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MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

RESPONSIBILITY FOR DEVELOPMENT OF, IMPLEMENTATION OF, AND
COMPLIANCE WITH BOARD POLICY

4000

4000 The superintendent is responsible for maintaining current and effective personnel policies and corresponding administrative procedures.

4000.1 All school employees are responsible for familiarizing themselves with personnel policies of the board and shall comply with them.

Adopted: 6/6/88

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

DEFINITION OF SUPPORT STAFF

4001

4001 Support staff are employees serving in those positions that do not require certification. These employees shall be subject to all regulations specified in the various policies pertaining to them.

Adopted: 6/6/88

- 4002 The Superintendent will ensure that all job positions are identified as either “exempt” or “non-exempt” according to State law and the Fair Labor Standards Act (FLSA) and that employees are informed whether they are “exempt” or “non-exempt.” All non-exempt employees, whether paid on a salary or hourly basis, are covered by minimum wage and overtime provisions.

The workweek for District employees will be 12:00 a.m. Sunday until 11:59 p.m. Saturday. Non-exempt employees will be compensated for all hours worked in a workweek including overtime. For non-exempt employees paid a salary, the salary is paid for a 40-hour workweek even if an employee is scheduled for less than 40 hours. “Overtime” is time worked in excess of 40 hours in a single workweek.

A non-exempt employee shall not work overtime without his or her supervisor’s prior written approval. All supervisors of non-exempt employees shall: (1) monitor overtime use on a weekly basis and report such use to the business office, (2) seek the Superintendent or designee’s written pre-approval for any long term or repeated use of overtime that can be reasonably anticipated, (3) ensure that overtime provisions of this policy and the FLSA are followed, and (4) ensure that employees are compensated for any overtime worked. Accurate and complete time sheets of overtime hours worked during the workweek shall be signed by each employee and submitted to the business office. The business office will review work records of employees on a regular basis, make an assessment of overtime use, and provide the assessment to the Superintendent. In lieu of overtime compensation, non-exempt employees may receive compensatory time-off, according to the procedures described in the Support Staff Handbook.

The Superintendent or designee shall implement the policy in accordance with the FLSA, including its required notices to employees. In the event of a conflict between the policy and State or federal law, the latter shall control.

LEGAL REFERENCE: 820 ILCS 105/4a.

Fair Labor Standards Act, 29 U.S.C. §201 et seq.,
29 C.F.R. Parts 516, 541, 548, 553, 778, and 785.

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

NON-DISCRIMINATION COMPLAINTS AND GRIEVANCES

4005

4005 No person shall be subjected to discrimination on the basis of sex, sexual orientation, color, disabling condition, race, marital status, nationality, age, residence, religion or religious affiliation.

Adopted: 1/3/94
Revised: 11/4/02

4005 The Superintendent is responsible for establishing a procedure for hearing employee concerns regarding alleged violations of Title IX and Section 504.

The following steps will be adhered to in dealing with such employee grievances:

A Title IX or Section 504 grievance is a complaint or a charge against the District filed by an employee that the District has engaged in discrimination against that employee on the basis of his/her sex, sexual orientation or disability.

STEP 1

The parties acknowledge that it is expected that an employee and his/her immediate supervisor will try to resolve problems through free and informal communications without resort to a formal grievance procedure. To this end, an employee shall discuss the matter informally with his/her immediate supervisor in an effort to resolve the matter before invoking other steps as set forth below. The supervisor shall respond within 10 working days.

STEP 2

If the grievance is not resolved at Step 1, it may be appealed by the employee, in writing, to the employee's building principal within 10 days after receipt of the response from the employee's immediate supervisor at Step 1. the appeal of the grievance shall be discussed at a meeting of the grievant, a representative chosen by the employee if the employee so chooses the building principal and other appropriate administrative personnel at a mutually agreeable time and place within 10 days of the date of receipt of the appeal. The building principal shall provide the employee with a written response to the grievance within 10 days after such meeting.

(continued)

4005

STEP 3

If the grievance is not resolved at Step 2, the employee may appeal the grievance in writing to the Superintendent within 10 days after receipt of the building principal's written reply. A meeting shall thereafter take place between the grievant, the Superintendent or his designee, and other appropriate administrative personnel at a mutually agreeable time and place within 10 days of the appeal. The Superintendent or his designee shall provide the employee with a written response to the grievance within 10 days after such meeting.

STEP 4

If the grievance is not resolved at Step 3, the employee may appeal the grievance in writing to the Board of Education within 10 days after receipt of the Superintendent's written reply. The Board shall consider the grievance within 10 days of receipt of the appeal. Within 10 days thereafter, the Board shall provide the grievant with a written response to the grievance.

- 4010 All applicants for employment shall be provided with equal employment opportunities regardless of their race, color, creed, religion, national origin, sex, sexual orientation, age, ancestry, marital status, physical or mental handicap or disability, if otherwise able to perform the essential functions of the job with reasonable accommodation, military status, or other legally protected categories applicable under federal, State or local laws.

Persons who believe they have not received equal employment opportunities should report their claims to a Complaint Manager for the Uniform Grievance Procedure. No employee or applicant will be discriminated or retaliated against because he or she initiated a complaint, was a witness, supplied information, or otherwise participated in an investigation or proceeding involving an alleged violation of this policy or State or federal laws, rules or regulations, provided the employee or applicant did not make a knowingly false accusation nor provide knowingly false information. All applicants and employees may file a complaint of illegal discrimination by contacting one of the Complaint Managers below:

Mr. Greg E. Dietz, Assistant Superintendent for General Administration
Maine Township High School District 207
1131 S. Dee Road
Park Ridge, IL 60068
1-847-692-8007

Ms. Mary Kalou, Assistant Superintendent for Business
Maine Township High School District 207
1131 S. Dee Road
Park Ridge, IL 60068
1-847-692-8026

The Superintendent shall also use reasonable measures to inform staff members and applicants that the District is an equal opportunity employer, such as, by posting required notices and including this policy in the appropriate handbooks.

LEGAL REF.: Age Discrimination in Employment Act, 29 U.S.C. §621 et seq
 Americans With Disabilities Act, Title I, 42 U.S.C. §12111 et seq. Civil Rights Act of 1991, 29 U.S.C. §§621 et seq., 42 U.S.C. §1981 et seq., §2000e et seq., and §12101 et seq.
 Equal Employment Opportunities Act (Title VII of the Civil Rights Act of 1964), 42 U.S.C. §2000e et seq., 29 C.F.R. Part 1601.
 Equal Pay Act, 29 U.S.C. §206(d).
 Employee Credit Privacy Act, 820 ILCS 70/.
 Genetic Information Nondiscrimination Act, 42 U.S.C. §2000ff et seq.
 Immigration Reform and Control Act, 8 U.S.C. §1324a et seq.
 Rehabilitation Act of 1973, 29 U.S.C. §791 et seq.
 Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d et seq.
 Pregnancy Discrimination Act, 42. U.S.C. §2000e(k).
 Title IX of the Education Amendments, 20 U.S.C. §1681 et seq., 34 C.F.R. Part 106.
 Uniformed Services Employment and Reemployment Rights Act (1994), 38 U.S.C. §§4301 et seq.
Ill. Constitution, Art. I, §§17, 18, and 19.
 105 ILCS 5/10-20.7, 5/10-20.7a, 5/10-21.1, 5/10-22.4, 5/10-23.5, 5/22-19, 5/24-4, 5/24-4.1, and 5/24-7.
 Genetic Information Protection Act, 410 ILCS 513/25.
 Ill. Whistleblower Act, 740 ILCS 174/.
 Ill. Human Rights Act, 775 ILCS 5/1-103 and 5/2-102.
 Religious Freedom Restoration Act, 775 ILCS 35/5.
 Ill. Equal Pay Act of 2003, 820 ILCS 112/.
 Victims' Economic Security and Safety Act, 820 ILCS 180/30.

Adopted: 6/6/88
 Revised: 11/4/02
 Revised: 4/4/11

- 4011 Vacancies of support staff positions will be posted on the district website and in an appropriate place in each building for a minimum of one week prior to the filling of the vacancy. Support staff personnel may be transferred among the three buildings based on the needs of the District. The administration reserves the right to transfer support staff members regardless of seniority. Any vacancies arising after such transfers will be posted. Notifications of vacancies that occur during the summer will be electronically mailed to school-year employees who request to receive such notifications. All requests to receive summer vacancy notices must be made, in writing, to the Assistant Superintendent for General Administration by June 1 each year.

Adopted: 6/6/88

Revised: 4/4/11

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

RECRUITMENT, SELECTION AND APPOINTMENT--BOARD DUTIES

4012

4012 The Board, upon recommendation of the Superintendent, may employ, assign, transfer, terminate and reclassify school personnel and adopt regulations governing their employment duties. Termination and dismissal of employees is the prerogative of the board upon the recommendation of the Superintendent.

Legal Reference: 10-21.4
Ill. Rev. Stat. Chap. 122

Adopted: 8/5/85
Revised: 6/6/88

4013 The District hires the most qualified personnel consistent with budget and staffing requirements and in compliance with School Board policy on equal employment opportunity and minority recruitment. The Superintendent is responsible for recruiting support personnel and making hiring recommendations to the Board. If the Superintendent's recommendation is rejected, the Superintendent must recommend another qualified candidate. The Superintendent may select personnel on a short-term basis for a specific project or emergency condition before the Board's approval.

No individual will be employed who has been convicted of a criminal offense listed in Section 5/21-23a of The School Code. No substitute teacher will be employed without first presenting his or her certificate of authorization from the Regional Superintendent.

Required Documentation

All applicants must complete a District application in order to be considered for employment. Each newly hired employee must complete an Immigration and Naturalization Service Form as required by federal law and sign off having received copies of various Board policies including Suspected Child Abuse or Neglect Reporting, Sexual Harassment, Prohibition of Employee Use of Drugs/Alcohol, and Acceptable Use of District Technology. In addition, newly hired employee will sign off having received and a copy of their employee handbook.

Job Descriptions

The Superintendent shall develop and maintain a current comprehensive job description for each position or job category.

Pre-employment Investigations

The Superintendent or designee shall ensure that a fingerprint-based criminal history records check and a check of the Statewide Sex Offender Database and Violent Offender Against Youth Database is performed on each applicant as required by State law. The Superintendent or designee shall notify an applicant if the applicant is identified in either database. The School Code requires the Board President to keep a conviction record confidential and share it only with the Superintendent, Regional Superintendent, State Superintendent, State Teacher Certification Board, any other person necessary to the hiring decision, or for purposes of clarifying the information, the Department of State Police and/or Statewide Sex Offender Database. The District retains the right to discharge any employee whose criminal background investigation reveals a conviction for committing or attempting to commit any of the offenses outlined in Section 5/21-23a of The School Code or who falsifies, or omits facts from, his or her employment application or other employment documents.

Physical Examinations

New employees must furnish evidence of physical fitness to perform assigned duties and freedom from communicable disease, including tuberculosis. All physical fitness examinations and tests for tuberculosis must be performed by a physician licensed in Illinois, or any other state, to practice medicine and surgery in any of its branches, or an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, or a physician assistant who has been delegated the authority by his or her supervising physician to perform health examinations. The employee must have the physical examination and tuberculin test performed no more than 90 days before submitting evidence of it to the Board.

Any employee may be required to have an additional examination by a physician who is licensed in Illinois to practice medicine and surgery in all its branches, or an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, or a physician assistant who has been delegated the authority

by his or her supervising physician to perform health examinations, if the examination is job-related and consistent with business necessity. The Board will pay the expenses of any such examination.

Orientation Program

The District's staff will provide an orientation program for new employees to acquaint them with the District's policies and procedures, the school's rules and regulations, and the responsibilities of their position.

LEGAL REF.: Americans with Disabilities Act, 42 U.S.C. §12112, 29 C.F.R. Part 1630.
Immigration Reform and Control Act, 8 U.S.C. §1324a et seq.
105 ILCS 5/10-16.7, 5/10-20.7, 5/10-21.4, 5/10-21.9, 5/21-23a, 5/10-22.34, 5/10-22.34b,
5/22-6.5, and 5/24-1 et seq.
820 ILCS 55/ and 70/.
Duldulao v. St. Mary of Nazareth Hospital, 483 N.E.2d 956 (Ill.App.1, 1985), *aff'd in part and remanded* 505 N.E.2d 314 (Ill., 1987).
Kaiser v. Dixon, 468 N.E.2d 822 (Ill.App.2, 1984).
Molitor v. Chicago Title & Trust Co., 59 N.E.2d 695 (Ill.App.1, 1945).

Adopted: 7/21/69
Revised: 6/6/88
Revised: 5/2/11

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

PROCEDURE FOR CANDIDATE EVALUATION

4014

4014 Candidates for employment will be recommended on the basis of judgment made by the Superintendent or the Superintendent's designee who will conduct a personal interview as well as a review of:

1. The completed application
2. Training background
3. Experience record
4. Ability
5. Reference validation
6. Review of health record
7. Completion of the alien (I-9), criminal background check and child abuse forms
8. Other factors required by the Board

Legal Reference: 10-24.1
Ill. Rev. Stat. Chap. 122

Adopted: 8/5/85
Revised: 6/6/88

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

PHYSICAL EXAMINATION

4015

4015 A newly appointed support staff employee shall be required to file in the District Office evidence of physical fitness to perform assigned duties and evidence of freedom from communicable diseases including tuberculosis.

4015.1 Such evidence shall be in the form of a written report of a physical examination given by a licensed physician not more than ninety (90) days preceding the time of presentation to the Board.

4015.2 The Board may, at its discretion, require an examination of an employee by a physician selected by the Board and licensed in Illinois to practice medicine and surgery in all of its branches and shall pay the expenses thereof from school funds.

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

PERSONNEL FILES, CONTENT OF

4020

4020 A personnel record file for each District employee shall be maintained in the Ralph J. Frost Administration Center in accord with the Illinois Freedom of Information Act and shall contain such items as:

1. application for employment
2. Wage or salary information
3. Commendations
4. Warnings or disciplines
5. Authorization for deductions from pay
6. Fringe benefit information
7. Leave records
8. Essential medical/physical examination records
9. Employment history with the school District, transfer and/or assignment, job title, dates of changes, retirement records, attendance records and performance evaluations
10. Employee rebuttal(s) to item(s) contained in the file

Legal Reference: 2001 et seq.
Ill. Rev. Stat. Chap. 48

Adopted: 8/5/85
Revised: 6/6/88

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

PERSONNEL FILES, ACCESS TO

4021

4021 Employees shall be allowed to review their personnel records at the district Office. An employee who is involved in a current grievance or that employee's designated representative shall be allowed to review the personnel records at the District Office. All review of records shall be in accordance with the following conditions:

4021.1 Requests for reviews shall be submitted only for times when the district Office is regularly open.

4021.2 All review requests shall be filed in writing at least three working days before the requested review date.

4021.3 A request shall be filed for such review at the District Office on the form provided with such information as a date and hour for the review.

4021.4 The Superintendent or the Superintendent's designee shall respond to each review request form showing approval, rejection or remarks as soon as is practicable but at least one workday prior to the earliest review date requested unless the Superintendent or the superintendent's designee indicates in writing that an additional seven days is necessary to comply with the request.

4021.5 Confidential written recommendations provided by a college placement office shall be withdrawn prior to examination of the file by the employee.

4021.6 Employment information about staff shall be governed by provisions of the Freedom of Information Act.

4021.7 The Superintendent or the Superintendent's designee shall be present for all approved personnel file reviews.

Legal Reference: 2001 et seq.
Ill. Rev. Stat. Chap. 48

Adopted: 8/5/85
Revised: 1/14/87
Revised: 6/6/88
Revised: 8/7/89

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

RESPONSIBILITIES AND DUTIES

4100

4100 Each support staff employee is directly responsible to a designated supervisor and is expected to perform those duties outlines in the relevant job description.

Additional duties may be assigned by the designated supervisor depending upon the needs of the District and any applicable conditions as established by the Board and administration.

Adopted: 8/5/85
Revised: 6/6/88

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

EMPLOYEE WORKDAY

4101

4101 All support staff shall be required to work on days at hours specified by the Board.

Adopted: 8/5/87
Revised: 6/6/88

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

EMERGENCY CLOSING DAYS

4102

4102 The schools shall be kept open in accordance with the established school calendar. The Superintendent shall, however, have the authority to close any school or schools whenever in the Superintendent's judgment inclement weather or other extraordinary circumstances endanger the health and welfare of the students.

The Superintendent or the Superintendent's designee will develop and implement an emergency closing plan that will apply to all support staff.

Adopted: 8/5/85
Revised: 1/14/87
Revised: 6/6/88

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

EVALUATION OF EMPLOYEES

4110

4110 Evaluation of support staff is the responsibility of his/her designated supervisor or the Superintendent's designee.

4110.1 The Superintendent or the Superintendent's designee shall establish procedures for evaluating employees.

Adopted: 8/5/85
Revised: 6/6/88

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

JOB (POSITION) DESCRIPTION

4120

4120 Job descriptions shall be prepared and approved by the Superintendent or the Superintendent's designee for all classifications of support staff.

Adopted: 8/5/85
Revised: 6/6/88

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

CUSTODIANS' RESPONSIBILITIES AND DUTIES

4121

4121 All members of the custodial and maintenance staff are directly responsible to the Principal or the Principal's designee for the general operation and maintenance of buildings.

Adopted: 4/15/68
Revised: 6/6/88

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

SALARY AND FRINGE BENEFITS

4200

4200 Salary and related fringe benefits for support staff shall be approved annually by the Board following consideration of recommendations made by the Superintendent.

Adopted: 6/6/88

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

SALARY AND FRINGE BENEFITS

4200

4200 The annual salaries for support staff shall be based on the total number of working days except as noted otherwise.

4200.1 Salaries shall be paid twice per month on or before the 15th and 1st day of the month.

4200.2 If a salary deduction is required because a support staff employee is absent for reasons other than those provided, a prorata amount will be deducted from the individual's salary.

4200.3 If an authorized absence results in the complete depletion of a support staff employee's accumulated sick leave, then a prorata salary deduction will be made for other absence due to illness during that year. Provisions of the Sick Leave Bank will be applied when appropriate.

PROCEDURES

Approved: 4/15/68
Revised: 6/6/88

- 4201 The Board shall provide insurance for support staff who meet specific eligibility requirements. Support staff employees assigned to work a minimum of 30 clock hours per week qualify for participation in the District's medical, dental and group life insurance programs. Support staff employees assigned to work a minimum of 30 clock hours per week also qualify for participation in the District's long-term disability program.
- 4201.1 The Board shall offer medical and dental insurance coverage options including, but not limited to, an HMO and a PPO plan and shall pay a percentage of the cost of single or family coverage as described in the current employee handbook for all support staff.
- 4201.2 The Board shall pay the premium of a group life insurance policy for each full-time support staff employee. This policy will provide a minimum benefit of \$5,000 up to an amount equal to 100 percent of base pay rounded to the nearest \$1,000. Accidental death and dismemberment provisions will be included in this policy; additional term life insurance may be purchased by each support staff employee at their own expense.
- 4201.3 The Board shall pay the premium on a long-term disability plan for all full-time support staff employees. Details of benefits of this insurance program are available through the District Business Office.
- 4201.4 The District is subject to federal and state unemployment compensation laws. The cost of providing unemployment insurance benefits to former support staff employees of the District is borne by the Board through payments to the State of Illinois. Benefits are paid on a weekly basis to unemployed workers who meet the eligibility requirements of the law.

Adopted: 8/5/87
Revised: 6/6/88
Revised: 2/5/07
Revised: 4/4/11

4202 Workers' compensation is available for all school personnel injured while performing services for the District. The payments for this insurance coverage will be provided by the Board.

4201.1 Any employee who is injured while performing services for the District must make a report of the accident. This report should be submitted to the office of his/her immediate supervisor within 24 hours after the accident. The individual's immediate supervisor shall inform the Superintendent or the Superintendent's designee of the accident as soon as possible. If the individual is unable to report the accident, the supervisor should make the report.

4202 When a professional staff member in the course of fulfilling his/her responsibilities to the District is injured and requires medical service, it is understood that the school nurse, if on duty, will determine the seriousness of the emergency and specify whether the required emergency medical service should be sought through one of the following listed medical clinics or hospitals.

4202.1 In the absence of the registered nurse, the administrator of the given building or his/her representative shall determine through which of the following medical clinics or hospitals to pursue medical service. In the event of an absence of both the registered nurse and the administrator, the employee and/or his/her fellow employees shall determine which of the following medical clinics or hospitals to use to pursue medical service.

Fahey Medical Clinic
581 Golf Road
Des Plaines, Illinois 60016

Holy Family Hospital
River Road and Golf Road
Des Plaines, Illinois 60016

Lutheran General Hospital
1775 Dempster Street
Park Ridge, Illinois 60068

Resurrection Hospital
7435 West Talcott Road
Chicago, Illinois 60631

4202.2 In the event that the registered nurse employed by the district, the building administrator and/or the injured employee determine that the emergency treatment is not required immediately, the injured employee can seek medical services through other than the above listed medical clinics/hospitals. However, other qualified medical clinics/hospitals and physicians must be approved by the insurance carrier.

4202.3 The employee should secure approval for medical services from other qualified medical clinics/hospitals and physicians through only the school nurse or the building administrator who will contact the insurance representative for such authorization.

4202.4 It is important for an employee who has been injured while performing official duties for the District to follow the above established procedures in securing required medical services in order to validate the claim under the Workers' Compensation Act for which the District is insured.

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

TRAVEL ALLOWANCE

4203

4203 Support staff who use their own vehicles in performance of their duties shall be reimbursed at the published mileage rate as of July 1 of each fiscal year as established by the U. S. Internal Revenue Service. The use of an employee's own vehicle will be reimbursed only upon prior notice or prior approval by the Superintendent or the superintendent's designee.

Adopted: 8/5/87
Revised: 6/6/88
Draft Revision: 2/4/08

UNEMPLOYMENT COMPENSATION

4204

4204 The District is subject to federal and state unemployment compensation laws. The cost of providing unemployment insurance benefits to former employees of the District is borne by the Board through payments to the State of Illinois. Benefits are paid on a weekly basis to unemployed workers who meet the eligibility requirements of the law.

Legal Reference: 300 et seq.
Ill. Rev. Stat. Chap. 48 Revised: 6/6/88
MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

Adopted: 8/5/85

4205 The Board shall pay the premium of a group life insurance policy for each full-time employee. This policy will provide a minimum benefit of \$5,000 up to an amount equal to 100 percent of base pay rounded to the nearest \$1,000. Accidental death and dismemberment provisions will be included in this policy; additional term life insurance may be purchased by each employee at the employee's own expense.

4205.1 Part-time employees who work a minimum of twenty hours per week shall qualify for this coverage.

Adopted: 8/5/85
Revised: 6/6/88

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

LONG-TERM DISABILITY INSURANCE

4206

4206 The Board shall pay the premium on a long-term disability plan for all full-time employees. Details of benefits of this insurance program are available through the District Business Office.

4206.1 Part-time employees who work thirty hours per week and serve five days per week during the school week are eligible for long-term disability insurance.

Adopted: 8/5/85
Revised: 6/6/88

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

CREDIT UNION

4208

4208 All employees are eligible for membership in the credit union affiliated with Maine Township School District 207.

Adopted: 11/12/85
Revised: 6/6/88
Revised: 2/2015

4209 The Board will aid employees who wish to secure tax-shelter annuities with portions of their income by offering administrative assistance that may be required or requested of the Board. This administrative assistance will not include advice by or on behalf of the Board in any form as to discretionary participation in tax-sheltered programs.

Participation in tax-sheltered annuities will conform to the following rules that are applicable to the purchase of annuities under Section 403(b) of the Internal Revenue Code:

4209.1 The Board shall, by reduction of compensation in the amount specified, purchase tax-deferred annuities for employees pursuant to I.R.C. 402(b) provided that the employee submits a signed, timely request for such action (on forms provided by the district) and executes an agreement to hold harmless the Board from any tax for underwithholding that may result from incorrect calculation of the exclusion allowance under the Internal Revenue Code on forms provided by the District or any other liabilities whatsoever.

4209.2 The Board may maintain a list of annuity companies from which employees can purchase annuities. The Board shall require that listed companies agree to hold harmless the Board from any tax or other liabilities that may arise out of underwithholding of taxes as a result of incorrect calculation of any employee's exclusion allowance under the Internal Revenue Code on forms provided by the District.

4209.3 The Board shall not withhold income taxes on the amount of the contributions requested to be made by the employee for the purchase of 403(b) annuities in a given year, provided that the employee and the firm from which the employee's annuity has been purchased have executed and furnished to the District hold harmless agreements on forms provided by the District.

4209.4 The Assistant Superintendent--Business shall act as agent for the Board in the administration of all aspects of the tax-sheltered annuity program.

4209.5 The Board shall offer no advice or make any recommendation or representation respecting the value or merit of any company or annuity program offered. The selection of a company or program shall be made solely by the employee who shall assume all risks of participation in the program chosen.

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

TAX-SHELTERED ANNUITIES (continued)

4209

- 4209.6 In each fiscal year (July 1 - June 30), an employee can amend his/her annuity or add another annuity company only one time. Such amendments or additions may be requested during the months of January, July and September.
- 4209.7 The Assistant Superintendent--Business will maintain a list of approved companies that market 403(b) annuities. Purchase of 403(b) annuities for employees by the District will be limited to companies on this list.
- 4209.8 Any companies that sell 403(b) annuities may be placed on the District's list if they have five (5) or more signed contracts with employees, provided that these companies execute and furnish agreements to the Board to hold harmless the Board from any tax or other liabilities that may be incurred by the District for underwithholding of income taxes that may result from the incorrect calculation of any participating employee's exclusion allowance under the terms of the Internal Revenue Code.

Adopted: 6/6/88

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

EMPLOYEE BENEFIT PROGRAMS

4210

4210 Nothing in the Board of Education's non-discrimination or equal employment opportunity policies shall impact, require, or prevent any modification of the Board's employee benefit programs.

- 4211 This policy governs the use of compensatory time-off by employees who: (1) are covered by the overtime provisions of the Fair Labor Standards Act and (2) are not represented by an exclusive bargaining representative.

After receiving approval from their direct supervisor to work overtime, employees may be given 1-1/2 hours of compensatory time-off in lieu of cash payment for each hour of overtime worked. Other than as provided below, at no time may an employee's accumulated compensatory time-off exceed 120 hours, which represents compensation for 80 hours of overtime. If an employee accrues the maximum number of compensatory time-off hours, the employee: (1) is paid for any additional overtime hours worked, at the rate of one and one-half times the employee's regular hourly rate of pay, and (2) does not accumulate compensatory time-off until the employee uses an equal amount of accrued time-off.

An employee who has accrued compensatory time-off shall be permitted to use such time in at least half-day components provided such requests do not unduly disrupt the District's operations. The employee's supervisor must approve a request to use compensatory time-off.

Upon termination or separation of employment, an employee will be paid for unused compensatory time at the regular rate received by such employee at the time of separation from the district. Compensatory time-off is time during which the employee is not working and is, therefore, not counted as "hours worked" for purposes of overtime compensation.

The Superintendent or designee shall implement this policy in accordance with the FLSA. In the event of a conflict between the policy and the FLSA, the latter shall control.

LEGAL REF.: Fair Labor Standards Act,
29 U.S.C. §201 et seq.; 29 C.F.R. Part 553.

Adopted: 10/4/2010

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

Support Staff Agreement to Receive

Compensatory Time-Off

The Maine Township High School District 207 Board of Education has a policy of granting compensatory time-off to non-exempt employees in lieu of overtime pay for time worked in excess of 40 hours in any workweek. I have either received a copy of the policy or been told where it may be found or downloaded. I understand that:

1. I must obtain my supervisor's express authorization to work overtime before working in excess of 40 hours in any workweek.
2. I will earn compensatory time-off at a rate of not less than one and one-half (1.5) hours for each one hour of overtime worked.
3. I will be allowed to use accrued compensatory time-off within a reasonable period after making a request to use it, provided that my absence would not unduly disrupt operations considering factors like emergency requirements for staff and the availability of qualified substitute staff.
4. My supervisor may require that I use my accrued compensatory time-off within a certain time period, may prohibit my use of accrued compensatory time-off on certain days, may require that I cash out my compensatory time-off after a particular time period, and may otherwise limit my use of compensatory time-off.
- 5.
- 6.

I agree to receive compensatory time-off in lieu of overtime pay for time worked in excess of 40 hours in any workweek, and I accept this as a condition of my employment.

Employee Signature

Date

Supervisor Signature (or designee)

Date

cc: Payroll
Personnel File

Adopted: 10/4/2010

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

SICK LEAVE

4300

4300 Support staff shall be entitled to paid sick leave for absences due to personal illness, based upon the respective classification of personnel. Sick leave regulations are as follows:

4300.1 Support staff who know in advance that they will be absent shall notify their school office as soon as possible.

4300.2 A full-time*, twelve-month, support staff member shall be granted fourteen (14) days per year cumulative sick leave.

4300.3 A full-time*, ten-month, support staff member shall be granted twelve (12) days per year cumulative sick leave.

4300.4 Absences from work will be deducted from accumulated sick leave. Sick leave shall be interpreted to mean personal illness, quarantine at home, serious illness or death in the immediate family or household, or birth, adoption, or placement for adoption. "Immediate family" shall include parents, spouse, brothers, sister, children, grandparents, grandchildren, parents-in-law, brothers-in-law, sisters-in-law, and legal guardians.

4300.5 The Superintendent or the Superintendent's designee may require a physician's certification for any absence when, in the opinion of the Superintendent or designee, such documentation is necessary. The Superintendent or designee may also require that the physician verify that the employee is fit to return to work after an illness or injury.

4300.6 Sick leave is prorated when a staff member has been employed for less than one school year and when employed less than full time. Unused sick leave days are cumulative.

*For sick leave purposes, a full-time employee is an employee who works at least six hours each day of a normal work week and who is regularly employed at least 30 hours during this normal work week.

PROCEDURES

Approved: 6/6/88

Revised: 4/4/11

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

EXTENDED LEAVE

4301

4301 Leaves of absence with or without pay for extended periods of time may be granted by the Superintendent upon the approval of the Board. Such leaves may be granted for parental or other purposes as determined appropriate by the Superintendent and approved by the Board.

Any support staff employee on a one-year extended leave of absence shall notify the Board at the end of eleven months as to whether or not the employee will return to work at the termination of the leave.

Adopted: 8/5/85
Revised: 6/6/88

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

JURY AND OTHER COURT DUTY

4303

4303 An employee required to report for jury or court duty shall make every proper effort to have such duty service rescheduled to conform to a scheduled school vacation period(s). Moreover, such employee shall promptly notify the building principal and Superintendent of receipt of notification to serve on jury duty or appear in court for a school-related matter. Thereafter, the employee shall be paid at full pay for absence from assigned responsibility for the purpose of fulfilling those duties.

An employee shall be obligated to refund to the District the amount received for jury duty less actual travel, meals, and parking fees related to such service. In order to receive payment from the school district, an employee must notify the building principal and Superintendent as soon as possible after being summoned for jury duty and must furnish satisfactory evidence that jury duty was performed on the days for which payment is claimed.

LEGAL REF.: 105 ILCS 5/10-20.7.

Adopted: 8/5/85
Revised: 6/6/88
Revised: 4/4/11

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

BEREAVEMENT LEAVE

4304

4304 Each staff member shall be given up to three (3) days for death in the immediate family without loss of pay, up to five (5) days for a death of spouse or child, with such days deducted from that staff member's accumulated sick leave. Immediate family for purposes of this section shall include: parents, spouse, brothers, sisters, children, grandparents, grandchildren, parents-in-law, brothers-in-law, sisters-in-law, legal guardians, and persons who have resided with the employee for a long period of time. Additional days may be granted at the discretion of the Superintendent. In addition, each staff member shall be given one(1) day for the purpose of attending the funeral of someone who is not in the staff member's immediate family as defined above, with such day deducted from the staff member's accumulated sick leave. Notwithstanding the above, the first day of bereavement leave in any school year shall not be deducted from the staff member's accumulated sick leave.

Adopted: 8/5/85
Revised: 6/6/88

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

PERSONAL BUSINESS LEAVE DAY

4305

4305 Two personal business leave days per year without loss of pay may be granted to each employee for proper and reasonable purposes that cannot be handled during non-school days. Written application for such leave shall be made to the building Principal at least five employment days prior to the desired onset of such leave. However, in an emergency application shall be made verbally to the building Principal or his designee as soon as possible with written application, including the reason for the emergency absence, to be made to the building Principal immediately upon the employee's return to work.

A personal business leave day shall not be granted on employment days:

- # immediately before or after legal and school holidays or vacations or on a Teacher Institute Day unless the personal business requires extensive travel, or
- # during the first and last weeks of each semester, provided that this restriction does not apply to recognized religious holidays or to emergencies as referenced above.

At the end of each school year an unused personal business leave day shall be added to the employee's accumulated sick leave.

Adopted: 8/5/87
Revised: 6/6/88

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

MILITARY LEAVE

4306

4306 Leaves for service in the U.S. Armed Services or any of its reserve components and the National Guard, as well as re-employment rights, will be granted in accordance with state and federal laws.

LEGAL REF.: 105 ILCS 5/10-20.7b, 5/24-13, and 5/24-13.1.
 5 ILCS 330/4
 20 ILCS 1805/30.20
 38 U.S.C. §4301

8/5/85

Adopted:

Revised: 6/6/88

Revised: 4/4/11

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

RELIGIOUS HOLIDAYS

4310

4310 Leave for religious holidays will be charged to personal business leave days. Requests for additional leave for religious holidays shall be presented in writing to the Principal and may be granted by the Superintendent or the Superintendent's designee.

Adopted: 8/5/85
Revised: 1/14/87
Revised: 6/6/88

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

RETIREMENT RECOGNITION

4400

4400 The Board will consider as appropriate the presentation of token gifts to retiring members of the staff.

Adopted: 4/15/68
Revised: 1/9/78
Revised: 6/6/88

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

RETIREMENT BENEFIT

4401

4401 A. Support Staff Employees Hired No Later Than December 31, 2011

A support staff employee who was hired by the District no later than December 31, 2011, maintains continuous service in the District, submits a notice of retirement at least one (1) month prior to the date of retirement, and has ten (10) or more years of full-time service in the District shall receive the following retirement benefits from the District:

- (1) The Board of Education will pay an additional amount added to the final salary payment according to a schedule below:

Additional amount to be added to final salary payment:

- 10 to 19 years of service with the District earns an amount equal to 70% of monthly base salary;
- 20 years or more of service with the District earns an amount equal to 90% of monthly base salary.

- (2) The Board of Education will pay one-half (50%) of the monthly premiums (either single or family coverage) in the District’s medical insurance plan until the first of the month in which the employee becomes Medicare eligible. The medical plan eligible for payment by the District is the one in which the employee is enrolled immediately prior to retirement, but may be modified by the Board from time to time.

- (3) At retirement a support staff member may apply up to 240 unpaid, unused, accumulated sick leave days to receive up to one additional year of credit with IMRF toward retirement, subject to IMRF rules. As an alternative to IMRF credit, the Board will pay the retiring employee for up to 120 accumulated sick days which are not used toward retirement credit. Such payment for unused sick days will be added to the support staff member’s final salary payment.

EMPLOYEE GROUP	FIRST 30 UNUSED SICK DAYS	NEXT 90 UNUSED SICK DAYS
CUSTODIAN, DIRECTOR OF BUILDINGS & GROUNDS	\$40	\$60
OFFICE STAFF & TECHNOLOGY STAFF	\$30	\$55
SAFETY MONITOR	\$20	\$40
SECURITY GUARD	\$40	\$60
ATHLETIC TRAINER, NON-CERTIFIED SCHOOL NURSE, THEATER SUPERVISOR, SUPPORT EMPLOYMENT SPECIALIST	\$30	\$55

B. Support Staff Employees Hired On or After January 1, 2012.

A support staff employee who was hired by the District on or after January 1, 2012, maintains continuous service in the District until retirement, submits a notice of retirement at least twelve (12) months, but no more than eighteen (18) months, prior to the date of retirement, retires with IMRF, and has ten (10) or more years of full-time service in the District shall receive the following retirement benefits from the District:

- (1) The Board of Education will pay a base salary or wage rate increase of six percent (6%) for the employee's final year of employment before retirement. Such increase will be contingent upon continuing to work the same position and work schedule during the final year of employment before retirement.
- (2) All unused sick leave (up to 240 days) will be reported to IMRF for additional service credit.
- (3) In addition, the Board of Education will pay one-half (50%) of the monthly premium for single or family coverage in the District's medical insurance plan until the first of the month in which the employee becomes Medicare eligible. The medical plan eligible for payment by the District is the one in which the employee is enrolled immediately prior to retirement, but may be modified by the Board from time to time.

C. Conditions Applicable to This Policy

The following conditions apply to all retirement benefits under this policy:

- (1) Retirement notices must be submitted in writing to the Assistant Superintendent of General Administration, and are not effective until they are acted on by the Board of Education. Once approved by the Board, the retirement notice is irrevocable. The Board may permit revocations to a retirement notice in its sole discretion, in the event of a significant change in the employee's personal situation.
- (2) This policy creates no vested right to benefits or contract of employment. The Board of Education reserves the right to modify, amend, change or terminate this policy at any time for employees who have not given notice of retirement.
- (3) If the support staff employee resigns, retires, is terminated, or is removed from his or her position prior to the retirement date specified in the employee's notice of retirement, then the employee shall not be eligible to receive any further benefits provided above. The Board may permit exceptions to this rule in its sole discretion, in the event of a significant change in the employee's personal situation.

Adopted: 8/5/85
Revised: 6/6/88
Revised: 10/7/1998
Revised: 12/5/2011

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

RESIGNATION

4410

4410 A support staff employee is requested to provide a minimum two weeks' written notice of a resignation. Once a written resignation is submitted to the Superintendent or the employee's supervisor, it can only be withdrawn with the approval of the Board of Education.

Adopted: 8/5/85
Revised: 6/6/88
Revised: 4/4/2016

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

DISMISSAL

4411

4411

The employment relationship between the District and its educational support personnel is "at will". As such, educational support personnel are subject to discipline and termination from employment for unacceptable performance, misconduct, or any reason determined by the Board or the Superintendent, or designee, to be in the best interest of the District, or in the absence of any reason. Discipline may include a verbal reprimand, written reprimand, suspension with or without pay, transfer, demotion, termination or other appropriate action.

However, if educational support personnel are to be dismissed as a result of a decision by the Board of Education to reduce in force the number of support staff or discontinue some particular type of support staff service, then a formal written notice must be given 30 days prior to dismissal. Such dismissal will be by seniority with the District from the affected categories of position. The Superintendent or designee shall develop, maintain and give notice of a seniority list to be considered in dismissals due to reduction in force.

Adopted: 8/5/85
Revised: 6/6/88
Revised: 11/2/92
Revised: 12/7/98
Revised: 6/7/11

4420 The Board of Education of Maine Township High School District 207 encourages that reasonable precautions be taken to protect its employees and the public from dangers posed by the abuse of alcohol and the unlawful manufacture, distribution, dispensation, possession or use of drugs. As a result, all District workplaces are illicit drug- and alcohol-free workplaces and all employees shall be prohibited from:

1. Unlawful manufacture, dispensing, distribution, possession, consumption, use, or being under the influence of a controlled substance while on District premises, while performing work for the District, or at any school-sponsored activity and
2. Dispensing, distribution, consumption, use, possession, or being under the influence of alcohol while on District premises, while performing work for the District, or at any school-sponsored activity.

4420.1 Health Risks of Alcohol and Drug Abuse

Use or delivery of alcohol by or to persons under 21 years of age is illegal in the State of Illinois. Use of illicit drugs by any person is illegal under both state and federal statute; both are punishable by law, with such punishment including fine and/or imprisonment. In-school possession and/or use of alcohol is prohibited. Use of alcohol at school-sponsored student events by all persons is prohibited, as is the use of school funds to purchase alcohol for use at outside events. The use of illicit drugs in all cases is prohibited.

All employees need to be aware that any use of alcohol or drugs brings health risks. Those risks may range from depression or temporary loss of motor skills to permanent brain damage and even death.

If persons feel they have either an alcohol or drug problem, they are strongly encouraged to contact their supervisor, principal, or the Assistant Superintendent for General Administration for assistance. Such contact and referral will in all cases remain confidential.

4420.2 Definitions

1. For purposes of this policy a “controlled substance: means a substance that is:
 - a) Not legally obtainable,
 - b) Being used in a manner different than prescribed,
 - c) Legally obtainable, but has not been legally obtained, or
 - d) Referenced in federal or State controlled substance acts.

4420.2 Definitions (continued)

2. The term “school-sponsored activity” is defined as any school function at which students are present or have been invited.
3. The phrase “conviction under any criminal drug statute” is defined as a finding of guilt, a no contest plea or an imposition of sentence by any judicial body for any violation of any state or federal criminal statute involving the manufacture, distribution, dispensation, use or possession of any controlled substance.

4420.3 District Action Upon Violation of Policy

Compliance with this policy is a condition of continued employment. Consequently, any employee who violates this policy may be subject to disciplinary action, including termination. Alternatively, if deemed appropriate by the Superintendent, an employee who violates this policy may be required to participate in and satisfactorily complete an alcohol- or drug-abuse assistance or rehabilitation program. The Board shall take disciplinary action with respect to an employee convicted of a drug offense in the workplace within 30 days after receiving notice of the conviction. Should District employees be engaged in the performance of work under a federal contract or grant, or under a State contract or grant of \$5,000 or more, the Superintendent shall notify the appropriate State or federal agency from which the District receives contract or grant monies of the employee’s conviction within 10 days after receiving notice of the conviction.

4420.4 Conditions of Employment and Notice of Conviction

As a condition of employment, each employee shall:

1. Abide by the terms of the District policy respecting a drug- and alcohol-free workplace; and
2. Notify his or her supervisor of his or her conviction under any criminal drug statute for a violation occurring on the District premises or while performing work for the District, no later than 5 calendar days after such a conviction.

4420.5 Notification To Employees

In order to make employees aware of dangers of drug and alcohol abuse, the District will:

1. Provide each employee with a copy of the District Drug- and Alcohol-Free Workplace policy upon hire;
2. Post notice of the District Drug- and Alcohol-Free Workplace policy on the District website;
3. Include a reference to the District Drug- and Alcohol-Free Workplace policy in the employee handbooks;
4. Inform employees of the penalties that the District may impose upon employees for violations of this policy.

LEGAL REF.: Americans With Disabilities Act, 42 U.S.C. §12114.
Controlled Substances Act, 21 U.S.C. §812; 21 C.F.R. §1308.11-1308.15.
Drug-Free Workplace Act of 1988, 41 U.S.C. §701 et seq.
Safe and Drug-Free School and Communities Act of 1994, 20 U.S.C. §7101 et seq.
Drug-Free Workplace Act, 30 ILCS 580/1 et seq.

Adopted: 10/1/90
Revised: 2/11/91
Revised: 6/7/11

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

SOLICITATION OR SELLING

4500

4500 There shall be no soliciting from or selling to students or staff within the school without approval of the Superintendent or his designee.

4500.1 No employee shall solicit money from students or parents for extraordinary materials or equipment or create impressions with students that such equipment or materials are necessary. Soliciting materials or services in any manner that would cause a parent to feel undue or unnecessary pressure is prohibited.

4500.2 Soliciting outside the school premises for funds for school activities, or sales of products outside the school premises for funds for school activities by students or staff of any school, in the name of any school, or on behalf of any school shall have the prior written approval of the superintendent and the Principal. All money collected and expended as the result of such activities shall be recorded in the appropriate account. Solicitation or borrowing of products for school activities shall have the Principal's approval.

Legal Reference: 10-20.19
28-19.2
Ill. Rev. Stat. Chap. 122

Adopted: 8/5/85
Revised: 1/14/87
Revised: 6/6/88

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

UNETHICAL INFLUENCE

4501

4501 All school employees are expected to refrain from the use of their positions or assignments in way that could be construed as an unfair influence or as bringing an undue influence on students in matters such as:

1. Receiving fees from educational institutions for the recruitment of students
2. Recruiting students to participate in private business-type activities operated by the employee apart and separate from the school system.
3. Causing students to feel it is necessary or advisable to participate in activities or events that require more than nominal costs for such activities as lunches, dinners, admissions, transportation and entertainment.
4. Receiving fees or other consideration in lieu thereof for the recruitment, enlistment or chaperoning of students for private promotions.
5. Encouraging student athletes to circumvent the Board approved designation of student attendance boundaries in order to participate in athletics in a school outside the student's appropriate school assignment.

Adopted: 8/5/85
Revised: 1/14/87
Revised: 6/6/88

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

GIFTS TO EMPLOYEES

4502

4502 All school employees shall discourage gifts to employees from students and parents.

Adopted: 8/5/85
Revised: 6/6/88

SEXUAL HARASSMENT

4510 District employees, students and all persons present on school grounds, at school-sponsored activities or at any activity which bears a reasonable relationship to school are prohibited from sexually harassing any person on school grounds, at any school-sponsored activity or at any activity which bears a reasonable relationship to school.

4510.1 Definitions

A. With respect to employees, "sexual harassment" means:

1. sexual advances or requests for sexual favors by a student toward an employee; or
2. unwelcome sexual advances or requests for sexual favors or verbal or physical conduct of a sexual nature when:
 - a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or
 - b) submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting such individual, or
 - c) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.
3. For purposes of this policy, "employee" includes all persons whose employment, or whose status as a volunteer or chaperon, requires them to be on school grounds, at any school-sponsored activity or at any activity which bears a reasonable relationship to school.

B. With respect to students, "sexual harassment" means:

1. sexual advances, requests for, or acceptance of, sexual favors by an employee or other adult engaged in school business including volunteers and chaperons and/or sexual relationships between a student and an employee or other adult engaged in school business; or
2. unwelcome sexual advances, requests for sexual favors or other sexually oriented verbal or physical conduct when:
 - a) submission to such conduct is made either explicitly or implicitly a term or condition of the receipt of educational or other school-related benefits,
 - b) submission to or rejection of such conduct by an individual is used as the basis for educational or other school-related decisions affecting that individual, or
 - c) such conduct has the purpose or affect of substantially interfering with a student's school performance or creates an intimidating, hostile or offensive working environment.

(Continued)

3. For purposes of this policy, "student" includes students of other districts who are present on school grounds, at a school-sponsored activity or at any activity which bears a reasonable relationship to school.
- 4510.1 C. Sexual harassment prohibited by this policy includes verbal or physical conduct. Examples of sexual harassment include, but are not limited to: sexual innuendo; suggestive comments; insults; threats; jokes about gender-specific traits; sexual propositions; suggestive or insulting noises; leering; whistling; obscene gestures; touching; pinching; brushing the body; or assault. The terms intimidating, hostile or offensive as used above include, but are not limited to, conduct which has the effect of humiliation, embarrassment or discomfort. Whether sexual harassment has occurred will be evaluated in light of all of the circumstances.

BOARD OF EDUCATION SEXUAL HARASSMENT REPORTING PROCEDURES

4510.2 Sexual Harassment Reporting Procedures

It is the express policy of the Board of Education to encourage victims of sexual harassment to come forward with such claims. In order to conduct an immediate investigation, any incident of sexual harassment must be reported as quickly as possible, in confidence, as follows:

A. Employees

Non-certificated employees are encouraged to report any incidents of sexual harassment to their direct supervisor. Certificated employees are encouraged to report any incidents of sexual harassment to the building principal. If the person to whom an employee is direct to report is the offending person, the report should be made to the next higher level of administration or supervision.

B. Students

Students are encouraged to report any incidents of sexual harassment to a social worker or the building principal. If the complaint involves the building principal, the report should be made to the superintendent.

C. Third Persons

For purposes of this procedure, third persons are any persons, other than District employees and students, on school grounds, at any school-sponsored activities or at any activity which bears a reasonable relationship to school. Third persons are encouraged to report any incidents of sexual harassment to the building principal. If the building principal is the offending person, the report should be made to the superintendent.

D. Confidentiality

Reasonable effort will be made to promptly investigate any allegation of sexual harassment in a confidential manner, to the extent appropriate or required by law. The superintendent shall be informed by the supervisor, social worker, or principal of every reported incident of sexual harassment.

(Continued)

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

BOARD OF EDUCATION SEXUAL HARASSMENT REPORTING PROCEDURES

4510.3 Investigation and Corrective Action

A. Investigation

The principal, or the superintendent if the principal is the alleged offending person, will appoint one or more persons to promptly investigate the charge. Within ten (10) school days from the date the complaint was received, the investigator(s) will produce a report to the principal, or the superintendent if the principal is the alleged offending person, which will include at a minimum the following:

1. the date the complaint was received;
2. the complainant's name;
3. the name of each alleged harasser and a description of all conduct that gave rise to the complaint (written, signed statements by complainants describing relevant events should be obtained whenever possible);
4. a statement detailing the scope of the investigation undertaken, including the names of all witnesses interviewed and the results of the interviews; and
5. a statement of corrective measures recommended, if requested by the principal or superintendent

Within five (5) school days after the investigation is completed, the principal, or the superintendent if the principal is the alleged offending person, will evaluate the report of the investigator(s) to determine the validity of the complaint.

B. Corrective Action

Any District employee who is determined, after an investigation, to have engaged in sexual harassment in violation of this policy will be subject to disciplinary action up to and including discharge. Any student of the District who is determined, after an investigation, to have engaged in sexual harassment in violation of this policy will be subject to disciplinary action, including, but not limited to, suspension and expulsion consistent with the District's discipline policy. Any third person who is determined, after an investigation, to have engaged in sexual harassment in violation of this policy will be subject to restriction from participation in activities on school grounds, at school-sponsored activities or at any activity which bears a reasonable relationship to school. Referral to the Department of Children and Family Services and/or appropriate law enforcement agencies will be made in appropriate cases. Any person who knowingly makes a false accusation regarding sexual harassment will likewise be subject to 1.) disciplinary action up to and including discharge with regard to employees, 2.) suspension and expulsion, with regard to students 3.) restricted participation in activities, with regard to third persons.

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

BOARD OF EDUCATION SEXUAL HARASSMENT REPORTING PROCEDURE

4510.4 Retaliation

The School District prohibits retaliation against a person because the person has opposed that which he or she believes in good faith to be sexual harassment or because he or she, in good faith, has made a charge, filed a complaint, testified, assisted or participated in an investigation, proceeding or hearing regarding sexual harassment. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment. A person engaging in retaliatory conduct shall be subject to 1.) disciplinary action up to and including discharge, with regard to employees 2.) suspension and expulsion, with regard to students, or 3.) restricted form participation in activities, with regard to third persons.

Ref. Human Rights Act
Title VII of the 1964 Civil Rights Act
Title IX of the 1972 Educational Amendments

Adopted: 05/02/88
Revised: 02/11/91
Revised: 10/05/98

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

ILLNESS--CONTAGIOUS DISEASE

4520

4520 Students and employees shall be protected from any risk of contagion by communicable diseases. Any employee whose health or medical condition poses any threat to the health and welfare of the school populations shall be placed on sick leave in accord with that employee's accumulated sick leave for the duration of such time that the employee poses a health risk, regardless of the employee's ability to otherwise discharge the required job duties.

When an employee is infected with a communicable disease or when an administrator has reasonable cause to believe that an employee's physical condition may pose a serious health risk to others because the disease may be transmitted to others, then the Superintendent shall be notified.

The Superintendent shall determine whether a medical examination should be required of the employee. If the Superintendent determines that the medical examination is required, then the employee will be directed to undergo that examination conducted by a physician designated by the Board.

If the physician certifies in his/her medical examination report that the medical examination report that the medical condition of any employee poses a serious threat to the health and welfare of the students or other employees of the District, the employee will be placed on medical leave for the period of time that the employee's health poses a risk of contagion in the school environment. The employee shall use the accumulated sick leave or be placed on unpaid medical leave.

School officials shall maintain confidentiality of medical records of any employee who is required to submit to a medical leave due to contagious disease.

Adopted: 6/6/88

4521 The Board of Education and the administration recognize that exposure of employees to potentially infectious materials must be minimized and that procedures must be implemented to both control and respond to such exposure.

District Bloodborne Pathogens regulations for policy implementation shall be guided by the Illinois Department of Labor Regulations and shall include:

1. A Comprehensive Exposure Control Plan
2. An exposure determination program and identification of employees who have potential for exposure
3. Precautions throughout the District
4. Engineering and work place control
5. Hepatitis B vaccinations for staff members with occupational exposure and follow up activities after such exposure
6. Personnel protective equipment and supplies
7. Communication of hazards to employees
8. Procedures for evaluation of circumstances surrounding exposure incidents
9. Maintenance and retention of applicable records

A copy of the Exposure Control manual for Maine Township High School District 207 shall be located in the Principals' and nurses' offices and shall be accessible to all employees.

The Exposure Control manual shall be reviewed annually during the second semester of each year or whenever necessary to incorporate new or modified tasks and procedures which are related to occupational exposure. This review will also identify new or revised employee positions with occupational exposure.

The Exposure Control Manual will be made available to authorized state and federal agencies upon request for examination and copying.

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

FAMILY AND MEDICAL LEAVE ACT

4805

4805 The District is committed to compliance with the Family and Medical Leave Act of 1993 (FMLA). The FMLA allows certain employees to obtain unpaid leaves of absence for certain family and medical reasons for up to 12 weeks, with job protection, no loss of service accumulated prior to the commencement of the leave and continuation of certain fringe benefits where applicable, provided the employee returns to work. The FMLA also allows certain employees to obtain unpaid leaves of absence for certain family and medical reasons relating to caring for an injured service member for up to 26 weeks and allows certain employees to obtain unpaid leaves of absence for certain family and medical reasons relating to a “qualified exigency” as defined by the FMLA for up to 12 weeks. It is the District’s policy that if an employee has any accrued vacation, sick or other paid personal time, this paid time will run concurrently with the employee’s FMLA leave entitlement. The Superintendent shall establish administrative procedures to implement this policy and to comply with the FMLA.

Adopted: 8/5/96
Revised: 9/8/08

4805 The following administrative procedures are established by the Superintendent in accordance with the direction of the Board of Education: in its Family and Medical Leave Act of 1993 ("FMLA") policy.

INTRODUCTION:

The FMLA allows certain employees to obtain unpaid leaves of absence for certain family and medical reasons for up to 12 weeks, with job protection and no loss of service accumulated prior to the commencement of the leave, provided the employee returns to work.

For purposes of this procedure, the District will use a "rolling" 12 month period measured backward from the date the employee uses any FMLA leave as determined by the Board of Education.

Any leave taken for the birth or care of a child or the placement of a child for adoption or foster care must be completed within 12 months after the date of birth or placement.

4805.1 ELIGIBILITY

To be eligible for leave under the FMLA, an employee must:

- a. have been employed by the District for a total of at least 12 months; and
- b. have worked at least 1,250 hours during the 12 months before commencement of the leave

4805.2 AVAILABLE FAMILY AND MEDICAL LEAVE

- a. Eligible employees are entitled to take up to 12 unpaid work weeks of leave during a 12 month period for any of the following reasons:
 1. the birth and care of a child of the employee;
 2. the placement of a child with the employee for adoption or state-sanctioned foster care;
 3. to care for a spouse, child (who is under 18 years of age or incapable of self-care due to a disability), or parent (not parent-in-law) with a serious health condition; or
 4. an employee's own serious health condition which renders the employee unable to perform his or her job.

(continue)

4805.2 AVAILABLE FAMILY AND MEDICAL LEAVE (continued)

- b. Serious Health Condition - For purposes of the FMLA, "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:
1. in-patient care (*i.e.*, an overnight stay) in a hospital, hospice, or residential medical-care facility, or any period of incapacity or subsequent treatment connected with such in-patient care; or
 2. any period of incapacity (*i.e.*, inability to work, attend school, or perform other regular daily activities) which is:
 - more than three consecutive calendar days and involves two or more treatments by (or under the supervision of) a health care provider, or one treatment by a health care provider which results in a regimen of continuing treatment under the supervision of a health care provider; or
 - due to pregnancy or for prenatal care; or
 - due to a condition that requires periodic treatments by (or under the supervision of) a health care provider, over an extended period of time and may cause episodic rather than a continuing period of incapacity (a "chronic serious health condition" such as asthma, diabetes, or epilepsy); or
 - permanent or long-term due to a condition for which treatment may not be effective, but for which the employee or family member is under the continuing supervision of a health care provider (*e.g.*, Alzheimer's, or terminal stages of a disease); or
 3. any period of absence to receive multiple treatments by (or under the supervision of) a health care provider either for restorative surgery after an accident or injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment such as cancer (*i.e.*, chemotherapy, radiation, etc.) or kidney diseases (*i.e.*, dialysis).

Ordinarily, unless complications arise, the common cold, the flu, earaches, upset stomach, minor ulcers, headaches other than migraine, routine dental problems, and similar afflictions are not a "serious health condition" and therefore do not qualify for FMLA leave.

With regard to substance abuse (including alcohol abuse), FMLA leave may only be taken for treatment of substance abuse by (or on referral from) a health care provider. Absence caused by the employee's use of the substance, rather than for treatment, does not qualify for FMLA leave.

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

FAMILY AND MEDICAL LEAVE ACT OF 1993 (FMLA) (continued)

4805

4805.2 AVAILABLE FAMILY AND MEDICAL LEAVE (continued)

c. Health Care Provider.

For purposes of the FMLA, "health care provider" means:

- doctors of medicine or osteopathy authorized to practice medicine or surgery by the state in which the doctor practices; or
- podiatrists, dentists, clinical psychologists, optometrists and chiropractors (limited to manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice, and performing within the scope of their practice, under state law; or
- nurse practitioners, nurse-midwives and clinical social workers authorized to practice, and performing within the scope of their practice, as defined under state law; or
- Christian Science practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts; or
- any other health care provider from whom the district or the District's group health plan benefit manager will accept medical certification of the existence of a serious health condition to substantiate a claim for benefits.

d. Where Husband And Wife Are Both District Employees.

If both the husband and wife are employed by the district and eligible for FMLA leave, they are permitted to take only a combined total of 12 weeks of leave during a 12 month period if the leave is for the birth and care of a child, the placement of a child for adoption or foster care, or to care for a parent (not a parent-in-law) with a serious health condition.

e. Reduced Or Intermittent Leave.

An eligible employee who requests medical leave based upon the serious health condition of the employee or the employee's family member may request that such leave be taken on an intermittent or a reduced leave schedule. "Intermittent leave" is leave of one hour or more that is taken during any nonconsecutive time period (e.g., one week on, one week off). "Reduced leave" is leave that is taken by reducing the employee's normal working hours (e.g., from eight hours to four hours per day). A request for either intermittent or reduced leave will be granted only where medically necessary, as established by information requested in the

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

FAMILY AND MEDICAL LEAVE ACT OF 1993 (FMLA) (continued)

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4805.2 AVAILABLE FAMILY AND MEDICAL LEAVE (continued)

e. Reduced Or Intermittent Leave. (continue)

If such intermittent or reduced leave is foreseeable, the District may alter the employee's existing job (while maintaining existing pay and benefits), or may temporarily transfer the employee to a different position with equivalent pay and benefits, in order to best serve the District's operational needs during the leave.

The District may consider requests for intermittent or reduced leave in conjunction with the birth, adoption or foster placement of a child, but the District is not obligated to grant such requests under any circumstances and will do so only at its sole discretion.

f. Special Rules for Instructional Employees.

1. For purposes of the FMLA, instructional employees are those employees whose principal function is to teach and instruct students in a class, small group or an individual setting, including teachers, athletic coaches, driving instructors, and special education assistants. It does not include teacher aides who do not actually teach or instruct, counselors, psychologists, social workers, curriculum specialists or other auxiliary personnel.

2. Reduced or Intermittent Leave.

If an instructional employee requests intermittent or reduced-schedule leave to care for a family member or for the instructional employee's own serious health condition and the instructional employee would be on leave for more than 20 percent of the instructional employee's total number of working days over the period the leave would extend, the District may require the instructional employee to choose either to:

- a. Take leave for a period of particular duration, not greater than the duration of the planned treatment, or
- b. temporarily transfer to an available alternative position with equivalent pay and benefits which better accommodates the recurring periods of leave.

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

FAMILY AND MEDICAL LEAVE ACT OF 1993 (FMLA) (continued)

4805

4805.2 AVAILABLE FAMILY AND MEDICAL LEAVE (continued)

3. Leave Near the End of an Academic Term.

The District may require an instructional employee to extend an FMAL leave through the end of an academic term under the following circumstances:

- a. If an instructional employee takes an FMLA leave of at least three weeks which begins more than five weeks prior to the end of an academic term, and if the employee would otherwise return to work during the last three weeks of the academic term;
- b. If an instructional employee takes a leave of more than two weeks for a reason other than the employee's serious medical condition, and if the leave commences during the last five weeks of the academic term and would otherwise end during the last two weeks of the term;
- c. If an instructional employee takes a leave for a reason other than employee's own serious medical condition which begins less than three weeks before the end of the academic term, and if the leave will last more than five days.

In the case of an instructional employee who is required to take leave until the end of any academic term, only the period of leave until the employee is ready and able to return to work will be charged against the employee's FMLA entitlement.

4805.3 PROCEDURES FOR LEAVE

a. Requesting a Leave

An eligible employee must direct his or her request to take FMLA leave to the Assistant Superintendent for General Administration in writing by completing a "Request for Family or Medical Leave of Absence Form," which states, among other matters, the following: the reason for the leave, the anticipated date the leave would begin and end, and the type of leave being requested.

If the need for leave is foreseeable, the employee must provide the District with at least 30 calendar days advance notice prior to the expected start of the leave. If 30 days advance notice is not possible, the employee must provide the district with as much advance notice as possible, ordinarily within one or two business days of when the need for leave becomes known to the employee. If required notice is not provided, the District may delay the start of the leave to the extent of any required notice period. If the employee is physically or mentally unable to notify the District, a member of employee's family or other representative must do so on the employee's behalf.

If leave is due to the serious health condition of the employee or the employee or the employee's family member, and is for planned medical treatment, the employee must attempt to schedule treatment so as not to unduly disrupt district operations.

In addition, if leave is due to the serious health condition of the employee or the employee's family member, the employee is required in all cases to provide a health care provider's certification of the serious health condition on a form that will be provided by the district at the time the request for leave is made. If leave is due to another reason, appropriate certification may be required. In any case, the completed certification must be submitted by the employee to the District within 15 calendar days after the District requests it.

With respect to the medical certification of a serious health condition, the District has the right to require the employee to obtain a second opinion at the District's expense. In the event of conflicting opinions, the District may require the employee to obtain certification from a third health care provider who is designated or approved jointly by the District and the employee, again at the District's expense. The third opinion will be final and binding.

(continue)

4805.3 PROCEDURES FOR LEAVE (continued)

b. Approval of the Leave.

Ordinarily, the district will provisionally notify the employee who properly has requested leave whether the request has been granted within two business days of learning the reason for the request. Upon submission of all required information and documents (e.g., medical certifications), the provisional notice will become final unless revoked in writing by the district and, if necessary, replaced with another notification within two business days.

The District may designate an employee's leave as FMLA leave after the employee has returned to work where:

1. the District knows the reason for the leave but is waiting for the requested medical certification, as long as the District provisionally designated the leave as FMLA leave as set forth above; or
2. the employee is absent for a FMLA reason and the District does not learn the reason for the absence until after the employee's return to work, as long as the leave is so designated within two business days of learning the reason for the absence, with appropriate notice to the employee.

If leave is taken for an FMLA reason and has not been so designated by the District, but the employee desires that the leave be counted as FMLA leave, the employee must notify the District within two business days of returning to work. If timely notice is not provided by the employee, the employee may not subsequently assert FMLA protection for the absence.

c. Substitution of Paid Leave/Concurrent Leaves.

It is the District's policy that if an employee has any accrued vacation, sick or other paid personal time, this paid time will run concurrently with the employee's FMLA leave entitlement. In addition, if the requested leave is due to the serious health condition of the employee, any salary continuation benefits for which the employee is otherwise eligible pursuant to a disability benefit plan or workers' compensation law, may be used in conjunction with paid vacation or other paid personal time, provided that total payments do not exceed 100% of normal base pay. The employee must comply with all requirements of the policy or plan providing for paid leave.

d. Reporting Requirements During the Leave.

During FMLA leave, the employee is required to contact the Assistant Superintendent for General Administration or his/her designee every two weeks to verify their status and their intent to return to work.

(continue)

4805.3 PROCEDURES FOR LEAVE (continued)

d. Reporting Requirements During the Leave (continued)

Where the leave is due to the serious health condition of the employee or the employee's family member, the District may require subsequent recertification of the serious medical condition on a reasonable basis (generally not more often than every 30 days), and will require recertification if the employee requests a leave extension, circumstances otherwise change significantly, or the District receives information that casts doubt upon the employee's stated reason for the absence.

The employee is responsible for timely requesting any desired extension of FMLA leave. Extension of a leave should be requested, if circumstances allow, at least seven days prior to the expiration of the initial leave.

e. Requirements Prior to Return from Leave.

Where the leave is based upon the employee's own serious health condition, the employee must provide medical certification that the employee is able to return to work before the employee will be permitted to return to work.

4805.4 STATUS OF EMPLOYEE BENEFITS DURING LEAVE OF ABSENCE

The employee must make arrangements with the District for the payment of the employee's share of the health insurance premium and other group benefit premiums during the leave period (which in any event cannot exceed the amount the employee would have paid for coverage if the employee had continued to work), and must complete an "Election to Continue Insurance During Family/Medical Leave" form. The District will maintain and pay for the District's share of an eligible employee's group health insurance coverage and other group benefit coverage (including dependent coverage) during the period of an FMLA leave, under the same terms and conditions as if the employee had continued to work, unless and until the employee declares an intent not to return to work following the leave. Employees who do not comply with premium payment obligations during the leave period may be dropped from plan coverage until such time as the leave period terminates and they return to work.

Consistent with District policy, employees on FMLA leave will not continue to accrue seniority, vacation or other benefits during the period of the leave. In addition, employees will not be paid for holidays that occur during the leave. However, the leave period will be treated as continuous service (i.e., no breach in service) for purposes of vesting and eligibility to participate in TRS or IMRF retirement programs, unless otherwise restricted by law.

In the event an employee informs the district of an intent not to return to work from the leave, or otherwise fails to return to work upon completion of the leave, the District may recover from the employee the premiums paid by the District during the leave to maintain the employee's group health insurance coverage, unless the failure to return to work was due to the recurrence or onset of a serious health condition, or was otherwise beyond the employee's control.

MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207

FAMILY AND MEDICAL LEAVE ACT OF 1993 (FMLA) (continued)

4805

4805.5 REINSTATEMENT AT THE CONCLUSION OF THE LEAVE

An employee who timely returns from FMLA leave and who used the leave for the stated purpose will be reinstated to the same position that the employee would have held had the employee not taken leave, or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment, unless the employee would no longer be employed had the employee not taken leave. Determination of how an employee is returned to "an equivalent position" will be made on the basis of established school Board policies and practices and the applicable collective bargaining agreement, if any. An instructional employee may be assigned upon return from an FMLA leave to a different course, grade level, school building, classroom size, etc., based on established school Board policies, practices and any applicable collective bargaining agreement. In the event that one job-sharing partner pursuant to any applicable collective bargaining agreement takes a leave of absence under the Family and Medical Leave Act, as amended (the "FMLA"), the full-time assignment shall be offered to the remaining job-sharing partner on a temporary basis for the period that the other job-sharing partner is on the FMLA leave.

In addition, an employee's use of FMLA leave will not result in the loss of any employment benefit that the employee earned or was entitled to before using FMLA leave.

4805.6 PROHIBITIONS

Consistent with District policy regarding all types of leave, the following employee conduct is strictly prohibited in relation to FMLA leave:

- a. Engaging in fraud, misrepresentation or providing false information to the District or any health care provider
- b. Having other employment during the leave, without prior written approval from his/her department head
- c. Failure to comply with the employee's obligations under this procedure
- d. Failure to timely return from the leave

Employees who engage in such conduct will be subject to loss of benefits, denial or termination of leave, and discipline, up to and including discharge.

4805.7 UNLAWFUL ACTS

It is unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided by FMLA. It is also unlawful for an employer to discharge or discriminate against any individual for opposing any practice, or because of involvement in any proceeding, related to FMLA.

4805.8 ENFORCEMENT

FMLA is enforced, including investigation of complaints, by the U.S. Labor Department's Employment Standards Administration, Wage and Hour Division. If violations cannot be satisfactorily resolved, the Department may bring action in court to compel compliance. An eligible employee may also bring a private civil action against an employer for violations.

4805.9 OTHER PROVISIONS

Salaried executive, administrative, and professional employees of covered employers who meet the Fair Labor Standards Act (FLSA) criteria for exemption from minimum wage and overtime under Regulations, 29 CFR Part 541, do not lose their FLSA-exempt status by using any unpaid FMLA leave. This special exception to the "salary basis" requirements for FLSA's exemption extends only to "eligible" employees' use of leave required by FMLA.

4805.10 ADDENDUM TO FAMILY AND MEDICAL LEAVE ACT POLICY

Under a recently passed law, leave under the FMLA is available to certain qualifying family members of individuals in the Armed Forces. Congress delegated responsibility for defining certain key terms in this new law to the Department of Labor, which is expected to issue guidance on the new law within the year. Until the Department issues this guidance, many of the new law's requirements will remain unclear.

The new law provides for leave in two types of situations:

(1) Leave to care for an injured service member. An employee who is otherwise eligible to take FMLA leave, and who is the spouse, parent, son, daughter, or "next of kin" of a member of the armed services who has a serious injury or illness incurred in the line of duty during active military service, may be entitled to take up to 26 weeks of leave to care for the service member. For purposes of this provision, a "serious injury or illness" is one that renders the service member medically unfit to perform the duties of the member's office, grade, rank, or rating.

(continued)

4805.10 ADDENDUM TO FAMILY AND MEDICAL LEAVE ACT POLICY (continued)

The rights and responsibilities set forth in the District's current FMLA policy, such as requirements regarding notice, medical certifications, and the like, will normally apply to this type of leave. For leave that is foreseeable, employees must ordinarily provide notice of the need for leave at least 30 days before the leave starts. If the leave is not foreseeable or it is not practicable to provide 30 days' notice, employees must provide notice of their need for leave under this new provision as soon as practicable, which ordinarily means no later than one to two business days after the employee learns of the need for leave.

(2) "Qualifying exigency." An employee whose spouse, parent, son, or daughter is on active military duty in support of a "contingency operation," or who receives notice of a call to such duty, may be entitled to up to twelve weeks of FMLA leave to address "qualifying exigencies" arising as a result. The Department of Labor has advised the public that this provision of the new law will not take effect until the Department publishes final regulations defining what is meant by "qualifying exigencies."

The District will provide additional information regarding these new forms of FMLA leave as it learns more. Until the District receives further guidance, requests for leave under these new provisions will be addressed on a case-by-case basis. If an employee believes that he or she may be entitled to leave under the new law, please contact the Assistant Superintendent for General Administration.

Approved: 8/5/96
Revised: 9/8/08

