, and otherwise qualify for family and medical leave for one of the reasons below:

1. For the birth and care of an employee's newborn child or for placement of a child with the employee for adoption or foster care;
2. To care for the employee's spouse, child or parent who has a serious health condition, as defined by federal law;
3. For an employee's own serious health condition, as defined by federal law, that makes the employee unable to perform her/his job;
4. To address a qualifying exigency (need) defined by federal regulation arising out of the covered active duty or call to active duty involving deployment to a foreign country of the employee's spouse, son, daughter, or parent who serves in a reserve component or as an active or retired member of the Regular Armed Forces or Reserve in support of a contingency operation; and
5. To care for a covered service member (spouse, son, daughter, parent or next of kin) who has incurred or aggravated a serious injury or illness in the line of duty while on active duty in the Armed Forces that has rendered or may render the family member medically unfit to perform his/her duties or to care for a covered veteran with a serious injury or illness as defined by federal regulations.

When family and medical military caregiver leave is taken based on a serious illness or injury of a covered service member, an eligible employee may take up to twenty-six (26) workweeks of leave during a single twelve-month period.

Paid leave used under this policy will be subtracted from the twelve (12) workweeks to which the employee is entitled. Employees should contact their immediate supervisor as soon as they know they will need to use Family and Medical Leave. **03.12322/03.22322**

Following is a summary of the major provisions of the Family and Medical Leave Act (FMLA) provided by the United States Department of Labor.

## FML Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

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

**Military Family Leave Entitlements** - Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness\*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.\*

\*The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition".

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

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

**Eligibility Requirements** - Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months\*, and if at least 50 employees are employed by the employer within 75 miles.

\*Special hours of service eligibility requirements apply to airline flight crew employees.

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

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

**Use of Leave** - An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

**Substitution of Paid Leave for Unpaid Leave** - Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

**Employee Responsibilities** - Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave.

Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

**Employer Responsibilities** - Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

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

**Unlawful Acts by Employers** - FMLA makes it unlawful for any employer to: interfere with, restrain, or deny the exercise of any right provided or to discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

**Enforcement** - An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

## Maternity Leave

Employees may use up to thirty (30) days of sick leave immediately following the birth or adoption of a child.

Employees eligible for family and medical leave are entitled to up to twelve (12) workweeks of unpaid leave to care for the employee's child after birth or placement of a child with the employee for adoption or foster care. Leave to care for an employee's healthy newborn baby or minor child who is adopted or accepted for foster care must be taken within twelve (12) months of the birth or placement of the child.

The parent of a newborn or an employee who adopts a child may also request an unpaid leave of absence not to exceed the remainder of the school year in which the birth or placement occurred. Thereafter, leave may be extended in increments of no more than one (1) year. **03.1233/03.2233**

## Extended Disability Leave

Unpaid disability leave for the remainder of the school year is available to employees who need it. Thereafter, leave may be extended by the Board in increments of no more than one (1) year.

The Superintendent may require an employee to secure a medical practitioner's verification of a medical condition that will justify the need for disability leave. **03.1234/03.2234**

## Educational Leave

**Certified Employees:** The Board may grant unpaid leave for a period no longer than two (2) consecutive years for educational or professional purposes. Leave may be granted for full-time attendance at universities or other training or professional activities. Leave will not be granted for part-time educational activities.

Written application for educational/professional leave must be made at least sixty (60) days before the leave is to begin. **03.1235**

**Classified Employees:** Upon recommendation by the Superintendent, the Board may grant short-term paid leaves to classified employees for training necessary to enhance skills required for their jobs or in anticipation of a different position within the school system. **03.2235**

## Emergency Leave

Employees may use three (3) sick leave days per school year for emergency leave. Part-time employees and employees who work for less than a full year are entitled to a prorata part of the authorized emergency leave days.

Approved reasons for taking emergency leave include: bereavement, personal disasters, legal/court appearances and others as approved by the Superintendent/designee. **03.1236/03.2236**

## **Jury Leave**

Any employee who serves on a jury in local, state or federal court will be granted paid leave (minus any jury pay, excluding expense reimbursement) for the period of her/his jury service.

Employees are excused only for the actual time served. Employees are to return to their work locations immediately following release from jury duty, unless the time required to serve extends beyond the employee's regular work schedule.

Employees who will be absent from work to serve on a jury must notify their immediate supervisor in advance. **03.1237/03.2237**

## **Military/Disaster Services Leave**

Military leave is granted under the provisions and conditions specified in law. As soon as they are notified of an upcoming military-related absence, employees are responsible for notifying their immediate supervisor.

The Board may grant disaster services leave to requesting eligible employees. **03.1238/03.2238**

## **Unpaid Leave**

The Board of Education may grant a short-term unpaid leave of absence, upon written request for the remainder of a school year. Thereafter, leave may be extended by the Board in increments of no more than one (1) school year. **03.1234/03.2234**

## **Section**

# **3**

## **Personnel Management**

### **Transfer**

Employees who wish to request a voluntary transfer should contact their immediate supervisor for assistance.

Employees charged with a felony offense may be transferred to a second position with no change in pay until such time as they are found not guilty, the charges are dismissed, their employment is terminated, or the Superintendent determines that further personnel action is not required.**03.1311/03.2311**

### **Employee Discipline**

Termination and nonrenewal of contracts are the responsibility of the Superintendent.  
**03.17/03.27/03.2711**

Certified employees who resign or terminate their contracts must do so in compliance with KRS 161.780.

### **Retirement**

Employees who decide to retire should give the Superintendent/designee notice as far in advance as possible, but no later than two (2) weeks before retirement. Retirement benefits are solely a matter of contract between the employee and her/his retirement system (the Kentucky Teacher's Retirement System or the County Employee's Retirement System).

The Board compensates employees only upon initial retirement for each unused sick day at the rate of thirty (30) percent of the daily salary, based on the employee's last annual salary. **03.175/03.273**

## Evaluations

All employees are given an opportunity to review their evaluations and an opportunity to attach a written response to the evaluation. Any employee who believes that s/he was not fairly evaluated may appeal his/her evaluation in accordance with Policy. **03.18/03.28**

## Training/In-Service

The Board provides a program for professional development and staff trainings.

**Certified Personnel:** Unless an employee is granted leave, failure to complete and document required professional development during the academic year will result in a reduction in salary and may be reflected in the employee's evaluation. **03.19**

## Personnel Records

One (1) master personnel file is maintained in the Central Office for each employee. The Principal/supervisor may maintain a personnel folder for each person under his/her supervision. Employees may inspect their personnel files. **03.15/03.25**

## Retention of Recordings

Employees shall comply with the statutory requirement that school officials are to retain any digital, video, or audio recording as required by law. **01.61**

## Section

# 4

## Employee Conduct

### Absenteeism/Tardiness/Substitutes

Employees are expected to notify their immediate supervisor when they must be tardy or absent. Staff in positions requiring substitutes must contact their immediate supervisor to request a substitute for the day.

### Staff Meetings

Unless they are on leave or have been excused by the administrator who called the meeting, staff members shall attend called meetings.**03.1335**

### Political Activities

Employees shall not promote, organize, or engage in political activities while performing their duties or during the work day. Promoting or engaging in political activities shall include, but not be limited to, the following:

- Encouraging students to adopt or support a particular political position, party, or candidate; or
- Using school property or materials to advance the support of a particular political position, party, or candidate. **03.1324/03.2324**

In addition, KRS 161.164 prohibits employees from taking part in the management of any political campaign for school board.

### Disrupting the Educational Process

Any employee who participates in or encourages activities that disrupt the educational process may be subject to disciplinary action, including termination.

Behavior that disrupts the educational process includes, but is not limited to:

- conduct that threatens the health, safety or welfare of others;



- conduct that may damage public or private property (including the property of students or staff);
- illegal activity;
- conduct that interferes with a student’s access to educational opportunities or programs, including ability to attend, participate in, and benefit from instructional and extracurricular activities; or
- conduct that disrupts delivery of instructional services or interferes with the orderly administration of the school and school-related activities or District operations. **03.1325/03.2325**

## **Previewing Student Materials**

Except for current events programs and programs provided by Kentucky Educational Television, teachers shall review all materials presented for student use or viewing before use. This includes movies and other videos in any format. **08.234**

## **Controversial Issues**

Teachers who suspect that materials or a given issue may be inappropriate or controversial shall confer with the Principal prior to the classroom use of the materials or discussion of the issue. **08.1353**

## **Drug-Free/Alcohol-Free Schools**

Employees must not manufacture, distribute, dispense, be under the influence of, purchase, possess, use, or attempt to obtain, sell or transfer any of the following in the workplace or in the performance of duties:

1. Alcoholic beverages;
2. Controlled substances, prohibited drugs and substances, and drug paraphernalia; and or any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance as defined by federal regulation.
3. Substances that "look like" a controlled substance. In instances involving look-alike substances, there must be evidence of the employee’s intent to pass off the item as a controlled substance.

In addition, employees shall not possess prescription drugs for the purpose of sale or distribution.

Any employee who violates the terms of the District’s drug-free/alcohol-free policies may be suspended, nonrenewed or terminated. Violations may result in notification of appropriate legal officials.

Employees who know or believe that the District’s alcohol-free/drug-free policies have been violated must promptly make a report to the local police department, sheriff, or Kentucky State Police. **09.423**

Any employee convicted of a workplace violation of drug abuse statutes must notify the Superintendent/designee of the conviction within five (5) working days.

All current employees and applicants may be subject to random or periodic drug testing as a condition of employment and following reprimand or discipline for misconduct involving illegal use of controlled substances. **03.13251/03.23251**

## **Weapons**

Except where expressly and specifically permitted by Kentucky Revised Statute, carrying, bringing, using or possessing any weapon or dangerous instrument in any school building, on school grounds, in any school vehicle, or at any school-sponsored activity is prohibited. Except for authorized law enforcement officials, including peace officers and police as provided in KRS 527.070 and KRS 527.020, the Board prohibits carrying concealed weapons on school property. Staff members who violate this policy are subject to disciplinary action, including termination.

Employees who know or believe that this policy has been violated must promptly make a report to the local police department, sheriff, or Kentucky State Police. **05.48**

## **Dress and Appearance**

All employees of the Harlan County School District shall dress professionally, and in a manner commensurate with their professional responsibility. Good personal hygiene is expected at all times. Although modest earrings are appropriate, no body piercings, tattoos or other enhancements that may distract, interrupt or interfere with the education process shall be visible.

The building principal shall be responsible for enforcing the dress code and shall be held responsible when this code is not adhered to by certified and classified staff.

Refer to the applicable Dress and Appearance policy for specific details concerning proper attire. **03.1326/03.2326**

## **Tobacco Products**

The use of any tobacco product is prohibited in any building or vehicle owned, operated or leased by the Board, on all school-owned property and, during school-related student trips.

The Superintendent or designee shall designate a space at least fifty (50) feet from bleachers or any other place people gather during outside sporting events for tobacco use. Signs evidencing this policy shall be placed on an outside area where people enter onto the school property. **03.1327/03.2327/10.5**

Bus drivers shall not use tobacco products while on the bus. **06.221**

## **Use of School Property**

Employees are responsible for school equipment, supplies, books, furniture, and apparatus under their care and use. Employees shall immediately report to their immediate supervisor any property that is damaged, lost, stolen, or vandalized.

No employee shall perform personal services for themselves or for others for pay or profit during work time and/or using District property or facilities.

Employees may not use any District facility, vehicle, electronic communication system, equipment, or materials to perform outside work. These items (including security codes and electronic records such as e-mail) are District property.

District-owned telecommunication devices shall be used primarily for authorized District business purposes. However, occasional personal use of such equipment is permitted.

Employees may not use a code, access a file, or retrieve any stored communication unless they have been given authorization to do so. Employees cannot expect confidentiality or privacy of the information in their e-mail accounts. Authorized District personnel may monitor the use of electronic equipment from time to time.

Employees who drive any Board-owned vehicle and/or transport students must annually provide the Superintendent/designee with a copy of their driving record. Employees who receive a traffic citation during the year must report the citation to the Superintendent/designee before driving a Board-owned vehicle or transporting students. **03.1321/03.2321**

## **Use of Personal Cell Phones/Telecommunication Devices**

Due to privacy concerns, and except for emergency situations, personally owned recording devices are not to be used to create video or audio recordings or to take pictures while on duty or working with students except with prior permission from the Principal/designee or immediate supervisor. Such devices include, but are not limited to, personal cell phones and tablets.

For exceptions, see Board Policies **03.13214/03.23214**.

## **Health, Safety and Security**

It is the intent of the Board to provide a safe and healthful working environment for all employees. Employees should report any security hazard or conditions they believe to be unsafe to their immediate supervisor.

In addition, employees are required to notify their supervisor immediately after sustaining a work-related injury or accident. A report should be made within 24-48 hours of the occurrence and prior to leaving the work premises, UNLESS the injury is a medical emergency, in which case the report can be filed following receipt of emergency medical care.

For information on the District's plans for Hazard Communication, Bloodborne Pathogen Control, Lockout/Tagout, Personal Protective Equipment (PPE), and Asbestos Management, contact your immediate supervisor or see the District's *Policy Manual* and related procedures.

Employees should use their school/worksite two-way communication system to notify the Principal, supervisor or other administrator of an existing emergency. **03.14/03.24/05.4**

## **Assaults and Threats of Violence**

Employees should immediately report any threats they receive (oral, written or electronic) to their immediate supervisor.

Under provisions of state law (KRS 158.150) and regulation (702 KAR 5:080), school personnel may remove threatening or violent students from a classroom or from the District's transportation system pending further disciplinary action. However, before the need arises, employees should familiarize themselves with policy and procedures that are required. **09.425**

## **Child Abuse**

Any school personnel who knows or has reasonable cause to believe that a child under eighteen (18) is dependent, abused or neglected shall immediately make a report to a local law enforcement agency, the Cabinet for Families and Children or its designated representative, the Commonwealth's Attorney or the County Attorney. **09.227**

## **Use of Physical Restraint and Seclusion**

Use of physical restraint and seclusion shall be in accordance with Board policy and procedure. **09.2212**

## **Civility**

Employees should be polite and helpful while interacting with parents, visitors and members of the public. Individuals who come onto District property or contact employees on school business are expected to behave accordingly. Employees who fail to observe appropriate standards of behavior are subject to disciplinary measures, including dismissal.

In cases involving physical attack of an employee or immediate threat of harm, employees should take immediate action to protect themselves and others. In the absence of an immediate threat, employees should attempt to calmly and politely inform the individual of the provisions of Policy **10.21** or provide him/her with a copy. If the individual continues to be discourteous, the employee may respond as needed, including, but not limited to: hanging up on the caller; ending a meeting; asking the individual to leave the school; calling the site administrator/designee for assistance; and/or calling the police.

As soon as possible after any such incident, employees should submit a written incident report to their immediate supervisor. **10.21**

## **Grievances/Communications**

The Superintendent/designee has developed specific procedures to assist employees in making a complaint. For full information refer to Policy **03.16/03.26** and related procedures.

Grievances are individual in nature and must be brought by the individual employee. The Board shall not hear grievances or complaints concerning simple disagreement or dissatisfaction with a personnel action. **03.16/03.26**

## **Gifts**

Any gift presented to a school employee for the school's use must have the prior approval of the Superintendent/designee. After approval and acceptance, gifts become the property of the Board of Education.

No school employee shall solicit for the use of the school any gifts or funds from individuals or groups. **03.1322/03.2322**

## **Outside Employment or Activities**

Employees may not perform any duties related to an outside job during their regular working hours. **03.1331/03.2331**

## Cafeteria Adult Meal Pricing

Adult Meal Pricing		
	EMPLOYEE*	VISITOR
<b>Breakfast</b>	\$2.25	\$2.75
<b>Lunch</b>	\$3.25	\$3.75
<b>Lunch Ala Carte**</b>	<b>EMPLOYEE/VISITOR</b>	
Milk	\$0.50	
6 oz. Juice	\$0.75	
Meat/Meat Alt.	\$1.50	
Vegetable	\$1.00	
Fruit	\$1.00	
Bread	\$0.60	
Dessert	\$0.75	
Meat/Bread	\$2.10	
Side Salad	\$1.25	
<b>Breakfast Ala Carte**</b>	<b>EMPLOYEE/VISITOR</b>	
Milk	\$0.50	
Juice - 4oz.	\$0.50	
Meat/Meat Alt.	\$0.85	
Vegetable/Fruit	\$0.75	
Bread	\$0.60	
Cereal	\$0.50	
Pastries	\$0.80	
Toast/two (2) slices	\$0.40	

\*Harlan County Board of Education employees only

\*\*Ala Carte Items that consist of two (2) or more groups will be charged for combined food groups.

NO CHARGING ALLOWED FOR MEALS OR ALA CARTE SALES.

07.1/07.11

## Required Reports

Although you may be directed to make additional reports, the following reports are required by law and/or Board policy:

- Report to the immediate supervisor damaged, lost, stolen, or vandalized school property or if District property has been used for unauthorized purposes. **03.1321/03.2321**
- Notify the Principal as soon as possible when you use seclusion or physical restraint with a student, but no later than the end of the school day on which it occurs, and document in writing the incident by the end of the next school day. **09.2212**
- If you know or believe that the District’s alcohol-free/drug-free policies have been violated, promptly make a report to the local police department, sheriff, or Kentucky State Police. This is required if you know or have reasonable cause to believe that conduct has occurred which constitutes the use, possession, or sale of controlled substances on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event. **03.13251/03.23251/09.423**
- Report potential safety or security hazards to the Principal and notify your supervisor immediately after sustaining a work-related injury or accident. **03.14/03.24/05.4**
- Report to the Principal/immediate supervisor or the District’s Title IX Coordinator if you, another employee, a student, or a visitor to the school or District is being or has been subjected to harassment or discrimination. **03.162/03.262/09.42811**
- If you suspect that financial fraud, impropriety or irregularity has occurred, immediately report those suspicions to Principal or the Superintendent. If the Superintendent is the alleged party, employees should address the complaint to the Board chairperson. **04.41**
- Report to the Principal any student who is missing during or after a fire/tornado/ bomb threat drill or evacuation. **05.41**
- When notified of a bomb threat, scan the area noting any items that appear to be out of place, and report same to Principal/designee. **05.43**
- If you know or believe that the District’s weapon policy has been violated, promptly make a report to the local police department, sheriff, or Kentucky State Police. This is required when you know or have reasonable cause to believe that conduct has occurred which constitutes the carrying, possession, or use of a deadly weapon on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event. **05.48**
- District bus drivers taking medication either by prescription or without prescription shall report to their immediate supervisor and shall not drive if that medication may affect the driver’s ability to safely drive a school bus or perform other driver responsibilities. **06.221**

## EMPLOYEE CONDUCT

- District employees who know or have reasonable cause to believe that a student has been the victim of a violation of any felony offense specified in KRS Chapter 508 (assault and related offenses) committed by another student while on school premises, on school-sponsored transportation, or at a school-sponsored event shall immediately cause an oral or written report to be made to the Principal of the school attended by the victim.

The Principal shall notify the parents, legal guardians, or other persons exercising custodial control or supervision of the student when the student is involved in such an incident.

Within forty-eight (48) hours of the original report of the incident, the Principal also shall file with the Board and the local law enforcement agency or the Department of Kentucky State Police or the County Attorney a written report containing the statutorily required information. **09.2211**

- If you know or have reasonable cause to believe that a child under eighteen (18) is dependent, abused or neglected, you shall **immediately** make a report to a local law enforcement agency or Kentucky State Police, the Cabinet for Families and Children or its designated representative, the Commonwealth's Attorney or the County Attorney. (See **Child Abuse** section.) **09.227**
- Report to the Principal any threats you receive (oral, written or electronic). **09.425**



## Code of Ethics for Certified School Personnel

SOURCE: 16 KAR 1:020

Section 1. Certified personnel in the Commonwealth:

- (1) Shall strive toward excellence, recognize the importance of the pursuit of truth, nurture democratic citizenship, and safeguard the freedom to learn and to teach;
- (2) Shall believe in the worth and dignity of each human being and in educational opportunities for all;
- (3) Shall strive to uphold the responsibilities of the education profession, including the following obligations to students, to parents, and to the education profession:
  - (a) To students:
    1. Shall provide students with professional education services in a nondiscriminatory manner and in consonance with accepted best practice known to the educator;
    2. Shall respect the constitutional rights of all students;
    3. Shall take reasonable measures to protect the health, safety, and emotional well-being of students;
    4. Shall not use professional relationships or authority with students for personal advantage;
    5. Shall keep in confidence information about students which has been obtained in the course of professional service, unless disclosure serves professional purposes or is required by law;
    6. Shall not knowingly make false or malicious statements about students or colleagues;
    7. Shall refrain from subjecting students to embarrassment or disparagement; and
    8. Shall not engage in any sexually related behavior with a student with or without consent, but shall maintain a professional approach with students. Sexually related behavior shall include such behaviors as sexual jokes; sexual remarks; sexual kidding or teasing; sexual innuendo; pressure for dates or sexual favors; inappropriate physical touching, kissing, or grabbing; rape; threats of physical harm; and sexual assault.
  - (b) To parents:
    1. Shall make reasonable effort to communicate to parents information which should be revealed in the interest of the student;
    2. Shall endeavor to understand community cultures and diverse home environments of students;
    3. Shall not knowingly distort or misrepresent facts concerning educational issues;

## EMPLOYEE CONDUCT

4. Shall distinguish between personal views and the views of the employing educational agency;
5. Shall not interfere in the exercise of political and citizenship rights and responsibilities of others;
6. Shall not use institutional privileges for private gain, for the promotion of political candidates, or for partisan political activities; and
7. Shall not accept gratuities, gifts, or favors that might impair or appear to impair professional judgment, and shall not offer any of these to obtain special advantage.

(c) To the education profession:

1. Shall exemplify behaviors which maintain the dignity and integrity of the profession;
2. Shall accord just and equitable treatment to all members of the profession in the exercise of their professional rights and responsibilities;
3. Shall keep in confidence information acquired about colleagues in the course of employment, unless disclosure serves professional purposes or is required by law;
4. Shall not use coercive means or give special treatment in order to influence professional decisions;
5. Shall apply for, accept, offer, or assign a position or responsibility only on the basis of professional preparation and legal qualifications; and
6. Shall not knowingly falsify or misrepresent records of facts relating to the educator's own qualifications or those of other professionals.

Section 2. Violation of this administrative regulation may result in cause to initiate proceedings for revocation or suspension of Kentucky certification as provided in KRS 161.120 and 704 KAR 20:585.

# Acknowledgement Form

2016-2017 School Year

I, \_\_\_\_\_, have received a copy  
*Employee Name*

of the Employee Handbook issued by the District, and understand and agree that I am to review this handbook in detail and to consult District and school policies and procedures and with my Principal/supervisor if I have any questions concerning its contents.

I understand and agree:

1. that this handbook is intended as a general guide to District personnel policies and that it is not intended to create any sort of contract between the District and any one or all of its employees;
2. that the District may modify any or all of these policies, in whole or in part, at any time, with or without prior notice; and
3. that in the event the District modifies any of the policies contained in this handbook, the changes will become binding on me immediately upon issuance of the new policy by the District.

*I understand that as an employee of the District I am required to review and follow the policies set forth in this Employee Handbook and I agree to do so.*

\_\_\_\_\_  
*Employee Name (please print)*

\_\_\_\_\_  
*Signature of Employee*

\_\_\_\_\_  
*Date*

Return this signed form to the Central Office.