

# NEWMARKET SCHOOL DISTRICT

## EMPLOYEE HANDBOOK



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# INTRODUCTION

*The mission of the **Newmarket School District** (the “School District”) is to develop and prepare every individual for lifelong learning and participation in a global society through quality education. The **Newmarket School District** is a supportive learning environment for students, school staff, families, and the greater community. This Handbook applies to all employees of the **Newmarket School District** unless otherwise stated.*

*This Employee Handbook outlines important core employment policies and establishes guidelines for day-to-day procedures, rules and regulations that are part of the culture of the **Newmarket School District**. With your active involvement, creativity, and support, **Newmarket School District** will continue to thrive and fulfill the mission statement outlined above. We sincerely hope you will take pride in being an important part of the district’s success. We prepared this Employee Handbook to assist you in finding answers to many of the most frequently asked questions regarding personnel policies, compensation, and benefits. Of course, feel free to ask your supervisor or a Human Resources Representative (Business Administrator) any questions regarding your employment.*

*This Handbook is not a contract, express or implied, or a promise of treatment in any particular manner in any given situation, nor does it guarantee employment for any specific length of time or entitlement to any benefits.*

***This Handbook is not intended to supersede terms and conditions that have been collectively bargained for members of the Newmarket Teacher’s Association, the Newmarket Support Staff Association or any other collectively bargained group recognized by the Newmarket School Board.***

*This Employee Handbook is intended to be a reference for employees and supervisors, and the contents of this Handbook are guidelines only. The School District has the right, with or without notice, in an individual case or generally, to change and/or modify its interpretation of any of its guidelines, policies, practices, working conditions, or benefits at any time, unless otherwise restricted by applicable law, or Collective Bargaining Agreement. Nothing in this Handbook should be construed as a promise of specific treatment in any specific situation upon which any employee should rely. Additionally, many matters covered by this Handbook, such as benefits, are also described in separate official documents, and such official documents are always controlling over any statement made in this Handbook or by any supervisor or manager. Naturally this document cannot address every possible scenario that may occur in the scope of employment, and the Newmarket School Board intends that this Handbook shall not be interpreted in any way that prevents Administrators from addressing situations that might not be specifically outlined in this Handbook. The Handbook is a summary of some of our policies and procedures which are presented here only as a matter of information. Policies included in this Handbook are guidelines and subject to change. All District policies can be found on our website at <https://www.newmarket.k12.nh.us/school-board/policies>. **This version of the***

***Newmarket School District Employee Handbook shall replace any preceding version, and shall also replace any other existing handbooks including, but not limited to, Newmarket School District Employee Handbook, and any other handbooks or similar documents, archived or active.***

*Please take time to review the policies contained in this Handbook. If you have questions, feel free to ask your supervisor or to contact the Human Resources Representative (Business Administrator) Liaison at the SAU Business Office.*

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# Guiding Principles

Guiding principles form the fundamental beliefs of an organization. The Newmarket School District strives to provide a student-centered environment outlined in our newly adopted Vision of a Graduate. As an organization we are guided by the principles outlined below that describe how we conduct ourselves while working toward our goals. These principles help to establish guidelines for behavioral expectations for all employees of the Newmarket School District. The Newmarket School District recognizes that our success requires that we promote a culture that supports unity among all employees, regardless of position in the district as we work to make the Newmarket Vision of a Graduate a reality for our students.

The Newmarket School District embraces the following principles:

- Our actions promote an environment of belonging, supportive relationships, and mutual respect for all.
- We keep all communications positive and productive by being clear, transparent and solution focused.
- We actively collaborate with our colleagues to leverage our collective expertise for the good of the organization.
- We cultivate continuous personal and professional growth.
- We exemplify professionalism through ethical practices and leadership.
- We embrace excellence in all that we do.

## Employment at Will

Employment is on an at-will basis unless otherwise stated in a written individual employment agreement signed by the Superintendent or School Board Chairperson, or if noted otherwise in an active and fully-executed CBA between an employee group and the Newmarket School Board.

This means that either the employee or the district may terminate the employment relationship at any time, for any reason, with or without notice.

Any salary figures provided to an employee in annual or monthly terms are stated for the sake of convenience or to facilitate comparisons and are not intended and do not create an employment contract for any specific period of time.

Nothing in this statement is intended to interfere with, restrain, or prevent concerted activity as protected by the Public Employee Labor Relations Act (RSA 273-A). Such activity includes employee communications regarding wages, hours, or other terms or conditions of employment. **Newmarket School District** employees have the right to engage in or refrain from such activities.



# Equal Opportunity/Non-Discrimination

It is the policy of **Newmarket School District** to provide equal employment opportunities to all employees and applicants for employment in accordance with policy AC: ***Non-Discrimination and GBA: Equal Opportunity Employment, both of which can be viewed at this link.***

<https://go.boarddocs.com/nh/newmarket/Board.nsf/Public?open&id=policies#>

Equal employment opportunity applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation, and training.

**Newmarket School District** expressly prohibits any form of unlawful employee harassment or discrimination based on any of the characteristics mentioned above. Improper interference with the ability of other employees to perform their expected job duties is absolutely not tolerated.

Any employees with questions or concerns about equal employment opportunities in the workplace should immediately bring these issues to the attention of the Superintendent. The **Newmarket School District** will not allow any form of retaliation against individuals who raise issues of equal employment opportunity in the workplace. If an employee feels he or she has been subjected to a violation of this policy, he or she should bring it to the attention of the Superintendent or the district's Human Resources Representative (Business Administrator).

Retaliation means adverse conduct taken because an individual reported an actual or perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process described below. "Adverse conduct" includes but is not limited to:

- (1) shunning and avoiding an individual who reports harassment, discrimination or retaliation;
- (2) express or implied threats or intimidation intended to prevent an individual from reporting harassment, discrimination or retaliation; or
- (3) denying employment benefits because an applicant or employee reported harassment, discrimination or retaliation or participated in the reporting and investigation process.

Complaints pertaining to violations of this policy should be filed in accordance with policies **AC: Non-Discrimination, GBA: Equal Opportunity Employment** and **AC-E Nondiscrimination/Equal Opportunity (Complaint Form)**.

## Reasonable Accommodations

The **Newmarket School District** is committed to complying with applicable federal, state and local laws governing reasonable accommodations of individuals. To that end, we will endeavor to make a reasonable accommodation to applicants and employees who have requested an accommodation in accordance with the US Department of Labor (DOL) employment policy for

Accommodation under Title I of the Americans with Disabilities Act. Please follow this link to this Department of Labor website to see additional information on reasonable accommodation:

<https://www.dol.gov/agencies/odep/program-areas/employers/accommodations>

To the extent necessary and appropriate based on the request, and in accordance with DOL guidance, the School District will attempt to explore the existence and feasibility of alternative accommodations as well as alternative positions for the individual. The **Newmarket School District** is not required to provide the specific accommodation sought by an individual, provided the alternatives are reasonable and either meet the specific needs of the individual or specifically address the individual's limitations. As part of the interactive dialogue, the School District reserves the right to request supporting documentation, to the maximum extent permitted by applicable law.

The **Newmarket School District** will endeavor to keep confidential all communications regarding requests for reasonable accommodations and all circumstances surrounding an individual's underlying reason for needing an accommodation.

The **Newmarket School District** will not allow any form of retaliation against individuals who are engaged in the interactive dialogue process.

Individuals with questions regarding this policy should contact the district's Human Resources representative (Business Administrator).

**Link to Job Accommodation Network:**

<https://link.edgepilot.com/s/6aad1323/3AdWgUvX4kWYzFOV2SuPtg?u=https://askjan.org/info-by-role.cfm%23for-individuals>

## **Commitment to Diversity**

**Newmarket School District** is committed to creating and maintaining a workplace in which all employees have an opportunity to participate and contribute to the success of the district and are valued for their skills, experience, and unique perspectives. This commitment is embodied in district policies and is an important principle of sound management in any organization.

Each member of the district is committed to working to build and sustain an equitable and inclusive work environment where cultural diversity is celebrated and valued. We believe diversity benefits and enriches the development of all students, staff, and faculty in our district.

## **Discrimination and Harassment/Sexual Harassment**

The **Newmarket School District** is committed to providing a work environment that is free of discrimination, harassment or retaliation. In keeping with this commitment, the School District maintains a strict policy prohibiting discrimination, harassment and retaliation of or against our job applicants, contractors, interns, volunteers, or employees by another employee, supervisor,

vendor, customer, or any third party in accordance with policy AC: ***Non-Discrimination and GBA: Equal Opportunity Employment, both of which can be viewed at this link.***

<https://go.boarddocs.com/nh/newmarket/Board.nsf/Public?open&id=policies#>, or any other category protected by applicable federal, state or local laws and ordinances. Such conduct will not be tolerated by the School District.

Our management team is dedicated to ensuring and actively promotes the fulfillment of this policy as it applies to all terms and conditions of employment, recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities, and general treatment during employment.

Each **Newmarket School District** employee is responsible for helping to keep the work environment free of discrimination, harassment and retaliation, including while on **Newmarket School District** premises, while on School District business (whether or not on **Newmarket School District** premises) or while representing the **Newmarket School District**.

**Definition of Discrimination.** Discrimination for purposes of this policy generally is defined as treating differently or denying or granting a benefit to an individual because of any protected characteristic.

#### **Definition of Harassment.**

“Harassment”, for purposes of this policy, is generally defined as unwelcome verbal, visual or physical conduct that demeans or shows hostility or aversion towards an individual because of these protected characteristics, and that (1) has the purpose or effect of creating an intimidating, hostile or offensive working environment; or (2) has the purpose or effect of unreasonably interfering with an individual’s work performance; or (3) otherwise adversely affects an individual’s employment opportunities. Harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, or e-mails) or physical conduct (including physically threatening another, blocking someone’s way, etc.) that denigrates or shows hostility or aversion towards an individual because of any protected characteristic. Such conduct violates this policy, even if it is not unlawful.

#### **Definition of Sexual Harassment.**

Sexual harassment is addressed under federal and state laws and regulations. The scope and definitions of sexual harassment under these laws differ, as described below.

#### **1. Title IX Sexual Harassment**

Under the federal Title IX regulations, sexual harassment includes the following conduct on the basis of sex which takes place within the context of the school unit’s education programs and activities:

- a. “Quid pro quo” sexual harassment by a school employee: Conditioning a school aid, benefit, or service (such as a promotion or favorable evaluation) on an individual’s participation in unwelcome sexual conduct.
- b. “Hostile environment” sexual harassment: Unwelcome conduct based on sex that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies an individual’s equal access to the school unit’s education programs and activities; or
- c. Sexual assault, dating violence, domestic violence and stalking as these terms are defined in federal laws.

## 2. Sexual Harassment Under Title VII and New Hampshire Law

Under another federal law, Title VII, and under New Hampshire law/regulations, sexual harassment is defined differently. The New Hampshire Commission for Human Rights law states that unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature constitutes sexual harassment when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
- 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 unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.”

## 3. Reports and Complaints of Harassment or Sexual Harassment

Any employee who believes they have been harassed or sexually harassed is encouraged to make a report to the Superintendent or the district’s Human Resources Representative (Business Administrator). Please see policies **AC: Non-Discrimination, AC-E: Nondiscrimination/Equal Opportunity (Complaint Form) ACAC: Title IX Sexual Harassment Policy and Grievance Process, ACAC-R: Title IX Sexual Harassment Policy and Grievance Process Form and GBA Equal Opportunity Employment.**

Other sexually oriented conduct, whether intended or not, that is unwelcome and has the effect of creating a work environment that is hostile, offensive, intimidating, or humiliating to workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct that, if unwelcome, may constitute sexual harassment depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwanted sexual advances, whether they involve physical touching or not;

- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life, comments about an individual's body, comments about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, or cartoons;
- Unwelcome leering, whistling, brushing up against the body, sexual gestures, or suggestive or insulting comments;
- Inquiries into one's sexual experiences; *and*
- Discussion of one's sexual activities.

**Retaliation defined.** "Retaliation", for purposes of this policy, generally means adverse conduct taken because an individual reported an actual or perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process described below. "Adverse conduct" includes but is not limited to: shunning and avoiding an individual who reports harassment, discrimination or retaliation; express or implied threats or intimidation intended to prevent an individual from reporting harassment, discrimination or retaliation; and denying employment benefits because an applicant or employee reported harassment, discrimination or retaliation or participated in the reporting and investigation process described below.

No reprisal, retaliation, or other adverse action will be taken against an employee for making a complaint or report of discrimination or harassment or for assisting in the investigation of any such complaint or report. Any suspected retaliation or intimidation should be reported immediately to one of the persons identified above.

Every report of perceived discrimination, harassment and retaliation in violation of this policy or our Equal Employment Opportunity policy will be promptly, thoroughly and impartially investigated and corrective action will be taken where appropriate, up to and including discharge for any employee(s) who violate this policy. Employees are required to cooperate in all investigations conducted pursuant to this policy. The identity of individuals who report a perceived violation of this policy or our Equal Employment Opportunity policy, as well as any information obtained during the **Newmarket School District's** investigation, will be kept confidential to the extent possible, consistent with a thorough and impartial investigation with relevant legal requirements, but confidentiality cannot be guaranteed. During the investigation, the School District generally will interview the complainant and the accused, conduct further interviews as necessary and review any relevant documents or other information. Upon completion of the investigation, the School District will determine whether this policy has been violated based upon its reasonable evaluation of the information gathered during the investigation. The **Newmarket School District** will inform the complainant and the accused of the results of the investigation.

The **Newmarket School District** will take corrective measures against any person who it finds to have engaged in conduct in violation of this policy, if the School District determines such measures are necessary. These measures may include, but are not limited to, counseling, suspension, or immediate termination. Anyone, regardless of position or title, whom the **Newmarket School District** determines has engaged in conduct that violates this policy will be

subject to discipline, up to and including termination. In addition to being a violation of this policy, harassment, discrimination or retaliation based on any protected characteristic pursuant to applicable federal or state laws also is unlawful. For example, sexual harassment and retaliation against an employee because the employee filed a complaint of sexual harassment or because an employee aided in an investigation of a complaint of sexual harassment are unlawful. Employees who engage in conduct that rises to the level of a violation of law can be held personally liable for such conduct.

## **Mandated Reporting of Abuse and Neglect**

It is the law that you must report adult and/or child abuse if you believe it is happening. New Hampshire Law mandates that any person who has reason to suspect that a person is being abused or neglected must make a report to BEAS (603-271-7014) or DCYF (603-271-6562), respectively. Adult and child abuse and neglect is addressed by the following two laws:

- **RSA 161-F:46** Adult Protection Law Persons 18 years old and over
- **RSA 169-C:29** Child Protection Act Children under 18 years old.

### **161-F:46 Reports of Adult Abuse; Investigations**

*Any person, including, but not limited to, physicians, other health care professionals, social workers, clergy, and law enforcement officials, suspecting or believing in good faith that any adult who is or who is suspected to be vulnerable has been subjected to abuse, neglect, self-neglect, or exploitation or is living in hazardous conditions shall report or cause a report to be made as follows:*

*I. An oral report, by telephone or otherwise, shall be made immediately, followed by a written report, if so requested, to the commissioner or his authorized representative. When oral reports are made after working hours of the department, or on weekends or holidays, such reports shall be made to the police department of the appropriate political subdivision, or to the sheriff of the county, in which the alleged abuse, neglect or exploitation occurred. Law enforcement officials receiving reports under this paragraph shall notify the commissioner within 72 hours of receipt of such reports.*

*II. Within 72 hours following receipt by the commissioner or his authorized representative of such oral reports, an investigation shall be initiated by the commissioner or his authorized representative.*

*III. Investigations shall not be made if the commissioner or his authorized representative determines that the report is frivolous or without a factual basis.*

### **169-C:29 Persons Required to Report**

*Any physician, surgeon, county medical examiner, psychiatrist, resident, intern, dentist, osteopath, optometrist, chiropractor, psychologist, therapist, registered nurse, hospital personnel (engaged in admission, examination, care and treatment of persons), Christian Science practitioner, teacher, school official, school nurse, school counselor, social worker, day care worker, any other child or foster care worker, law enforcement official, priest, minister, or rabbi or any other person having reason to suspect that a child has been abused or neglected shall report the same in accordance with this chapter.*

In addition, please also review **Policy JLF: Reporting Child Abuse/Neglect** which requires that employees notify building Principals of any suspected abuse or neglect.

# Safe Schools Reporting Obligations

## Definitions

The following terms, as defined in RSA 193-D:1 apply to this Employee Handbook:

**“Safe School Zone”** means an area inclusive of any school property or school buses.

**“School Employee”** means any school administrator, teacher, or other employee of any public or private school, school district, school department, or school administrative unit, or any person providing or performing continuing contract services for any public or private school, school district, school department, or school administrative unit.

**“School property”** means all real property, physical plant and equipment used for school purposes, including but not limited to school playgrounds and buses, whether public or private.

**“School purposes”** means school-sponsored programs, including but not limited to educational or extra-curricular activities.

## Reporting and Report Form

As required by law, every school employee who has witnessed, or who has information from the victim of, an act of theft, destruction, or violence in a Safe School Zone shall report such act in writing immediately to a supervisor as required by Newmarket policy **EBB: School Safety** and RSA 193-D:4. A supervisor receiving such a report shall **immediately** forward the information to the school principal who shall file it with the Police Department. The report shall be made by the Principal by telephone or otherwise to the Police Department **immediately** and shall be followed within forty-eight (48) hours by a report in writing. If an SRO has been assigned to a school, the Principal will meet the reporting obligation to the Police Department by providing the oral and/or written report to the SRO.

The written report shall be made on the New Hampshire Department of Education’s Form Ed 317 (**See Appendix A**). However, no written report needs to be filed when there is a law enforcement response at the time of the incident that results in a written police report.

The District will not release a student’s educational records or information contained therein except as permitted by the Family Educational Rights and Privacy Act (“FERPA”).

## Reportable Acts

“Acts of theft, destruction, or violence” shall mean acts set forth in the following, regardless of the age of perpetrator, and shall be reported as required above:

Any of the offenses enumerated in RSA 189:13-a, V.

- (a) Any first or second degree assault under RSA 631.
- (b) Any simple assault under RSA 631:2-a.

- (c) Criminal mischief under RSA 634:2.
- (d) Unlawful possession or sale of a firearm or other dangerous weapon under RSA 159.
- (e) Arson under RSA 634:1.
- (f) Burglary under RSA 635.
- (g) Robbery under RSA 636.
- (h) Theft under RSA 637.
- (i) Illegal sale or possession of a controlled drug under RSA 318-B.
- (j) Criminal threatening under RSA 631:4.

## Conflicts of Interest and Confidentiality

The **Newmarket School District** expects all employees to conduct themselves in a manner that reflects the highest standards of ethical conduct, and in accordance with all federal, state, and local laws and regulations. This includes avoiding real and potential conflicts of interests.

**Please see policy *GBEA: Staff Ethics* for more details.**

Exactly what constitutes a conflict of interest or an unethical business practice is both a moral and a legal question. The **Newmarket School District** recognizes and respects the individual employee's right to engage in activities outside of employment which are private in nature and do not in any way conflict with or reflect poorly on the district.

It is not possible to define all the circumstances and relationships that might create a conflict of interest. If a situation arises where there is a potential conflict of interest, the employee should discuss this with the employee's supervisor for advice and guidance on how to proceed. The list below suggests some of the types of activity that indicate improper behavior, unacceptable personal integrity, or unacceptable ethics:

1. Simultaneous employment by another firm that is a supplier to the **Newmarket School District**.
2. Carrying on district business with a firm in which the employee, or a close relative of the employee, has a substantial ownership or interest.
3. Holding a substantial interest in, or participating in the management of, a firm to which the **Newmarket School District** makes purchases of goods or services.
4. Borrowing money from businesses or organizations, other than recognized financial lenders, from which the **Newmarket School District** purchases services, materials, equipment, or supplies.
5. Accepting significant gifts or entertainment of a significant value from an outside organization or agency.
6. Speculating or dealing in materials, equipment, supplies, services, or property purchased by the **Newmarket School District**.
7. Participating in civic or professional organization activities in a manner that divulges confidential district, student or employee information.



8. Misusing privileged information or revealing confidential data to outsiders.
9. Using one's position in the district or knowledge of its affairs for personal gains.
10. Engaging in practices or procedures that violate antitrust laws, commercial bribery laws, copyright laws, discrimination laws, campaign contribution laws, or other laws regulating the conduct of district business.

## **Confidential Information**

The protection of confidential information is vital to the interests and success of **Newmarket School District**. Confidential information is any and all information disclosed to or known by you because of employment with the district that is not generally known to people outside the **Newmarket School District**, or is not available to the general public.

An employee who improperly uses confidential district, student or staff information will be subject to disciplinary action up to and including termination of employment and legal action, even if he or she does not actually benefit from the disclosed information.

This provision is not intended to, and should not be interpreted to, prohibit employees from discussing wages and other terms and conditions of employment if they so choose.

Employees may not communicate, make statements, posts on non-news media or otherwise communicate on behalf of the **Newmarket School District**, except as authorized in the scope of their assigned job duties and as expressly authorized in each instance by the School District's Superintendent.

## **News Media Inquiries**

Employees may not speak with, make statements to, or otherwise communicate with the media on behalf of the **Newmarket School District**, except as authorized in the scope of their assigned job duties and as expressly authorized in each instance by the School District's Superintendent.

The term "media" herein includes, without limitation, print and broadcast media, internet and other electronic media, social networking and other social media (such as blogs, chat rooms, You-Tube, Facebook, twitter, Linked-In, or any site with interactive or other user-generated content) ("social media"), and other similar or new media, of any nature.

All applicable law and **Newmarket School District** policies, guidelines, and approval processes apply to communications with the media on behalf of the School District. This includes, for example, that authorized employees, in media communications made on behalf of the **Newmarket School District**, must (1) comply with all applicable ethical rules, (2) comply with all copyright and fair use law, (3) have appropriate factual backup, third party consents, copyright notices, and source citations, (4) not disclose Confidential Information and (5) not be defamatory or tortiously interfere with third-party interests, and (6) comply with any terms and conditions of the media platform used.

## **FERPA (Family Educational Rights and Privacy Act)**

### **20 U.S.C. § 1232g; 34 CFR Part 99**

The Family Educational Rights and Privacy Act is a Federal law that requires the District to protect the privacy of student education records. Employees must review and comply with the District's FERPA Policy JRA. FERPA prohibits school district employees from sharing or disclosing information about students unless the school district employee has written parental consent.

***This means that all employees, substitute teachers and any individuals with access to student information are required to keep this information strictly confidential.*** FERPA prohibits staff from discussing information about students with other staff members unless that staff member needs the information to fulfill his or her professional responsibilities. Should any employee engage in communication regarding a student that divulges information that is not allowed to be shared under FERPA, both the employee and the school district would be held accountable under this law. There are a number of exemptions where disclosure is permitted without parental consent. The sections of the Code of Federal Regulation on FERPA and its exemptions can be accessed here:

<https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

## **Employment Relationship**

### **Employment Classification**

In order to determine eligibility for benefits and overtime status and to ensure compliance with federal and state laws and regulations, the **Newmarket School District** classifies its employees as shown below, ***unless otherwise defined in a current, ratified collective bargaining agreement.*** The district may review or change employee classifications when needed or necessary.

**Exempt:** Exempt employees are those who meet the salary and duties requirements under the Fair Labor Standards Act to be exempt from overtime when they work more than 40 hours per week in a workweek.

**Nonexempt:** Non-Exempt employees are those who are not exempt from overtime under the Fair Labor Standards Act when they work more than 40 hours in a workweek and are paid 1.5 times their regular rate (an extra 50 percent per hour) for hours worked in excess of 40 per week.

Employees are informed of their initial employment classification and status as exempt or nonexempt upon commencing employment. If an employee changes position during the employee's employment as a result of a promotion, transfer or otherwise, management will inform the employee of any change in the employee's job classification.

All employees are also classified as one of the following:

**Full-Time Year-Round (2080 hours = 1.0 FTE):** Employees who are not in a temporary status and work 40 hours weekly and maintain continuous employment status. Generally, these employees are eligible for the full-time benefits package and are subject to the terms, conditions, and limitations of each benefits program.

**Part-Time Year-Round.** Employees who are not in a temporary status and who are regularly scheduled to work fewer than 35 hours weekly, but at least 20 hours weekly, and who maintain continuous employment status. Part-time year-round employees may be eligible for some of the benefits offered by the district and are subject to the terms, conditions, and limitations of each benefits program. Part-time year-round employees shall have an FTE pro-rated based on a full-time standard of 2080 hours per year.

**School Year Full-Time.** Employees who are not in a temporary status and who work at least 184 days per year, for at least 7 hours per day, unless otherwise defined in a collective bargaining agreement for participating members in a bargaining unit that is certified by the Public Employee Labor Relations Board. . Work times shall be primarily in alignment with the school calendar for students, however, may include some limited work time outside of the established school calendar.

**School Year Part-Time.** Employees who are not in a temporary status and who work less than 184 days per year, or those who work for up to 184 days but with a work hours less than 35 hours per week, unless otherwise defined in a bargaining unit that is certified by the Public Employee Labor Relations Board. . Work times shall be primarily in alignment with the school calendar for students, however, may include some limited work time outside of the established school calendar.

**Temporary, Full-Time.** Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work the district's full-time schedule for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.

**Temporary, Part-Time.** Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work fewer than 35 hours weekly for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.

## **Work Week and Hours of Work**

The standard workweek is from Sunday 12:00 a.m. until Saturday 11:59 p.m. and generally consists of 40 work hours for full-time year-round employees. Work hours for members of collective bargaining units are outlined in each Collective Bargaining Agreement. Work hours for employees who are not full-time year-round employees will be provided to each individual employee with his or her annual letter of agreement. Individual work schedules may vary depending on the needs of each department.

## Meal Breaks

Employees are entitled to a 30-minute meal break if they work more than five (5) consecutive hours. If an employee wants to work through the meal break, it is feasible, and the supervisor agrees to it, the employee may do so and will be paid for the time worked. \_ Members of any collective bargaining unit that is certified by the Public Employee Labor Relations Board shall receive meal breaks in accordance with their CBA. Meal breaks will be scheduled by the department supervisor or manager.

## Time Records

All non-exempt employees are required to complete accurate weekly time reports showing hours worked and accurately reflecting absences from the workplace. These records are required by governmental regulations and are used to calculate regular and overtime pay. Therefore, timecards for all nonexempt employees must reflect the time the employee began working, stopped working for a meal break, returned from a meal break, and stopped working for the day. At the end of each week, the employee and his or her supervisor must sign the time sheet attesting to its correctness before forwarding it to the Business Office. Per NH Lab 803.03(f)(2), it is required that “time records with entries that are altered shall be signed or initialed by the employee whose record was altered”. ***This means that any time a timecard time entry must be changed or altered, this change must be initialed by the employee. A supervisor may not alter a time record without employee initials EXCEPT to correct a mathematical error where an employee may have miscalculated total hours based on the original times listed on the timecard.***

## Co-Curricular Pay, Coaching Pay and Other Forms of Compensation Related to Additional Duties

All Co-Curricular assignments must be approved by the Building Principal, the Superintendent and in certain cases, the Newmarket School Board. **No work on any paid co-curricular assignment should be performed until the assignment has been approved and a contract has been issued.** Co-curricular and coaching pay amounts are reviewed and recommended annually by the Superintendent and approved annually by the Newmarket School Board.

In the event that a non-exempt employee is assigned to a co-curricular role, in order to comply with State and Federal Labor laws, the pay from the employee’s regular job plus the pay in the co-curricular role is divided by the total number of hours worked in the regular job plus the hours worked in the co-curricular role to get a blended hourly rate. Fifty percent of that blended hourly rate equals the overtime rate that is paid in work weeks during which that employee exceeds 40 hours. Non-Exempt employees shall be required to complete a separate timecard for all hours worked in a co-curricular role. Due to this different pay method, this calculation may result in an amount that is either lower or higher than the typical pay amount. Non-exempt employees may be required to track time for co-curricular and coaching positions in certain instances, and in those cases, will be paid based upon hours worked.

## Longevity Compensation

The Newmarket School District recognizes and expresses its appreciation for the long-term service of regular employees, both full-time and part-time. For this reason, the district offers longevity pay/differentials to certain employee categories for continued, consecutive service as follows:

Employee Category	Longevity Benefit	Full-Time	Part-Time
Teachers	In accordance with CBA	In accordance with CBA	In accordance with CBA
Paraeducators & Tutors-Support Professionals	In accordance with CBA	In accordance with CBA	In accordance with CBA
Hourly Non-Exempt Support Staff	6-10.99 Completed Years	\$.50/hour	\$.50/hour
(Administrative Assistants, Facilities Technicians, SAU & Business Office Support Staff, IT Support Staff)	11-14.99 Completed years	\$.75/hour	\$.75/hour
	15-19.99 Completed Years	\$1.00/hour	\$1.00/hour
	20+ Completed Years	\$1.25/hour	\$1.25/hour

***Effective July 1, 2023, all longevity payments for non-exempt employees will be made as a premium on the employee's hourly rate. For exempt employees, longevity will be paid as a bi-weekly premium not as a stipend or lump sum. This allows the district to better comply with State and Federal Wage and Hour laws. The longevity premium amount will be reflected on each employee's annual letter of agreement, as part of the employee's hourly rate (non-exempt employees) or as a component of the employee's overall salary (exempt employees).***

***Longevity payments for members of a collectively bargained unit will be paid in accordance with their CBA.***

## Overtime

When required due to the needs of the district, you may be asked to work overtime. Overtime is actual hours worked in excess of 40 in a single workweek. Nonexempt employees will be paid overtime compensation at the rate of one and one half their regular rate of pay for all hours over 40 actually worked in a single workweek. Paid leave, such as holiday, sick leave, vacation, personal days, bereavement time, and jury duty do not apply toward work time. All overtime work must be approved in advance by a supervisor or Administrator.

## Comp Time vs. Flexible Scheduling

Compensatory time off (comp time) is defined in the Fair Labor Standards Act (FLSA) as “paid time off the job that is earned and accrued by an employee instead of immediate cash payment for working overtime hours,” where an employee would be awarded 1.5 hours of compensatory time for each hour of overtime work. ***The Newmarket School District does not permit or utilize Comp Time by this definition within any category of employment.***

However, at the discretion of Administration, and with the express approval of the employee’s direct supervisor, an employee may be permitted to utilize a flexible schedule within the same work week, ***provided that the flexible schedule does not span more than one work week as defined in the section above and that the shift does not present a hardship for the district.*** In other words, an employee may occasionally receive express permission to come in to work late one morning, but be allowed to “make up” the hours by working a longer workday later in the same workweek.

## Deductions from Pay/Safe Harbor Exempt Employees

If you are classified as an exempt salaried employee, you will receive a salary which is intended to compensate you for all hours you may work for **the Newmarket School District**. This salary will be established at the time of hire or when you become classified as an exempt employee. While your salary may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work you perform. Employees classified as exempt from the overtime pay requirements of the FLSA will be notified of this classification at the time of hire or change in position.

Under applicable law, your salary is subject to certain deductions. For example, absent contrary state law requirements, your salary can be reduced for the following reasons if authorized by state law and any applicable contract:

Withholding:

- Withholding that is required by law, e.g., income taxes, State taxes, etc.;

Deductions:

- Deductions for employee benefits when authorized by the employee;
- Absence from work for one or more full days for personal reasons other than sickness or disability;
- Absence from work for one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness;
- Offset for amounts received as witness or jury fees, or for military pay;

Exceptions:

- Bereavement Leave;
- Unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions;
- Family and Medical Leave absences (either full or partial day absences);
- The first or last pay period of employment in the event you work less than a full pay period; or
- Any full pay period in which you do not perform any work.

For exempt employees who work a reduced calendar year (less than 260 days per year), upon termination, the final salary calculation will be based upon the total number of contract days worked as of the time of termination.

Your salary may also be reduced for certain types of deductions such as your portion of health, dental, vision, or life insurance premiums; state, federal or local taxes, social security; or, voluntary contributions to a 401(k) or pension plan or flexible spending account. In any work week in which you performed any work, your salary will not be reduced for any of the following reasons:

- Your absence on a day because your employer has decided to close a facility on a scheduled workday.
- Absences for jury duty, attendance as a witness, or military leave in any week in which you have performed any work.
- Any other deductions prohibited by state or federal law.

Please note: it is not an improper deduction to reduce an employee's accrued vacation, personal or other forms of paid time off banks for full- or partial-day absences for personal reasons, sickness or disability.

If an employee has questions about deduction from pay and/or believes that an improper deduction has been taken from his or her pay, the employee should immediately report the deduction to the Business Administrator. The report will be promptly investigated and if it is found that an improper deduction has been made, the district will reimburse the employee for the improper deduction. In addition, **the Newmarket School District** will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the School District's investigations of such reports. Retaliation is unacceptable, and any form of retaliation in violation of this policy will result in disciplinary action, up to and including discharge.

## Paychecks

**The Newmarket School District's** pay period for all employees is biweekly on Friday. If a pay day falls on a federal holiday, employees will receive their paycheck on the preceding workday.

Paychecks may be directly deposited into your checking and/or savings accounts upon an employee's election.

## **Direct Deposits**

No changes will be made to an employee's election for direct deposit unless the request is made in writing, contains the employee's signature and is delivered to the Business Office. Due to concerns about phishing and other fraudulent activity, requests for changes to direct deposits made via email or telephone will NOT be honored.

## **Employment of Relatives and Domestic Partners**

Members of an employee's immediate family may be hired by the district if (1) the persons concerned will not work in a direct supervisory relationship, and (2) the employment will not pose difficulties for supervision, security, safety, or morale. For purposes of this policy, "immediate family" includes: the employee's spouse, domestic partner, brother, sister, parents, children, stepchildren, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, and any other member of the employee's household.

Employees who marry or become members of the same household may continue employment as long as it does not, as determined by the **Newmarket School District**, in its sole discretion:

- Create either a direct or indirect supervisor/subordinate relationship with a family member; or
- Create either an actual conflict of interest or the appearance of a conflict of interest.

Should one of the above situations occur, the **Newmarket School District** may take any action it deems appropriate, in its sole discretion, including for example, attempting to find a suitable position within the School District for one of the affected employees, reassigning, transferring, and/or terminating an employee.

See Policy ***GBEBE: Employment of Relatives or Persons with Romantic Personal Relationships***.

## **Separation from Employment**

In all cases of voluntary resignation (one initiated by the employee), employees are asked to provide a written notice to their supervisors at least 10 working days in advance of the last day of work, unless otherwise required in the language of the employee's employment agreement or as noted in a collectively bargained agreement. The 10 days must be actual working days. Holidays and paid time off (PTO) will not be counted toward the 10-day notice. Employees who provide the requested amount of notice will be considered to have resigned in good standing and generally will be eligible for rehire.

In the instance of an employee leaving before the end of the school year, they shall be given written notification, if requested, of final pay amounts, the date of the final pay and where to drop off district property. The District may conduct an exit meeting on or before the last day of employment. If applicable, information regarding benefits continuation through the



Consolidated Omnibus Budget Reconciliation Act (COBRA) will be sent to the employee's home address.

Should it become necessary because of business conditions to reduce the number of employees or work hours, this will be done at the discretion of the district **and in accordance with any applicable collective bargaining agreements.**

## **Access to Personnel Files**

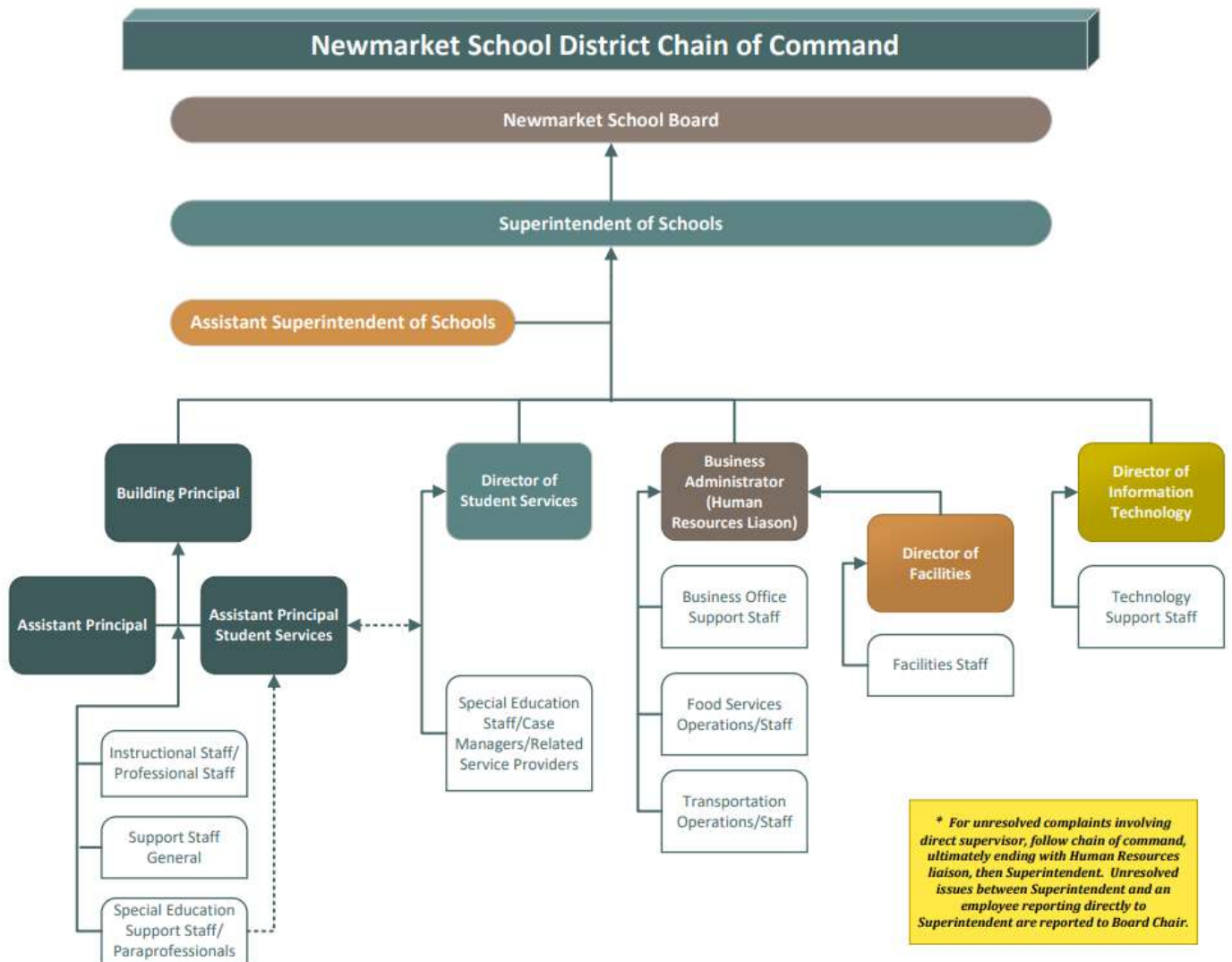
Employee files are maintained by the SAU and are considered confidential. Managers and supervisors may only have access to personnel file information on a need-to-know basis. Personnel file access by current employees and former employees upon request will generally be permitted within 3 days of the request unless otherwise required under state law. Personnel files are to be reviewed in the Business Office. Employee files may not be taken outside the department. However, photocopies may be requested. If an employee disagrees with any information in their personnel file, the employee may submit a written statement explaining the disagreement together with evidence supporting the employee's version. Such statement shall be maintained as part of the employee's personnel file and shall be included in any transmittal of the file to a third party and shall be included in any disclosure of the contested information made to a third party.

Employees wishing to review their personnel files should contact the Superintendent or the Business Administrator to schedule an appointment.

## **Chain of Command**

The **Newmarket School District** recognizes that respect and trust form the foundation of any healthy and productive work environment. For this reason, the district honors a chain of command structure that encourages employees to discuss and attempt to resolve any concerns with direct supervisors prior to elevating matters to Administrators, Human Resources Representative (Business Administrator) or the School Board. If at any time an employee feels that they are unable to follow the chain of command due to conflicts of interest, or other extenuating circumstances, the employee is encouraged to reach out to the Business Administrator or the next appropriate level in the chain of command. If at any time, any employee is asked to perform a task that is immoral, illegal or unethical OR if an employee does not feel safe discussing a matter with their direct supervisor, the Business Administrator should be contacted immediately. If the Business Administrator is unable to be contacted due to any of the reasons listed above, then concerns should be directed to the Superintendent and then, if necessary, to the School Board. Grievance processes for any collectively bargained group member should follow the guidelines listed in the CBA.

## Newmarket School District Chain of Command



## Workplace Safety

### Substance Abuse Prevention

It is the policy of the Newmarket School District to maintain a drug- and alcohol-free work environment that is safe and productive for employees and others having business with the district. **Please see Policies GBEC and ADB: Drug Free Workplace/Drug Free School.**

The **Newmarket School District** has vital interests in ensuring a safe, healthy and efficient working environment for our employees, their co-workers and the students we serve. The unlawful or improper presence or use of controlled substances or alcohol in the workplace or at a remote work site presents a danger to everyone. For these reasons, we have established as a condition of employment and continued employment with the School District the following substance abuse policy.

As a general matter, the **Newmarket School District** prohibits, while on School District premises, while conducting School District business (whether or not on **Newmarket School District** premises), while driving a School District vehicle or driving a personal vehicle for School District business, or while representing the School District, the: actual or attempted (1) possession, or use of any illegal drug, alcohol, or controlled substance, (2) distribution or sale of any legally obtained prescription drug, and/or (3) the use of a legally obtained prescription or other drug other than in compliance with a doctor's or labeling instructions, in a manner that jeopardizes personal safety or the safety of others, poses a risk to property, and/or interferes with the employee's job performance.

"Illegal drugs" includes all drugs, narcotics, and intoxicants for which possession or misuse is illegal under federal law (including marijuana), and includes prescription medications for which the individual does not have a valid prescription.

The **Newmarket School District** reserves the right to take any and all appropriate and lawful actions necessary to enforce this substance abuse policy. The School District also reserves the right to conduct an inspection of School District property, as well as an employee's personal property when the School District has reasonable suspicion to believe that the employee has violated this substance abuse policy.

Employees in violation of the policy may be subject to disciplinary action, up to and including termination.

Nothing in this policy is intended to prohibit the customary and ordinary purchase, use, possession, or dispensation of over-the counter drugs, so long it does not violate any law or result in an employee being impaired in violation of this policy. Employees who use prescription and/or over-the-counter medications – that the employee or his or her healthcare provider believes may impair the employee's ability to perform his or her job responsibilities safely – are responsible for notifying their immediate supervisor or Human Resources Representative (Business Administrator) so that steps can be taken to minimize the safety risks posed by such use. Employees may be asked to obtain a doctor's certification that the employee can safely perform the responsibilities of their position.

The **Newmarket School District** maintains a policy of non-discrimination and will endeavor to make reasonable accommodations to assist employees with disabilities, and those recovering from substance and alcohol dependencies. However, employees may not request an accommodation to avoid discipline for a policy violation.

## Smoke-Free Workplace

Smoking is not allowed in district buildings, work areas or on district property at any time per RSA 155:66, I(a) and RSA 126-K:7. "Smoking" includes the use of any tobacco products (including chewing tobacco), and devices, electronic smoking devices, e-cigarettes, e-liquids and vaping pens. **Please see also district Policies ADC: Tobacco Products Ban Use and Possession In And On School Facilities And Grounds, GBED: Tobacco Products Ban and JICG: Tobacco Products Ban.**

## Chemical Safety

The **Newmarket School District** strives to promote a healthy environment for work, learning and community.

### Bringing in Products/Chemicals from Home

In order to ensure that we are able to effectively track and monitor chemicals and substances used in our district, ***all employees are requested to NOT bring in any substances to the school campus from home. This includes cleaning products, soaps, air fresheners, lotions and/or any other chemical substances.*** If an employee has a need for a specific product for classroom, curriculum, or facility use we ask that you contact the Director of Facilities to determine if there may already be an alternative product in use that can be substituted. **All chemical substances used on our campuses must be approved by the Director of Facilities prior to use.** Please be aware that inspections of work areas may be conducted at any time and any unauthorized chemical products will be removed.

### Safety Data Sheets

As required by New Hampshire RSA 277-A ("Worker's Right to Know Law"), employers are required to retain a Safety Data Sheet (SDS) for all chemical substances that are used in their organizations. A safety data sheet, material safety data sheet, or product safety data sheet are documents that list information relating to occupational safety and health for the use of various substances and products.

The **Newmarket School District** has an online library of all SDS sheets and any employee can access this library by going to a link on the SAU 31 website (go to [www.newmarket.k12.nh.us](http://www.newmarket.k12.nh.us), click on the Facilities tab and scroll to the bottom where you can find a link to our SDS library. See below for a screenshot of our Facilities tab on website showing the location of this link.

<https://chemmanagement.ehs.com/9/531a2ee9-fc11-45d0-848e-81e1e2ef4800>

## Fire Safety and Air Quality Guidelines

In an effort to ensure that all building spaces are safe for all members of our school community, please be aware of the following:

- **All fabrics, floor coverings and furniture must meet fire code standards (per NFPA 101 2015- Interior Finish 10.2.1.1).** This means that only fire-rated items belong in our schools. For this reason, we ask that you do not bring in any rugs, curtains, cloth items, stuffed animals, blankets, furniture, etc. from your home. These items, while fine for home use are not appropriate in a school setting. Should you wish to bring in any of these items from home, you must request the approval of the Facilities Director prior to use.
- **All ventilation units and heaters must be kept clear of materials.**
- **All egresses must be kept clear of any obstructions (per NFPA 101 2015-Means of Egress 7.1.10.2.1).**
- **Per fire code at least 50% of wall areas must remain clear (per NFPA 101 Ch 15.7.4.3).** This means that student artwork, bulletin boards, etc. CANNOT cover more than 50% of any wall in the building (RSA) and doors should never be covered with paper or fabric.
- **No items should be hung from the ceiling as hanging items can allow fire to spread more quickly.**
- **Per fire code and in accordance with best security practices, doors should never be covered with paper or cloth (NFPA 101 2015-Means of Egress-7.1.10.2.1).** Covering doors can obstruct the view into classrooms and poses a fire hazard as well.
- **Please keep pets at home.** Due to allergy and health concerns, pets are not allowed in any classroom unless the pet is a service animal, or otherwise permitted per district policy.
- **Appliances such as refrigerators, coffee makers, toasters, space heaters, electric tea kettles, etc. are not appropriate in schools for personal use.** Exceptions may be made for certain items located in designated staff areas with prior approval of the Facilities Director or in accordance with an interactive dialogue under the ADA.
- **Per electrical code, all electrical items used in any school building must be UL listed.**

## Fragrances in the Workplace

Fragranced products can cause some people with chronic illnesses to suffer additional symptoms and medical expenses. Symptoms include asthma, allergies, sinus problems, rhinitis and migraine headaches. Sprays, diffused scents and mists are among the most irritating to many with sensitivities. In an effort to minimize barriers, and reduce difficulties experienced in schools and offices by employees, students, parents and community members who may be subject to chemical and fragrance sensitivities, classrooms and offices should remain as free of chemical-based scented products as possible.

Products that can be problematic include, but are not limited to:

- air fresheners (plug-ins, incense, essential oils, sprays, etc.)
- perfume/cologne
- aftershave/body spray/scented lotion
- fragranced hair spray

- room deodorizers
- cleaning products brought in from home.

Accordingly, employees are discouraged from wearing fragranced products in school settings. Essential oil diffusers, plug-ins or sprays, unless provided by the district, are prohibited. If there is an underlying offensive odor that is trying to be masked in the workplace, please contact the Facilities Director.

(Note: This section of the Handbook was recommended by the Joint Loss Management Committee (JLMC), as well as the Handbook Committee.)

## Workplace Violence Prevention

**Newmarket School District** is committed to providing a safe, violence-free workplace for our employees. Due to this commitment, we discourage employees from engaging in any physical confrontation with a violent or potentially violent individual or from behaving in a threatening or violent manner. Threats, threatening language, or any other acts of aggression or violence made toward or by any employee will not be tolerated. A threat may include any verbal or physical harassment or abuse, attempts to intimidate others, menacing gestures, stalking, or any other hostile, aggressive, and/or destructive actions taken for the purposes of intimidation. This policy covers any violent or potentially violent behavior that occurs in the workplace or at district-sponsored functions. Please also see the **Newmarket School District** Safety Plan, which is required by the NH Department of Labor for additional information. The Newmarket Safety Plan is posted on our website at the following link:

<https://www.newmarket.k12.nh.us/staff/joint-loss-management-committee>

All **Newmarket School District** employees bear the responsibility of keeping our work environment free from violence or potential violence. Any employee who witnesses or is the recipient of violent behavior should promptly inform their supervisor, manager, or the Business Administrator. All threats will be promptly investigated. No employee will be subject to retaliation, intimidation, or discipline as a result of reporting a threat in good faith under this guideline.

Any individual engaging in violence against the district, its employees, or its property will be prosecuted to the full extent of the law. All acts will be investigated, and the appropriate action will be taken. Any such act or threatening behavior may result in disciplinary action up to and including termination.

**The Newmarket School District** prohibits the possession of weapons on its property at all times, including in private vehicles in our parking lots or district vehicles. Additionally, while on duty, employees may not carry a weapon of any type. Weapons include, but are not limited to, handguns, rifles, automatic weapons, and knives that can be used as weapons (excluding pocket knives, utility knives, and other instruments that are used to open packages, cut string, and for other miscellaneous tasks), martial arts paraphernalia, stun guns and other electronic defense weapons, tear gas, and other aerosol self-defense spray weapons. Any employee

violating this policy is subject to discipline up to and including dismissal for the first offense. **Please see Policies JICI-Weapons on School Property and KFA-Public Conduct on School Property.**

The **Newmarket School District** reserves the right to inspect all belongings of employees on its premises, including packages, briefcases, purses and handbags, gym bags, and personal vehicles on district property based on reasonable suspicion the inspection will find items that are in violation of the law, district rules or policies. All lockers, storage areas, file cabinets, desks and work stations belong to the **Newmarket School District** and employees have no expectation of privacy in those areas. The **Newmarket School District** may inspect the contents of lockers, storage areas, file cabinets, desks, and work stations at any time and may remove all personal property and other items that are in violation of district rules or policies.

## **Commitment to Safety**

Protecting the safety of our employees and visitors is the most important aspect of running our district.

All employees have the opportunity and responsibility to contribute to a safe work environment by using commonsense rules and safe practices and by notifying administration when any health or safety issues are present. All employees are encouraged to partner with administration to ensure maximum safety for all. The **Newmarket School District** has an active Joint Loss Management Committee (JLMC) as required by NH Department of Labor regulations as well as an active Safety Committee.

In the event of an emergency, immediately call 9-1-1 and then notify a building administrator, the Superintendent or the SAU Office once you can safely do so.

## **Required Trainings**

As a condition of employment, all school district employees are subject to certain required training sessions. Many areas are required by law and a failure to participate in these mandated trainings poses both a risk to the individual employee as well as the district. Annually, the Superintendent and the Administration team will notify employees of district training sessions in which they are requested to participate, and such participation will be considered to be a professional obligation for all positions in the district. ***Should an employee be unable to participate in a required training due to extenuating circumstances, it is the employee's responsibility to notify his/her direct supervisor and to work with the district to complete the training session at another time.*** Failure to participate in required training sessions is subject to employee discipline per district policy and could constitute grounds for dismissal.

## **Emergency Closings**

In situations where employees are concerned about their safety, the district may advise supervisors to notify their departments that the district is not officially closed, but anyone may

choose to leave the district premises if he or she feels uncomfortable. Non-exempt employees may apply any accrued, unused personal or vacation time to the absence but will otherwise not be paid, unless required by law. Exempt employees will be required to use accrued personal and vacation time for any absence. If an exempt employee does not have sufficient available personal and vacation time to cover any such absence, the employee will be paid a full day's pay for that day, as long as the employee has performed any other work during the same pay period.

## Full-Day Cancellations

If school is canceled due to weather or other reasons, the closure day will be counted as shown below. If collectively bargained, exceptions may exist and will be honored in accordance with the terms of each member's CBAs.

Employee Category	Is a Weather – Related Closure Considered to be a Work Day?	Is the Closure Day Paid?	Notes:
Teacher	No	No	This day will be “made up” at the end of the school year.
Paraprofessional	No	No	This day will be “made up” at the end of the school year.
School Year Support Staff	No	No	This day will be “made up” at the end of the school year.
Year-Round Support Staff	Yes	Yes, if worked or using available paid time off	Available Paid time off (other than sick time) may be used if desired.
Administrators	Yes	Yes, if worked or using available paid time off	Available Paid time off (other than sick time) may be used if desired.
Facilities Technicians	Yes	Yes, if worked or using available paid time off	Available Paid time off (other than sick time) may be used if desired.



## **Delays, Early Closures, Emergency Dismissals**

If the district is officially closed during the course of the day to permit employees to leave early, nonexempt employees **who are working on-site as of the time of the closing** will be paid for a full day. This includes closures due to snow or other weather events.

Only the Superintendent (or his/her designee) may declare an official closure. If an employee chooses to leave earlier than the official closing time, the employee will be paid only for actual hours worked, or can elect to use personal or vacation time. In accordance with wage and hour laws, exempt employees who do not have sufficient personal or vacation time to cover the absence will be paid a full day if other work has been performed in the pay period. ***Sick time may not be used for this purpose.***

Administrators will be paid for a normal full day provided that a full workday is performed during the closure, either from home or on site. Administrators choosing not to work for any part of the closure day may use paid time (vacation or personal time). Exempt employees who do not have sufficient personal or vacation time to cover the absence will be paid a full day if other work has been performed in the pay period. ***Sick time may not be used for this purpose.***

For groups who are collectively bargained, the CBA will be honored should terms be different than outlined above.

## **Workplace Guidelines**

### **Attendance**

All employees are expected to arrive on time, ready to work, every day they are scheduled to work. Attendance and punctuality are essential function of each employee's position.

If unable to arrive at work on time, or if an employee will be absent for an entire day, the employee must contact the supervisor as soon as possible. Please check with your supervisor to verify the proper procedures as different departments may have different procedures. Voice mail and e-mail messages may not be acceptable except in certain emergency circumstances. Excessive absenteeism or tardiness will result in discipline up to and including termination. Failure to show up or call in for a scheduled shift without prior approval may result in termination. If an employee fails to report to work or call in to inform the supervisor of the absence for 3 consecutive days or more, the employee will be considered to have voluntarily resigned employment.

### **Job Performance**

Communication between employees and supervisors or managers is very important. Discussions regarding job performance are ongoing and often informal. Employees should initiate conversations with their supervisors if they feel additional ongoing feedback is needed.

Formal performance reviews are conducted annually. For collectively bargained groups, evaluations shall be performed in accordance with CBAs. These reviews include a written

performance appraisal and discussion between the employee and the supervisor about job performance and expectations for the coming year. Informal performance reviews may also be conducted periodically.

## **Dress and Grooming**

**Newmarket School District** provides a casual yet professional work environment for its employees. Even though the dress code is casual, it is important to project a professional image to our students, visitors, and coworkers. **Please see Policy GBEB: *Staff Dress Code*.** All employees are expected to dress in a manner consistent with good hygiene, safety, and good taste. Certain clothing items are never appropriate in a school environment such as ripped or torn jeans or torn clothing. Please use common sense.

Any questions or complaints regarding the appropriateness of attire should be directed to an administrator. Decisions regarding attire will be made by the Superintendent and not by individual departments or managers.

## **Employee-Student Relations and General Employee Conduct**

The **Newmarket School District** intends to provide a safe and professional work and educational environment for students, staff and community members. Toward those ends, the district has adopted policies that establish expectations for all employees to conduct themselves in a respectful, ethical and professional manner with all stakeholders. **Please see district policies KFA** as well as the ***Educator Code of Conduct*** and ***Code of Ethics for NH Educators*** posted on the NH DOE website at the following link:

<https://www.education.nh.gov/news/educator-codes-conduct-ethics-approved>

## **Staff Participation in Political Activities**

The School Board recognizes that employees of the School District have certain civic rights. Employees, as citizens, have a right to engage in political activities and to speak as a citizen on matters of public concern. Nevertheless, this right to engage in political activities and to speak as a citizen on matters of public concern may be reasonably conditioned by the School Board as an employer when the employee is engaged in his or her work as an employee and is speaking pursuant to the employee's official duties. This policy defines the types of conduct that are not permitted. Policy GBI defines the types of conduct that are not permitted, as well as recognizes public employee freedom of expression as set forth in RSA Chapter 98-E.

## **Non-Educational Student Surveys and Questionnaires**

Separate federal and state laws require that written consent be obtained from a parent or guardian before a student participates in a non-educational survey or questionnaire that asks about information not directly related to a student's academics. **Please see POLICY ILD- *Non-Educational/Non-Academic Questionnaires, Surveys, and Research*** for specific information relative to requirements under Federal and State laws.

## **Procedures on Use of Child Restraints and Seclusion**

The Newmarket School District hereby authorizes CPI trained school officials to use restraint to ensure the immediate physical safety of persons when there is a substantial and imminent risk of serious bodily harm to the child or others, and then only when other interventions have failed or have been deemed inappropriate, and in a manner consistent with state law and regulations. **Please see Policy JKAA-Use of Restraint and Seclusion** for more information.

## **Pupil Safety and Violence Prevention-Bullying**

The Board is committed to providing all pupils a safe and secure school environment. This policy is intended to comply with RSA 193-F. Conduct constituting bullying and/or cyberbullying will not be tolerated and is hereby prohibited.

Further, in accordance with RSA 193-F:4, the District reserves the right to address bullying and, if necessary, impose discipline for bullying that:

- (1) Occurs on, or is delivered to, school property or a school-sponsored activity or event on or off school property; or
- (2) Occurs off of school property or outside of a school-sponsored activity or event, if the conduct interferes with a pupil's educational opportunities or substantially disrupts the orderly operations of the school or school-sponsored activity or event.

**Please review Policy JICK-Pupil Safety and Violence Prevention and the Newmarket School District Safety Plan (developed by the JLMC Committee) for more information.**

## **Hazing**

It is the policy of the District that no student or employee of the District shall participate in or be a member of any secret fraternity or secret organization that is in any degree related to the school or to a school activity. No student organization or any person associated with any organization sanctioned by the Board of Education shall engage or participate in hazing. This District does not permit or condone student hazing. **Please review Policy JICFA-Hazing for more information.**

## **Website Publishing**

Official school district websites will be hosted and maintained by appointed District employees. The school district will not be responsible for content of sites hosted by other entities which contain references to any students, staff, or facilities of the District; these are not considered official district websites. The district website is intended to provide a means of sharing information with the school district and the world about school curriculum and instruction, school-authorized activities, and other information relating to the district's schools and mission. Instructional resources for staff and students may also be provided.

## **Organizational Responsibility**

School district websites are official publications and must follow similar guidelines as other district publications (**See Policy JICE**). For district-wide Department Websites, the Department Director has primary responsibility for the content of the website. For individual school websites, the Principal has primary responsibility for the website. All information published on the school district websites must be approved by these individuals or their designees. The Superintendent's Office acts as the final authority when issues arise concerning potentially sensitive content. All postings to the Websites will be performed by authorized individuals only. These individuals must have been provided with secure access by the Technology Department and have been given approval by the district Department Head or Principal. Technology Department Staff reserve the right to remove any publication that adversely affects the operation of the school computer networks. **Please see Policy KDC-Website Publishing for more information and district publishing standards.**

## District Communication

The **Newmarket School District** recognizes that effective and timely communication is essential for any organization to operate successfully. There are occasions where an important message must be sent out to all staff. To ensure effective communication, the district uses several methods of communication including, but not limited to, telephone/voice mail, email, website posts, messenger services (i.e., School Messenger), etc. ***As a condition of employment and as a professional obligation, the district requires all staff to check email and, if applicable, phone voice messages at least once per workday.*** All staff have access to a computer and/or other device for this purpose. Should you have any difficulty accessing district communication, employees should contact a supervisor immediately to address the issue and rectify the situation.

## Social Media Acceptable Use

The **Newmarket School District** recognizes that social media can provide both a positive and negative influence on organizational culture. **Newmarket School District** encourages employees to share information with co-workers and with those outside the district for the purposes of gathering information, generating new ideas, and learning from the work of others. Social media provide inexpensive, informal, and timely ways to participate in an exchange of ideas and information. However, information posted on a website is available to the public and, therefore, the district has established the following guidelines for employee participation in social media, in accordance with policy **GBEBD-Employee Use of Social Media Networking Sites** and **KD-School District Social Media Websites**.

**Note:** As used in this segment, “social media” refers to blogs, forums, and social networking sites, such as X, Facebook, LinkedIn, YouTube, Instagram, and SnapChat, among others.

**Off-duty use of social media.** Employees may maintain personal websites or weblogs on their own time using their own facilities. Should you choose to post on a personal page regarding district matters, you must preface your statement that you are posting as an individual and not on behalf of the district. ***Unless you have been specifically authorized to do so by the***

***Superintendent, you are not permitted to make any statements on social media that purport to be on behalf of the Newmarket School District, authorized by the Newmarket School District or in any official capacity for the Newmarket School District.***

**On-duty use of social media.** When on duty, employees are expected to devote full attention and efforts to the completion of assigned work. ***Please be aware that district policy GBEBD prohibits employees from accessing social media for personal use during the workday.*** As such, while you are on duty, you are not permitted to access social media, even from your own device, without the prior consent of your supervisor. The district monitors employee use of district computers and the Internet, including employee blogging and social networking activity.

**Respect.** Demonstrate respect for the dignity of the **Newmarket School District**, its business partners, its students and its employees. Understand that even when you are off-duty, your use of social media may still be subject to scrutiny by the **Newmarket School District**. As such, whether off-duty or on-duty, you are not permitted to disclose on social media any confidential information, records, communications, and/or proceedings regarding students, staff or the **Newmarket School District**. Additionally, the **Newmarket School District** reserves the right to take disciplinary action against you, up to and including termination, in the event that your use of social media, whether on-duty or off-duty, duly interferes with the **Newmarket School District's** legitimate interests, as an employer, in managing the work force.

**Legal.** Employees are expected to comply with all applicable laws, including but not limited to, Federal Trade Commission (FTC) guidelines, copyright, trademark, and harassment laws.

**Note:** Nothing in this policy is meant to, nor should it be interpreted to, in any way limit your rights under any applicable federal, state, or local laws, including your rights under the Public Employee Labor Relations Act (RSA 273-A) to engage in protected concerted activities with other employees to improve or discuss terms and conditions of employment, such as wages, working conditions, and benefits.

## **Bulletin Boards and Notices**

All required governmental postings are posted on the boards located in the break room at each building and in the SAU Office. These boards may also contain general announcements.

Any notices posted on school property must be pre-approved by the Superintendent, unless otherwise allowed per a CBA. The **Newmarket School District** reserves the right to refuse permission to post or to take down any announcement.

## **Solicitation and Distribution**

Employees should be able to work in an environment that is free from unnecessary annoyances and interference with their work. In order to protect our employees and visitors, solicitation by employees is strictly prohibited while either the employee being solicited or the employee doing the soliciting is on "working time." "Working time" is defined as time during which an employee is not at a meal, on break, or on the premises immediately before or after his or her shift. ***Please see Policy KH: Fund Drives, Solicitations, and Advertising.***

Employees are also prohibited from distributing written materials, handbills, or any other type of literature on working time and, at all times, in “working areas,” which includes all office areas. “Working areas” do not include break rooms, parking lots, or common areas shared by employees during nonworking time.

## **Computers, Internet, Email, and Other Resources**

The district provides a wide variety of communication tools and resources to employees for use in running day-to-day business activities. Whether it is the telephone, voice mail, fax, scanner, Internet, intranet, e-mail, text messaging, or any other district-provided technology, use should be reserved primarily for business-related matters during working hours. All communication using these tools should be handled in a professional and respectful manner. **Please see Policies GBEF, GBEF-R1 and GBEF-R2.**

Employees do not have any expectation of privacy on district computers, phones, e-mails, internet usage logs, electronic data, or other communication tools including wifi connection. All communications made using district-provided equipment or services including e-mail and internet activity, are subject to inspection by the district. Employees should keep in mind that even if they delete an email, voicemail or other communication, a copy may be archived on the district’s systems. Your communications may be accessed without further notice by Information Technology department administrators and district management.

Employee use of district-provided communication systems, including personal e-mail and internet use, that are not job-related, have the potential to drain rather than enhance productivity and system performance. You should also be aware that information transmitted through e-mail and the internet is not completely secure or may contain viruses or malware, and information you transmit and receive could damage the district’s systems as well as compromising the district’s information. To protect against possible problems, delete any e-mail messages prior to opening that are received from unknown senders and advertisers. It also is against district policy to turn off antivirus protection software or make unauthorized changes to system configurations installed on district computers. Violations of this policy may result in termination.

The district encourages employees to use e-mail only to communicate with fellow employees, suppliers, students, parents, guardians, or other professional contacts regarding district business, within the scope of their professional duties. Internal and external e-mails are considered government records and are subject to federal and state recordkeeping requirements and disclosure under the Right-to-Know Law as well as to discovery in the event of litigation. Be aware of this possibility when sending e-mails within and outside the district.

All use of district-provided communications systems, including e-mail and internet use, should conform to our district guidelines/policies, including but not limited to Equal Opportunity, Harassment, Confidential Information, and Conflicts of Interest. For example, employees should not engage in harassing or discriminatory behavior that targets other employees or individuals because of their protected class status or make defamatory comments. Similarly,

employees should not divulge on social media sites confidential information such as student information, trade secrets, client lists, or information restricted from disclosure by law.

The electronic communication systems are not secure and may allow inadvertent disclosure, accidental transmission to third parties, etc. Sensitive information should not be sent via unsecured electronic means.

Office telephones are primarily for business purposes. While the district recognizes that some personal calls are necessary, these should be kept as brief as possible and to a minimum. Personal use of the district's cell phones, long-distance account, or toll-free numbers is strictly prohibited. Abuse of these privileges is subject to corrective action up to and including termination.

The district reserves the right, to the extent permitted by law, to monitor calls to ensure employees abide by district quality guidelines and provide appropriate levels of service. Employees working in contact with the public will be subject to telephone and e-mail monitoring. Should the subject matter of any telephone conversation become personal while monitoring is taking place, monitoring of the call will immediately be discontinued.

Nothing in this policy is designed to interfere with, restrain, or prevent employee communications regarding wages, hours, or other terms and conditions of employment as protected under the Public Employee Labor Relations Act (RSA 273-A). Employees have the right to engage in or refrain from such activities.

## **Disciplinary Procedure**

The District expects employees to comply with the District's standards of behavior and performance and to correct any noncompliance with these standards.

Under normal circumstances, the District endorses a policy of progressive discipline in which it attempts to provide employees with notice of deficiencies and an opportunity to improve. It does, however, retain the right to administer discipline in any manner it sees fit, including the right to take disciplinary action steps out of order depending on the severity of the infraction. This policy does not modify the status of employees as employees-at-will or in any way restrict the District's right to bypass the disciplinary procedures suggested. Disciplinary procedures for collectively bargained employees shall follow the processes outlined in their respective CBAs.

## **Time Off and Leaves of Absence**

To prevent the disruption of instruction for our students, generally ***paid planned leave time may not be used on the day immediately preceding or following a school vacation , or a holiday, unless otherwise noted in a CBA. All exceptions must be discussed in advance and approved by your immediate supervisor and Superintendent.*** All Leaves of Absence should be requested in advance, in writing. Requests should be submitted on the Employee Access Portal and the Superintendent may recommend the requested unpaid leave to the Newmarket School Board.

Request forms for both **Unpaid Leave** and **Leave Before or After a School Vacation or Holiday** can be found on the Employee Access Portal at the following link:

<https://tyler-sau31newmarketnh.okta.com/>

## Holidays

**Holiday pay.** Full-time regular support staff, school-year support staff and administrators are eligible for holiday pay. Part-time support staff and part-time school year support staff will receive holiday pay on a pro-rated basis based on annual hours worked. Temporary employees, including summer employees, are not eligible for holiday pay. Collectively bargained members receive holiday pay in accordance with their respective Collective Bargaining Agreements.

Holiday pay is calculated based on the length of the individual's workday. For example, if an employee works a 6-hour day, that employee earns a 6-hour holiday. For part-time employees who do not work a regular work week schedule, holiday pay will be paid on an FTE pro-rated basis or as a paid day off if the holiday falls on a regular workday.

Holiday pay shall be at the employee's regular straight-time rate, times an employee's regularly scheduled hours (not to exceed 8 hours).

A holiday is **not** considered to be "hours worked" for the purpose of computing overtime.

To receive holiday pay, an eligible nonexempt employee must be at work or taking an approved absence on the workdays immediately preceding and immediately following the day on which the holiday is observed. An approved absence is a day of paid vacation, paid professional leave, paid personal leave, or paid sick leave. If an employee is absent on one or both of these days because of an illness or injury, the district may require verification of the reason for the absence before approving holiday pay.

**Religious observances.** Employees who need time off to observe religious practices or holidays not already scheduled by the district should speak with their supervisor. Depending upon business needs, the employee may be able to work on a day that is normally observed as a holiday and then take time off for another religious day. Employees may also be able to switch a scheduled day with another employee, or take vacation time, or take off unpaid days. The district will seek to reasonably accommodate individuals' religious observances.

### Year-Round Employees:

1. Administrators, 260 days
2. Support Staff Categories:
  - Year-Round Administrative Assistants
  - Year-Round SAU Business Office Staff
  - Year Round IT Staff
  - Year-Round Facilities Technicians
  - Other Year-Round employees



Note: Holidays for part-time year-round employees (non-temporary) who work at least 20 hours per week shall be pro-rated by FTE based on the number of annual hours worked.

**Year-Round Employee Holidays- 14 Holidays, pro-rated as noted above for PT employees (Proposed increase from 12):**

- Independence Day
- Labor Day
- Indigenous Peoples' Day (New)
- Veteran's Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day
- Day after Christmas Day
- New Year's Day
- Martin Luther King Day
- Memorial Day
- ***Juneteenth (New)***
- ***Two (2) Floating holidays***

**Paraprofessionals/Tutors:** In accordance with CBA

**School-Year Support Staff (not collectively bargained):**

1. School Year Administrative Assistants
2. Other School-Year Support Staff

Note: Holidays for part-time school year employees (non-temporary) who work over 20 hours per week shall be pro-rated by FTE based on the number of annual hours worked, based on a 2080 hour (full-time) work year. School year support staff shall not receive any holiday benefit for holidays that occur outside of their work year.

**12 Paid Holidays (pro-rated for PT employees as indicated above):**

- Labor Day
- ***Indigenous People's Day (new)***
- Veteran's Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day
- Day After Christmas
- New Year's Day
- Martin Luther King Day
- Memorial Day
- ***Juneteenth (new)***
- One (1) Floating Holiday

All holidays will be designated by the district at start of each calendar year. If one of these holidays falls on a weekend, the district will select either the following Monday or the preceding Friday as a substitute holiday.

## Vacation

**Newmarket School District** recognizes the importance of time off from work to relax, spend time with family, and enjoy leisure activities. The district provides paid vacation time to full-time employees for this purpose and employees are encouraged to take vacation during the year. Part-Time, year-round employees working at least 20 hours per week shall be eligible for vacation in accordance with the table below or as noted in the employees annual Letter of Agreement. School Year Support Staff of all types are not eligible for paid vacation.

Collectively bargained members shall accrue vacation time in accordance with the terms outlined in their respective Collective Bargaining Agreements.

Each employee shall be entitled to earn paid vacation times at a rate as defined below. Such days may only be taken as earned. All vacation time is front-loaded as of the start of the work year. The Board encourages all employees to use their vacation days as earned, and for that reason offers no buy-back for unused vacation time beyond what has been accumulated the day of departure. The Board understands that in some key positions, pressing duties may preclude using all of one's vacation time in a given year. A maximum of ten (10) days of vacation time may be carried into the following year. Unused vacation over the 10-day limit will be forfeited.

Vacation time is calculated based on the length of the individual's workday. For example, if an employee works a 6 hour day, that employee earns as 6 hour vacation day. Full-time year round support staff will accrue paid vacation according to the following schedule:

Category	Length of Service	Accrual	Total Days Per Year	Payout at Termination
Teachers	None- In accordance with current Collective Bargaining Agreement			
Paraeducator	None- In accordance with current Collective Bargaining Agreement			
School Year FT & PT School Year Support Staff	None-Do not work school vacations and do not work summers.			
Year-Round FT Support Staff/Year-Round Facilities Technicians, Year-Round Business Office and SAU Staff	1-2.99 years	Annually, at beginning of contract year	12 days	Remaining accrued vacation days at time of termination at 100% per diem rate
	3-10.99 years	Annually, at beginning of	18 days	Remaining accrued vacation days at time of

(PT pro-rated based on annual hours)		contract year		termination at 100% per diem rate
	11+ years	Annually, at beginning of contract year	24 days	Remaining accrued vacation days at time of termination at 100% per diem rate
Administrators/Year-Round Professionals	For all, unless otherwise specified in annual Letter of Employment	Annually, at beginning of contract year	25 days Unless otherwise specified in employment contract.	Remaining accrued vacation days at time of termination.

Generally, employees should submit vacation plans to their supervisor at least 4 weeks in advance of the requested vacation date. Supervisors have the right to designate when some or all of vacations must be taken.

Vacation days may be taken in the following increments: ½ day, 1 full day; unless specified otherwise by a member's collective bargaining agreement.

Employees whose employment terminates will be paid for unused vacation time that has accrued during the contract year of the termination.

**Vacation Roll-Over:** Employees may roll up to 10 days of vacation forward.

## Sick Leave

**Newmarket School District** provides regular, full-time and part-time employees with paid sick days. For part-time employees, sick days are pro-rated based on annual hours worked. All sick leave is front-loaded as of the start of the work year.

Category	Accrual Method	Total Days per Year	Max Allowable Accrual	Payout Terms at Termination
Teachers	In accordance with current Collective Bargaining Agreement			
Paraprofessionals & Tutors	In accordance with current Collective Bargaining Agreement			
Full-Time, Year-Round Support Staff	Annually- at the beginning of the contract year	14 days per year	75 days	None
Part-Time Year-Round Support Staff	Pro-rated based on days/hours worked, as outlined in individual employment agreements.	Pro-rated based on days/hours worked, as outlined in individual	75 days	None

	Annually- at the beginning of the contract year	employment agreements		
Full-Time School Year Support Staff	Annually- at the beginning of the contract year	12 days per year	60 days	None
Part-Time School Year Support Staff	Pro-rated based on days/hours worked, as outlined in individual employment agreements. Annually- at the beginning of the contract year	Pro-rated based on days/hours worked, as outlined in individual employment agreements	60 days	None
Administrators and other Exempt Employees	Annually- at the beginning of the contract year	14 days per year	90 days	None

Sick days are not intended to be used as a substitute for vacation days, but sick days may be used if an employee needs to provide care for a family member who is ill. Sick days may also be used if an employee needs time off for scheduled medical or dental procedures.

Employees may carry accrued sick days over from one year to the next. The maximum accrual allowed is shown in the table above, by employee category. For members of Collective Bargaining Units, sick carry-over will be in accordance with the terms of the CBA.

If the need for sick leave is foreseeable, employees are required to give at least 30 days' advance notice (e.g., a planned medical treatment) whenever possible. If the need for sick leave is not foreseeable, employees are asked to notify their supervisor and enter the days in the Employee Portal as soon as is practical. All employees are expected to follow department procedures for "call-outs" including notifying the designated district personnel as soon as possible.

If an employee misses 3 or more consecutive days because of illness, **Newmarket School District** may require the employee to provide a physician's written permission to return to work.

Except as required by state law or per terms of a members current Collective Bargaining Agreement, unused sick days are forfeited when an employee's employment ends for any reason.

## Personal Leave

Newmarket School District provides regular, full-time and part-time employees with personal time. All personal days must be entered on the Employee Access Portal. For part-time

employees, personal days are pro-rated based on annual hours worked. If not used by the employee in the current year, personal time shall not carry forward. If requesting personal days immediately prior or following a school vacation, or a holiday, the request must include a reason for the absence and be approved by the employee's supervisor.

Category	Accrual Method	Total Days per Year	Payout Terms at Termination
Teachers	In accordance with current Collective Bargaining Agreement		
Paraprofessionals & Tutors	In accordance with current Collective Bargaining Agreement		
Administrators	Annually, at beginning of the contract	3 days	None
Full-Time, School Year, Year-Round Support Staff	Annually, at beginning of the contract	2 days	None
Part-Time Support Staff	Annually, at beginning of the contract	2 days (Pro-rated based on days/hours worked, as outlined in individual employment agreements)	None

## Unpaid Leave

Unpaid leave must be requested in writing and shall be approved by the Superintendent. Forms to request unpaid leave are available on the Employee Access Portal at the following link:

<https://tyler-sau31newmarketnh.okta.com/>

Unpaid leave shall not be granted until an employee has exhausted all forms of available paid leave as of the date of the unpaid leave. Should available paid leave accrue while an employee is absent on unpaid leave, the newly accrued leave shall be utilized to support the employee's unpaid leave. When available paid leave (sick, personal, vacation) has been exhausted, employees are still required to enter unpaid days of leave on the Employee Access Portal to track attendance, ***even if unpaid leave has been granted using the unpaid leave request above.*** This allows the district to accurately compile attendance data for all employees.

## Family and Medical Leave

Employees may be entitled to family and medical leave under the federal Family and Medical Leave Act of 1993 ("FMLA") and/or under RSA 189:73 when they meet all of the eligibility requirements of these laws. This policy sets forth several rules that must be applied uniformly

to all employees who may be eligible for family and medical leave. This policy is not intended to expand the District's obligations beyond the requirements of the FMLA and/or RSA 189:73. As used in this policy, "family and medical leave" means leave available under either or both the federal and state laws.

Please reference the Department of Labor website for full details on FMLA:

<https://www.dol.gov/agencies/whd/fmla>

### **FMLA Coordination with Other Leave**

When leave is taken that qualifies both as protected family and medical leave (under the FMLA and/or RSA 189:73) and as permitted leave under any employment contract, collective bargaining agreement, or District policy, the employee shall be required to use family and medical leave and the other type of leave concurrently, provided that the employee meets all of the eligibility requirements for each type of leave and as permitted by law. Types of leave that shall run concurrently with family and medical leave include, but are not necessarily limited to: accrued sick leave, vacation, personal leave, and/or paid time off; unpaid leave; leave pursuant to the Americans with Disabilities Act; leave provided for absences caused related to work-related injuries; and any other applicable types of leave.

The District calculates the 12-month period for FMLA as the 12-month period measured forward from the date of your first FMLA leave usage.

Depending on the nature of FMLA leave sought, employees may be required to submit medical certifications supporting their need for FMLA-qualifying leave.

During family and medical leave, the District will maintain the employee's health insurance benefits under the same terms and conditions applicable to employees not on leave. If family and medical leave is paid through the use of accrued leave time, the District will deduct the employee's portion of the health plan premium as a regular payroll deduction. If family and medical leave is unpaid or paid through benefits not provided through the District's payroll system (e.g., workers' compensation or disability benefits), the employee must contact the District to make arrangements to pay their portion of the health plan premium. Failure to make such arrangements and pay the employee-portion of the premium costs during family and medical leave may jeopardize an employee's entitlement to continuation of coverage. The **Newmarket School District's** obligation to maintain health care coverage ceases if an employee's premium payment is more than 30 days late. If employees do not return to work within 30 calendar days at the end of the leave period (unless employees cannot return to work because of a serious health condition or other circumstances beyond their control) they will be required to reimburse the School District for the cost of the premiums the School District paid for maintaining coverage during their unpaid FMLA leave.

### **Questions and/or Complaints about FMLA Leave**

If you have questions regarding this FMLA policy, please contact Human Resources Representative (Business Administrator). The **Newmarket School District** is committed to

complying with the FMLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA.

## **Military Leave**

**Newmarket School District** supports the military obligations of all employees and grants leaves for uniformed service in accordance with applicable federal and state laws. Any employee who needs time off for uniformed service should immediately notify the Human Resources Department (Business Administrator) and his or her supervisor, who will provide details regarding the leave. If an employee is unable to provide notice before leaving for uniformed service, a family member should notify the supervisor as soon as possible.

Upon return from military leave, employees will be granted the same seniority, pay, and benefits as if they had worked continuously. Failure to report for work within the prescribed time after completion of military service will be considered a voluntary termination.

All employees who enter military service may accumulate a total absence of 5 years and still retain employment rights.

## **Bereavement Leave**

Employees may take up to 5 days of paid bereavement leave upon the death of a member of their immediate family, unless otherwise noted in a member's CBA. "Immediate family members" are defined as an employee's spouse, partner, parents, stepparents, guardian, ward, parents-in-law, children, step-children, siblings, step-siblings, grandchildren, grandparents, son-in-law, daughter-in-law, and dependents, and members of the household in which the employee is living.

The district may require verification of the need for the leave. The employee's supervisor and the Superintendent will consider this time off on a case-by-case basis.

Time off granted in accordance with this policy shall not be credited as time worked for the purpose of computing overtime.

## **Jury Duty/Court Appearance**

The district supports employees in their civic duty to serve on a jury. Employees must present any summons to jury duty to their supervisor as soon as possible after receiving the notice to allow advance planning for an employee's absence.

Non-exempt and exempt employees will be paid at their regular rate of pay minus any compensation received from the court for the period of service. Employees must present documentation for any compensation related to a court appearance to the Business Office. Exempt employees will also receive pay for any days they serve as a juror or witness in a workweek in which they actually perform work, less any compensation amount received directly from the court.

If an employee is released early from jury duty and it is feasible to do so, he or she is expected to report to work for the remainder of that work day.

Time for appearance in court for personal business will be the individual employee's responsibility. Normally, personal days or vacation days will be used for this purpose.

## **Time Off for Voting**

**Newmarket School District** recognizes that voting is a right and privilege of being a citizen of the United States and encourages employees to exercise their right to vote. In almost all cases, you will have sufficient time outside working hours to vote. If for any reason you think this won't be the case, contact your supervisor to discuss scheduling accommodations.

## **Maternity Leave**

All female employees may take an unpaid leave of absence for the period of temporary physical disability resulting from pregnancy, childbirth, or related medical conditions. A maternity leave under this policy begins when an employee is medically determined to be disabled and ends when she is medically able to return to work.

For employees who are also eligible for FMLA leave, leave taken under our FMLA policy will run concurrently with maternity leave. Any paid leave runs concurrently with maternity leave. Once all paid leave is utilized any remaining maternity leave will be unpaid. Employees will be required to exhaust all of their unused, paid time before taking any unpaid leave under this policy.

Maternity leave can be taken while the employee/mother is disabled from pregnancy or childbirth, and/or may be taken for bonding time with the child. While the employee/mother is disabled, she is entitled to use paid sick leave. During bonding time, the employee/mother is entitled to unpaid leave. While the employee takes maternity leave due to disability or for bonding time, the employee also can concurrently use any FMLA leave for which they are eligible.

**Status of Employee Benefits During Leave:** Paid leave time does not continue to accrue during any unpaid portion of maternity leave and employees are not eligible for other employment-related benefits, such as holiday pay, bereavement pay, jury duty pay, etc., during any unpaid leave.

Employees on maternity leave who are eligible for FMLA leave will remain eligible to continue to participate in the **Newmarket School District's** health/dental insurance benefit as set forth in the **Newmarket School District's** FMLA Policy (above). Employees who are not eligible for FMLA leave or who have exhausted their FMLA available leave weeks and remain disabled as a result of pregnancy, childbirth or related conditions will be allowed to participate in our health/dental insurance benefit for 30 days. When those 30 days expire, the employee may continue medical insurance coverage by making arrangements with Human Resources Representative (Business Administrator) to pay the entire amount of the appropriate monthly



premium in advance each month. An employee's health insurance coverage may be canceled if the premium payment is more than 30 days late.

If an employee's health insurance premium payment is late and the **Newmarket School District**, at its option, chooses to pay the employee's portion of the premium, the School District may recover that amount from the employee. In addition, if a maternity leave is unpaid and the employee elects not to return to work upon the completion of the leave, the **Newmarket School District** may require the employee to reimburse it for the employer portion of the insurance premiums paid during the leave.

**Reinstatement:** An employee who has notified the **Newmarket School District** of her intent to return at the end of her maternity leave will be reinstated to her original job or a comparable position with comparable pay and seniority, retirement, fringe benefits, and other service credits unless business necessity makes this unreasonable or impossible. Employees who cannot be returned to their former or a comparable position remain eligible to apply for any available position within the **Newmarket School District** for which they are qualified.

## **Crime Victim Leave**

In accordance with New Hampshire law RSA 275:61 - 65, the **Newmarket School District** will grant an employee unpaid time off from work to attend court or other legal or investigative proceedings associated with the prosecution of a crime in which the employee was a victim. For purposes of this policy, a "victim" is any person who suffers direct or threatened physical, emotional, psychological, or financial harm as a result of the commission or attempted commission of a crime.

Employees may also qualify for leave under this policy if they are part of the immediate family of a homicide victim or part of the immediate family of a child under the age of 18 or an incompetent adult who is the victim of a crime. For purposes of this policy, "immediate family" means the father, mother, stepparent, child, stepchild, sibling, spouse, grandparent, or legal guardian of the victim, or a person who is otherwise in an intimate relationship with and residing in the same household as the victim.

An employee needing time off under this policy should notify Business Administrator as far in advance as possible. The employee may be asked to submit copies of the notices of each scheduled hearing, conference, or meeting that is provided to the employee by the court or agency involved in the prosecution of the crime. Employees must comply with any requests to submit these notices, and failure to do so may result in denial of the leave of absence. The **Newmarket School District** will maintain any such notices or records in confidence, and will disclose them only on a need to know basis.

The employee will be notified as soon as practicable whether the leave request is granted or denied. Requests falling within the definitions of this policy will typically be granted unless the leave of absence would cause an undue hardship on our business. An "undue hardship" for purposes of this policy means significant difficulty and expense. In determining whether an undue hardship may exist, the **Newmarket School District** will consider the size of its

operations, the employee's position and role within the School District, and the School District's need for the employee to be at work.

Leave taken under this policy is unpaid, and an employee must apply any accrued, unused paid time to the absence.

The **Newmarket School District** will not discharge, threaten, or discriminate against an employee for taking leave under this policy, and employees taking leave under this policy will not lose any seniority during the leave of absence.

## **Leave of Absence**

Consideration is always given to a reasonable request for leaves of absence not covered by the types of leave described above for employees who have exhausted all available paid time. These requests are granted or denied at the **Newmarket School District's** discretion based upon recommendation of the Superintendent, with approval by the Newmarket School Board. In making the decision whether to grant or deny a request for personal leave, the School District considers the merits of each employee's situation, the department, the School District's work requirements of that position, and other legitimate business considerations.

When a leave of absence is granted, it will be granted for a specific interval, generally not to exceed 90 calendar days. In rare circumstances and at the **Newmarket School District's** sole discretion, leave may be extended for an additional specific interval, upon separate written application and recommendation of the Superintendent, with approval by the Newmarket School Board.

Leaves of absence are unpaid. Employees eligible for workers' compensation or long-term disability benefits may apply for those benefits.

If an employee is granted a leave of absence for a medical reason, the employee must inform the Business Administrator when the employee is able to return to work. The employee may be required to provide a doctor's statement certifying that the employee is medically able to return to work. The **Newmarket School District** reserves the right to require a physical examination by a physician of its choosing prior to an employee's return to work from a leave.

If not eligible under FMLA (see FMLA for details on insurance rights and responsibilities under FMLA), the employee may continue medical insurance coverage by making arrangements with the Business Administrator to pay the entire amount of the appropriate monthly premium in advance each month. An employee's health insurance coverage may be canceled if the premium payment is more than 30 days late.

If an employee's health insurance premium payment is late and the **Newmarket School District**, at its option, chooses to pay the employee's portion of the premium, the **Newmarket School District** may recover that amount from the employee. In addition, if an employee elects not to return to work upon the completion of the leave, the School District may require the employee to reimburse it for the employer portion of the insurance premiums paid during the leave.

The **Newmarket School District** will make reasonable efforts to reinstate an employee returning from leave to the same or similar job as held prior to the leave of absence, subject to staffing and business requirements. Please understand that reinstatement from leave is not guaranteed, unless otherwise required by law or in accordance with terms of an employee's collective bargaining agreement. If the School District is not able to reinstate an employee returning from leave, the employee's employment will be terminated, and the employee will remain eligible to apply for employment in the future. If an employee fails to return to work following the expiration of the leave, the employee will be considered to have voluntarily resigned from their employment with the School District.

## **Sabbatical Leave**

Sabbatical leave may be granted to certain categories of employees. If available, eligibility will be outlined in the employee's CBA or individual contract.

## **Employee Benefits**

**Newmarket School District** recognizes the value of benefits to employees and their families. The district supports employees by offering a comprehensive and competitive benefits program. For more information regarding benefit programs, please refer to the district Summary Plan Descriptions (SPD), which are found on the district website, or contact the Business Administrator. To the extent that the information provided here conflicts with the SPD or full plan document, the full plan document will control.

## **Medical and Dental Insurance**

Full-time employees working 35 hours or more per week are eligible for insurance on the first of the month following date of hire. Members of any Collective Bargaining Unit will be eligible for benefits in accordance with their CBA. To keep coverage in force, unless collectively bargained separately, every insured employee must work a minimum of 35 hours per week. Should an employee who is eligible for insurance elect NOT to participate, an insurance buy-back may be offered in accordance with annual levels as set by the School Board, or in accordance with that employee's collective bargaining unit CBA. Please contact the Business Administrator for details on insurance buy-backs.

Details of insurance eligibility are outlined below for different categories of employees below:

<b>Employee Category</b>	<b>Health Insurance</b>	<b>Dental Insurance</b>	<b>Medical Insurance "Buy-out"</b>
Teachers	In accordance with CBA	In accordance with CBA	Yes, in accordance with CBA.
Paraprofessional	In accordance with CBA	In accordance with CBA	Yes, in accordance with CBA.

Administrators and Directors	85% Single, 2P or family plan	100% single, 2P-100% single plus \$100; Family-100% single plus \$300.	Yes, \$500 per year, upon submission of proof of alternate, non-subsidized health coverage.
Year-Round Support Staff (Administrative Assistants, IT, Business Office Staff, SAU Support Staff, Facilities Technicians and other Year-Round Employees)	85% Single, 2P or family plan	100% single, 2P-100% single plus \$100; Family-100% single plus \$300.	Yes, \$500 per year, upon submission of proof of alternate, non-subsidized health coverage.
School-Year Support Staff	85% Single, 2P or family plan	100% single, 2P-100% single plus \$100; Family-100% single plus \$300.	Yes, \$500 per year, upon submission of proof of alternate, non-subsidized health coverage.

## 403(B) Plan

**Newmarket School District** recognizes the importance of saving for retirement and offers employees the ability to participate in a 403(B) plan.

Additional information relating to these plans is available on the Open Enrollment section of the website and is included in the hiring packets for all new employees. These documents can also be obtained from the Payroll Coordinator.

## Workers' Compensation

Workers' compensation is a "no-fault" system that provides compensation for medical expenses and wage losses to employees who are injured or who become ill because of employment.

**Newmarket School District** pays the entire cost of workers' compensation insurance. The insurance provides coverage for related medical and rehabilitation expenses and a portion of lost wages to employees who sustain an injury on the job.

The district abides by all applicable state workers' compensation laws and regulations.

If an employee sustains a job-related injury or illness, it is important to notify the supervisor and the Main Office or the SAU Office immediately and it is ***required that the employee, another designated employee (in the event that the employee is unable to complete the form themselves), or the employee's supervisor will complete a First Report of Injury (FROI), with input from the employee and return the form to the SAU Office. The FROI is available under the Staff section of the district website.*** The SAU Office will file the claim with the insurance company. In cases of true medical emergencies, report to the nearest emergency room.

Workers' compensation benefits (paid or unpaid) will run concurrently with FMLA leave, if applicable, where permitted by state and federal law. In addition, employees will not be paid vacation or sick leave for approved absences covered by the district's workers' compensation

program, except to supplement the workers' compensation benefits such as when the plan only covers a portion of the employee's salary as allowed by state law.

## **Employee Assistance Program**

The Employee Assistance Program (EAP) is a resource designed to provide highly confidential and experienced help for employees in dealing with issues that affect their lives and the quality of their job performance. **Newmarket School District** wants employees to be able to maintain a healthy balance of work and family that allows them to enjoy life. The EAP is a confidential counseling and referral service that can help employees successfully deal with life's challenges.

This free, comprehensive counseling service is available to all employees, regardless of whether they may be enrolled in health coverage. The district encourages employees to use this valuable service whenever they have such a need. Employees who choose to use these counseling services are assured the information disclosed in their sessions is confidential and not available to the district, nor is the district given any information on who chooses to use the services. For questions or additional information about this program, employees may contact the Human Resources Department (Business Administrator).

Details on the Employee Assistance program are available on the district's website under Staff, Staff Resources, Human Resources and Payroll Information section..

# EMPLOYEE HANDBOOK ACKNOWLEDGMENT AND RECEIPT

I hereby acknowledge receipt of the Employee Handbook of **Newmarket School District**. I understand and agree that it is my responsibility to read and comply with the policies in the Handbook.

I understand that the Handbook and all other written and oral materials provided to me are intended for informational purposes only.

I understand that this Handbook supersedes and replaces any and all prior **Newmarket School District** employee handbooks. I also understand that if any provision in this Handbook is contrary to a written contract, collective bargaining agreement, building staff handbook, or Newmarket School Board policy, the contract, collective bargaining agreement, building staff handbook or policy will be controlling over this Handbook.

Neither the Handbook, district practices, nor other communications create any contractual obligations, express or implied, or an employment contract or term. I understand that the policies and benefits, both in the Handbook and those communicated to me in any other fashion, are subject to interpretation, review, removal, and change by management at any time without notice.

I further understand that unless documented otherwise in an individual employment agreement and/or CBA, I am an at-will employee and that neither this document nor any other communication shall bind the district to employ me now or hereafter and that my employment may be terminated by me or the district without reason at any time. I understand that no representative of the district other than the Superintendent or the School Board Chair has any authority to enter into any agreement for employment for any specified period of time or to assure any other personnel action or to assure any benefits or terms or conditions of employment, or make any agreement contrary to the foregoing.

I also understand and agree that this agreement may not be modified orally and that only the Superintendent and the Newmarket School Board of the district may make a commitment for employment. I also understand that if such an agreement is made, it must be in writing and signed by the Superintendent or School Board Chair. I understand that this Handbook refers to current benefit plans and policies maintained by the **Newmarket School District** and I must refer to the actual plan documents, summary plan descriptions, and policies, as these documents are controlling.

If I have questions regarding the content or interpretation of this Handbook, I will ask my supervisor.

---

Date Signed by Employee

---

Employee's Name in Print

---

Signature of Employee

**TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE**

## RECEIPT OF HARASSMENT POLICY

I have read and I understand the **Newmarket School District's** ACAC: Title IX Harassment Policy and Grievance Policy.

---

Employee's Name in Print

---

Signature of Employee

---

Date Signed by Employee

**TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE**



## Appendix A: Form Ed317: Report of Theft, Destruction, or Violence in a Safe School Zone

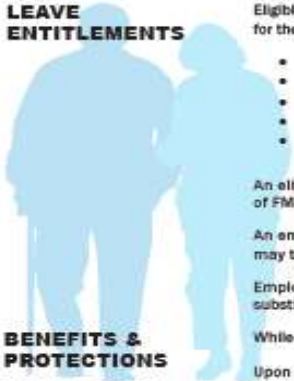
<b>CONFIDENTIAL</b> Form Ed317 03/01/96		
<b>REPORT OF THEFT, DESTRUCTION, OR VIOLENCE          IN A SAFE SCHOOL ZONE TO LOCAL LAW ENFORCEMENT AGENCY</b>		
<b>INSTRUCTIONS:</b> This report shall be completed by a public or private school employee jointly with his/her supervisor immediately after awareness of an incident of a criminal nature. Not all information will be available at that time, but missing data shall be filled in within 48 hours by the principal. This report shall be filed with the local law enforcement agency by the principal within 48 hours of the incident.		
School Name: _____ Principal's Name _____ Address: _____ School Telephone _____		
<b>INCIDENT DATE</b> ____/____/____	<b>TIME OF INCIDENT</b> _____ A.M. _____ P.M.	<b>LOCATION OF INCIDENT</b> _____
<b>ALLEGED OFFENSES</b>		
<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <input type="checkbox"/> Drug/Alcohol Offenses  <input type="checkbox"/> Weapon Offense  <small>Please circle type of Weapon: Handgun - Rifle/Shotgun - Other</small>  <input type="checkbox"/> Homicide  <input type="checkbox"/> Sexual Offense         </div> <div style="width: 48%;"> <input type="checkbox"/> Robbery, Burglary, Theft  <input type="checkbox"/> Arson  <input type="checkbox"/> Criminal Mischief/Vandalism  <input type="checkbox"/> Assault/Threatening         </div> </div>		
<b>DESCRIPTION OF INCIDENT</b> (Include the names and addresses of any witnesses if appropriate)		
_____ _____ _____ _____		
<b>SUSPECT</b>	<b>VICTIM</b>	
Name _____ Address _____ <input type="checkbox"/> Male      Date of Birth ____/____/____ <input type="checkbox"/> Female Grade _____	Name _____ Address _____ <input type="checkbox"/> Male      Date of Birth ____/____/____ <input type="checkbox"/> Female Grade _____	
<b>EMPLOYEE REPORTING INCIDENT</b>	<b>DATE REPORT COMPLETED</b> By Employee	<b>DATE REPORT FILED</b> by Principal
Name _____ School _____	____/____/____ mo   day   year	____/____/____ mo   day   year

## Appendix B: Employee Rights under FMLA (Federal)

# EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

### LEAVE ENTITLEMENTS



Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;\* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

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

### ELIGIBILITY REQUIREMENTS

### REQUESTING LEAVE

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

### EMPLOYER RESPONSIBILITIES

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

### ENFORCEMENT

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.



For additional information or to file a complaint:

**1-866-4-USWAGE**

(1-866-487-9243) TTY: 1-877-889-5627

**www.dol.gov/whd**

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



WH1420 REV 04/18

## Appendix D: Employee Assistance Plan

**SCHOOLCARE**  
HEALTH BENEFIT PLAN

**Employee Assistance & Work/Life  
Support Program**

**24/7 Confidential Assistance**



**WE CAN  
HELP YOU  
WITH THAT**

**Balance work, life and everything in-between**  
We know it's not just the big things in life that challenge us.  
It's the small stuff, too.

Your Employee Assistance & Work/Life Support Program is here for all of it.

We can help you with a range of issues, including:

- › Managing stress
- › Dealing with depression, anxiety and other mental health issues
- › Going through grief and loss
- › Addressing legal needs and financial questions
- › Repairing and growing relationships
- › Finding caregiver solutions

### We're here every day, 24/7



Contact us any day, anytime.

**877.622.4327**



**myCigna.com**

Employer ID:  
schoolcare  
(for initial registration)

If already registered, simply log in to **myCigna.com** to access the Employee Assistance Program (EAP) under "Review My Coverage."

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