



**GUIDELINES & PROCEDURES**

**FOR**

**NON-EXEMPT**

**CLASSIFIED**

**EMPLOYEES**

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**Revised 8.1.2018**

**SHAWNEE MISSION SCHOOL DISTRICT**  
**8200 W. 71<sup>st</sup> St.**  
**SHAWNEE MISSION, KANSAS 66204**  
**913-993-6200**

**NOTICE OF NON-DISCRIMINATION**

Shawnee Mission Unified School District No. 512 believes in the principle and practice of equal opportunity under the law. Neither the board of education nor any employee of this school district shall illegally discriminate on the basis of race, creed, religion, color, national origin, ancestry, age, sex, disability, or any other statutorily prohibited basis. All policies and regulations of the board of education shall be enforced in compliance with this policy.

As a means of assuring equal employment opportunity in this school district, the board of education has adopted an Affirmative Action Plan. The board fully supports the provisions and requirements of Title IX of the Education Amendments of 1972, 20 U.S.C. S 1681 et seq., prohibiting discrimination on the basis of sex in education programs and activities. The board further supports the provision of S 504 of the Rehabilitation Act of 1973, 20 U.S.C. S 706 (P.L.93-112), concerning treatment of disabled persons; and the provisions of the Education of the Handicapped Act, 20 U.S.C. S 1401 et seq. (P.L.94-142), concerning education of disabled children.

The board fully supports the provisions and requirements of Title II Subtitle A of the Americans with Disabilities Act of 1990 (P.L. 101-336) which protects qualified individuals with disabilities from discrimination in the services, programs, or activities, including employment practices of Shawnee Mission Unified School District No. 512. This section of Title II also requires that qualified individuals with disabilities not be excluded from participating in or receiving the benefits of programs or activities provided by the school district. The district also fully supports and complies with the Boy Scouts of America Equal Access Act of 2001, 20 U.S.C. Section 7905, 34 C.F.R. Part 108.

The district does not discriminate in the admission or access to, or treatment of employment in its programs and activities. Any person believing that they have been discriminated against on the basis of disability should contact the district for a copy of their rights. Additionally, such persons may immediately contact the superintendent, Dr. Mike Fulton, at 8200 W. 71<sup>st</sup> St., Shawnee Mission, Kansas 66204; telephone number 913-993-6200. The district is also committed to providing an environment free from harassment based on gender, race, creed, religion, color, national origin, ancestry, and age. Concerned persons may also contact the Office for Civil Rights, 1010, Walnut St., Ste. 320, Kansas City, MO 64106; Phone: 816.268.0550 or 877.521.2172 (TTY); and email: [OCR.KansasCity@ed.gov](mailto:OCR.KansasCity@ed.gov)

## **PERSONNEL GUIDELINES AND PROCEDURES FOR NON-EXEMPT CLASSIFIED EMPLOYEES**

**Nothing in these guidelines and procedures are intended, nor should be construed, as a contract of employment, nor shall these guidelines and procedures be deemed to create any promise or expectation of continued employment on the part of any employee. This guideline and procedure manual is not all-inclusive.**

### **STAFF-STUDENT RELATIONS BOARD POLICY GAF**

**Staff members shall maintain professional relationships with students, at all times, on or off property, which are conducive to an effective educational environment. Staff members shall not submit students to sexual harassment or racial harassment. Staff members shall not have any interaction of a sexual nature with any student at any time regardless of the student's age or status or consent.**

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**This information pertains to the classified employees of Unified School District No. 512, Johnson County, State of Kansas, hereafter referred to as Shawnee Mission School District or the district.**

## **I. PERSONNEL GUIDELINES AND PROCEDURES PROVISIONS**

### **A. General Provisions**

1. These guidelines and procedures shall not constitute nor be considered as an employment contract. The terms and provisions of these guidelines and procedures may be changed, altered, amended or deleted at any time, with or without notice, at the sole discretion of the superintendent of schools. Each employee is responsible for becoming and remaining informed with regard to the contents of this manual. Clarifying questions should be directed to the immediate supervisor or an appropriate administrator.
2. Shawnee Mission School District has and retains all rights to manage its business whether heretofore or hereafter exercised and regardless of the frequency or infrequency of its exercise, including but not limited to the exclusive right in accordance with its judgment and subject to applicable statutes and regulations to:
  - a) reprimand, suspend, discharge, or otherwise discipline employees;
  - b) hire, promote, demote, transfer, assign, layoff, and recall employees to work;
  - c) judge the employee's skill, efficiency, effectiveness and qualifications;
  - d) determine the beginning and ending times of work, the number of hours on each shift to be worked, and the annual work calendar;
  - e) revise, eliminate, combine or establish jobs and classifications;
  - f) maintain the efficiency of employees, control and regulate the use of equipment and other property of the district;
  - g) determine the number, size, location, and operation of facilities and sections, departments, groups or divisions thereof;
  - h) subcontract and determine the services to be rendered, bought or sold;
  - i) determine the assignment of work and the size and composition of the work force;
  - j) make, change, and enforce guidelines and procedures, rules, procedures and practices;

- k) establish work performance standards, evaluate employees' work performance, and establish employees' compensation; and
  - l) introduce technological changes, new, improved or modified work methods, techniques, and equipment, and otherwise generally manage, direct and supervise the work force.
- 3. Violation of any guidelines and procedures shall be grounds for disciplinary action including but not limited to suspension, demotion, or dismissal.
- 4. Any employee who believes that a guideline or procedure contained herein has been violated or misinterpreted by district administrative action may file a complaint in accordance with the complaint procedures established with these guidelines and procedures. The complaint procedure is not applicable for disciplinary action or termination of employment.
- 5. The superintendent of schools (or designee), at any time deemed necessary or proper for the purpose of implementation or enforcement of these guidelines and procedures, may adopt, amend, or rescind written administrative rules, procedures, or practices consistent with these guidelines and procedures. Such written rules, procedures, or practices shall be effective on the date(s) specified by the superintendent of schools (or designee). Copies of such written rules, procedures, or practices shall be located within each school, facility and department within the district and placed on record in the classified personnel office together with these guidelines and procedures.

## **II. GENERAL EMPLOYMENT PROVISIONS**

### **A. Definitions**

- 1. The "classified personnel" of the Shawnee Mission School District shall include all persons employed in positions which are assigned to one of the established classified salary schedules.
- 2. A "full time" classified employee is one who is regularly scheduled to work at least thirty (30) hours per week.
- 3. A "part time" classified employee is one who is regularly scheduled to work less than thirty (30) hours per week.
- 4. A "benefits eligible" classified employee is one who is scheduled to work in a regular position twenty (20) or more hours per week.
- 5. A "temporary position" is a position, which has a finite ending date, and may be either full time or part time. An employee assigned to a temporary position serves only for a period not to exceed this finite period of time. Such positions are not to



continue beyond six (6) continuous calendar months in duration and are not eligible for any employee benefits or paid leave time.

6. A "provisional position" is one which has an expected continuous duration of six (6) months or longer and which may be expected to have a finite ending date, subject to the provision of continued funding for work performed including but not limited to developmental activities, grant-funded work, or special projects. Such positions may be eligible for employee benefits and/or paid leave time, as determined by the Coordinator of Classified Human Resources.

B. Employment Requirements and Procedures

1. All employees new to the district are required to provide the classified personnel office the following information and documents after acceptance of an employment offer, and prior to beginning work:
  - a) certificate of health for school personnel
  - b) employee's withholding allowance certificate form W-4 and K-4
  - c) immigration and naturalization service form I-9, and/or other required documents;
  - d) social security card;
  - e) oath or affirmation of officer or employee;
  - f) personal data information:
2. The following forms must be returned to the benefit office within thirty one (31) days of beginning employment:
  - a) Shawnee Mission School District compensation reduction agreement (if eligible for the Section 125 employee benefits plan);
  - b) Shawnee Mission School District medical/death benefit enrollment form (if eligible).
  - c) State of Kansas Public Employees' Retirement System school enrollment application (if eligible).
3. Physical examination requirements, K.S.A. 72-5213 (2012). Certification of health for school personnel:

"Every board of education shall require all employees of the school district, who come in regular contact with the pupils of the school district, to submit a certification of health on a form prescribed by the secretary of health and environment and

signed by a person licensed to practice medicine and surgery under the laws of any state, or by a person who is licensed as a physician assistant under the laws of this state when such person is working at the direction of or in collaboration with a person licensed to practice medicine and surgery, or by a person holding a certificate of qualification to practice as an advanced registered nurse practitioner under the laws of this state when such person is working at the direction of or in collaboration with a person licensed to practice medicine and surgery. The certification shall include a statement that there is no evidence of physical condition that would conflict with the health, safety, or welfare of the pupils; and that freedom from tuberculosis has been established by chest x-ray or negative tuberculin skin test. If at any time there is reasonable cause to believe that any such employee of the school district is suffering from an illness detrimental to the health of the pupils, the school board may require a new certification of health."

The expense of obtaining certification of health will be borne by the school employee. . The employee may attend orientation prior to the completion of their health form however, they are not permitted to report to their work assignment nor will they be paid, until the classified personnel office receives the completed form.

#### C. Work Assignments

1. All aides and special education paraprofessionals will work a schedule determined by the district each year. These employees will be paid bi-weekly according to the dates established by the payroll office.
2. Aides will be assigned an hourly duty schedule, to be determined by the building principal, based on the allocation of aide time.
3. All special education paraprofessionals must attend and document in-service training provided by the district in accordance with state statute during each year while employed by the district. Failure to meet this requirement may result in termination of employment.

#### D. New Employee Orientation

1. The Guidelines and Procedures for Non-Exempt Classified Employees will be posted on-line and the location will be given to all new employees at orientation. It is the responsibility of the employee to read and become familiar with all information contained in these guidelines and procedures.
2. Each new classified employee must attend an orientation conducted by the classified personnel office or designee prior to beginning work.

E. Administrative Transfers and Reassignments

1. Transfers of employees to a different position, building, or work assignment may be recommended by the building principal or department head to the Coordinator of Classified Human Resources or department designee if he/she feels the best interest of the district would be served by such transfer. The district reserves the right to make such transfers at any time with or without cause.
2. Proposed transfers of employees must be approved prior to the effective date by the Coordinator of Classified Human Resources or department designee.
3. All employees to be transferred will be provided notice of the new assignment/placement.

F. Vacancy Postings

1. In most instances, regular classified position vacancies will be posted on the district web site until the position has been filled. However, the district reserves the right not to post all vacancies.

G. Internal Applications

1. A person currently employed by the district who wishes to apply for a currently posted classified job vacancy may do so by completing an on-line internal application.
2. Employees may only be considered for vacancies if they complete the internal application and if they meet the minimum qualifications for the vacant position to which they want to be considered.
3. The employee's internal application only entitles them to be considered for a vacancy but does not guarantee an interview for the vacant position. Internal applications will only apply to the stated position vacancy, and will not be retained on file. Lateral internal applications may not be accepted three weeks prior to the first day of school and three weeks after the first day of school unless approved by the Coordinator of Classified Human Resources or department designee. Lateral positions are defined as any position within the same job classification. However, current employees may apply for promotional opportunities during this time.
4. The hiring administrator will contact selected applicants to schedule individual interviews.
5. When an internal candidate is selected to fill a vacant position, his or her supervisor will be notified by the classified personnel office and transfers will be made in two weeks unless the administrators involved agree to a different time period.

## H. Interviews and Selections

1. Candidates may have skills tests administered which are job related and appropriate to the position(s).
2. The appropriate hiring administrator will determine which applicants he/she will consider for the vacancy, including current employees who have submitted an internal application.
3. Students currently enrolled in a secondary school are not eligible for employment in educational aide positions or as special education paraprofessionals.
4. The appropriate hiring administrator or supervisor will conduct interviews and determine the applicant (internal or external) who best meets the current needs associated with the vacancy.
5. When a selection decision has been made, the hiring administrator will forward a recommendation to hire and required reference checks to the classified personnel office. All other documentation concerning the screening and interview process will be retained by the hiring administrator for three (3) years. The classified personnel office will make the job offer to the successful candidate in accordance with board guidelines and procedures. No person is authorized to make job offers other than staff members of the Human Resources Department. The Human Resources Department designee shall determine the beginning salary to be offered to the successful candidate.
6. Classified employees without an assignment at the end of a school year because of a reduction in their building will be considered for appropriate vacancies as they occur. No guarantee is made that the person will be placed in another position.

## I. Employee Performance Evaluations

The Shawnee Mission School District is interested in employing and retaining the best personnel possible. In order to maintain a high standard of performance, an employee performance evaluation system has been established.

1. A ninety (90) calendar day initial evaluation period for new employees is required. This initial performance evaluation period has been established to assess the new employee's ability to competently perform the responsibilities of his/her position. Successful completion of the initial evaluation does not change the employee's status from that of an employee at will. Employees who are hired and begin employment after January 1, will only be required to have a 90-day evaluation prior to May 1.
2. An employee who is transferred or promoted to another position in the district will be evaluated by his or her immediate supervisor and receive a written performance

appraisal not later than the end of the 90-day evaluation period in his or her new position.

3. All employees who have successfully completed their initial evaluation in their current position will be evaluated by their immediate supervisors and receive at least one written performance appraisal each year by May 1.
4. All building custodians will be evaluated by the head custodian. All head custodians and building managers will be evaluated by the custodial supervisor and the building principal.
5. Written performance appraisals will be made on the format authorized by the Human Resources Department and available on the district website.
6. Written performance appraisals will be reviewed and discussed with the employee by the evaluator. The appraisal will be reviewed and signed by the principal or department head prior to being presented to the employee. Both the evaluator and the employee are to sign and date the appraisal form or document. The employee's signature does not necessarily indicate his/her agreement with the contents of the appraisal, but does verify the evaluation has been reviewed, discussed, and that he/she has received a copy and is aware that it will be placed in his/her official personnel file.
7. Completed written employee performance appraisals will be forwarded to the classified personnel office to be placed in the employee's official personnel file. The employee will be given a copy, and may submit a written response to the appraisal for inclusion with it in his/her official personnel file.

#### J. Employee Personnel Files

Documents which employees wish to be included should be sent, with instructions, to the classified personnel office. It is the responsibility of each employee to provide any documentation to keep his/her personnel file and records current. This pertains to all job-related documents including but not limited to in-service training, educational classes, seminars, correspondence, workshops, and professional organizations. The Director of Human Resources or designee will determine what information is appropriate for inclusion in the personnel file.

### **III. WAGE AND SALARY ADMINISTRATION**

#### **A. Placement on Salary Schedule**

1. All salary schedules are subject to the approval of the board of education and placement of employees on salary schedules are subject to budget limitations. The current classified salary schedules will be posted on the district website.
2. Placement of employees on the salary schedule will be determined by the Human Resources Department designee, for all classified employees. Such salary schedule placement shall be made based upon consideration of the experience, qualifications and skills of the successful candidate, consideration of internal salary equity, market conditions and consideration of budgetary limitations.
3. Employees with a beginning date of district employment prior to April 1, shall be eligible for a step increase at the beginning of the next fiscal year. (July 1) If the beginning date of district employment is April 1 or later, the employee will remain on his/her current step for the next fiscal year.

#### **B. Classification of New Positions**

A job description for a new position will be prepared by the appropriate administrator and submitted to the Coordinator of Classified Human Resources by the appropriate assistant superintendent, director or administrator. The Coordinator of Classified Human Resources will collect any additional information to review and finalize the description. As necessary, the Coordinator of Classified Human Resources may make interim assignments of new positions to the classified salary schedules and grades for up to one year. New positions will not be posted or filled until the job description has been provided to the Coordinator of Classified Human Resources and a salary line has been established through the budget office.

#### **C. Special Wage Rates**

1. In the event of an extended absence, (more than 5 consecutive work days, excluding the weekend) of an individual in a job assigned to a higher wage rate, another employee may be requested or required to assume the vacated duties and will be compensated based on a temporary transfer or promotion to the vacated assignment. At such time as the absent employee returns to work, the substitute employee will return to his/her regular assignment and previous rate of pay. This procedure may also apply to vacant positions that are assigned on an interim basis to a current employee until such time as they can be advertised and filled. This guideline and procedure does not apply to employees who are regularly assigned to positions which are exempt under the Fair Labor Standards Act. Substitute and Floater employees are also exempt from this policy.

D. Longevity Pay Schedule

1. To recognize the past and future contribution made by the long-term classified employee to the district, a classified employee will be provided a Longevity Bonus. The longevity bonus will be paid in one lump sum in the spring of the calendar year the employee qualifies.  
The bonus will be:  
\$100 after 10 years of employment  
\$150 after 15 years of employment  
\$200 after 20 years of employment  
\$250 after 25 years of employment  
\$300 after 30 years of employment  
\$350 after 35 years of employment  
\$400 after 40 years of employment  
\$450 after 45 years of employment
2. Years of service will be determined by the current hire date of the classified employee. Service must be continuous. The years of service will be calculated by subtracting the current hire date from the current year. If a classified employee was on an approved leave of absence, this time will be considered and counted towards the years of service.

**IV. TIME KEEPING AND PAY PROCEDURES**

A. Designated Work Day, Week and Year

1. The workday for each employee will be determined by his/her immediate supervisor.
2. The designated work week for all classified employees will begin at 7:00 a.m. each Saturday and will conclude at 7:00:59 a.m. on the following Saturday.
3. The work year is defined as the district's fiscal year, beginning July 1 each year and concluding June 30 each year. Employee leave provisions of these guidelines and procedures will be based on the work year as defined above.

B. Time Keeping Procedures

1. Non-exempt employees and those paid on an hourly basis shall report their actual hours worked which must be verified and confirmed by his/her immediate supervisor before being submitted to the payroll office.
2. Falsification or improper alteration/calculation of the employee's actual hours worked by either the employee or the immediate supervisor is a serious violation of the Fair Labor Standards Act and these guidelines and procedures. Employees who violate

these requirements will be subject to severe disciplinary action, including possible termination of employment.

3. All employees, except food service, working five (5) or more hours per day must take a thirty (30) minute duty-free lunch break. The thirty (30) minute duty-free lunch period may not be counted as time worked. The employee is expected to remain on the premises during the duty-free lunch period unless prior arrangement and approval has been granted by the employee's immediate supervisor. However, they should not be called upon to perform work during their scheduled lunch periods unless their pay is adjusted to cover the additional time worked.
4. Food service employees are not required to time-out for lunch. The employee is paid for the time, is on call during lunch period and is expected to remain in the building. They are not to time-in until they are ready to report to work and are to time-out immediately after work is finished and before preparing to leave the kitchen.
5. Each employee is responsible for reporting his or her own work time. Reporting time for another employee shall be cause for termination for both or all parties involved in the act.

C. Overtime, Overtime Compensation, Compensatory Time, and Additional Work Hours

1. All classified employees are subject to 29 USC 201, et seq. Fair Labor Standards Act, and the applicable administrative rules and regulations as may from time to time be promulgated or amended. These guidelines and procedures shall be administered pursuant to said law and administrative rules and regulations, as construed by the office of classified personnel.
2. For classified employees who work in positions, which the Director of Human Resources has determined to be non-exempt under the Fair Labor Standards Act, overtime work is considered to be that which is performed in excess of forty (40) hours per workweek. Hours worked include time that an employee is "suffered or permitted to work" and include:
  - a) preparatory work, which is part of the principal work activity
  - b) meal periods where the employee is not free to leave the workstation
  - c) waiting time associated with the job
  - d) rest periods of twenty (20) minutes or less
  - e) "voluntary work" permitted to be performed by the employee before or after the end of the regular work shift



3. Supervisors are responsible to ensure that employees are compensated properly for all hours worked.
4. Comp time and flexible time are two terms used in dealing with employees' actual time worked. Please note the following definitions: Straight Comp Time – Employees whose regular work schedule is less than 40 hours per week may earn straight comp time if they work in excess of their regular schedules. One hour of straight comp time is granted for each hour of work beyond the part-time established work schedule up to 40 hours. Time and a Half Comp Time – This is time earned by an employee for working in excess of a 40 hour workweek. One and a half hours of time are granted for each hour of work beyond 40 hours. Flexible Time – This is time that is earned and used within the regular workweek. The time does not result in any change to the total number of hours regularly scheduled for that employee.
5. Prior to working overtime and/or time that exceeds the daily work schedule, the additional work must be authorized by the employee's building principal or department head. Food service and operations & maintenance employees must have overtime or additional work time authorized by the department head. If advance approval from the supervisor is not obtained, compensation must still be paid if the work is performed. Employees who work overtime or additional hours without obtaining prior approval may be subject to disciplinary action, including possible termination of employment.
6. All authorized overtime will be submitted by the building principal or department head to the payroll office on the overtime authorization form. The building principal or department head will ensure that additional hours worked that are not overtime hours do not result in any operating budget deficit.
7. Whether overtime will be paid or taken as compensatory time is dependent upon the employee's job designation and will be determined by the supervisor and the Human Resources Department.
8. Hours worked by any non-exempt classified employee in excess of forty (40) in a work week (overtime) performing his/her regularly assigned job tasks will earn compensatory time at one and one-half times the hours worked or one and one-half times the employee's base hourly rate of pay depending upon the job designation. Additional work hours that do not result in overtime will earn compensatory time at the employee's regular hours or at the employee's regular hourly rate depending upon the job designation.
9. Compensatory time off must be taken within the fiscal year in which it was earned. An exception will be made for campus police officers who will be allowed to amass compensatory time to be used on or before the new teacher report day of the following school year. The scheduling of compensatory time off is subject to the approval of the employee's immediate supervisor. All compensatory time not taken

by the end of the fiscal year in which it was earned will be paid as described in #8 above.

10. Classified employees may apply for and be hired to perform supplemental work not related to their full time assignment. Compensation for such work will follow established rates for supplemental contracts.
11. Paid holidays, non-duty days, and other paid temporary leave such as sick, vacation, or personal leave days ("non-productive time") will not be considered hours worked for the purpose of determining overtime in a workweek.
12. Rotating overtime or additional work assignments among qualified employees is the responsibility of the supervisor, building principal, or department head and shall be done equitably whenever possible. In the event that a qualified employee is not available on a volunteer basis to perform overtime work, the supervisor may assign an employee to work overtime.

**D. Pay Periods**

1. Paychecks will be issued to non-exempt employees biweekly.

**E. Personnel/Payroll Information Changes**

1. It is the employee's responsibility to notify his and her immediate supervisor and the classified personnel office in writing of any changes in name, address, or telephone number. Failure to do so may result in misdirection or delay in sending and processing paychecks, income tax forms, or employee benefits information.
2. Any changes in deductions or cancellations of deductions must be submitted in writing and received in the payroll office prior to the cutoff date for the specific pay period for which the change is made effective.

**V. EMPLOYEE GUIDANCE AND DISCIPLINE**

**A. General Provisions**

1. In instances of substandard work performance or misconduct by classified employees, guidance and/or disciplinary actions are necessary. In some instances the performance level or misconduct may warrant immediate dismissal.
2. Each situation in which guidance or discipline may be necessary is unique. Therefore, supervisors are expected to identify and consider all pertinent aspects of each individual situation, such as mitigating circumstances, employee explanations, the employee's past record, and the seriousness of the present situation. These factors should be reviewed and considered by supervisors while determining which

actions are appropriate to recommend and/or implement. Guidance, or discipline when necessary, should always be appropriate to the problem or incident.

3. A conference between the supervisor and the employee is suggested before any guidance is provided or disciplinary action is taken or recommended. During such conference the supervisor and employee should openly discuss the facts and circumstances related to the problem or incident.
4. All recommendations for suspensions without pay and/or terminations of employment will be made to the Coordinator of Classified Human Resources or department designee, by the appropriate building administrator or department head.

## B. Employee Discipline

When an employee demonstrates inappropriate conduct and/or inadequate performance, a disciplinary process may become necessary, including any or all of the actions described below.

### 1. Verbal Reprimand

This is the mildest form of corrective action. It is a warning, which is helpful to eliminate misunderstandings, as well as set or maintain desired standards of conduct and/or performance. Whenever a supervisor issues a verbal reprimand he/she should make notes of the conference conducted with the employee and any corrective actions to be taken, for future reference.

### 2. Written Reprimand or Unsatisfactory Performance Review

This is a more serious written record, which is issued by the supervisor to document a conduct or performance problem. The Coordinator of Classified Human Resources or designee should be consulted before any written reprimand or unsatisfactory performance review is issued to an employee. A copy of the written reprimand and/or unsatisfactory performance review is to be given the employee, and he/she must be informed that a copy will be placed in his/her official personnel file in the classified personnel office to become a part of the permanent work record. The employee may make a written response, which also will be placed in his/her official file.

### 3. Suspension From Work With Pay

The supervising building administrator or department head may implement an immediate and temporary suspension from work with pay, when deemed in the best interest of the district. The building administrator or department head must immediately notify the Coordinator of Classified Human Resources or designee of the employee's removal from the workplace and prepare written

documentation of the cause. Such suspension from work shall be made and continued with pay until such time as there is a formal review of the occurrence by the Coordinator of Classified Human Resources or designee, and a further decision is made, which complies with these procedures.

#### 4. Suspension From Work Without Pay

The supervising building administrator or department head may recommend that an employee be suspended from work without pay for up to ten (10) working days when deemed in the best interest of the district. All recommendations for suspension without pay must be timely and made in writing to the Coordinator of Classified Human Resources or designee, and a copy issued to the employee. A conference will be conducted by the Coordinator of Classified Human Resources or designee, with the employee and the administrator or department head making such recommendation. The employee will be provided an opportunity to give his or her version of events at the conference. The Coordinator of Classified Human Resources or designee will make a determination and inform the employee in person at that time. The duration of the suspension will be clearly specified and the employee will be given a time to return to work.

#### 5. Dismissal

This is the most severe disciplinary action. Dismissal may be warranted by a single severe occurrence of misconduct or unsatisfactory performance, or by a history of less severe occurrences. Dismissal may be implemented only by the Coordinator of Classified Human Resources or designee, in accordance with these procedures.

The supervising building administrator or department head may recommend that an employee be dismissed when other less severe actions have failed to improve the employee's performance or conduct satisfactorily. All recommendations for termination must be timely and made in writing to the Coordinator of Classified Human Resources or designee.

A conference will be conducted by the Coordinator of Classified Human Resources or designee with the employee and the administrator or department head making such recommendation. The employee will be provided an opportunity to give his or her version of the events at the conference. Prior to or following this conference, the employee may be placed on leave from work, either with or without pay, according to the above procedures, pending a final decision on his/her employment status.

Following this conference, the appropriate building administrator or department head and Coordinator of Classified Human Resources or designee, will determine the final action regarding any recommendation for termination. Each

such recommendation is evaluated on its own merits, in consideration of the written recommendations made and any other pertinent factors.

Written notification of the recommendation and action taken shall be issued to all parties, including the employee, as soon as possible.

## **VI. EMPLOYEE RESPONSIBILITIES**

### **A. Requirements and Procedures Upon Separation From Employment**

1. The district expects a written notice of resignation from an employee to be given to his/her immediate supervisor and the classified personnel office at least two (2) weeks prior to the last day of attendance at work. Employees whose positions are less than twelve months are expected to give notice prior to the end of the school year if they are not planning to return to work for the next school year. Failure to do so may result in the district requiring reimbursement for benefits paid during the summer.
2. According to K.S.A. 44-315, the following will apply: "Whenever an employer discharges an employee, or whenever an employee quits or resigns, the employer shall pay the employee's earned wages not later than the next regular payday upon which the employee would have been paid if still employed as provided under K.S.A. 44-314, either through the regular pay channels or by mail postmarked within the deadlines herein specified if requested by the employee."
3. Upon termination of employment, an employee may apply after the last day on the payroll for a return of contributions made to the Kansas Public Employees' Retirement System (KPERs).

### **B. No Show/No Call Resignations**

1. Any regular classified employee who fails to report for work for three (3) consecutive scheduled workdays, and who fails to properly notify his/her immediate supervisor of the reason(s) for such absence from work may be deemed to have voluntarily resigned from employment with the district.

### **C. Emergency School Closings**

1. In the event that the Superintendent determines severe weather conditions require district buildings to be closed, non-essential staff members will not report to work but will receive their normal daily pay. This provision, for non-essential staff, shall be limited to the number of "emergency closing days" built into the district calendar or as determined necessary by the Superintendent of Schools.

Those determined, based on weather conditions and/or district needs, to be essential staff

members (most commonly custodial, maintenance and grounds staff), will report for duty according to their regular shift start time unless otherwise notified by their immediate supervisor. These staff members (reporting to work) will be compensated at their normal hourly rate of pay for the time they work on that day. In addition, they will be entitled to compensatory time off at one and one-half or overtime pay for 8 hours at one and one-half their hourly rate of pay. When the compensatory time option is selected, staff members will work with their immediate supervisor to ensure time earned is used appropriately.

In the event it is determined that weather conditions allow, and it is in the district's best interest for additional staff to report, staff members will be notified accordingly and will be compensated in accordance with their regular contract pay. Additional staff may include, classroom teachers (and other licensed staff), classified, instructional support, language interpreters staff and office/clerical support staff.

2. In the event that students are dismissed early during the school day, all employees are expected to remain on their regular daily work schedule (unless otherwise determined – see below).

Unless there is a safety concern as described below in item 3, all staff will work their regular schedules and all offices will remain open. Lunch will be served prior to the dismissal of students. Administrators and other staff are encouraged to utilize the time afforded by such early dismissals of students for planning, employee development, curricular meetings or other productive activities.

3. With the approval from the Superintendent and if the building administrator, manager or director feels it is necessary for safety reasons to release teachers, secretarial/clerical staff, aides, language Interpreters, paraprofessionals and/or other employees from duty early, such decisions shall be announced to all employees. However, employees may not be released from duty until all students have exited the campus, or in the case of extra-curricular activities, are properly supervised. For the purpose of this procedure, "early release" is defined as any release of employees from work prior to the end of the employee's daily work shift.

In an "Emergency Early Release of Students and Staff", administrative, certified and classified personnel will be released from duty without loss of pay for their full, regularly scheduled workday.

#### D. Substitute Employees and Assignments

##### 1. Food service

If a substitute is needed, the manager will call the food service substitute phone line at 993-9709 and leave a message as to who is absent, the hours they work and basic duties. A supervisor will retrieve the message on the substitute line, determine

staffing needed and make assignments. The supervisor will notify the manager of the staffing assignments.

## 2. Paraprofessionals

Paraprofessional substitutes will be provided on a priority basis to be determined by special education administrators. Principals needing a paraprofessional substitute should email the request to the classified personnel office.

## 3. Secretarial/Clerical

Requests for secretarial/clerical substitutes are made by calling 993-6486 from 8:00 a.m. to 4:00 p.m. All requests for secretarial/clerical substitutes, other than one-person offices, are to be made by the supervisor. When requesting a substitute for an office with only one secretarial/clerical person, the individual may call directly. At least a two-hour notice is required, if possible.

## 4. Custodians

Report of absence is to be made at least two (2) hours prior to the beginning of the shift by calling (913)993-8510 or (913)993-8511. The assigned building should also be notified. Custodial supervisor will assign subs as needed.

## E. Uniforms

1. The board of education has provided uniforms for custodians, distribution, maintenance, campus police and warehouse employees. This has been done in an effort to accentuate the necessity to present a neat and efficient appearance while on duty. These uniforms are to be worn only while on duty, or going to and from work. They are to be taken home and laundered by the individual. When replacement uniforms are needed, the supervisor should be contacted.
2. Food service employees who have successfully completed their 90-day performance trial periods receive allowances for uniforms, not to exceed \$175.00 per year.

## F. Attendance

1. Employees must report to work regularly and on time. Failure to do so may result in disciplinary action up to and including termination.

## G. Employer Notification

1. Any employee of the Shawnee Mission School District must report to their immediate supervisor any new indictment, arrest, charge, conviction, or diversion of a criminal violation (misdemeanor, felony or DUI) by the end of the business day following the reportable event.

## VII. EMPLOYEE BENEFITS

### A. Insurance

1. Employees working 20 hours or more per week are eligible to participate in the district's group **health** insurance plan. These employees are eligible for the district to pay an amount determined by the board toward any district group **health** insurance plan. Eligibility begins the first day of the calendar month following 30 calendar days of eligible employment.
2. Employees working 20 hours or more per week are eligible to participate in any of the district's group insurance plans. Eligibility begins the first day of the calendar month following 30 calendar days of eligible employment. The district does not contribute to any of these plans. Employee paid premiums are treated as Section 125 Cafeteria contributions. Those plans include:
  - Dental
  - Vision
  - Medical/Child Care Reimbursement Plans

The district offers the additional insurance plans listed below. The district does not contribute to any of these plans. Employee paid premiums are **not** treated as Section 125 Cafeteria contributions.

- Term Life
- Cancer
- Short term disability

### B. Cash Option

1. Employees hired prior to 7-1-1990 had the option to take cash in lieu of health insurance. They may continue to have that option and receive \$1200 per year. If they choose to switch to Plan B for the district paid health insurance they may not switch back.

### C. KPERS

1. Membership is mandatory for all employees per KPERS guidelines. Employee contributions to the system are fixed by statute. Go to [www.kpers.org](http://www.kpers.org) for additional KPERS information.

### D. 403(b) and 457 Programs – Tax Sheltered Annuities/Mutual Funds

1. Employees working 20 hours or more per week are eligible to participate in the district's 403(b) and 457 programs. Amounts contributed will not be subject to



federal or state income taxes at the time of the contributions. See the district website for further information.

E. Liability Insurance

1. The board of education shall provide a comprehensive liability insurance coverage for all employees while acting within the scope of their duties.

F. Paid Holidays

1. Classified employees regularly working four (4) hours or more per day will be paid for the holidays designated as set forth by the approved school calendar each year. The work-day calendars will be posted on the district website under the Human Resources page.:

**WORK-DAY CALENDAR**

	12										
	Mo.										
<b>HOLIDAYS</b>	<b>182</b>	<b>185</b>	<b>189</b>	<b>193</b>	<b>199</b>	<b>208</b>	<b>210</b>	<b>215</b>	<b>220</b>	<b>230</b>	<b>260</b>
Labor Day	X	X	X	X	X	X	X	X	X	X	X
Thanksgiving Day and the Friday following	X	X	X	X	X	X	X	X	X	X	X
Wednesday before Thanksgiving								X		X	X
Christmas Eve	X	X	X	X	X	X	X	X	X	X	X
Christmas Day	X	X	X	X	X	X	X	X	X	X	X
New Year's Eve	X	X	X	X	X	X	X	X	X	X	X
New Year's Day	X	X	X	X	X	X	X	X	X	X	X
M.L. King's Birthday	X	X	X	X	X	X	X	X	X	X	X
President's Day	X	X	X	X	X	X	X	X	X	X	X
Memorial Day							X	X	X	X	X
Independence Day											X

2. If any of the designated holidays fall on Saturday or Sunday, the employee will be granted one (1) day preceding or following the holiday. If any of the paid holidays fall on Tuesday, the employee will be given the Monday immediately preceding the holiday, and if any of the holidays fall on Thursday, the employee will be given Friday immediately following the holiday, as an extension of the holiday.
3. In order to receive payment for the holiday, or the extension of the holiday as defined above, the employee must work his or her regularly scheduled number of hours on the workday immediately preceding and the workday immediately following the holiday or the extension of the holiday, unless employee is not scheduled to

work on those days. However, personal leave may be used on the workday immediately preceding and/or the workday immediately following the holiday or the extension of the holiday if the leave is taken on a non-student contact day. Holidays occurring within the period of vacation leave shall not be charged against vacation leave. If the employee is ill on the workday immediately preceding and/or following the holiday and has accumulated sick leave, the employee shall be paid for the holiday. In addition, a physician's note may be requested by the supervisor for the absence(s).

## **VIII. EMPLOYEE LEAVE**

### **A. Accumulative Temporary Leave**

#### **1. General provisions**

Provisions have been made by the board of education for absence from duty by classified employees for temporary leave. All regular classified employees of the Shawnee Mission School District working at least twenty (20) hours each week shall be eligible to earn temporary leave.

For the purpose of these guidelines and procedures a "day" is defined as the average number of hours per day the employee is regularly assigned to work in his or her workweek.

Temporary leave is accrued at the rate of one day per month worked:

260 days worked accrues 12 days annually;  
230 days worked accrues 11 days annually;  
less than 230 days worked accrues 10 days annually.

Employees shall be allowed to accumulate any unused portions of their current earned temporary leave without limit, which will be credited as of June 30 of each year.

#### **2. Application for temporary leave**

Each classified employee is responsible for verifying his/her available leave time, prior to requesting to use temporary leave. Supervisors may verify available leave time as needed to make decisions regarding leave requests.

If paid leave is requested and approved, however, and the employee does not actually have sufficient time available for the approved absence, the appropriate reduction in pay will be made automatically during payroll processing.

Each classified employee is required to make written application for leave from duty in advance of each period of absence except in the case of sick leave. Application is

to be made using the personnel absence report, approved and signed by the immediate supervisor. Leave should not be taken until approval has been received from the appropriate supervisor. The day of leave must be reported by the employee. Employees absent without approved leave, or who fail to notify their supervisors of the absence, will not be permitted to charge that absence against temporary leave.

3. Accumulative temporary leave is to be used for the following purposes:

a) Sick leave

Except as provided elsewhere in these guidelines and procedures, temporary leave granted during each fiscal year (July 1 through June 30) shall be used for absences necessitated because of (1) personal illness, (2) illness or severe injury of employee's spouse or minor-dependent children and dependent handicapped adult children when other arrangements cannot be made, or (3) quarantine under the laws of the State of Kansas.

It is the responsibility of all classified employees to notify their immediate supervisors when they are ill and cannot report to work. If an employee is ill and does not call or report said fact, the absence may be handled as an unexcused and unauthorized absence.

Absence due to personal injury, which occurred in the course of employment duties, does not require use of sick leave, and is covered elsewhere in these guidelines and procedures under item D of this section, workers' compensation leave.

Additional illness reporting procedures and requirements are as follows:

Custodians, maintenance, and warehouse employees:

If an employee is ill and cannot work, the employee must call his/her immediate supervisor or designated person at least two (2) hours before the time to report to work.

Food service employees:

If a food service employee is ill and cannot work, the employee must call his/her manager on his/her office phone. If the manager is not at work, the employee should leave a voice message. The manager will retrieve message once he/she is on duty.

Campus police employees:

Campus police must call the Safety and Security Department at least one (1) hour prior to reporting time. A call should also be made to the respective school(s).

b) Holidays occurring during period of illness

Holidays occurring within an employee's period of absence shall not be charged against current or cumulative temporary leave.

c) Physician's written statement

If an employee is absent for any period of time because of personal injury (regardless of whether or not that injury was suffered within the scope of his or her employment), or if an employee is absent due to illness, such employee may be required to present a written physician's statement to the employee's immediate supervisor stating that the employee is physically and/or mentally able to return to duty and verifying the period of incapacity. This statement must be forwarded to the office of classified personnel services. This procedure shall be followed by all employees at the request of their supervisors or department heads.

d) Use of sick leave for parental illness

A maximum of five (5) sick leave days per year may be used to care for an employee's parent who is ill when other arrangements cannot be made. Additional days of sick leave may be used to care for an ill parent on a case-by-case basis as approved by the Coordinator of Classified Human Resources or designee. In addition, the supervisor may request a physician's statement for verification.

e) Personal leave

All classified employees are allowed four (4) days per year personal leave. Employees will be allowed to accumulate to their credit any unused portions of such leave at the rate of one (1) day per year to a maximum of five (5) days. All personal leave days will be charged to temporary leave. Personal leave is subject to the following provisions:

- (1) Personal leave must be requested in writing on a personnel absence form at least five (5) calendar days in advance of the leave dates and approval of requested leave days is at the discretion of the employee's immediate supervisor. No personal leave shall be granted without the five (5) calendar day advance notice.
- (2) Personal leave, except for appearance in a court of law as a litigant when sincere but unsuccessful efforts have been made to reschedule an appearance, is not available under the following conditions:

- (a) the day before or the day following any non-duty or holiday unless the day before or the day following is a non-student contact day
  - (b) during the first and last week of employee's work schedule
  - (c) in combination with deduct days to circumvent a & b above
- (3) Notwithstanding paragraph (2) above, personal leave may be available:
- (a) to attend a high school graduation ceremony of an employee's child or stepchild
  - (b) to attend a college graduation ceremony of an employee, employee's spouse, or an employee's child or stepchild
  - (c) to attend a military graduation ceremony or an overseas military deployment ceremony of an employee's spouse, child or stepchild.
  - (d) to attend the wedding of an employee's child, parent, brother, sister, step-brother, step-sister, or the same relative of an employee's spouse.

f) Unused temporary leave benefits forfeited upon separation

Any employee who separates from employment with the school district will forfeit all temporary leave benefits earned; and, if re-employed by the school district, will start earning benefits as a new employee, subject to approved guidelines and procedures.

g) Transfers and promotions

A classified employee who transfers or who is promoted within the district automatically transfers any unused accumulative temporary leave.

h) Payment of unused temporary leave days

A day is equivalent to the average number of hours daily. A classified employee shall be eligible to receive a \$40.00 per eight-hour day payment for each unused day of current accumulative temporary leave if:

- (1) the classified employee has used less than ten (10) days of current temporary leave as of June 30 of the current year; and,
- (2) by May 1, of the current year in which application for such credit is made, the classified employee has at least fifty (50) days of accumulated

temporary leave, counting unused current temporary leave and temporary leave accumulated prior to the current year; and,

- (3) on or before May 1, the eligible classified employee applies online to receive payment for unused current temporary leave credited to his/her account that year. Payment shall be issued by the district within sixty (60) days of the end of the school year.

Temporary leave used by a classified employee during the current year shall first be deducted from current temporary leave (until such leave is exhausted) and then from previously accumulated leave, if any. In no event shall a classified employee in any year receive credit for more than ten (10) days of unused current temporary leave or \$400.00.

Those employed less than full time will receive an amount in proportion to the work schedule that is in place on May 1.

An eligible classified employee shall not accumulate temporary leave for any leave day for which he/she has been paid a credit.

An eligible classified employee who fails to make application for unused temporary leave credits as provided herein shall thereafter forfeit all rights to claim payment for such credits. A classified employee may accumulate any unused temporary leave for which the classified employee has not been paid a credit.

No payment shall be made to a classified employee for accumulative temporary leave other than as provided in this guidelines and procedures.

#### B. Vacation Leave

1. Employees working at least twenty (20) hours per week, on a work year assignment of at least 260 days, and who have been continuously employed by the Shawnee Mission School District for a minimum of four (4) months shall be eligible for vacation leave benefits.
2. After the fourth (4th) month of continuous employment, vacation days earned by employees will be computed from the first (1st) day of employment at the rate of 6.67 hours per calendar month up to a maximum of ten (10) working days (80 hours) of vacation with full pay per calendar year, based on an 8 hour work day. Less than full-time employees will be prorated accordingly.
3. Employees with more than seven (7) years of continuous service may earn 10 hours per calendar month up to a maximum of fifteen (15) working days (120 hours) of vacation with full pay per calendar year, based on an 8 hour work day. Less than full-time employees will be prorated accordingly.

4. Employees with more than fourteen (14) years of continuous service may earn 13.33 hours per calendar month up to a maximum of twenty (20) working days (160 hours) of vacation with full pay per calendar year, based on an 8 hour work day. Less than full-time employees will be prorated accordingly.
5. It is preferred that campus police employees take their vacations during the months of June, July, and August; however, individual scheduling may be made by consulting with the respective supervisors.
6. There will be a necessity for individual scheduling of operations & maintenance employees' vacation time. Such vacation may be applied for and taken once it has been approved by the employee's supervisor. Once the vacation request is submitted by the employee, the supervisor will respond within ten days.
7. Employees may be restricted from taking vacation time during certain periods, or for longer than two consecutive weeks, depending upon the needs of the department.
8. Paid vacation time may not be allowed unless the employee's request is signed and approved by supervisor prior to the start of the vacation; otherwise, salary deduction may be made.
9. Employees who have earned vacation days in any one fiscal year (July 1 to June 30) may carry-over any unused vacation days to the next fiscal year. The maximum number of accumulated vacation days may not exceed the allotted number of earned days for any two (2) year period. Earned vacation days in excess of two (2) years accumulation will be canceled.
10. A classified employee who transfers or who is promoted within the district automatically transfers any accumulated vacation leave. If an employee is transferred or promoted from a position in which vacation leave is earned to a position which does not earn vacation leave, the employee must use all accumulated vacation leave within two (2) years from the effective date of the new assignment. At the end of this period all remaining unused vacation leave will be forfeited by the employee.
11. A current employee who transfers into a position including paid vacation time from a position which does not have vacation eligibility will receive service credit for vacation time based on his or her district seniority and will begin earning vacation upon beginning their new position.

## C. Non-Accumulative Leave

### 1. Bereavement leave

Employees with an assignment of a five (5) day work week, working the same number of hours each day, may use up to three (3) days, per occurrence, (not charged to temporary leave) on the occasion of a death in the immediate family: wife, husband, father, step-father, father-in-law, mother, step-mother, mother-in-law, daughter, step-daughter, daughter-in-law, son, step-son, son-in-law, brother, step-brother, brother-in-law, sister, step-sister, sister-in-law, grandparents, step-grandparents, grandchild, step-grandchild, uncle, aunt, niece, nephew or cousin. Use of bereavement leave in excess of three (3) days, per occurrence, shall be charged to accumulated temporary leave. Two days of accumulated temporary leave including vacation leave may be used not to exceed a total of five days per occurrence. Any exception to this policy would need approval by the Coordinator of Classified Human Resources or designee. In addition, documentation may be required by employee's immediate supervisor.

An employee may be absent for either a full day or a half day to attend the funeral services of a relative other than those listed above and/or friends, and such leave may be charged to temporary leave. If additional time is needed for travel the employee may use vacation, or personal leave as available.

A classified employee may be excused, without loss of pay, for a period of up to four (4) hours to attend the funeral services of a building coworker. Such absence will not be charged to any temporary leave. Leave requests must be approved by the building principal/supervisor.

The employee shall report the bereavement absence giving the relationship for which the bereavement leave was used.

### 3. Emergency leave

Employees shall be allowed three (3) days loss of time each year for emergency reasons. An emergency shall be defined strictly as "an unforeseen combination of circumstances or the resulting state that calls for immediate action." Emergency school closing does not constitute a reason for emergency leave.

The emergency must contain two elements: (1) It must be unforeseen, and (2) It must require immediate action. An event, which is planned ahead or does not require immediate action, is not an emergency. Within five (5) days after the emergency absence, the employee shall complete the personal absence form, and



submit it to his or her immediate supervisor listing the reason for the absence and requesting that the absence be approved for emergency.

The request must be approved by the employee's immediate supervisor.

Emergency leave the day before and the day following any vacation period or approved holidays and days of severe weather when school is in session or on approved in-service days will be subject to approval by the office of classified personnel services. Emergency leave shall be charged to earned temporary leave and is not cumulative.

#### 4. Judicial leave (with salary adjustment)

An employee shall be granted leave for jury duty or to appear in a court of law as a subpoenaed witness. The difference between the employee's salary and pay for judicial leave will be paid by the district. Written notification must be made to the personnel/payroll office prior to judicial leave and a written statement of pay received must be submitted at the completion of the leave. No deduction of temporary leave is made for judicial leave.

#### 5. Military leave

- a) Leave for military or alternate civilian service, as provided by law or in the regulations of the selective service system, will be granted, without pay, to any regular classified employee who is inducted or who enlists in active military or civilian services. This leave shall continue for the duration of the period of actual service and for the legally specified period immediately following the honorable discharge or separation of the employee.
- b) Within the legally specified period following the honorable discharge or separation, each person desiring reinstatement shall so notify the classified personnel office and shall furnish evidence of physical fitness and mental competence to do the kind of work he/she was doing at the time leave was granted, or to do such work as may be available.
- c) The basis of compensation for a reinstated classified employee shall be the same as that to which the classified employee would have been entitled on the salary schedule for his/her regular assignment(s) if no leave of absence had been granted and the classified employee had remained in the continuous service of the Shawnee Mission Schools.
- d) This leave does not include or guarantee any assignment in addition to, or independent of, the employee's regular classified assignment(s).
- e) Every possible consideration and preference in assignment shall be accorded to persons returning to district employment from the armed services.

- f) This leave applies only to persons who enter military service, and does not apply to persons who voluntarily seek employment in war industries or other governmental positions.

## 6. Family and Medical Leave (FMLA)

Employees may need an extended period of time away from work to care for a family member, care for a covered Servicemember, to address issues associated with military exigencies, or to recuperate from a serious health condition. If you find yourself in these circumstances, you may request unpaid leave under the Family and Medical Leave Act of 1993 (FMLA). For more information regarding family, medical, or Servicemember leave, please reference Board Guidelines and procedures on the district website. A notice of employee rights and responsibilities under the Family and Medical Leave Act is included at the end of this handbook.

## 7. Professional Leave

When a substitute is not required and arrangements for the absence can be taken care of within the building, short periods of professional leave with pay may be allowed to attend educational meetings or conferences. When an employee is a program participant for a professional meeting, or an officer of the organization holding the professional meeting, professional leave will be allowed if:

- a) the professional meeting is directly related to the employee's job classification.
- b) the request is approved by the employee's immediate supervisor.

Application for professional leave shall be at least two (2) weeks in advance of the planned absence on the approved leave and travel form. Such leave, if approved, will not be charged to the employee's temporary leave.

## 8. Health leave for part time employees

Classified employees who are not qualified for family and medical leave as defined by federal statute due to the fact that they work less than 1250 hours yearly may apply for an extended health leave of up to 12 weeks provided they have been continuously employed by the district for at least 12 months. The leave may only be for the critical medical needs of the individual employee, and application for such leave will be made in writing to the Coordinator of Classified Human Resources or designee prior to the commencement of the leave. The classified employee must provide a physician's certification that the employee is unable to perform their job due to medical reasons and must state a projected return to work date. The total duration of both paid sick leave and unpaid leave under this provision shall not exceed 12 (twelve) weeks. The employee is required to exhaust all of his/her

accumulated temporary leave prior to taking leave without pay. Upon receipt of the physician's medical release to return to work the employee will be assigned to work in their former position if such position is available, or the next available equivalent position. While on an unpaid health leave of absence, a classified employee may continue to participate in any fringe benefit plan made available to other classified employees; but such participation shall be at the sole cost and expense of the classified employee. Arrangements to pay for continued participation in a fringe benefit plan must be made in writing by the classified employee prior to commencement of the extended leave of absence. All such payments must be made on or before the date established by the school district.

#### D. Workers' Compensation Leave

All employees are covered by the workers' compensation benefits paid for by the Shawnee Mission School District. If an employee suffers an "on-the-job" accident, the employee must report it without delay to his/her immediate supervisor. All injuries require you to complete an on-line incident report no later than two days after your injury. K.S.A. 44-520 provides that lack of notice within 20 days of the accident may be grounds for the denial of the claim under the workers compensation act.

The board shall have the right to have the employee examined by a physician designated by the board to assist in determining whether the employee is entitled to workers' compensation benefits, and/or to assist in determining the period during which the employee is temporarily unable to perform assigned duties.

Injury leave may be granted to protect an employee against temporary loss of salary when he/she sustained an injury arising out of and during the course of employment which is not the result of the employee's own negligence as determined by the district. In the event of an on-the-job injury to an employee which is determined to be compensable under the current workers' compensation law, the employee will continue to receive his/her regular wages for the first five (5) regularly scheduled work days following the date of the injury if he/she is temporarily unable to perform assigned duties. After the first five (5) working days following the date of injury, the employee has two options if he/she is unable to return to work due to such injury, unless such injury was caused by a battery in which case the employee will follow #3 below:

- 1) The employee may elect to use accumulated sick or vacation leave to supplement his/her income beyond the workers' compensation payments or award made for temporary disability because of said injury. If the employee elects to use accumulated leave, then the employee will have his/her accumulated leave charged on the basis of the supplemental income paid divided by the employee's regular daily pay rate; however, in no case will the leave amount charged exceed one-half (1/2) day for each day of absence;

- 2) The employee may accept only workers' compensation payments or awards, in which case sick or vacation leave will not be charged.

Family and medical leave (FMLA) will be run concurrently with the workers' compensation leave until the twelve (12) weeks allowed are exhausted.

When an employee who is determined to have been injured on-the-job has no accumulated vacation or sick leave available, or has elected to accept only workers' compensation payments or awards as described above, and continues to be unable to perform assigned work he/she will be placed on a medical leave of absence without pay. This medical leave of absence without pay shall be granted only until such time as the employee is determined to be medically able to perform assigned work, not to exceed one (1) year.

While on such medical leave of absence without pay, the employee may elect to continue group health insurance coverage through the district's current program at his/her own expense, conditioned upon the district's timely receipt of each monthly premium from the employee.

- 3) Whenever an employee is absent and receiving temporary total disability benefits under Kansas Workers' Compensation law, as a result of personal injury caused by battery arising out of or in the course of employment, the district shall not charge sick leave. To be eligible for this benefit, the claimant will be expected to submit an affidavit describing the battery and attaching a police report, if such a report has been filed.

## **IX. REDUCTION-IN-FORCE**

It is the guideline and procedure of Shawnee Mission School District to use normal attrition of classified staff (i.e., resignations, retirements, leaves of absence) as the first means of achieving a reduction in the classified staff. However, in certain circumstances normal attrition may not be deemed sufficient to achieve the necessary reduction of classified staff. In the event that further reduction of classified staff is deemed necessary, it shall be accomplished in a consistent and non-arbitrary manner.

## **X. COMPLAINT PROCEDURE**

The communication between classified employees of the Shawnee Mission School District, their supervisors, and the administrative staff is a mutually important objective. Toward the end of implementing easy communication and a cooperative atmosphere so essential to our school activities, the district administration wishes to provide the following procedure to achieve quick, amicable solutions to any complaints regarding the interpretation and application of these guidelines and procedures with respect to terms and conditions of employment in classified positions:

- A. The complaint should first be submitted to the supervisor, orally, within ten (10) days after the particular problem arises. If the matter is not settled within five (5) days thereafter; then
- B. The complaint should be presented within a period of five (5) days thereafter, in writing, to the supervisor and building principal/department head. The supervisor or department head will provide a written response within ten (10) days. If the matter is not considered to be satisfactorily resolved by the complainant; then
- C. The employee may submit the complaint within a period of five (5) days thereafter, in writing, to the Director of Human Resources or designee. The employee should include all information believed to be relevant to the complaint, including the response received at Step 2. The decision of the Director of Human Resources or designee will be based on the evidence presented. The Director of Human Resources or designee will conduct any investigation or interviews deemed necessary and will make a final decision.

The inclusion of time limits in this procedure is purely for the purpose of ensuring prompt action. In those circumstances where the employee does not pursue the next step of this complaint procedure within the time period specified, the complaint may be considered as having been settled to the satisfaction of all concerned.

The district administration would like all employees to understand that the filing of a complaint will not reflect unfavorably against the individual employee in any manner, but will be interpreted as an effort for the improvement of relationships and operation in the Shawnee Mission School District.

**XI. Equal Opportunity/Discrimination  
Discrimination/Harassment/Bullying  
Discrimination/Harassment/Bullying Complaint Procedures  
Drug-Free Workplace  
Drug-Free Workplace Administrative Procedures  
Tobacco and Electronic Cigarette-Free Schools**

Please refer to the current SMSD USD 512 Board Policy Handbook located on the district website for the complete policies and procedures on the above listed subject matters.

**XII. Miscellaneous Classified Salary Schedule**

**Summer School, Summer Enrichment and Other Non-Regular Positions**

Secondary Students:	1st Year in program	\$8.79	per hour
	2nd Year in program	\$9.29	per hour
High School Graduates:	1st Year in program	\$10.78	per hour
	2nd Year in program	\$11.08	per hour
	3rd Year in program	\$11.46	per hour

Placement on pay scales for secondary students and high school graduates is based on continuous summer employment.

**Temporary and Substitute Classified Employees:**

Temporary classified employees will be paid at the Step 1 hourly rate of the appropriate classified salary schedule and grade for their assigned jobs, with the exception of secretarial/clerical substitutes who are paid general Grade 10 Step 1.

**Miscellaneous Job Categories:**

Extended Year	Continues previous year's rate for the summer
Accompanist	\$21.08 per hour

**NOTE:**

**Employees whose jobs are assigned to this schedule do not receive fringe benefits or paid time off. These employees are not eligible for participation in the District's IRC 125 Cafeteria Plan.**

# EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

## Basic Leave Entitlement

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

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

## Military Family Leave Entitlements

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

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

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

## Benefits and Protections

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

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

## Eligibility Requirements

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

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

## Definition of Serious Health Condition

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

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

a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

## Use of Leave

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

## Substitution of Paid Leave for Unpaid Leave

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

## Employee Responsibilities

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

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

## Employer Responsibilities

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

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

## Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA; and
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

## Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

**FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulation 29 C.F.R. § 825.300(a) may require additional disclosures.**



For additional information:  
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627  
[WWW.WAGEHOUR.DOL.GOV](http://WWW.WAGEHOUR.DOL.GOV)

U.S. Department of Labor | Wage and Hour Division



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