

Maconaquah School Corporation

Classified Personnel Handbook

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Adopted by the Maconaquah School Board

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MACONAQUAH SCHOOL CORPORATION

CLASSIFIED HANDBOOK GENERAL

WORKING CONDITIONS

1. PROBATIONARY PERIOD:

Newly hired classified personnel will be placed on a 60 calendar day probationary period that begins on the 1st working day after they are hired for the position. Employee must have physically worked 60 calendar days for the probationary period. The probation period is used to determine if the employee is suited for the assigned position. Employment may be terminated before 60 days if probationary employee violates any of the reasons for termination listed in #18, if the employee is not approved by the School Board or if it is deemed that the employee is not a good fit for the position. Employee benefits will begin after the 60 day probationary period has been completed.

2. PERSONAL BACKGROUND CHECKS, REFERENCES, AND MANDATORY REPORTING OF CONVICTIONS AND SUBSTANTIATED CHILD ABUSE AND ARRESTS

To protect students and staff members, the School Board requires an inquiry into the personal background of each applicant the Superintendent recommends for employment on the School Corporation's support staff.

Such an inquiry shall also be made for substitutes.

The Superintendent shall establish the necessary procedures for obtaining personal background information on each applicant recommended for employment on the Corporation's support staff which shall include the following:

- A. an expanded criminal history check as defined by I.C. 20-26-2-1.5
- B. an expanded child protection index check as defined by I.C. 20-26-2-1.3
- C. a search of the national sex offender registry maintained by the United States Department of Justice
- D. beginning July 1, 2017, a search of the State child abuse registry
- E. telephone inquiry with former employer(s)
- F. explanations of any employment gaps to ensure the candidate has not omitted an employer where an offense occurred
- G. verification of the applicant's eligibility to work using the E-Verify database maintained by the Federal government as required by I.C. 12-32-1

The Board requires that an expanded criminal history check be conducted for each applicant for employment who is likely to have direct, ongoing contact with children within the scope of his/her employment before or not later than thirty (30) days after the start of the applicant's employment by the Corporation.

The Board requires that an expanded child protection index check be conducted for each applicant for employment who is likely to have direct, ongoing contact with children within the scope of his/her employment before or not later than sixty (60) days after the start of the applicant's employment by the Corporation. An expanded child protection index check shall include inquiries to each state in which information necessary to complete the expanded child protection index check is available.

The Board requires that all references and, if applicable, the most recent employer provided by an applicant be contacted before the Corporation may hire the applicant.

The Board shall deny employment to a person who has been convicted of an offense requiring license revocation per I.C. 20-28-5-8(c), unless the conviction has been reversed, vacated, or set aside on appeal.

The Board may deny employment to an applicant who is the subject of a substantiated report of abuse or neglect. Each applicant shall certify under penalty of perjury his/her eligibility to be employed by the Board as a United States citizen or a qualified alien.

Should it be necessary to employ a person in order to maintain continuity of the program prior to receipt of the report, the Superintendent may provide for a substitute, or employ the applicant as a substitute.

The procedures shall provide that information and records obtained from pre-employment inquiries under this policy are confidential and shall not be released except as necessary to implement this policy, defend a decision made pursuant to this policy, or comply with I.C. 20-26-5-11.5 when responding to a request for an employment reference from another school for a current or former employee.

Any costs associated with obtaining the expanded criminal history check and the expanded child protection index check are to be borne by the applicant.

The Board requires that an expanded criminal history check be conducted for each Corporation employee every five (5) years.

In implementing this requirement, the Corporation shall conduct the updated expanded criminal history checks for Corporation employees over a period not to exceed 5 years by annually conducting updated expanded criminal history checks at least 1/5 of employees who are employed by the Corporation on July 1, 2017.

The Corporation shall pay the costs associated with conduction the expanded criminal history check for all employees, provided the exclusive representatives of the Corporation's employees do not object.

The Corporation may obtain an expanded criminal history check or an expanded child protection index check at any time if the Corporation has reason to believe that the applicant or employee:

- A. is the subject of a substantiated report of child abuse or neglect or
- B. has been charged with or convicted of one (1) of the following crimes:
 1. Murder (I.C. 35-42-1-1).
 2. Causing suicide (I.C. 35-42-1-2).
 3. Assisting suicide (I.C. 35-42-1-2.5).
 4. Voluntary Manslaughter (I.C. 35-42-1-3).
 5. Reckless homicide (I.C. 35-42-1-5).
 6. Battery (I.C. 35-42-2-1) unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
 7. Aggravated battery (I.C. 35-42-2-1.5).
 8. Kidnapping (I.C. 35-42-3-2).
 9. Criminal confinement (I.C. 35-42-3-3).
 10. A sex offense under I.C. 35-42-4.
 11. Carjacking (I.C. 35-42-5-2) (before its repeal).
 12. Arson (I.C. 35-43-1-1), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
 13. Incest (I.C. 35-46-1-3)
 14. Neglect of a dependent as a Class B felony (for a crime committed before July 1, 2014) or a Level 1 felony or Level 3 felony (for a crime committed after June 30, 2014) (I.C. 35-46-1-4 (b)(2) and (3)), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
 15. Child selling (I.C. 35-46-1-4(d)).
 16. Contribution to the delinquency of a minor (I.C. 35-46-1-8), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.

17. An offense involving a weapon under I.C. 35-47 or I.C. 35-47.5 unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
18. An offense relating to controlled substances under I.C. 35-48-4, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
19. An offense relating to material or a performance that is harmful to minors or obscene under I.C. 35-49-3, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
20. An offense relating to operating a motor vehicle while intoxicated under I.C. 9-30-5, unless five (5) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
21. Domestic battery (I.C. 35-42-2-1.3), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
22. An offense that is substantially equivalent to any of the offenses listed in this subsection in which the judgement of conviction was entered under the law of any other jurisdiction.

During the course of his/her employment with the School Corporation, each support staff employee shall be required to report the:

- A. arrest or the filing of criminal charges against the employee;
- B. conviction of the employee for a crime; and
- C. substantiated report of child abuse or neglect of which the employee is the subject

to the Superintendent within two (2) business days of the occurrence. The Superintendent shall obtain a review of each reported conviction or substantiated report of child abuse or neglect and shall recommend appropriate action to the Board considering the risk to members of the school community presented by the continued employment of the employee who was convicted or the subject of a substantiated report of child abuse or neglect.

The Superintendent shall prepare administrative guidelines to implement this policy.

3. PHYSICAL EXAMS:

The School Board or Superintendent reserves the right to require any employee or candidate, after a conditional offer of employment, to submit to a physical examination in order to determine the physical and/or mental capacity to perform assigned duties. Such examinations shall be done in accordance with the Superintendent's guidelines. Reports of all such examinations or evaluations shall be delivered to the Superintendent, who shall protect their confidentiality. Reports will be discussed with the employee or candidate and made part of the employee's personnel record. In the event of a report of a condition that could influence job performance, the Superintendent shall base a non-employment recommendation to the Board upon a conference with a physician and substantiation that the condition is directly correlated to defined job responsibilities.

All positions will be filled at the discretion of the administration.

4. STAFF AND BOARD COMMUNICATIONS:

The Board of Education desires to maintain open channels of communication between itself and the staff. The basic line of communication, will, however, be through the appropriate chain of command.

- A. Staff Communication to the Board: All communications from staff members to the Board or its committees shall be submitted through the appropriate chain of command. This procedure is not intended to deny any staff member the right to appeal to the Board on important matters through established procedures.
- B. Board Communications to Staff: All official communications, policies, and directives of the Board concerning staff will be communicated through the appropriate chain of command.

C. Informal Communication: Both Staff and Board members share a keen interest in schools and in education generally, and it is to be expected that when they meet at social affairs and other functions, they will informally discuss such matters as educational trends, issues, innovations, and general problems of the Corporation. However, individual Board members have no special authority except when they are convened at a legal meeting of the Board or vested with special authority by Board action. Staff members may informally discuss matters with individual Board members. All complaints should be submitted through the appropriate chain of command for resolution.

5. DRESS CODE:

Employees are expected to report for work clean, neat and appropriately dressed.

6. PAY PERIODS:

Classified employees shall receive their wages in a biweekly payment. Each pay period shall end on Saturday prior to the pay dates. The payment schedule will be determined at the beginning of each school year.

7. DIRECT DEPOSIT:

Beginning June 1, 2009 all employees will be required to have Direct Deposit. Your net check will be direct deposited at the institution of your choice. Each payday you will have access to a payroll check stub for your records.

8. OVERTIME PAY:

Overtime must be approved in advance by immediate supervisor. Any employee aware of overtime hours in advance should seek flex-time during the same week as a first option with their supervisor's approval. If flex-time is not an option due to work circumstances, overtime must be approved by supervisor. All overtime shall be paid at the rate of one and one half the regular hourly rate or with compensatory time at the discretion of the administration. Overtime is granted for work beyond 40 actual hours worked per week with the exception of a Paid Holiday within the pay week. In the event of an emergency situation overtime does not require advance approval. To clarify emergency situations, check with immediate supervisor.

9. TEMPORARY/SUBSTITUTES:

Temporary or substitute employees shall be paid at the substitute rate of pay for that specific job classification and will be offered no benefits.

10. ANNIVERSARY DATES/PAY RAISES:

Prior to July 1, 2016: Anniversary dates will be considered according to the following schedule:

- A. An employee hiring in **between July 1 and December 31** will receive their one (1) year of service on the following July 1.
- B. An employee hiring in **between January 1 and June 30** will receive their one (1) year of service the following January 1 and will be credited with two (2) years of service credit the following July 1.

Beginning July 1, 2016: Any employee that works 120 days between July 1 and June 30 will be credited with 1 year of service each July thereafter.

- Salary increases will be considered on or before July 1, based on performance evaluation.
- Employee must have worked 120 days as regular employee to be considered for raise.

11. BREAK SCHEDULE:

Employees shall be entitled to breaks according to the following schedule:

<u>Hours per pay</u>	<u>Breaks</u>
Less than 6.5 hours	None
6.5 to 7.5 hours	30 minute unpaid lunch
8 hour	10 minute break plus 30 minute paid lunch break
Food Service Employees	See food service handbook

Each supervisor shall attempt to reduce interruptions to the meal break of the employee.

12. SCHOOL CLOSURE:

- A. When Miami County restricts vehicular movement, or the Superintendent of Maconaquah Schools, or a designated representative directs, Group A employees will not be required to report for duty. Employees will be paid their regular pay. When the restriction is lifted, any essential personnel (per group A benefit schedule) may be required to report for duty. Essential personnel and any extra needed personnel will be compensated with overtime or comp time as determined by the supervisor.
- B. In all other situations, Group A employees will report for duty and remain on duty for their entire shift. Shifts and duration may be altered as needed per immediate supervisor. Employees will be paid for hours worked.
- C. When any Group A employee is unable to report for duty or remain on duty for their shift as required or requested, the employee will choose either to receive a day without pay or utilize a general leave/vacation day if available.

Exceptions to the above rule, shifts, duration of shifts, and pay schedule may be directed by the superintendent or designee.

13. DELAYED STARTS:

- Group A employees must report for regular shift unless directed by superintendent or designee in which case see #12 A above.
- All other Groups - Optional to work as per supervisor, paid for hours worked.
- Exceptions to the above rule, shifts, duration of shifts, and pay schedule may be directed by the superintendent or designee.

14. EARLY DISMISSAL:

- Group A employees must remain on duty for duration of shift. Second and third shift employees will report for their regular shift unless directed by superintendent or designee in which case see #12 A above.
- All other Groups – Optional to remain on duty unless directed by the superintendent, paid for hours worked.

15. PERFECT ATTENDANCE:

A classified employee who does not miss any scheduled work days in each position held during the fiscal year (excluding vacation, bereavement, or professional leaves) shall receive 1 day of pay at their current rate at the end of the fiscal year. Employee must have worked 120 days as regular employee to be considered for perfect attendance.

16. GENERAL LEAVE:

- General Leave days may be used for personal illness, for an illness in the immediate family requiring the employees presence, or for personal business.
- Leave days may be taken in ½ or full day increments only.
- See benefit schedules for number of General Leave days available.
- Use of General Leave for personal business must be pre-approved by immediate supervisor.
- General Leave days are computed from July 1 to June 30 for all employees. New employees will have number of days prorated to nearest whole day based on the number of days actually worked between July 1 and June 30.
- General leave days not used by June 30 will accumulate not to exceed benefit schedule.
- Whenever the employee is absent, the appropriate leave day (bereavement, vacation or general leave) must be used. An employee may elect to take a day off without pay only after all leave/vacation days have been used with immediate supervisor's approval. The appropriate leave form must be used for all days of absence and approved by the immediate supervisor.

If an employee is absent, due to personal illness, for three (3) consecutive days, the employee may be asked to provide a Doctors release to return to work.

- All classified employees who have accumulated the maximum number of leave days are entitled to receive pay for the number of leave days not used each year based on the following:
 - a) Employees working 4 hours or less = \$25 per day
 - b) Employees working more than 4 hours = \$50 per day
- Leave days may not be used in conjunction with separation from service.
- Leave days are not paid upon separation.

17. ABSENCES:

Each employee must notify his/her immediate supervisor or designee when he/she will not be able to report for work on time. Employees are encouraged to notify their immediate supervisor of an absence as much in advance as possible so that proper arrangements can be made to cover their tasks. If any employee becomes ill at work, the employee shall report to the immediate supervisor for approval to leave work. Second and third shift employees who become ill while at work must leave voice mail for the supervisor before leaving the building.

While some school absences are understandable, the employee must realize that the smooth operation of the school depends on all employees. Therefore, excessive absences, above and beyond accumulated sick/general/vacation days, will be taken into consideration and could result in dismissal of the employee.

18. DISCIPLINE OF THE EMPLOYEE:

Employee discipline will be handled by the administrator and/or immediate supervisor and will be recorded in the employee's personnel file.

When disciplinary action is deemed necessary, the employee can reasonably expect progressive disciplinary action to be followed. Progressive discipline shall be administered by the immediate supervisor or administrator.

Progressive discipline shall be defined and documented as follows:

- | | |
|--------|--|
| Step 1 | Verbal Warning |
| Step 2 | Written reprimand stating a particular action inappropriate |
| Step 3 | Termination recommendation to the School Board by the Superintendent |

- Any of the above named steps may be a starting point in progressive discipline depending on the nature of the incident involved.
- Any employee may be terminated for, but not limited to the following reasons:
 - 1) Excessive tardiness or absences
 - 2) Theft
 - 3) Falsifying records, forms, or reports
 - 4) Incompetence
 - 5) Unsatisfactory performance
 - 6) Insubordination
 - 7) Possession of alcohol or illicit drugs or being under the influence of alcohol or illicit drugs while on school property.
 - 8) Threats or acts of violence
 - 9) Other just and reasonable cause

19. DRUG AND ALCOHOL POLICY:

It is a condition of continued employment in the Maconaquah School Corporation that the employees must abide by the following policy for drugs and alcohol:

The School Board believes that quality education is not possible in an environment affected by drugs. It will seek, therefore, to establish and maintain an educational setting which is not tainted by the use or evidence of use of any controlled substance. The Board shall not permit the manufacture, possession, use, distribution, or dispensing of any controlled substance, including alcohol, by any member of the Corporation's support staff at any time while on Corporation property or while involved in any Corporation related activity or event. Any staff member who violates this policy shall be subject to disciplinary action in accordance with Corporation guidelines and the terms of collective-bargained agreements.

The Superintendent has established the following guidelines:

Any support staff member whose physical characteristics, appearance, behavior, or breath odor, suggest to a supervisor that he/she may be under the influence of alcohol shall be requested to take a breathalyzer test at the local police station. The support staff member shall be taken to the station by the supervisor or designee. Should the support staff member refuse to take such a test or should the results of the test be positive, he/she shall be disciplined for conduct unbecoming a support member by the Superintendent. Should a supervisor determine from the physical aspects, appearance, or behavior of a support staff member that he/she might be under the influence of other drugs, said support member shall be immediately taken to a local health facility for further diagnosis.

Should the support staff member refuse or be found to be under the influence of drugs, he/she shall be disciplined by the Superintendent for conduct unbecoming a support staff member and his/her case referred to the Board for disposition.

20. ANTI - HARASSMENT POLICY: SEE ATTACHMENT BYLAWS & POLICIES

****See attachment for complete approved bylaws and policies**

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

The Board will vigorously enforce its prohibition against harassment based on sex (including sexual orientation and/or transgender identity), race, color, national origin, religion, disability, or genetic information that are protected by Federal civil rights laws (hereinafter referred to as unlawful harassment) and encourages those within the School Corporation community as well as third parties who feel aggrieved to seek assistance to rectify such problems. All Corporation employees, including administrators, professional staff and support staff, shall report any incident of alleged harassment that the employee observes or which is reported to the employee. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its recurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action, up to and including termination of employment or expulsion from school. Corporation employees who fail to report any incident of alleged harassment that the employee observes or which is reported to the employee also are subject to appropriate disciplinary action, up to and including termination of employment.

Other Violations of the Anti-Harassment Policy:

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

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.

- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating unlawful harassment charges compromises part of one's supervisory duties.

Types of Harassment and Definitions attached to this handbook:

- A. Bullying
- B. Sexual Harassment
- C. Race/Color Harassment
- D. Religious (Creed) Harassment
- E. National Origin Harassment
- F. Disability Harassment

Reports and Complaints of Harassing Conduct:

Students, members of the School Corporation community and third parties are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor or other School Corporation official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. All Corporation employees, including administrators, professional staff and support staff, shall report any incident of alleged harassment that the employee observes or which is reported to the employee. Any administrator, supervisor, or other School Corporation official who receives such a complaint shall file it with the Corporation's Anti-Harassment Compliance Officer at his/her first convenience. Corporation employees who fail to comply with the reporting responsibility shall be subject to discipline, up to and including termination.

Members of the School Corporation community or third parties who believe they have been unlawfully harassed by another member of the School Corporation community or a third party are entitled to utilize the Board's complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment or participation in educational or extra-curricular programs unless the complaining individual makes the complaint maliciously or with knowledge that it is false. Individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If during an investigation of a reported act of bullying and/or harassment in accordance with Policy 5517.01 – Bullying, the principal or his/her designee believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on sex, race, color, national origin, religion, or disability, the principal or his/her designee will report the act of bullying and/or harassment to one of the Compliance Officers who shall investigate the allegation in accordance with this policy.

Full Policy attached including:

- A. Compliance Officers
- B. Investigation and Complaint Procedures (see Form 1662 F1)
- C. Informal Complaint Procedure
- D. Formal Complaint Procedure
- E. Privacy/Confidentiality
- F. Sanctions and Monitoring
- G. Remediation
- H. Retaliation
- I. Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct
- J. Education and Training

21. JOB POSTING:

Open positions for classified personnel shall be posted in a designated area in each building. Classified employees may apply for posted positions within the corporation. The hiring supervisor shall select the applicant deemed best suited for the position.

22. TRANSFERRING:

When a permanent employee transfers within the school corporation to a new position, service years shall be calculated in the following way:

- Based on guidelines set in #10: Anniversary Dates

Employees may be assigned and transferred at will.

23. VACATION:

An employee must complete one (1) year of service credit to attain vacation eligibility.

After attainment of such eligibility, he/she is eligible for vacation according to the following vacation schedule: (Based on guidelines set in #10: Anniversary Dates)

- 5 days of vacation after **1 year** of consecutive employment
- 10 days of vacation after **3 years** of consecutive employment
- 15 days of vacation after **10 years** of total employment
- 20 days of vacation after **15 years** of total employment

Vacation days may be used with the approval of each individual’s supervisor.

During the school year when students are present the following applies to the custodians:

- 1) Custodians may use up to one-half of their total vacation days.
- 2) Only one custodian in each building can be on vacation at any one time.

When students are not present Custodians may use their total vacation days with approval of administration.

All new vacation days will be granted on July 1 and must be taken by July 30 of the following year.

24. BEREAVEMENT:

In the case of death in the **immediate family**, the classified employee is entitled to be absent with pay for a period extending no more than **five (5) working days within the first 10 days immediately beyond the death, unless documentation of a need for leave is provided at the time of the death in which case bereavement leave may be used within six (6) months of the date of death.** Bereavement days are granted for bereavement purposes only.

Immediate Family for employee or spouse of employee shall be defined as:

Spouse	Mother-in-Law
Child	Father-in-Law
Mother	Stepfather
Father	Stepmother
Brother	Stepchild
Sister	Foster Child

In the case of death of an **extended family** member, the classified employee is entitled to be absent with pay for a period extending no more than **four (4) working days within the first 10 days immediately beyond the death, unless documentation of a need for leave is provided at the time of the death in which case bereavement leave may be used within six (6) months of the date of death.** Bereavement days are granted for bereavement purposes only.

Extended Family for employee or spouse of employee shall be defined as:

Son-in-Law	Sister-in-Law	Uncle
Daughter-in-Law	Brother-in-Law	Nephew
Grandparent	Cousin	Niece
Grandchild	Aunt	

Additional days may be granted by the Superintendent and or immediate supervisor without pay depending upon travel and circumstances.

25. INTENT TO RESIGN:

An employee shall inform the Superintendent in writing of their intent to retire at least 90 days prior to the last day of work.

26. 401 (a) RETIREMENT:

For retirement purposes, years of service shall be based on actual number of years worked at Maconaquah. Years do not have to be continuous nor full time.

401 (a) Plan contributions will commence with the 2005/2006 school year for all classified employees. The 401 (a) Plan shall replace the current Classified Retirement Plan for all classified employees hired for the 2005/2006 school year and thereafter.

Classified employees with 10 years or more of service as of June 30, 2005 shall have their current retirement benefit frozen. The contribution that will be made to the 401(a) Plan by the Board will be 0.5 % of the classified employee's annual contracted salary.

Classified employees with less than 10 years as of June 30, 2005 will receive a letter informing them of their retirement value under the current retirement plan. They will be guaranteed that amount or the amount of their 401 (a) Plan, whichever is greater. The board's contribution that will be made to the 401 (a) Plan will be 1% of the classified employee's annual contracted salary.

Upon completion of 10 years of service, attaining the age of 40, and separation from service the classified employee shall be vested in their frozen retirement benefit and their 401(a) Plan.

Eligible employees shall receive any benefits not currently in the 401(a) Plan in the form of a payment into a non-elective Post Separation 403(b) Plan. The first payment shall be deposited in January following the date of severance.

The 401(a) and Post Separation 403(b) Plans shall:

- a. Be subject to all applicable Internal Revenue regulations.
- b. Have no contract initiation fees charged to the employee.
- c. Have no administrative or Plan Document charge to the Board.
- d. Have a vendor selected by mutual agreement between the parties involved in this contract.

27. PERSONNEL FILE:

A personnel file for each employee is on record at the Central Office.

28. ANNUITIES: 403(b) and Roth 403(b):

All employees of Maconaquah School Corporation may participate in the 403(b) Tax Sheltered Annuity program as well as Roth 403(b) program. Employees that would like to participate may contact the Corporation Treasurer or Deputy Treasurer for further information.

29. TAX WITHHOLDINGS:

Federal and State taxes will be deducted based on information provided on W4 forms from each employee. Any changes must be made by completing a new form and given to the Deputy Treasurer, in the Central Office at least two (2) weeks prior to when a change is to be made.

30. SECTION 125 DEDUCTIONS:

Section 125 of the Internal Revenue Code allows all employees to choose to deduct insurance premiums, child dependent care, and un-reimbursed medical expense from wages prior to calculating taxes. A representative may visit each school before initializing the plan to explain options and provide assistance to those who elect this flexible benefits plan. More complete information on Section 125 and how employees may sign up is sent out to all schools at the beginning of the school year.

31. INSURANCE:

Certain classified personnel are eligible for insurance based on individual job classifications. Refer to individual benefit schedules for further directions.

32. WORKER'S COMPENSATION:

In order to substantiate claims for medical bills and lost time due to job related accidents, all employees fall under the Worker's Compensation laws. Therefore, all job related injuries must be reported to the employee's immediate supervisor, principal or the superintendent. An accident report must be filed with the Central Office the same day as the accident.

Any classified employee who sustains a compensable injury in the course of his/her employment and is entitled to Worker's Compensation under the Indiana Worker's Compensation Law shall not lose sick days after the fifth day of absence. Anyone who does not have sufficient days of accumulated sick leave will lose a day of pay for each day of absence.

Any employee who is absent because of an injury compensable under the Indiana Worker's Compensation Law shall be entitled to:

- a. Pay received from Worker's Compensation;
- b. Difference, if any, between Worker's Compensation and eighty (80%) percent of the regular daily salary. The Board's contribution shall not exceed sixty (60) working days.

For more detailed information contact the Deputy Treasurer.

33. FAMILY MEDICAL LEAVE ACT: **SEE ATTACHMENT BYLAWS & POLICIES**

****See attachment for complete approved bylaws and policies**

In accordance with Federal law, the School Board shall provide up to 12 weeks of unpaid, job-protected leave to eligible employees for certain family and medical leaves.

Employees are eligible if they have worked for a covered employer for at least one year, and for 1,250 hours over the previous 12 months.

The Board shall require the staff member to substitute any of his/her earned or accrued vacation leave, personal leave or family leave for unpaid FMLA leave that is provided for any of the reasons stated below:

- a) For incapacity due to pregnancy, prenatal medical care or child birth;
- b) To care for the employee's child after birth, or placement for adoption or foster care within one (1) year of the child's arrival;
- c) To care for the employee's spouse, son, daughter or parent, who have a serious health condition; or
- d) For a serious health condition that makes the employee unable to perform the employee's job
- e) Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a military member on covered active duty.
- f) To care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the service member (military caregiver leave).

Employee Responsibilities:

- Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days advance 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 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 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.

Full FMLA policy is attached and includes:

- A. Employee Entitlement to Service Member FMLA
 - Leave Entitlement
 - Duration of Service Member FMLA
- B. General Provisions
- C. Definition of Twelve (12) month period
- D. Intermittent and Reduced Schedule Leave
- E. Staff Member Notice Requirement
- F. Substitution of Paid Leave
- G. Corporation Notice Requirement
- H. Limits
- I. Certification
- J. Return from Leave

All United States Department of Labor Laws and regulations will be followed as outlined on the following web site <http://www.dol.gov/whd/fmla/>

Additional information as well as all required forms are available to all employees on the Maconaquah web site, under staff access, payroll/personnel forms, FMLA.

34. E LEARNING DAYS:

Pre-Scheduled E Learning Days:

- No leave/vacation days will be submitted for pay for those employees that are not scheduled to work on these days.

Weather Related E Learning Days (Cancelled/Non-Make up Days):

- Leave/Vacation days can be submitted for pay for these days for anyone that was scheduled to work on these days, except for essential personnel, refer to Item #12.
- **The use of Leave days for Weather Related E Learning Days will not be counted or used against Perfect Attendance or Evaluations.**

35. VOLUNTARY LEAVE TRANSFER PROGRAM

The purpose of the Voluntary Leave Transfer Program is to assist Classified Staff in financial problems caused by prolonged absence from work due to an emergency illness or injury of self or immediate family member.

Immediate Family Member for this purpose shall be defined as:

Spouse Child Mother Father Brother Sister

Eligibility for Voluntary Transfer:

1. Must be a current Classified Employee.
2. Must have depleted all accumulated leave and/or vacation days.

3. Transferred days shall not be used for non-scheduled work days.
4. A Recipient is only eligible for Transferred days if the employee would otherwise be entitled to use leave days.
5. Transferred days shall only be applied to the primary position if the recipient works in multiple positions.
6. The maximum number of days to be granted to a recipient shall be limited to thirty (30) days per school year.

Application by Recipient shall be made to a Committee composed of 2 Administrators, the Treasurer, the Deputy Treasurer and the Immediate Supervisor of the applicant.

Procedure:

- A. A written application by the Classified employee or a member of his/her family accompanied by a physician's certificate stating the nature, estimated length of disability, and prognosis of the person's condition, is to be submitted to the Superintendent for information and action.
- B. Application for donation of Voluntary Leave Transfer Program (VLTP) may be made by a personal representative in cases where the individual employee is unable to do so.
- C. The committee will act upon each application and shall inform the applicant, or a member of the family of the decision. The Superintendent shall report a written decision to the Deputy Treasurer for processing.
- D. Each employee requesting a donation of the VLTP shall consent, (if required to do so), to submit a medical examination and/or review of his/her medical history at the employee's expense by his/her physician or a physician approved by the committee.
- E. The committee shall administer the VLTP without discrimination.
- F. As to this Voluntary Leave Transfer Program, the applicant agrees that it will hold the School Corporation harmless in or against any action or proceeding at law, in equity, or before any administrative enforcement agencies in which the School Corporation is made a party should action or proceedings involve questions concerning the propriety of granting and denying leave day transfers.
- G. The applicant understands that if it is determined by the superintendent, that there are a sufficient balance of unused donated days remaining after the recipient's medical emergency has terminated, those days will be prorated back to the donor's leave day balance or transferred to another approved recipient at the request of the donor.
- H. The Voluntary Leave Transfer Program is for Emergency Medical Conditions and is not intended for regularly scheduled leaves' such as a scheduled maternity leave.
- I. The donating employee understands that the amount of leave they are transferring shall not be more than one half the days they will earn in that school year.
- J. Any employee that applies for the Voluntary Leave Transfer Program acknowledges that their name and position will be distributed to the staff for the donation of voluntary leave days and that any days donated are completely at the will of the donator and there is no obligation by any other employee to donate days.

36. CLASSIFICATION GROUPS:

The following classifications shall be used to determine wages and benefits.

Group A: Employees scheduled to work 2080 hours per year

Group B: Employees scheduled to work approximately 1610-2079 hours per year

Group C: Employees scheduled to work approximately 1086-1609 hours per year

Group D: Employees scheduled to work approximately 1085 hours or less per year

Group E: Bus Drivers

37. EVALUATION:

All classified personnel will be evaluated on a bi-annual basis by immediate supervisor.

Evaluations will be based on the following criteria:

Attendance/Punctuality: Consider attendance, the manner in which leave time is used, and employee arrival and departure times.

Quality of Work/Care of Equipment: Demonstrates efficiency and promptness in work performance. Accuracy, neatness, thoroughness. Demonstrates proper maintenance and use of equipment and materials. Utilizes proper safety procedures.

Attitude/Customer Service: Exhibits positive attitude and professional behavior. Accepts constructive suggestions for growth and improvement. Cooperates with supervisors, peer, students, and general public. Respect for others. Maintains positive work relationships within work environment.

Professional Goals: Create 2 goals with supervisor and attend training to support those goals.

Evaluation tool attached

- I. Employer maintains the right to administer, interpret and alter the handbook's provisions as needed.
- II. The employer maintains the right to modify or deviate from the handbook at any time and in its sole discretion.
- III. All policies applicable to non-certified at-will employees in this handbook are not an employment contract.
- IV. All classified employees have access to the classified handbook on the Maconaquah Web site.

38. MILITARY LEAVE ADMINISTRATIVE GUIDELINES (4430)

Requests for military leave shall be made to the Superintendent at least (6) weeks (when feasible) in advance of impending military service.

Each support staff member must notify the Board of his/her intention to resume employment within thirty (30) days of his/her release or discharge and shall present to the Board evidence of an honorable discharge or a discharge under honorable conditions.

If a staff member is called to active duty because of a war or National/State emergency, the Corporation shall make up the difference between Corporation salary and military pay for a period of fifteen (15) days. In addition, the staff member may return to the same or equivalent position held at the time of call-up.

Requests for training leave may be made by those who are members of the State or National Guard, Naval Militia, U.S. Army, Naval, Air Force, or Marine Reserve, other organizations affiliated with the reserves or by order of the Governor of Indiana. Any staff member on such leave shall receive full compensation and accrue seniority status during the period of leave.

All support staff members shall make every effort to schedule his/her period of training when school is not in session. If the period of training occurs during a school session, the support staff member shall provide the Superintendent with the name of his/her supervisor in the reserves or the militia so that arrangements may be discussed as to the alternatives available if necessary in order to request a change in the service date.

39. INDOOR AIR QUALITY:

The Indoor Air Quality in Schools Rule went into effect on May 13, 2011. The rule is under the jurisdiction of the Indiana State Department of Health (ISDH).

There are several requirements of this rule. An inspection can be done by the State Health Department upon request of a community member or when a state inspector deems it necessary.

Inspection:

- The state inspectors have a right to enter, inspect, and investigate a public or accredited non-public school (410 IAC 33-2-1)
- Inspectors must be allowed access to all areas of the school.
- The inspector will complete a report upon evaluation of the school.
- The school is expected to send a response to this report to ISDH.

IAQ Coordinator:

- Schools must designate an individual to be their IAQ Coordinator: **Jeremy Powell: 765-689-9131, ext. 1815**
- This person's contact information must be posted on the school's website and in their handbooks.
- This individual is to be the point of contact for all IAQ issues and present during inspections – if available.
- IAQ Coordinators do not have to be an expert on IAQ but they must have the ability to ensure any complaints or issues are addressed in a timely manner.

Criteria for Schools:

- Carbon Dioxide
- Vehicle Idling
- Temperature and Humidity
- HVAC
- Allergens, Irritants, Mold and Dust
- Animals
- Chemicals
- Furniture
- Construction

**Please see attached Indoor Air Quality (IAQ) Help Sheet for Schools.