



EMPLOYEE HANDBOOK
2023-2024



MINERAL COUNTY SCHOOLS

36 BAKER PLACE
KEYSER, WV 26726

TROY RAVENSCROFT—SUPERINTENDENT

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August 2023

Dear MCS Staff Member:

In Mineral County Schools, we work hard to ensure excellent teaching and learning in all of our classrooms and for all of our students. Each member of our team has an important contribution to make toward our goal of creating an entire system of great schools.

If you are a new staff member, welcome! We are happy to have you on board, and we look forward to your energy and new ideas. And if you are a long term employee, thank you for your continuing commitment and for all that you do for our great students. These are challenging and exciting times, and I want to thank you for joining us in this important work.

This personnel handbook is intended to serve as a basic reference guide for your employment with Mineral County Schools. This handbook will be in effect for the current school year and subsequent years unless replaced by a later edition. Please refer to it often and discuss any questions you may have with your immediate supervisor. The Department of Administrative Services is also available to assist you if you have questions about anything included in this handbook. We are here to support you as you support our students.

Throughout this document, there are references to district policies and policy regulations. Many times, a section contains actual policy language intermixed with day-to-day procedures. In reading this handbook, please understand that where conflict exists, state or federal law and Board Policy supersede this handbook.

We hope that this handbook will be helpful to you. Suggestions for improvement and additional information are always welcome. Thank you for your dedication and for supporting our great students.

Sincerely,

W. Scott Staley

W. Scott Staley
Director of Administrative Services

MINERAL COUNTY SCHOOLS BOARD OF EDUCATION INFORMATION

Mineral County Schools Board of Education members hold scheduled board meetings on the first and third Tuesday of each month at the administrative offices located at 36 Baker Place, Keyser, West Virginia.

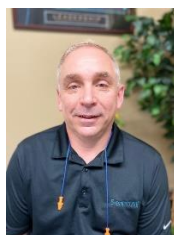
Members



LAURA COURRIER, PRESIDENT



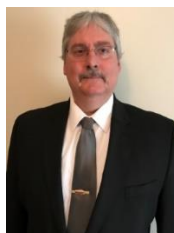
MARY JANE BANIAK, VICE PRESIDENT



DONALD ASHBY, MEMBER



THOMAS DENNE, MEMBER



TERRY PUFFINBURGER, MEMBER

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THIS PAGE IS TO REMAIN IN THE HANDBOOK

All employees are provided a copy to sign and return in the handbook folder.

MINERAL COUNTY SCHOOLS

Employee Handbook Statement of Acceptance

2023-2024 School Year

I understand and agree that the contents of this Handbook are presented as a matter of information only. The information contained in this Handbook is merely a summary of the present policies, rules and benefits of the Mineral County Board of Education (“School Board”), and the handbook is not intended to be or create an employment contract, either express or implied. To the extent that any written employment contract contradicts any term of this Handbook, the written employment contract controls.

While the School Board offers and intends to apply the policies, procedures, rules and benefits described herein, they are not an offer of employment, and are not intended to guarantee me employment or job security.

I understand that the School Board also reserves the right in its sole discretion to at any time modify, interpret, revoke, suspend, terminate or change any or all plans, policies or procedures, in whole or in part, with or without advance notice. In addition, I understand that no supervisor, representative or officer of the School Board has any authority to make any agreement contrary to the policies stated herein with any employee, without the express written authority of the School Board.

I have received my personal copy of the Mineral County School Board’s Employee Handbook, and I have been given an opportunity to read it and ask questions regarding its contents.

Printed Name

Employee Signature

Date

INTRODUCTION

This handbook has been prepared as a general reference guide so that employees may better understand their privileges and responsibilities as employees of the School Board and the rules and practices governing employment with the School Board. This handbook supersedes any and all prior policies and practices of the School Board, oral or written, and any policies, procedures, handbooks and/or School Board rules previously in effect.

All **WV Code** can be found at: <http://www.legis.state.wv.us/WVCODE/Code.cfm>

All **WVDE Policies** can be found at: <http://wvde.state.wv.us/policies/>

All **Mineral County Schools Policies** can be found at: <http://www.boe.mine.k12.wv.us/Board.aspx>

Policies referenced are also available upon request, please contact Denise Bruno 304-788-4200 Ext. 114.

This information, procedures and policies set forth in this handbook are not a consideration of employment and the language is not intended to be or create a contract between the School Board and its employees. Also, the general information pertaining to the various benefit plans is based upon official texts, which are controlling in case of question or inconsistency. To the extent that any written employment contract or collective bargaining agreement contradicts any term of this Handbook, the written employment contract or collective bargaining agreement controls.

THIS HANDBOOK IS NOT INTENDED TO BE OR TO CREATE A CONTRACT OF EMPLOYMENT.

Employees are required to read this handbook and keep it in a convenient place for future reference. It is to remain in the employee's possession as long as he/she is employed by the School Board. From time to time, employees may receive notices regarding updates, as needed. The Office of Human Resources website will have available the updated version for employee access.

Employees should direct any questions on any part of this handbook, or any subject not covered in it, to the Director of Administrative Services.

The use of the male pronoun "he" within this handbook shall include the neuter and feminine, and use of the pronoun is not in any way intended as an act of discrimination against any party.

DEFINITIONS

As used in this handbook, the following terms are defined as set forth below:

- A. Employees: All persons employed by the Mineral County Board of Education
- B. The School Board: The Board of Education of Mineral County

MISSION: The mission statement of Mineral County Schools is "Success for all students-no exceptions, no excuses."

BELIEFS

In order to build a high performing school system, Mineral County Schools believes the following:

- Children are our most valuable resource. They thrive in an environment where they are nurtured, treated with respect and provided with affective respect.
- Parents and the community must be valued and respected partners in finding success for all students.
- Schools and school systems are responsible for creating the conditions necessary for student success.
- Strong instructional leadership and high quality personnel are necessary to achieve success for all students.
- The primary measures of the school and system success are 1) the increase of students who achieve proficiency and 2) the decrease of students in the achievement gap among student sub groups.
- All students can learn and 90% of Mineral County students can achieve proficiency.
- Transforming a school system to produce "Success for All" requires a systemic continuous improvement process.

EMPLOYEE CODE OF CONDUCT: POLICY 3210 & 4210

The Mineral County Board of Education recognizes that the capabilities and conduct of all professional and service personnel employees greatly affect the quality of education provided to students in its schools. The Mineral County Board of Education further believes that all professional and service employees should be intrinsically motivated by the importance of the job that they do. The purpose of the Employee Code of Conduct is to establish appropriate standards of conduct for all Mineral School System service personnel.

This policy also requires that Mineral County Schools professional and service personnel employees respond immediately and consistently to incidents of bullying, harassment, intimidation, substance abuse, and/or violence of any other code of conduct violation that impacts negatively on students in a manner that effectively addresses incidents, deters future incidents, and affirms respect of individuals.

Employee Code of Conduct

All Mineral County employees shall:

- A. exhibit professional behavior by showing positive examples of preparedness, communication, fairness, punctuality, attendance, language, and appearance;
- B. contribute, cooperate, and participate in creating an environment in which all employees/students are accepted and are provided the opportunity to achieve at the highest levels in all areas of development;
- C. maintain a safe and healthy environment, free from harassment, intimidation, bullying, substance abuse, and/or violence, and free from bias and discrimination;
- D. create a culture of caring through understanding and support;
- E. immediately intervene in any code of conduct violation, that has a negative impact on students, in a manner that preserves confidentiality and the dignity of each person;
- F. demonstrate responsible citizenship by maintaining a high standard of conduct, self-control, and moral/ethical behavior;
- G. comply with all federal, West Virginia and Mineral County laws, ordinances, policies, regulations and procedures.

CONFIDENTIALITY

In accordance with WVDE Policy 4350 and the Family Educational Rights and Privacy Act of 1974 (FERPA), all employees have an absolute duty to maintain the confidentiality of records as required by law. Employees, by the nature of their occupation, are exposed to confidential information which should not be repeated or discussed except with those recognized by law as having the “right to know” the information. Any employee who is not sure whether particular information may be protected by state or federal confidentiality policies/laws should seek clarification from his or her immediate supervisor or the Assistant Superintendent. Where violations occur, appropriate disciplinary action will be taken.

IDENTIFICATION BADGES: Policy 7430.01

In an on-going effort to maintain a safe environment in school facilities, the Mineral County Board of Education (MCBOE) requires all staff to wear identification badges provided by the MCBOE during the normal school day. The identification badges are issued by the Office of Administrative Services. Lost identification badges should be reported to the principal or supervisor as well as the Office of Administrative Services. Damaged badges may be remitted to the Office of

Administrative Services so that a new badge can be issued. Upon leaving employment, badges are to be returned to the Director of Administrative Services.

EMAIL ACCOUNTS

Every employee, including substitute employees and coaches, are issued an email account, for the e-mail system used by school employees throughout the state of West Virginia. **Employees are expected to monitor their accounts daily** because they will be used for communication from the county administrative offices, school administrative offices, News Spots, Vacancy Flyers, announcements and potentially, for security reasons. Computer stations are available in each school for employees, substitute employees and coaches as needed. Check with the principal or other administrator to find out about available computer stations.

MCKINNEY-VENTO

Subtitle VII-B of the McKinney-Vento Homeless Assistance Act, reauthorized in 2015 by Title XI, Part A of Every Student Succeeds Act, guarantees education rights and supports for students experiencing homelessness.

The purpose of the McKinney-Vento Act is to address the barriers the children and youth in homeless situations face in enrolling, attending, and succeeding in school. To this end, McKinney-Vento students, including unaccompanied youth have the right to:

- Receive a free, appropriate education;
- Enroll in school immediately, even if lacking documents normally required for enrollment, or having missed application or enrollment deadlines during any period of homelessness;
- Enroll in school and attend classes while the school gathers needed documents;
- Continue attending their school of origin, or enroll in the local attendance area school if attending the school of origin is not in the best interest of the student;
- Receive transportation to and from the school of origin.

If you identify homeless students, please contact Brandy Fisher at 304-788-4218, ext. 3

REPORTING OF CHILD ABUSE AND NEGLECT (MANDATORY REPORTING)

WEST VIRGINIA CODE §49-2-803. Persons mandated to report suspected abuse and neglect; requirements.

(a) Any medical, dental, or mental health professional, Christian Science practitioner, religious healer, **school teacher or other school personnel**, social service worker, child care or foster care worker, emergency medical services personnel, peace officer or law-enforcement official, humane officer, member of the clergy, circuit court judge, family court judge, employee of the Division of Juvenile Services, magistrate, youth camp administrator or counselor, employee, coach or volunteer of an entity that provides organized activities for children, or commercial film or photographic print processor who has reasonable cause to suspect that a child is neglected or abused, including sexual abuse or sexual assault, or observes the child being subjected to conditions that are likely to result in abuse or neglect **shall immediately, and not more than 24 hours after suspecting this abuse or neglect, report the circumstances to the Department of Health and Human Resources.** In any case where the reporter believes that the child suffered serious physical abuse or sexual abuse or sexual assault, the reporter shall also immediately report to the State Police and any law-enforcement agency having jurisdiction to investigate the complaint. Any person required to report under this article who is a member of the staff or volunteer of a public or private institution, school, entity that provides organized activities for children, facility, or agency shall also immediately notify the person in charge of the institution, school, entity that provides organized activities for children, facility, or agency, or a designated agent thereof, who may supplement the report or cause an additional report to be made: Provided, That notifying a person in charge, supervisor, or superior does not exempt a person from his or her mandate to report suspected abuse or neglect.

(b) County boards of education and private school administrators shall provide all employees with a written statement setting forth the requirements contained in this section and shall obtain and preserve a signed acknowledgment from school employees that they have received and understand the reporting requirement.

(c) Nothing in this article is intended to prevent individuals from reporting suspected abuse or neglect on their own behalf. In addition to those persons and officials specifically required to report situations involving suspected abuse or neglect of children, any other person may make a report if that person has reasonable cause to suspect that a child has been abused or neglected in a home or institution or observes the child being subjected to conditions or circumstances that would reasonably result in abuse or neglect.

(d) The provisions of this section are not applicable to persons under the age of 18.

**Department of Health and Human Resources 1-800-352-6513

**West Virginia State Police 304-788-1101

SAFE SCHOOLS

It is the responsibility of every staff member to report all violations of the Student Code of Conduct (WVDE Policy 4373) to the principal/lead teacher. All staff have a personal responsibility for reducing the risk of violence and must take steps to maintain order, demonstrate mutual respect for one another and ensure that students receive the help they need. Staff shall not carry or possess a deadly weapon in the workplace or on the grounds of a school.

WEAPONS

Unless otherwise authorized by law, pursuant to West Virginia Code §§ 61-7-2; 61-7-11; 61-7-11a, no person shall possess, have under the person's control, convey, or attempt to convey a deadly weapon or dangerous ordnance into any school or school buildings, school premises or school buses, or on any grounds or premises in or upon which any school activities are taking place.

DRUG FREE WORKPLACE: POLICY 3122.01 & 4122.01

The Board of Education believes that quality education is not possible in an environment affected by drugs. It will seek, therefore, to establish and maintain an educational setting which is not tainted by the use or evidence of use of any controlled substance.

The Board shall not permit the manufacture, possession, use, distribution, or dispensing of any controlled substance, alcohol, or any drug paraphernalia as the term is defined by law, by any member of the District's professional staff at any time while on Board property or while involved in any school or Board-related activity or event. Any staff member who violates this policy shall be subject to disciplinary action up to and including termination and/or may be required to satisfactorily participate in a drug rehabilitation or assistance program in accordance with Board of Education guidelines.

An employee shall notify their supervisor or department head of any criminal drug Statute conviction or alcohol violation occurring in the workplace or conviction outside of the workplace, no later than five (5) days after such violation or conviction occurs.

FIRE EVACUATION

There are some basics to fire evacuation which are as follows:

- If an employee spots a fire, he/she must report it immediately by pulling the nearest fire alarm, usually located near exits. The fire department should be called and the location reported.
- Never use elevators during a fire.
- Don't panic. Move quickly, but orderly, towards the nearest exit and leave the building.

NOTICE OF NON-DISCRIMINATION AND EQUAL EMPLOYMENT: POLICY 1422

Mineral County Schools regards equal educational opportunity for all students and provides equal employment opportunities to all employees and applicants for employment and prohibits discrimination and harassment of any type without regard to race, color, religion, age, sex, national origin, disability status, genetics, protected veteran status, sexual orientation, gender identity or expression, or any other characteristic protected by federal, state or local laws.

The following person(s) has been designated to handle inquiries regarding the non-discrimination policies:

Kelli Wilson, Assistant Superintendent/Director of Special Education

304-788-4200, ext. 123

36 Baker Place, Keyser, WV 26726

kawilson@k12.wv.us

Scott Staley, Director of Administrative Services

304-788-4200, ext. 118

36 Baker Place, Keyser, WV 26726

wstaley@k12.wv.us

ATTENDANCE AND PUNCTUALITY

All employees are expected to be present during their scheduled working hours. Absence without prior approval, chronic absences, habitual tardiness or abuses of designated working hours are all considered neglect of duty and will result in disciplinary actions, up to and including termination, unless otherwise required by state or federal law.

Supervisors shall require, unless otherwise directed, employees to contact supervisor or designee personally, as well as report the absence in the employee attendance reporting and substitute calling system at least one (1) hour prior to the start of the workday. If the supervisor is not available, the employee shall report the absence to the supervisor's designee. Unless an emergency situation dictates otherwise, messages must not be left by third parties. Failure to follow these directives could result in disciplinary action.

Non-exempt employees who have not been granted prior approval by appropriate authority to work overtime may not arrive at their workstations or begin working earlier than their scheduled starting time and must leave their workstations and stop working at their scheduled ending time. Taking work home without prior approval shall not be permitted. Failure to comply with these requirements may result in disciplinary actions, up to and including dismissal.

TIME AND ATTENDANCE REPORTS

Every employee classified as a non-exempt employee is required to complete a time sheet for each week worked during the employee's employment term, reflecting the actual starting and ending times for each day worked and the total time worked. This time sheet shall include the employee's verification that the time sheet is an accurate statement of hours worked. The employee and the employee's immediate supervisor shall sign timesheets at the end of the pay period and submit in a timely manner to the payroll office.

Employees classified as exempt employees are not required to file weekly time sheets, but must indicate days present and absent on the payroll report and initial the report.

DAILY PLANNING PERIOD

Teaching staff who are regularly employed for a period of time more than one-half the class periods of the regular school days are provided at least one (1) paid planning period within each school instructional day to be used to complete necessary preparations for the instruction of students. A teacher shall not be assigned any responsibilities during this period, and the county shall not increase the number of hours to be worked by a teacher as a result of such teacher being granted a planning period.

Substitute teachers may be utilized to assist with classroom responsibilities in cases where the regular teacher is unavailable for teaching purposes as a result of this policy; however, any substitute teacher who is employed to teach a minimum of two (2) consecutive days in the same position shall be granted a planning period.

A teacher may exchange his/her planning period for any compensation or benefit mutually agreed upon by the employee and the Superintendent of Schools or his/her agent. A teacher and the superintendent or his/her agent may not agree to terms which are different from those available to any other teacher within the individual school or to terms which in any way discriminate among such teachers within the individual school. This shall be a written agreement dated and signed by the employee/teacher and the superintendent or his/her agent.

JOB DESCRIPTIONS

All job descriptions are updated annually and available upon request and on the county website: <http://boe.mine.k12.wv.us/page/office-of-human-resources>

It is the responsibility of each employee to review their job description(s) within the first 5 days of employment each school year. Questions related to job descriptions should be directed to the immediate supervisor.

In the event job descriptions are revised after the deadline for employee review, impacted employees will be provided with the revised job description and/or information about where it can be accessed.

PERFORMANCE EVALUATION

All regular professional employees shall be evaluated based on WVDE Policy 5310. All regular service employees shall be evaluated based on Mineral County Schools Policy 4220.

ACCOMMODATING EMPLOYEES WITH DISABILITIES: POLICY 1623

The School Board will make a reasonable accommodation to the known physical or mental impairment of a qualified individual with a disability, when necessary, to enable the qualified individual with a disability to perform the essential functions of the job. An individual with a disability has the responsibility to request an accommodation.

CERTIFICATION/LICENSURE

It is the responsibility of each employee to maintain and renew certifications/licensure (including Authorizations, Permits, etc.) as it relates to each position. Failure to comply with individual certification/licensure requirements may result in disciplinary actions up to and including dismissal.

PERSONNEL FILES

The School Board shall maintain a confidential personnel file for each employee. Documents and data relating to each employee's employment with the School Board, including but not limited to the Handbook Statement of Acceptance, Drug Free Workplace, Internet Use Agreement Form, and documents relating to hiring, rate of pay, promotions, licensing and disciplinary actions, shall be kept in the personnel file. Any and all documents constituting or relating to medical records or information shall be kept in a separate, confidential file in compliance with applicable local, state and federal law. Any

and all documents constituting or relating to grievance activity shall be kept in a separate, confidential file in compliance with applicable state law.

REFERENCE AND INFORMATION REQUESTS

The School Board will respond only to written requests for information about current, retired or terminated employees. All such requests must be referred to the Director of Administrative Services who will provide the following information: dates of employment, title(s) of position(s), wage or salary level(s), and work location(s).

Without a release and authorization from the individual involved, no opinion or assessment of job performance will be provided. Only **authorized** persons shall provide information of any kind to inquiries made on or about a current or past employee of the Mineral County School system.

CHANGE OF STATUS

Employees are to complete and submit the Change of Address form in SchoolStream. Additionally, please contact the Board of Education Office for instructions on updating records that would include name, address, phone number, etc.

DRESS CODE

Staff members must be physically clean, neat, and well-groomed and dress in a manner consistent with their professional responsibilities, which communicates to students a pride in personal appearance, and that does not cause damage to county property. Staff members must be groomed in such a way that their hair style or dress does not disrupt the educational process nor cause a health or safety hazard.

Repeated violations of the dress code will subject the employee to disciplinary action which, depending on the severity, may result in termination of employment.

STAFF DEVELOPMENT/PROFESSIONAL LEARNING

****Professional Staff: Policy 3242**

The purpose of CE is to improve the employee's knowledge as it relates to his/her job, and all employees are required to receive 18 hours of CE each year. **Professionals must attend all CE days scheduled in the school calendar unless using approved leave.** The school calendar as set by the Mineral County Board of Education requires eighteen hours of staff development to be delivered per the state approved school calendar. Six of these hours will be planned at the county level and each school principal is actually directing the remaining twelve hours of staff development hours.

Individual School Staff Development must address the improvement needs as outlined in individual School Unified Plans.

Staff Development will consist of 18 hours as provided in the annual school calendar. Participation must be documented and assured. When a staff member misses staff development because of illness, personal leave, county-approved school-related activity or a day without pay, and attendance at Staff Development activities falls below the state mandated 18 hours, he or she must "make up" the missed staff development session. **Staff development acquired during ISE days cannot be applied for make-up of the mandated 18 hours.** Substitute request forms, available at the school, should be submitted within 5 days of the absence.

Teachers will complete online staff development evaluations in an effort to provide feedback to the Staff Development Council on sessions, for improvement ideas and suggesting topics for future staff development. Teachers may complete Staff Development Logs to receive recognition for completion of hours over the required 18 hours of staff development.

SUBSTITUTION REQUEST

NOTE: Hours used in substituting for the 18 hours between July 1 and June 30 of required professional development must occur beyond the instructional day. Example: A workshop that you attend after the school day or during the summer CAN count as substitute hours. A workshop that you attended during the school year on an instructional day CANNOT count.

You must substitute actual hours missed for actual hours made up. Exception: One three hour college course equals six hours of professional development. A grade report or transcript should be attached for verification.

****Service Staff: Policy 4242**

The Board of Education shall incorporate the following components and governing principles of operation.

- A. All service personnel staff shall participate in at least eighteen (18) hours of job related staff development each year. Job related means that programs available to all service personnel are relevant to:
 - 1. their areas of assignment; and
 - 2. their job classifications and job descriptions.
- B. The Staff Development Program – to promote personal growth and lifelong learning for service personnel, the staff development activities should:
 - 1. be based on predetermined needs of service personnel;
 - 2. reflect state and local board of education goals and policies;
 - 3. include activities which provide for individual as well as group needs;
 - 4. include individual, school-level and district-level learning opportunities; and
 - 5. include a systematic evaluation process.

General Implementation Process

- A. The superintendent or his/her designee shall hold an advisory, nonvoting role on the Service Personnel Staff Development Council.
- B. The Service Personnel Staff Development Council shall have final authority to propose staff development programs for their peers based upon rules established by statute.
- C. The Service Personnel Staff Development Council shall be comprised of two (2) employees from each category of employment: secretarial, custodial, maintenance, transportation, food service, and aides.
- D. Nominations of service personnel to serve on the District Service Personnel Staff Development Council may be submitted by six (6) groups identified in C, immediately above, to the superintendent, who shall prepare and distribute ballots and tabulate the votes of the district's service personnel voting on the persons nominated.
- E. Election to the Service Personnel Staff Development Council shall be made on a staggered three (3) year sequence.
- F. This school system may elect to cooperate in the same staff development program with one (1) or more other school systems.

- G. The Eastern Panhandle Instructional Cooperative or professional development center, at the direction of its Board of Directors, shall cooperate with the Service Personnel Staff Development Council.
- H. Any service personnel employee in concert with his/her immediate supervisor, may develop an individual staff development plan to be used in implementing his/her staff development activities. An employee's performance evaluation must be used in this process. However, the employee's evaluation remains confidential.

SCHOOL BOARD-STAFF COMMUNICATION

The School Board desires to maintain open channels of communication between itself and the staff. The basic line of communication, will, however, be through the superintendent.

Staff Communications to the School Board

Communications from staff members to the School Board or its committees shall be submitted through the superintendent. The superintendent shall forward such communications received from staff members to the School Board. This procedure is not intended to deny any staff member his/her constitutional right of free speech or the right to appeal to or otherwise address the School Board on important matters through established procedures.

School Board Communications to Staff

All official communications, policies, and directives of the School Board that would be of interest and concern to the staff will generally be communicated through the Superintendent. The Superintendent shall also keep staff members informed of the School Board's concerns, and actions.

Social Interaction

Both staff and School Board members share an interest in the schools and in education generally, and it is to be expected that when they interact at social affairs and other functions, they will informally discuss such matters as educational trends, issues, and innovations, and general activities of the county. However, since School Board members are not authorized to act on behalf of the School Board unless by quorum, in open public session, or when specifically vested with such authority, School Board members and members of the staff should not discuss any matter which may result in the individual School Board member(s) making some decision and giving the staff member a directive as a result. In particular, School Board members should not discuss individual personalities, personnel grievances, or other complaints with staff members or others outside the appropriate setting. Instead, such matters should be addressed in accordance with the procedures established in the School Board policies.

SCHOOL CLOSURE DUE TO INCLEMENT WEATHER AND SPECIAL CIRCUMSTANCES

Weather conditions or emergency circumstances may necessitate the closure of school or impose a delay in the opening of school. If required by law or a direction from the State Superintendent of Schools or designee, a make-up date for instruction shall be designated within the school calendar by converting a remaining non-instructional day to an instructional day.

PAYROLL DEDUCTIONS

An earnings statement is available @ <http://wveis.k12.wv.us/countempol/> indicating gross wages, itemized deductions, and net pay. It is your responsibility to review your earnings statement each pay day. Any errors or unexplained discrepancies should be reported to the payroll office immediately.

Mandatory deductions from your paycheck are Federal Income Withholding Tax, State Income Withholding Tax, Social Security Withholding Tax (FICA), Medicare, and Teachers Retirement System Contribution.

Other payroll deductions may be made based on authorization by the employee including: Insurance Premiums (Basic Health, Optional Life, Dependent Life); Credit Union; Combined Campaign for Charitable Organizations; and other miscellaneous items.

COMPUTATION OF OVERTIME PAY: POLICY 6700

Overtime compensation will be paid or compensatory time awarded for actual hours worked in excess of forty during a given workweek. In computing the total number of overtime hours worked, time worked will be rounded to the nearest fifteen minute increment. For example, one hour and five minutes will be rounded to one hour, one hour and ten minutes will be rounded to 1 hour and fifteen minutes.

Overtime compensation will be paid at the rate of one and one-half times the employee's regular rate of pay for each hour worked in excess of forty during a workweek. Generally, the regular rate will include all compensation earned by the employee during the workweek divided by the total number of hours worked.

In situations where an employee performs two or more different duties during the workweek with differing regular compensation rates, such as his/her regular duty and an extra-curricular and/or extra-duty assignment, overtime compensation will be computed using one of the following methods: (a) Weighted average method – This involves calculating the employee's regular rate of pay for the workweek by taking the weighted average of all jobs performed during the workweek. To find the weighted average, determine the employee's total earnings for the week and divide this total by the total number of hours worked on all jobs. Once the weighted average has been determined, overtime will be calculated at one and one-half times this average. (b) Separate rates method – This involves calculating the employee's regular rate of pay for the workweek by computing the rate for each job separately. The overtime rate is based on the regular rate that applies to the type of work performed during the hours in excess of forty. This method is available for hourly workers only and before it can be used, the employer and employee must agree (prior to the additional work being performed).

Violations of Overtime Policy

Any exempt or non-exempt employee who violates any provision of the Board's overtime policy, or any regulations or procedures related thereto, may be subject to disciplinary actions, up to and including dismissal.

HEALTH/LIFE INSURANCE BENEFITS

The WV Public Employees Insurance Agency is a self-insured health fund, which provides a comprehensive health care plan. Also included is a \$10,000 term life insurance policy with the option to increase the coverage. Premiums are based on salary level and smoking status. Refer to PEIA Shoppers Guide and Summary Plan description for details.

DENTAL/VISION INSURANCE

Mineral Schools offers dental and vision insurance coverage through the Mineral County Group Dental/Vision Plan. Open enrollment for this voluntary benefit coincides with the open enrollment for PEIA Health Insurance, but enrollment or changes for each plan are to be submitted separately.

FLEXIBLE BENEFITS

A Flexible Benefits Plan offered by American Fidelity Assurance Company offers employees to choose from various insurances including long and short term disability insurance, medical care and dependent care flexible spending accounts and various other options. Some benefits qualify on a pre-tax basis.

TUITION REIMBURSEMENT: POLICY 3242.01

Please refer to Mineral County Schools Policy 3242.01.

JOB-RELATED EXPENSES

The School Board will provide for the payment of the actual and necessary expenses, including traveling expenses, of any staff member incurred in the course of performing services for the Mineral County School system, whether within or outside

the county, under the direction of the School Board and in accordance with the Superintendent's administrative guidelines. Advanced approval is needed for out of county travel and advanced board approval is needed for out of state travel requests.

The School Board shall pay the expenses of staff members when they attend professional meetings approved in accordance with the policy of this School Board and in accordance with the administrative guidelines of the Superintendent.

The validity of payments for job-related expenses shall be determined by the Treasurer/Chief School Business Official. Whenever a staff member is unable to provide required receipts for appropriate expenses, she or he will not be reimbursed.

EARLY NOTIFICATION OF RETIREMENT

A classroom teacher who gives written notice to the School Board on or before the 1st day of March of the school year of their retirement from employment with the School Board at the conclusion of the school year shall be paid \$500 from the "Early Notification of Retirement" line item established for the Department of Education for this purpose, subject to appropriation by the Legislature. Mineral County Schools also provides Professional and Service personnel a \$500 bonus for early notification of retirement to the School Board on or before the 1st of March.

If the appropriations to the Department of Education for this purpose are insufficient to compensate all applicable teachers, the Department of Education shall request a supplemental appropriation in an amount sufficient to compensate all such teachers. Additionally, if funds are still insufficient to compensate all applicable teachers, the priority of payment is for teachers who give written notice the earliest. This payment shall not be counted as part of the final average salary for the purpose of calculating retirement.

LIABILITY COVERAGE

The State Board of Risk and Insurance Management (BRIM) provides appropriate professional or other liability insurance for the School Board, teachers, supervisory and administrative staff members, service personnel, County Superintendent of Schools and School Board members.

The insurance covers any claim, demand, action, suit, or judgment by reason of alleged negligence or other acts resulting in bodily injury or property damage to any person within or without any school building, if, at the time of the alleged injury, the teacher, supervisor, administrator, service personnel employee, County Superintendent, School Board member, or employee was acting in the discharge of his/her duties, within the scope of his/her office, position of employment, under the direction of the Board of Education or in an official capacity as a County Superintendent or as a School Board member.

The insurance coverage amount is determined by the BRIM, but in no event is it less than \$1,250,000 for each occurrence.

EXCESS LIABILITY COVERAGE

In addition to the liability insurance provided by the State, the School Board shall purchase, through the Board of Risk and Insurance Management, excess coverage of at least \$5,000,000 for each occurrence. The Mineral County Board of Education pays for the cost of this excess coverage.

Any insurance purchased under this section shall be obtained from a company licensed to do business in this State. The insurance policy shall include comprehensive coverage, personal injury coverage, malpractice coverage, corporal punishment coverage, legal liability coverage as well as a provision for the payment of the cost of attorney's fees in connection with any claim, demand, action, suit or judgment arising from such alleged negligence or other act resulting in bodily injury under the conditions specified in this policy.

The Superintendent and other school personnel shall be defended by the School Board or an insurer in the case of suit, unless the act or omission shall not have been within the course or scope of employment or official responsibility or was motivated by malicious or criminal intent.

FAMILY AND MEDICAL LEAVE POLICY AND NOTICE OF EMPLOYEE RIGHTS AND RESPONSIBILITIES: POLICY 1630.01

The Family and Medical Leave Act of 1993 (the “FMLA”) requires that the Board allow at least up to twelve (12) weeks of unpaid leave in any twelve (12) month period for eligible employees who must miss work because of one of the following circumstances:

- 1.1 the birth or adoption of a child
- 1.2 the placement of a foster child
- 1.3 to care for spouse, son, daughter or parent of the employee, if such relative has a serious health condition
- 1.4 an employee’s serious health condition that makes the employee unable to perform the functions of the position assigned.

The Board shall consider employees to be entitled to FMLA leave in accordance with the definitions, criteria and notice procedure set forth in the FMLA and regulations promulgated thereunder. The Board observes a twelve (12) month period commencing on July 1st and ending on June 30th of the next ensuing year in administering FMLA leave. No policy, procedure or action by the Board shall constitute a waiver of the requirements of the FMLA and applicable Federal regulations. The following explanation of the FMLA is provided for general information only. Any specific questions or requests for FMLA should be directed to the Director of Administrative Services.

WEST VIRGINIA PARENTAL LEAVE ACT: POLICY 3430.03 & 4430.03

The West Virginia Parental Leave Act (PLA) provides that an employee hired for permanent employment, who has worked for at least twelve (12) consecutive weeks performing services for remuneration, shall be entitled to a total of at least twelve (12) calendar weeks of unpaid family leave following the exhaustion of all his/her annual and personal leave during any twelve (12) month period for the following reasons:

1. Birth of a son or daughter of the employee;
2. Placement of a son or daughter with the employee for adoption; or,
3. To care for the employee’s son, daughter, spouse, parent or dependent who has a serious health condition.

In the case of a son, daughter, spouse, parent or dependent who has a serious health condition, such family leave may be taken intermittently when medically necessary. A serious health condition is defined as any physical or mental illness, injury or impairment which involves (1) in patient care in a hospital, hospice, or residential health care facilities, or (2) continuing treatment, health care, or continuing supervision by a health care provider.

If an employee requests family leave to care for a designated family member with a serious health condition, the employer may require the employee to provide certification by a health care provider of the family member’s serious health condition.

If a leave under this section is foreseeable because of planned medical treatment or supervision, the employee shall (1) make a reasonable effort to schedule the treatment or supervision so as to not unduly disrupt the operations of the employer, subject to the approval of the health care provider of the employee’s son, daughter, parent or dependent; and (2) provide the employer with two weeks written notice of the treatment or supervision.

The position held by the employee immediately before the leave is commenced shall be held by the employee and the employee shall be returned to that position provided that such leave does not exceed twelve (12) calendar weeks.

COBRA (CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT)

Federal law entitles employees and covered dependents to continue medical coverage when coverage would otherwise terminate, provided the employees and/or dependents pay the full group premiums. Additional and more specific information may be attained from the Public Employees Insurance Agency.

RETIREMENT

All regular employees are required to join the West Virginia Consolidated Public Retirement Board. The State Teachers Retirement System (TRS) has been established for the purpose of providing retirement benefits for teacher and school service personnel. Please visit the West Virginia Consolidated Public Retirement Board website for additional information or ask Human Resources for a brochure.

HOLIDAYS

Employees are granted paid time off in observance of official school holidays if the days are within their contract period, these days are identified in the school calendar and explained in the calendar narrative.

OUTSIDE OF SCHOOL ENVIRONMENT DAYS

Six (6) paid non-instructional days are designated and scheduled within the regular term of the school calendar to be used by employees outside the school environment.

VACATION POLICY: POLICY 3433

Employees who hold 261 day contracts shall be eligible to accumulate and take vacation leave.

403(B) PLAN

Each employee shall be eligible to participate in the Mineral County School's 403(b) Plan and elect to have pre-tax deferrals made on his or her behalf. This plan allows participants to voluntarily defer a portion of their income to supplement retirement savings. Earnings on plan contributions grow tax-deferred until withdrawn at retirement. Please contact the Finance Department for more information.

PERSONAL LEAVE FOR ILLNESS AND OTHER CAUSES (SICK LEAVE): POLICY 3431 & 4431

The Mineral County Board of Education shall abide by state law regarding personal leave established by the West Virginia State Legislature. It shall be the responsibility of the superintendent to establish administrative regulations that provide for the use of personal leave and other forms of leave.

Employees will receive five (5) personal leave days. If an employee has at least one unused Personal Leave Day from the previous year, they will start with six (6) personal leave days for the 2023-2024 school year only. Any other unused personal leave days (if any) will roll over into sick leave balance. Please direct questions regarding leave roll-over to the Office of Finance.

At the beginning of his / her employment term, each full-time employee of the Mineral County Board of Education shall be entitled annually to one and one-half days personal leave for each employment month or major fraction thereof during his/her employment term. Unused leave shall be accumulative and shall be transferable within the state. A change in job assignment during the school year shall no way affect the employee's rights or benefits.

Personal Use Utilization

An employee shall qualify to use personal leave and be paid the full salary from his/her regular budgeted salary appropriation during the period which the employee is absent, as follows:

- A. Personal Leave with Cause:
 1. Personal injury due to an accident.
 2. Personal sickness

3. Death in the immediate family, limited to a period of three (3) working days unless unusual circumstances exist.
4. Life threatening illness of the employee's spouse, parents, or child.
5. Care of immediate family member.

B. Personal Leave without Cause:

All regular full-time employees shall be permitted to take up to five (5) days of their personal leave days annually, without regard to the cause for the absence. These five (5) days personal leave may not be taken on consecutive work days unless authorized or approved by the employee's principal or immediate supervisor. Notice of such leave day shall be given to the employee's principal or immediate supervisor at least twenty-four (24) hours in advance, except that in the case of sudden and unexpected circumstances, such notice shall be given as soon as reasonably practicable. The use of such day may be denied if, at the time notice is given, either fifteen percent (15%) of the employees or three (3) employees, whichever is greater, under the supervision of the principal or immediate supervisor have previously notified the principal or immediate supervisor of their intention to use that day for such leave. Personal Leave without cause shall not be used in connection with a concerted work stoppage or strike.

Any employee taking leave in violation of the above stated reasons for granting personal leave shall be subject to disciplinary action up to and including termination.

Eligibility Requirements/Procedures

- Employees are expected to follow leave procedures (requests/approval/etc.), as directed by their supervisor.
- All absences must be reported by the employee in the attendance system (SmartFind Express) found on the Mineral County Schools website or through the telephone system by calling 1-877-313-4308.
- A physician's written verification is required to be supplied by the employee to the employee's immediate supervisor after five (5) consecutive days of absence.
- Additionally, a physician's excuse may be requested by the immediate supervisor at his or her discretion for reasons including patterns of sick leave taken unnecessarily by the employee or suspected abuse of the sick leave policy.
- The Board reserves the right at any time to have a physician of its choice to examine a personal leave claimant at the Board's expense.
- If an employee should use personal leave which the employee has not yet accumulated on a monthly basis and subsequently leave the employment, the employee shall be required to reimburse the Board for the salary or wages paid to him/her for such unaccumulated leave.

If any error in reporting absences should occur, the Board shall have authority to make necessary salary adjustments in the next pay after the employee has returned to duty or in the final pay if the absence should occur during the last month of the employment term.

If an employee is awarded workers' compensation benefits, such employee shall receive personal leave compensation only to the extent such compensation is required, when added to the workers' compensation benefit, to equal the amount of compensation regularly paid such employee. If personal leave compensation equal to the employee's regular pay is paid prior to the award of the workers' compensation benefit, such amount which, when added to the benefit, is in excess of the employee's regular pay shall be deducted from the employee's subsequent pay. The employee's accrued personal leave days shall be charged only for such days as equal the amount of personal leave compensation required to compensate the employee at the employee's regular rate of pay.

SICK LEAVE BANK: POLICY 3432 & 4432

The purpose of the Sick Leave Bank is to relieve Mineral County School employees from undue financial burdens due to absence from work on a long-term basis due to a catastrophic personal illness, injury, or incapacitation that would make their presence in the position inadvisable. All full-time employees of the Mineral County Board of Education are eligible for membership on a voluntary basis.

LEAVE DONATION BANK: POLICY 3432.02 & 4432.02

Employees (donor employees) are authorized to transfer accrued personal leave days to designated employees (recipient employees) as outlined in Mineral County Schools Policy.

JURY DUTY

The School Board believes that jury duty is a matter of civic obligation. Upon request in writing, an employee will be granted leave with pay when he or she is summoned to serve on a jury. Leave requests must be accompanied by a copy of the summons which should be given to your immediate supervisor and have submitted with payroll. Additionally, a copy of the payment received for serving on jury duty needs to be submitted with payroll.

COURT APPEARANCE

Any employee who is subpoenaed to appear as a witness but not as a defendant in any criminal proceeding in any court of law may make such appearance without any loss of pay. Absent proof that a child custody proceeding is criminal, an employee who is subpoenaed to testify in the proceeding is not entitled to do so without loss of pay or personal leave. The Board of Education will pay the employee the difference between the witness fee, exclusive of travel allowances, payable for such appearance by the court and the amount of salary due to the person for the time such employee is absent from his or her employment by reason of answering such subpoena. If a subpoena is relevant to employment with the district, the employee shall provide a copy of the subpoena within three school days of receipt.

MILITARY LEAVE: POLICY 3437 & 4437

Any officer or employee of the Board hired for permanent employment who is a member of the National Guard or armed forces reserve, is entitled to a military leave of absence from his or her respective office or employment without loss of pay, status or efficiency rating, on the days during which he or she is ordered, by properly designated authority, to be engaged in drills, inactive duty training, parades, funeral details, service schools or other duty, during business hours, field training, annual training or other full-time National Guard duty pursuant to Title 10 or Title 32 of the United States Code, or active service of the state, for a maximum period of thirty working days, not to exceed two hundred forty hours in any one calendar year.

UNPAID LEAVE OF ABSENCES (ABSENCES WITHOUT PAY) POLICY 3430 & 4430

All employees are expected to work the number of days listed on their contract or use approved leave. Using unpaid days is not an employee's right and may constitute insubordination and willful neglect of duty. Any instance of absences without pay shall be brought to the attention of the Superintendent/Board and may be subject to disciplinary action. However, absences without pay may be necessary in emergency or unusual/extraordinary situations, and when all other Board eligible leave, including personal leave, has been exhausted. Please see Policy 3430 & 4430 for restrictions and further details.

REPORTING ACCIDENTS

Employees are expected to follow safety instructions and to comply with procedures established to prevent accidents. An employee has the responsibility to immediately report all health and safety problems to his or her immediate supervisor and report the accident in SchoolStream within 24 hours of the occurrence.

Employees are expected to follow county procedure to report accidents and personal injuries that involve school students, employees, and/or school vehicles.

REPORTING INJURIES

The Occupational Safety and Health Act of 1970 requires the School Board to record and report all occupational accidents resulting in injury to an employee connected with his work. Additionally, the workers' compensation laws of the State of West Virginia require reporting of all occupational accidents within 24 hours following the occurrence. In view of the above reporting responsibility, all accidents resulting in injury to an employee during the course of employment are to be

immediately reported to the employee's supervisor or the Director of Administrative Services. Even if the injury is minor and it appears there will be no time off for treatment or recovery, the report must still be made via SchoolStream.

WORKERS' COMPENSATION

West Virginia State law requires workers' compensation to be provided to all employees of the School Board.

An employee who sustains an on-the-job injury must notify his/her supervisor immediately and complete all required forms in order for a workers' compensation claim to be made.

CONFLICTS OF INTEREST

The proper performance of school business is dependent upon the maintenance of unquestionably high standards of honesty, integrity, impartiality, and professional conduct by Board of Education employees. Therefore, the following prohibitions and guidelines are not all inclusive. The employees must continue to exercise sound judgment to assure that conflicts of interest do not occur.

No employee shall engage in or have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities in the school system.

Employees shall not engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship they may have with any student, client, or parents of such students or clients in the course of their employment with the county without approval of the superintendent.

Included, by way of illustration rather than limitation are the following:

- a. the provision of any private lessons or services for a fee; provided, however, that tutorial services may be offered by appropriate teaching personnel at a fee negotiated between the student or client, their parent or parents, and the professional, with prior approval of the superintendent;
- b. the use, sale, or improper divulging of any privileged information about a student or client gained in the course of the employee's employment or through his/her access to county records;
- c. the referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration for such referrals;
- d. the requirement of students or clients to purchase any private goods or services provided by an employee or any business or professional practitioner with whom any employee has a financial relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations.

Employees shall not make use of materials, equipment, or facilities of the County in private practice. Examples would be the use of facilities before, during, or after regular business hours for service to private practice clients, or the checking out of items from an instructional materials center for private practice.

Exceptions to this policy shall be approved by the Mineral County Superintendent of Schools before entering into any private relationship.

STAFF GIFTS

Staff members may accept gifts of nominal value from students or parents. The Superintendent may approve acts of generosity to individual staff members in unusual situations.

Upon the recommendation of the Superintendent, the School Board shall consider, as appropriate, the presentation of token gifts to retiring members of the staff who have rendered service for a period of time.

Staff members shall not accept any form of compensation from vendors that might influence their recommendations on the eventual purchase of equipment, supplies, or services. Furthermore, staff members shall not accept any compensation from

a vendor after a decision has been made to purchase equipment, supplies, or services from said vendor. In addition, staff members who recommend purchases shall not enter into a contractual arrangement with a vendor seeking to do business with the School Board, or a vendor with whom the School Board is doing business, whereby an individual staff member receives compensation in any form for services rendered.

Such compensation includes, but is not limited to, cash, checks, stocks, or any other form of securities, and gifts such as televisions, microwave ovens, computers, discount certificates, travel vouchers, tickets, passes, and other such things of value. In the event that a staff member receives such compensation, albeit unsolicited, from a vendor, the staff member shall notify the Treasurer, in writing, that he or she received such compensation and shall thereafter promptly transmit said compensation to the Treasurer.

COPYRIGHT INFRINGEMENT

Infringement of copyright is prohibited by law and is addressed by West Virginia Board of Education Policy 5711. Employees must adhere to the copyright law in regard to the reproduction of print and non-print materials. This includes books, periodicals, videodiscs, compact discs, videotapes, 16 mm films, filmstrips, software, videoconferences, television programs, and any other media affected by copyright laws.

TELEPHONE CALLS

All telephones are for the purpose of conducting official business. The School Board recognizes that employees have an occasional need to make a local call or receive a personal call. These calls shall be held to a minimum.

SOLICITATION

Direct or indirect political solicitation on state property or at any state work site is prohibited. Nonpolitical solicitation, sales, and/or distribution of literature or merchandise by state employees and/or non-state employees is prohibited on state property or at any work site without the written permission of the Superintendent of Mineral County Schools.

USE OF MINERAL COUNTY SCHOOLS' PROPERTY

Employees have the responsibility to use Mineral County Schools' property in accordance with the following:

1. An employee is prohibited from using, for other than officially approved activities, Mineral County Schools' property of any kind, including property leased to Mineral County Schools.
2. An employee has an obligation to protect and conserve Mineral County Schools' property, including equipment and supplies.
3. Any owned or leased property of Mineral County Schools that is lost or misplaced must be reported to the employee's immediate supervisor within twenty-four (24) hours of discovery of the loss.

PHYSICAL/MENTAL EXAMINATION

The school board or superintendent reserves the right to require, after a conditional offer of employment, that the candidate submit to an examination in order to determine the physical and/or mental capacity to perform the essential functions of the position. Examinations will be done in accordance with the superintendent's guidelines.

Reports of all such examinations or evaluations will be delivered to the superintendent, who will protect their confidentiality.

Reports will be made a part of a confidential medical file. Upon receipt of the medical report, the superintendent shall base any non-employment recommendation upon a conference with a physician and substantiation that the job candidate cannot perform the essential functions of the job, with or without reasonable accommodation.

The School Board shall assume any costs for required examinations.

TOBACCO USE AND DISTRIBUTION: POLICY 3215 & 4215

For purposes of this policy, "use of tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco, including a cigar, cigarillos, little cigars, cigarette, pipe, snuff, snus, chewing, or any other matter or substances that contain tobacco and/or smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes and any other lighted smoking devices for burning tobacco or any other substances.

In order to protect students and staff who choose not to use tobacco from an environment noxious to them, and because the School Board cannot, even by indirection, condone the use of tobacco, the School Board prohibits the use and the distribution of tobacco by staff members:

- on any property owned, leased or operated by the West Virginia Department of Education, West Virginia Board of Education, or a county board of education;
- at any education-sponsored event;
- on a school bus or other vehicle used for a school related event or other school/county or RESA function;
- at any school-sponsored activity or event, whether the activity or event is held on school grounds, in a building or other property used or operated by a county board of education, the West Virginia Department of Education, or the West Virginia Board of Education.

Individuals supervising students off school grounds are prohibited from using tobacco products in the presence of students and/or at any time while engaged in activities directly involving students.

Enforcement provisions for staff may include, but are not limited to: referral to an Employee Assistance Program, conference with supervisor and disciplinary actions up to and including dismissal.

UNAUTHORIZED WORK STOPPAGE

Staff members who fail to perform their normal duties when so required as part of a concerted, unauthorized work stoppage will be subject to disciplinary action, up to and including termination of employment.

STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY: POLICY 7540.04

Technology has fundamentally altered the ways in which information is accessed, communicated and transferred in society. As a result, educators are continually adapting their means and methods of instruction, and the way they approach student learning, to incorporate the vast, diverse, and unique resources available through the Internet. The Board of Education provides Technology and Information Resources (as defined by Bylaw 0100) to support the educational and professional needs of its staff and students. The Board provides staff with access to the Internet for limited educational purposes only and utilizes online educational services/apps to enhance the instruction delivered to its students and to facilitate the staff's work. The District's computer network and Internet system do not serve as a public access service or a public forum, and the Board imposes reasonable restrictions on its use consistent with its limited educational purpose.

The Board regulates the use of District Technology and Information Resources by principles consistent with applicable local, state, and federal laws, and the district's educational mission. This policy and its related policy and administrative guidelines, Policy 7544 and AG 7544 and any applicable employment contracts govern the staffs' use of the District's Technology and Information Resources and staff's personal communication devices when they are connected to the District's computer network, Internet connection and/or online educational services/apps, or when used while the staff member is on board-owned property or at a board-sponsored activity (see Policy 7530.02).

Users are required to refrain from actions that are illegal (such as libel, slander, vandalism, harassment, theft, plagiarism, inappropriate access, and the like) or unkind (such as personal attacks, invasion of privacy, injurious comment, and the like). Because its Technology Resources are not unlimited, the Board has also instituted restrictions aimed at preserving these resources, such as placing limits on the use of bandwidth, storage space, and printers.

Users have no right or expectation of privacy when using District Technology and Information Resources (including, but not limited to, privacy in the content of their personal files, e-mails, and records of their online activity when using the District's computer network and/or Internet connection).

Staff members are expected to utilize District Technology and Information Resources to promote educational excellence in our schools by providing students with the opportunity to develop the resource sharing, innovation, and communication skills and tools that are essential to both life and work. The Board encourages the staff to develop the appropriate skills necessary to effectively access, analyze, evaluate, and utilize these resources in enriching educational activities. The instructional use of the Internet and online educational services will be guided by Board Policy 2520 - Selection of Instructional Materials and Equipment.

The use of electronic resources, technologies, and the Internet must be in support of education and consistent with the educational objectives and priorities of the West Virginia Board of Education (WVBE). Use of other networks or computing resources must comply with the rules appropriate for that network and copyright compliance. Users must also be in compliance with the rules and regulations of the network provider(s) serving the County and its schools.

The Internet is a global information and communication network that brings incredible education and information resources to our students. The Internet connects computers and users in the district with computers and users worldwide. Through the Internet, students and staff can access relevant information that will enhance their learning and the education process. Further, District Technology Resources provide students and staff with the opportunity to communicate with other people from throughout the world. Access to such an incredible quantity of information and resources brings with it, however, certain unique challenges and responsibilities.

The Board may not be able to technologically limit access, through its Technology Resources to only those services and resources that have been authorized for the purpose of instruction, study and research related to the curriculum. Unlike in the past when educators and community members had the opportunity to review and screen materials to assess their appropriateness for supporting and enriching the curriculum according to adopted guidelines and reasonable selection criteria (taking into account the varied instructional needs, learning styles, abilities, and developmental levels of the students who would be exposed to them), access to the Internet, because it serves as a gateway to any publicly available file server in the world, opens classrooms and students to electronic information resources that may not have been screened by educators for use by students of various ages.

The West Virginia Department of Education (WVDE), approved service provider, and other State agencies operate the statewide infrastructure to provide Internet access for all Pre-k-12 public schools. Pursuant to federal law, the state has implemented technology protection measures, that protect against (e.g., filter or block) access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors, as defined by the Children's Internet Protection Act. Electronic filtering will be installed by the WVDE at the two (2) points of presence (POPs) for Internet access. This will provide filtering for all public schools in a cost-effective manner and with efficient management. This service enables the county/schools to meet the Children's Internet Protection Act (CIPA) and E-Rate guideline requirements for filtering.

The board shall add other electronic filters at the school level.

The Board will use technical protection measures to protect against (i.e., filter or block) access to other material considered inappropriate for students to access. The Board also utilizes software and/or hardware to monitor the online activity of staff members to restrict access to child pornography and other material that is obscene, objectionable, inappropriate and/or harmful to minors.

The technology protection measures may not be disabled at any time that students may be using the District Technology Resources, if such disabling will cease to protect against access to materials that are prohibited under the Children's Internet Protection Act. Any staff member who attempts to disable the technology protection measures without the express written consent of an appropriate administrator will be subject to disciplinary action, up to and including termination.

Staff members will participate in professional development programs in accordance with the provisions of law and this policy. Training shall include:

- A. the safety and security of students while using e-mail, chat rooms, social media, and other forms of direct electronic communications;
- B. the inherent danger of students disclosing personally identifiable information online;
- C. the consequences of unauthorized access (e.g., "hacking", "harvesting", "digital piracy", "data mining", etc.), cyberbullying and other unlawful or inappropriate activities by students or staff online; and
- D. unauthorized disclosure, use, and dissemination of personally identifiable information regarding minors.

Furthermore, staff members shall provide instruction for their students regarding the appropriate use of technology and online safety and security as specified above and staff members will monitor students' online activities while at school.

Monitoring may include, but is not necessarily limited to, visual observations of online activities during class sessions; or use of specific monitoring tools to review browser history and network, server, and computer logs.

The disclosure of personally identifiable information about students online is prohibited.

Building principals are responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying guidelines. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of the District Technology Resources. Such training shall include, but not be limited to, education concerning appropriate online behavior, including interacting with other individuals on social media, including in chat rooms and cyberbullying awareness and response. All users of District Technology Resources are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying guidelines.

Staff will be assigned a school e-mail address that they are required to utilize for all school-related electronic communications, including those to students, parents and other constituents, fellow staff members, and vendors or individuals seeking to do business with the district.

Staff members are responsible for good behavior when using District Technology and Information Resources - i.e., behavior comparable to that expected when they are in classrooms, school hallways, and other school premises and school-sponsored events. Communications on the Internet are often public in nature. The Board does not approve any use of its Technology and Information Resources that is not authorized by or conducted strictly in compliance with this policy and its accompanying guidelines and Policy 7544 and its accompanying guideline.

Staff members may only use District Technology Resources to access or use social media if it is done for educational or business-related purposes.

Staff members' use of District technology resources to access or use social media is to be consistent with Policy 7544 and its accompanying guideline.

An employee's personal or private use of social media may have unintended consequences. While the Board respects its employees' First Amendment rights, those rights do not include permission to post inflammatory comments that could compromise the District's mission, undermine staff relationships, or cause a substantial disruption to the school environment. This warning includes staff members' online conduct that occurs off school property, including from the employee's private computer. Postings to social media should be done in a manner sensitive to the staff member's professional responsibilities and in compliance with State Board Policy 5902. Inappropriate online behavior may be cause for discipline pursuant to the provisions of West Virginia Code 18A-2-8.

General school rules for behavior and communication apply.

Users who disregard this policy and its accompanying guidelines may have their use privileges suspended or revoked, and disciplinary action taken against them. Users are personally responsible and liable, both civilly and criminally, for uses of District Technology and Information Resources that are not authorized by this policy and its accompanying guidelines.

The West Virginia Department of Education (WVDE) and approved service provider(s) can only monitor those e-mail accounts issued to the "k12.wv.us" server, which is administered by WVDE and approved providers. The responsibility for any "non k12.wv.us" e-mail accounts lies with the administrator(s) and/or educator(s) identified as responsible for those students using alternative e-mail accounts or the administrator(s) and/or educator(s) identified as responsible for the e-mail server being used.

The WVDE reserves the right to monitor, inspect, investigate, copy, review and store, without prior notice, information about the content and usage of any network and system files, user files, disk space utilization, applications, bandwidth utilization, document files, folders, electronic communications, e-mail, Internet access, and any and all information transmitted or received in connection with networks, e-mail use and web-based tools.

The WVDE's administrative information systems (WVEIS) are to be used exclusively for the business of the organization. All information system data are records of the organization. The WVDE has reserved the right to access and disclose all data sent over its information systems for any purposes. All staff must maintain the confidentiality of student data in accordance with The Family Educational Rights and Privacy Act (FERPA).

For reasons of privacy, employees may not attempt to gain access to another employee's personal file of messages in the WVDE's information systems. However, the WVDE has reserved the right to enter an employee's information system files whenever there is a business need to do so.

Based on the acceptable use and safety guidelines outlined in WVBE Policy 2460, the State Superintendent, the WVDE and provider(s) system administrators will determine what appropriate use is, and their decision is final. Also, the system administrator and/or local teachers may deny user access at any time.

SOCIAL NETWORKING GUIDELINES

Please keep in mind that all employees have a professional image to uphold and how we conduct ourselves online impacts this image. Online identities are very public and can cause serious repercussions if behavior is careless.

One of the hallmarks of online networks, both social and educational, is the ability to "friend" or "follow" others – creating a group of others that share interests and personal news. The district does not recommend accepting invitations to *friend or follow* students within social networking sites. When students gain access into a network of friends and acquaintances and are able to view personal photos and communications, the student-employee dynamic is altered. It is important to maintain a professional relationship with students to avoid relationships that could cause bias in the classroom or other school setting.

For the protection of your reputation the district recommends the following practices regarding personal social media accounts:

- Do not friend or follow students on social media accounts. Decline any student-initiated requests.
- Remember people classified as "friends" or "followers" have the ability to download and share your information with others.
- Post only what you want the world to see. Imagine students, their parents, and/or your supervisor visiting your site. Once you post something it may be available even after it is removed from the site.
- Do not discuss students, or employees.
- Visit your profile's security and privacy settings to ensure online security.
- Do not use commentary deemed to be defamatory, obscene, proprietary, or libelous. Exercise caution with regards to exaggeration, colorful language, guesswork, obscenity, copyrighted materials, legal conclusions, and derogatory remarks or characterizations.
- Weigh whether a particular posting puts your effectiveness as an employee at risk.
- If a staff member learns of information, on the social networking site that falls under the mandatory reporting guidelines, they must report it as required by law.

- Utilize social media for contacting family members ONLY as a last resort and do not discuss any details regarding the reason for contact. Simply inform the parent/guardian to call you.

GRIEVANCE PROCEDURE

The purpose of this procedure is to provide a procedure for employees of Mineral County Schools to reach solutions to problems which arise between them within the scope of their respective employment relationships to the end that good morale may be maintained, effective job performance may be enhanced and the citizens of the community may be better served. A grievance may be resolved informally by stipulation or settlement agreed to in writing by the parties. Nothing in this procedure shall prohibit the exercise of any hearing right provided in W.Va. Code Chapters 18 and 18A. Parties to grievances shall at all times act in good faith and make every possible effort to resolve disputes at the lowest level of the grievance procedure. This procedure can be found in its entirety on the Mineral County Schools website and is available upon request from the Office of Human Resources or online at www.pegb.wv.gov.

INAPPROPRIATE PHYSICAL AND EMOTIONAL BOUNDARIES

Behavior between educators and students must serve a demonstrated educational purpose. Even taking into consideration pre-existing and familiar relationships, impropriety and favoritism can still occur. The following items should be of concern, especially when they occur in secret without the knowledge of administrators and/or parents.

Taking an undue interest in a particular student:

- Favoring certain students by giving them special privileges or status (performing personal errands for the educator unrelated to any educational purpose)
- Inviting or allowing certain students to come to the classroom at non-class times
- Getting a particular student out of class to visit the teacher during the teacher's prep period
- Engaging in peer-like behavior with students

Using poor judgement regarding a particular student:

- Allowing students to address the educator in non-professional ways (i.e., by their first name, nicknames, pet names)
- Allowing students to get away with clear inappropriate behavior
- Being alone with a student behind closed doors at school out of view of others
- Exchanging gifts, cards, or money with a particular student
- Being overly "touchy" with certain students/teaching students for no educational or health reason
- Giving students rides in the educator's personally owned vehicle, especially alone
- Frequent electronic communications or phone contacts with a particular student

Becoming involved in the student's private life:

- Talking to the student about the educator's personal problems
- Talking to the student about the student's personal problem to the extent that the adult becomes a confidant of the student when it is not the adult's job to do so (i.e., not a counselor)
- Initiating or extending contact with students beyond the school day
- Taking a particular student on outings, especially personal outings, away from protective adults
- Using personal or internet communications to discuss personal topics or interests with students
- Being connected to a student via social media communications platform outside of an athletic or school account (i.e., Snapchat, Whisper, What's App, GroupMe, Telegram, Instagram, Facebook, Twitter, Kik, Houseparty)

Not respecting normal boundaries:

- Invading the student's physical privacy (i.e., walking in on the student in the bathroom or a changing room)
- Inviting students to the educator's home
- Visiting the student's home
- Asking the student to keep certain things secret from his/her parent
- Socializing where students are consuming tobacco, alcohol, or drugs

Sexually related conduct:

- Engaging in sex talk with students (innuendo, banter, or jokes)
- Talking with a student about sexual topics that are not related to a specific curriculum
- Showing or sending pornography to the student
- Hugging, kissing, or other affectionate physical contact with a student

The more of each specific violation that occurs between the educator and a student, the more frequently the violations occur between an educator and a student, and when they occur in secret, the risk increases that the educator is sexually grooming the student. If so, physical sexual or romantic contact may occur or has occurred.

OFFICE OF CIVIL RIGHTS -- TITLE IX

The Mineral County Board of Education does not discriminate on the basis of sex (including sexual orientation or gender identity), in its education programs or activities, and is required by Title IX of the Education Amendments Act of 1972, and its implementing regulations, not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The Board is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.

The Board prohibits sexual harassment that occurs within its education programs and activities. When the District has actual knowledge of sexual harassment in its education program or activity against a person in the United States, it shall promptly respond in a manner that is not deliberately indifferent.

Pursuant to its Title IX obligations, the Board is committed to eliminating sexual harassment and will take appropriate action when an individual is determined responsible for violating this policy. Members of the School District community who commit Sexual Harassment are subject to the full range of disciplinary sanctions set forth in policy. Third parties who engage in sexual harassment are also subject to the disciplinary sanctions listed in policy. The Board will provide persons who have experienced Sexual Harassment ongoing supportive measures as reasonably necessary to restore or preserve access to the District's education programs and activities.

RESIGNATION

Any teacher who fails to fulfill his or her contract with the School Board, unless prevented from so doing by personal illness or other just cause or unless released from such contract by the Board, or who violates any lawful provision thereof, shall be disqualified to teach in any other public school in the State for a period of the next ensuing school year and the State Department of Education or Board may hold all papers and credentials of such teacher on file for a period of one (1) year for such violation. The marriage of a teacher is not considered a failure to fulfill, or violation of, the contract.

Any classroom teacher, as defined in W. Va. Code § 18A-1-1, who desires to resign employment with the Board, with such resignation to become effective on or before the fifteenth (15th) day of July of the same year and after completion of the employment term, may do so at any time during the school year by written notification and any such notification received by a Board shall automatically extend such teacher's public employee insurance coverage until the thirty-first (31st) day of August of the same year.]

TERMINATION

The Superintendent has the authority to recommend dismissal of any personnel to the School Board.

The School Board may dismiss any person in its employment at any time for: immorality, incompetency, cruelty, insubordination, intemperance, willful neglect of duty, unsatisfactory performance, and/or the conviction of a felony or a guilty plea or a plea of *nolo contendere* to a felony charge.

A charge of unsatisfactory performance shall not be made except as the result of an employee performance evaluation. The charges shall be stated in writing served upon the employee within two (2) days of presentation of said charges to the School Board. The employee so affected shall be given an opportunity, within five (5) days of receiving such written notice, to request, in writing, a level four (4) hearing and appeals pursuant to W. Va. Code § 18-29-1 et seq., except that dismissal for the conviction of a felony or guilty plea or plea of *nolo contendere* to a felony charge is not by itself a grievable dismissal. An employee charged with the commission of a felony may be reassigned to duties which do not involve direct interaction with students pending final disposition of the charges.

The continuing contract of any teacher shall remain in full force and effect except as modified by mutual consent of the School Board and the teacher, unless and until terminated: (1) by a majority vote of the full membership of the School Board on or before the first Monday of April of the then current year, after written notice, served upon the teacher, return receipt requested, stating cause or causes and an opportunity to be heard at a meeting of the Board prior to the Board's action thereon; or (2) by written resignation of the teacher before that date, to initiate termination of a continuing contract. Such termination shall take effect at the close of the school year in which the contract is so terminated.

A continuing contract does not prevent a teacher's dismissal based upon the lack of need for the teacher's services pursuant to the provisions of law relating to the allocation to teachers and student-teacher ratios. The written notification of teachers being considered for dismissal for lack of need shall be limited to only those teachers whose consideration for dismissal is based upon known or expected circumstances which will require dismissal for lack of need. An employee who was not provided notice and an opportunity for a hearing pursuant to the provisions in the preceding paragraph may not be included on the list. In case of such dismissal, the teachers so dismissed shall be placed upon a preferred list in the order of their length of service with that School Board, and no teacher shall be employed by the Board until each qualified teacher upon the preferred list, in order, shall have been offered the opportunity for reemployment in a position for which they are qualified provided that s/he has not accepted a teaching position elsewhere. Such reemployment shall be upon a teacher's preexisting continuing contract and shall have the same effect as though the contract had been suspended during the time the teacher was not employed.

DISCIPLINARY RULES

DISCIPLINE AND DISCHARGE OF EMPLOYEES IS AND MUST REMAIN SOLELY WITHIN THE DISCRETION OF THE SCHOOL BOARD. IN DETERMINING THE APPROPRIATE ACTION TO BE TAKEN, THE SCHOOL BOARD, BASED ON RECOMMENDATION OF THE SUPERINTENDENT, MAY CONSIDER THE NATURE OF THE OFFENSE, THE CIRCUMSTANCES AND THE EMPLOYEE'S PREVIOUS RECORD. THIS LIST BELOW IS NOT ALL INCLUSIVE OR COMPLETE, BUT IS PROVIDED AS EXAMPLES OF SOME OF THE MOST COMMON INFRACTIONS FOUND IN AN EMPLOYMENT SETTING. THE SCHOOL BOARD RETAINS THE RIGHT TO DISCIPLINE OR DISCHARGE ANY EMPLOYEE AT ANY TIME WITH OR WITHOUT NOTICE, CAUSE, OR COMPENSATION.

Some examples of offenses that could result in an oral warning for the first offense, a written warning for the second offense, and suspension or discharge for a third offense:

1. Chronic tardiness; poor attendance
2. Unauthorized absence from job or work area
3. Use of foul, abusive, offensive, threatening, indecent or discourteous language
4. Inefficiency or negligence in the performance of duties
5. Inability or unwillingness to work with others
6. Insubordination

Some examples of offenses that could result in immediate suspension with or without pay or immediate discharge:

1. Careless or improper use or neglect of School Board property and equipment
2. Sleeping on the job
3. Two days' absence without notification
4. Excessive absenteeism
5. Committing, participating in, and/or failing to report illegal discrimination or sexual or other unlawful harassment
6. Unlawfully using, manufacturing, selling, distributing, dispensing, possessing, transporting, trafficking in, or being under the influence of any alcoholic beverages, drugs or controlled substances during the course of employment, including but not limited to while on School Board property, while in School Board vehicles, or as part of or in connection with any School Board activities, or otherwise violating the Alcohol, Drugs, and Controlled Substances Policy set forth in this handbook
7. Assault of a fellow employee, representative of management, customer or member of the general public while at work or representing the School Board.
8. Refusal to perform assigned lawful tasks or performing in an insubordinate manner
9. Destruction or unauthorized use of School Board property
10. Unauthorized possession of firearm on School Board property
11. Gross insubordination, defined as:
 - (a) Failure to follow School Board rules, regulations, policies or procedures including but not limited to those set forth in this handbook;
 - (b) Willfully disobeying the instructions of a supervisor and/or member of management;
 - (c) Using abusive threatening, or profane language in speaking with a supervisor and/or member of management; or
 - (d) Assaulting a representative of management
12. Deliberate or careless conduct
13. Unethical conduct
14. Violation of School Board, rules, regulations, policies and procedures, including but not limited to those set forth in this Handbook
15. Violation of any State or Federal criminal statutes

Some examples of offenses that could result in immediate discharge:

1. Theft
2. Sabotage
3. Unauthorized releases or disclosure of any confidential information
4. Misappropriation of School Board property
5. Falsification of records or reports of any kind, including but not limited to records of time worked, records of work performed, reports required by regulatory agencies, or reports of injury
6. Assault
7. Violation of School Board rules, regulations, policies or procedures including but not limited to those set forth in this handbook