



EMPLOYEE HANDBOOK

EFFECTIVE JULY 1, 2024



2024-25
EDITION



CONTENTS

MESSAGE FROM THE SUPERINTENDENT	5
INTRODUCTION.....	6
Disclaimer Statement.....	6
Common Terms and Definition.....	7
Management Responsibilities and Employee Expectations	7
SECTION 1: EMPLOYMENT	9
Equal Opportunity Employer	9
Anti-Harassment	9
Employee Discrimination and Harassment Complaint Procedure.....	11
Use of Telephone/Mobile Phones	11
Use of Cameras, Video and Audio Recording Devices	12
Staff Acceptable Use	12
Conflict of Interest	17
School Year/Hours of the Day/Workday.....	18
Lunch Periods.....	19
Break Time for Nursing Mothers	19
Emergency Closings	19
Staff Reporting Requirements	20
Job Postings.....	21
Employment ID	21
Facility Visitors	21
SECTION 2: COMPENSATION	22
Base Pay	22
Job Classifications	22
Payroll	22
Direct Deposit	22
Employee Intranet	22
Overtime/Compensatory Time Off for Non-Exempt Employees.....	22
Time and Attendance.....	23
Payroll Deduction.....	23
Garnishments and Wage Assignments	23
Tax Deferred Investments.....	23
SECTION 3: EMPLOYMENT CHANGES	24
Personnel Data Changes	24

Personnel Records	24
Employee Evaluations	25
SECTION 4: EMPLOYEE BENEFITS AND GENERAL LEAVES.....	26
Benefits	26
Vacation Days.....	26
Carryover Vacation Days.....	27
Personal Days.....	27
Illness on a Holiday or Vacation Day.....	27
Holidays.....	27
Additional Holiday Information	28
Sick Days.....	28
Bereavement.....	29
Jury Duty	29
Family and Medical Leave Act (FMLA).....	29
Wisconsin Bone Marrow and Organ Donation Leave Act.....	31
Maternity/Paternity Leave.....	32
Child Rearing Leave.....	32
Non-FMLA Medical Leave	32
Military Leave.....	33
Retirement in Wisconsin Retirement System	33
Employee Assistance Program.....	33
Travel Pay Policy	34
Tuition Assistance	34
Worker’s Compensation	35
Light Duty – Worker’s Compensation	36
Employee Property	36
SECTION 5: CONDITIONS OF EMPLOYMENT	37
Required Medical Documentation: Non-Certified Positions	37
Required Transcripts, Certification and Medical Documentation: Certified Staff.....	37
Required Documentation: Non-FTE/Timesheet/Temporary Staff.....	36
Licensure	38
Staff Physical Examinations	38
Employee Attendance and Punctuality.....	39
Absence Reporting/Procedures	40
Accident Reports.....	40

Employee Dress and Grooming	40
Alcohol and Drug Free Workplace	41
Drug Testing: Reasonable Suspicion	42
Tobacco and/or Vaping Device Use on District Premises	43
Employee Right to Know: Toxic Substances and Infectious Agents	43
Employee Training and Professional Learning.....	43
Mandatory Training	44
SECTION 6: EMPLOYMENT SEPARATION	45
Termination of Employment by the District	45
Reduction in Force	45
Employee Resignation/Retirement.....	45
Teacher Resignation Forfeiture	45
Medical Leave Separation.....	46
Job Abandonment.....	46
SECTION 7: EMPLOYEE CONDUCT, CODE OF ETHICS AND DISCIPLINARY ACTION	47
General Rules of Conduct	47
Staff-Student Relationships and Professional Boundaries.....	46
Employee Code of Ethics.....	48
Employee Discipline	50
Progressive Discipline/Termination Procedures.....	51
Employee Complaint (Grievance) Procedure.....	52
Staff Gifts	55
Staff Misconduct Reporting	55
Leadership Called Meetings.....	55
Teacher Planning and Collaboration Time.....	55
Violence in the Workplace	55
Employee Information Boards	56
Anti-Graffiti	56
Searches.....	57
EMPLOYEE ACKNOWLEDGEMENT	59

MESSAGE FROM THE SUPERINTENDENT

Welcome to Kenosha Unified's Employee Handbook!

On behalf of the Board of Education and all administration, we are thrilled you are a member of the KUSD family. This handbook serves as a valuable resource to guide you through our school board policies, procedures and expectations.

In KUSD, we believe that every employee contributes significantly to our collective success, and we are committed to providing you with the support and tools you need to excel in your role.

This handbook outlines our policies on various topics, such as professional conduct, workplace safety, time off, and much more. It is important that you familiarize yourself with these policies to ensure a smooth and productive experience throughout your tenure.

We encourage you to use this handbook as a reference whenever you have questions or concerns about KUSD policies and procedures. If you have questions or concerns, please reach out to the Office of Human Resources.

Once again, thank you for being a crucial part of the KUSD family. We look forward to accomplishing great things together!

Best regards,



Dr. Jeffrey Weiss
KUSD Superintendent

INTRODUCTION

This employee handbook is provided as a reference document for the Kenosha Unified School District, hereafter referenced as the District. This handbook communicates state and federal statutes and the employment policies of the Board of Education, hereafter referenced as the Board, which serve as a decision-making guide for District staff. While it is intended to provide employees with information about the District, it should not be considered all-inclusive.

Unless expressly stated, the handbook is not intended to disturb or supplant the existing administrative rules of the District, nor to replace or supersede board policy or administrative regulation. The handbook replaces any and all expired written agreements that were collectively bargained and is subject to any future collectively bargained agreements related to base wages in accordance with state law. It has been prepared to acquaint all employees with these policies, procedures, rules and regulations, and to provide for the orderly and efficient operation of the District. It is your responsibility to read and become familiar with this information and to follow the policies, procedures, rules and regulations contained herein. However, if you have questions regarding the handbook or matters that are not covered, please direct them to your immediate supervisor or the Office of Human Resources.

Disclaimer Statement

This Handbook was developed to describe the District's expectations of our employees and to outline the statements, policies, procedures, rules, regulations and benefits available to eligible employees. Employees are expected to familiarize themselves with the contents of this Handbook, to read the Handbook thoroughly, and to retain it for future reference. However, this Handbook is not all inclusive. There may be other expectations of employees communicated through policy, rule, regulation, directive, memorandum, guidance or other communication.

None of the statements, policies, procedures, rules, regulations or benefits contained herein constitutes a guarantee of employment, a guarantee of any other right or benefits or a contract of employment, expressed or implied.

This Handbook is subject to change at the sole discretion of the District, as are all other policies, procedures, rules, regulations and benefits, and programs of the District. The District may modify, amend or terminate any statements, policies, procedures, rules, regulations and benefits whether or not described in this Handbook at any time, with or without notice. From time to time, employees will receive updated information concerning changes in this Handbook. Employees with questions regarding this Handbook should ask their supervisor or the Office of Human Resources for assistance.

The District strives to keep this Handbook up-to-date. However, the Board is responsible for establishing District Policy. In the event of a conflict between this Handbook and District Policy, the terms of the District Policy shall govern. This Handbook supersedes any and all previous handbooks given to employees.

Since this is a general publication being prepared for all of our employees, it is possible that at times a conflict may arise between an item in this Handbook and any provisions in an individual employment contract. In the event of any conflict between the provisions of this Handbook and any provision in an individual employment contract, the individual employment contract shall govern.

No supervisor, administrator, manager or representative of the District, other than the Superintendent (or their designee) or the Board by formal action has the authority to make any promises or commitments that are contrary to this Handbook.

If any provision or section within this Handbook is held to be invalid by operation of law, the remainder of this Handbook shall not be affected thereby. Any change in the law will impact the operation and enforcement of the provisions of this Handbook by modifying the provisions to conform to the law.

The Superintendent and/or the designee is/are responsible for the management of this Handbook. The content of the Handbook is the responsibility of the Board. The Superintendent and/or the designee and the Board have the right to interpret and apply the provisions of this Handbook in its discretion and as it deems appropriate as an essential management right and to determine whether specific circumstances require deviation from its terms.

Common Terms and Definition

- **School leadership** refers to principals and/or assistant principals.
- **District** refers to Kenosha Unified School District.
- **Supervisor** refers to the individual who supervises an employee
- **Benefit eligible** is defined as an employee who works 30 hours weekly or greater and is eligible for District benefits as defined in Section 4.
- **FTE** is defined as a person's full-time equivalent status.
- **Exempt employee** is defined as an employee who is exempt from the provisions of the Fair Labor Standards Act (FLSA) requirements for overtime compensation. Generally, certified staff (teachers) and administrators are exempt under FLSA regulations 29 U.S.C. Section 213.
- **Non-exempt employee** is defined as an employee who is assigned an hourly wage and may be eligible for additional compensation in accordance with the FLSA.
- **Part-time/Temporary/Seasonal employee** is defined as an employee who works less than 880 hours per year. This employee is not eligible for benefits.
- **Workweek** is defined, for payroll and Family and Medical Leave Act (FMLA) leave allowance purposes, as Sunday through Saturday.

Reference: Fair Labor Standards Act 29 C.F.R. Part 541, et seq. District Expectations

The district expects its employees to produce quality work, maintain confidentiality, work efficiently, and exhibit a professional and courteous attitude towards students, other employees, families and the community. As representative of the district, employees must be mindful of their actions.

Management Responsibilities and Employee Expectations

The Board and/or administration have the right to establish organizational goals and objectives and to organize resources to achieve desired results. These responsibilities of management include, but are not limited to, the following rights:

- Hire, promote, transfer, evaluate, discipline and terminate employees in accordance with board of education policies and procedures and applicable laws.
- Reassign employees from one position to another within the same or a comparable job.
- Direct and motivate the workforce; determine its composition, organization and structure; and to assign work.

- Establish job standards, expectations and work rules.
- Amend, revise, revoke or issue new policies and procedures for employees.

Employees of the District have the following reasonable expectations of management:

- A clear understanding of the individual job descriptions, standards, expectations and work rules.
- Performance appraisal based upon job-related criteria.
- A safe and healthy work environment.
- Willingness to respond to employees' concerns and complaints.
- Fair and non-discriminatory application of policies and procedures.
- Disciplinary action/termination based upon board of education policies and procedures.

SECTION 1: EMPLOYMENT

Equal Opportunity Employer

The District is an equal opportunity employer. Personnel administration in the District shall be conducted without discrimination on the basis of age, race, creed, religion, color, sex, pregnancy, sexual orientation, national origin, disability, political affiliation, handicap, marital status, ancestry citizenship, arrest or conviction record, membership in the National Guard, state defense force, or any other reserve component of the military forces of the United States or Wisconsin, use or non-use of lawful products off school premises during non-working hours, or any other reason prohibited by state or federal law. This policy shall apply to hiring, placement, assignment, formal and informal training, seniority, transfer, promotion, lay-off, recall and termination.

Similarly, all salaries, wages, benefit programs and personnel policies shall be administered in conformity with this policy.

Reasonable accommodations shall be made for qualified individuals with a disability, unless such accommodations would impose an undue hardship on the District.

Any applicant or employee who believes they have suffered discrimination in violation of this policy may file a complaint. Responsibility for overseeing the District's equal employment opportunity and affirmative action programs and investigating discrimination complaints is assigned to the Office of Human Resources.

All employees will receive information and training regarding rights and responsibilities about discrimination considerations as they relate to employment.

Reference: Board Policy and Rule 4110

Anti-Harassment

The Kenosha Unified School District seeks to provide fair and equal employment opportunities and to maintain a professional work and academic environment comprised of people who respect one another and who believe in the District's high ideals. Harassment is a form of misconduct that undermines the integrity of the District's employment and academic relationships. All employees and students must be allowed to work and learn in an environment that is free from intimidation and harassment.

All new employees will receive a copy of the employee harassment policy and other harassment educational information as a part of the initial employment process and at other times as appropriate and necessary. Harassment or similar unacceptable activities that could be a condition of employment or a basis for personnel decisions, or which create a hostile, intimidating or offensive environment are specifically prohibited by the District. Intimidation and harassment can arise from a broad range of physical or verbal behaviors by employees or by non-employees, such as outside contractors or members of the community, which can include, but are not limited to, the following:

- Physical, sexual or mental abuse;
- Offensive, threatening or derogatory comments to any person, either directly or indirectly, based on the person's membership in any protected class;
- Name calling, insults or slurs based upon a person's real or perceived legally protected characteristics including age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, arrest record, conviction record, military service, use or nonuse of lawful products off the employer's premises during non-working hours, declining to attend a

meeting or to participate in any communication about religious matters or political matters, transgender status, gender expression, gender identity and gender nonconformity or any other basis protected by law;

- Hate speech, including the use of language, behavior, imagery and/or symbols to express prejudice against a particular group or groups based on any protected characteristic;
- Unwelcome sexual advances, propositions, invitations, solicitation and flirtations;
- Harassing behavior toward a subordinate staff member, regardless of whether such conduct creates a hostile work environment;
- Consensual sexual relationships that lead to favoritism of a subordinate staff member with whom the supervisor is sexually involved and where such favoritism results in an adverse employment action for another staff member or otherwise creates a hostile work environment;
- Comments about a person's body dress/appearance, jokes, or innuendos, sexually degrading language, unwelcome suggestive or insulting sounds or whistles;
- Display of sexually offensive materials, objects, literature, audio recordings or videos in the work or educational environment that are not curriculum related;
- obscene telephone calls, text messages, or social media postings;
- Communicating with students and/or parents/guardians via email, text message, websites, social media, or visiting their home for non-educational purposes;
- Giving gifts, money, or showing preferential treatment to students for no legitimate educational purpose;
- Inappropriate boundary invasions of personal space or personal life; and

These activities are offensive and inappropriate in a school atmosphere and in the workplace. This is a serious issue not just for the District but also for each individual in the District. It is the responsibility of the administration and all employees to ensure that these prohibited activities do not occur. An employee or supervisor may be held individually liable as a harasser and subject to the same penalties that may be imposed upon employers under state or federal law.

Any employee who engages in harassment or similar unacceptable behavior, or retaliates against another individual because the individual made a report of such behavior or participated in an investigation of a claim of harassment or similar unacceptable behavior, is subject to immediate discipline, up to and including discharge. Any employee who witnesses or otherwise becomes aware of harassment or similar unacceptable behavior has an affirmative duty to report said conduct to his or her supervisor, or to the administration.

Any person who believes that they have been the subject of prohibited harassment or similar unacceptable behavior or retaliation should report the matter immediately to the Office of Human Resources or, in the alternative, the superintendent/designee. All such reports will be investigated promptly and will be kept confidential within the bounds of the investigation and the law. Staff members are prohibited from knowingly making false statement or knowingly submitting false information to any report, complaint, investigation, or informal or formal resolution process undertaken by the District.

Legal Reference:

Wisconsin Statutes Sections

111.31-111.395 (Fair employment standards- employment discrimination)

118.195 (Handicapped teacher discrimination)

118.20 (teacher discrimination, including sexual harassment)

Title VI and VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972 (Race, color national origin discrimination; general employment discrimination)
Title IX, Education Amendments of 1972 (Sex Discrimination)
Section 504, Rehabilitation Act of 1973 (Handicap discrimination)
Age Discrimination Act of 1975 (Age discrimination)
Age Discrimination in Employment Act of 1967 (Age Discrimination)
Pregnancy Discrimination Act (Pregnancy, childbirth or related medical conditions discrimination)
Immigration Control and Reform Act of 1986 (Citizenship discrimination)
Americans with Disabilities Act of 1990, as amended by the ADAAA (Disability discrimination)
Civil Rights Act of 1991 (Penalties for discrimination law violations)
Equal Employment Opportunities Commission Guidelines (29 C.F.R. – Part1604.11) (Employee sexual harassment)

Cross reference:

Board Policy 4110 – Equal Employment Opportunity and Affirmative Action Employee

Reference:

Board Policy 4111

Employee Discrimination and Harassment Complaint Procedure

The Kenosha Unified School District seeks to provide fair and equal employment opportunities and to maintain a professional work and academic environment comprised of people who respect one another and who believe in the district's high ideals. Discrimination and harassment are forms of misconduct that undermines the integrity of the District's employment and academic relationships. All employees and students must be allowed to work and learn in an environment that is free from discrimination and harassment. See Board Policy 4110 – Equal Opportunity and Affirmative Action, Board Policy 4111 – Employee Anti-Harassment, Board Policy 4111.1 – Employee Discrimination and Harassment Complaint Procedure.

This procedure does not apply to claims of sexual harassment in accordance with Title IX. Such allegations will be addressed as specified in Board Policy 1710. If an employee believes they were subject to Title IX sexual harassment, they should contact the Title IX Coordinator(s), as described in Board Policy 1710.

Use of Telephone/Mobile Phones

The District provides mobile telephones to some employees for the purpose of conducting District business. The use of District owned mobile phones to make or receive personal calls is discouraged, although it is understood that usage for personal reasons may be necessary in some situations. Use of District mobile phones resulting in cost due to overage, long distance, roaming or other charges realized by the employee shall be the responsibility of the employee. Such costs shall be passed along to the employee.

In addition, employees are prohibited from using personal cellphones or District telephones while supervising students during work hours unless pre-approved by their supervisor. Employees are allowed to make personal calls on their personal cellphones when not supervising students.

Employee may not use District-owned mobile phones while driving any District-owned or personal vehicle at any time, unless a hands-free device is employed. Employees are also prohibited from using personal mobile phones while driving a District vehicle, or while driving a personal vehicle in the performance of

District business, unless a hand-free device is employed. In addition, texting or emailing while driving a District vehicle or while driving a personal vehicle while on District business is prohibited.

In all cases, employees must adhere to all state or local rules and regulations regarding the use of handheld communication devices while driving. In the case of a specific personal situation that requires an employee to be available via phone for extraordinary needs, arrangements must be made in advance with their supervisor.

Supervisors will notify employees of any emergency calls intended for the employee.

Use of Cameras, Video and Audio Recording Devices

Cameras, video and audio recording devices are prohibited on District premises without prior consent of a supervisor. The District recognizes that some handheld communication devices, including cellphones, have the capability to take photographs and recordings. Employees are prohibited from taking photographs, videotaping or audio recording anywhere on District grounds, by any means, without authorization.

Staff Acceptable Use

Technology may be used for instruction, research, communication and other educational or professional purposes. Employee use of technology shall be consistent with the educational goals and objectives of the District and shall comply with applicable Board policies and rules.

The District will maintain a District website and use social media for the purpose of collaborating, communicating and disseminating District information. Content posted on the District's website and social media pages is the property of the District.

The District's electronic communication system, which includes telephones, copy/scan/fax machines desktop computers, laptop computers, mobile device, email and the network, is the property of the district. All messages, information and data sent, received or stored on the District's electronic communication system is the property of the District. The District reserves the right to monitor employee and student use of technology and inspect any messages, information or data sent, received or stored on the district's electronic communication system.

Failure to comply with this policy and its implementing rule may result in discipline, up to and including termination.

For the purposes of this document, an electronic communications system is defined as the District's technology offerings, including but not limited to telephones, mobile phones, fax/scan/copy machines, internet, Wi-Fi, network, computer devices and other technology tools available to staff.

1. **Responsibility:** Employees are responsible for the proper use of any District electronic communication accounts that are issued under their name or that the employee is charged with managing. Employees are responsible for ensuring proper use of technology by students under their supervision. Responsible use of the Internet includes such items as abiding by copyright laws and terms and condition policies. Understanding unethical and unlawful activities include unauthorized access to any data or communications equipment, "hacking", or unauthorized disclosure, use or dissemination of anyone's personal information. The administration shall take steps to ensure that instruction or training activities and reasonable structural and systemic supports are in place to facilitate and enforce individual user's compliance with the District's policies, rules and procedures that govern the acceptable, safe and responsible use of the District's technology-related resources.

All staff are to relinquish any and all KUSD owned devices upon separation from KUSD employment. Any shared media (i.e. Google files) that are the product of employment should have ownership and rights transferred to an assigned KUSD staff member prior to separation.

2. **Passwords and security:** All KUSD staff are required to protect and update their electronic access and credentials. All users that have access to the District technology resources must comply with the following rules for maintaining and securing District property and resources.

- KUSD utilizes an email security campaign for educating staff with periodic phishing simulations and training resources. Staff that demonstrate a repeated concern from these tests will receive additional support and education.
- Employees are prohibited from sharing their password for any electronic communication accounts that are issued under their name. Employees may, however, share their password with a member of the support staff, if necessary. In that case, the employee shall change his or her password immediately after the assigned staff member has completed all support.
- Employees must maintain a password for accounts and change passwords periodically as directed by the District.
- Any computer or similar device should be secured whenever it is not in use by invoking the password on the computer and/or logging off the device. Leaving a computer open or logged in while away enables others to potentially access e-mail and other sensitive files; all District technology should be physically secured according to standards set by the building administrators or their designees when not in use.
- Employees also are prohibited from accessing another user's account without permission; if an employee identifies a security problem associated with the network or his or her user account, the employee shall notify Technology support staff.

3. **Privacy:** All KUSD user accounts are owned by KUSD and therefore are not private. Passwords are for the purpose of preventing unauthorized access to the District's electronic communication system only; employees have no expectation of privacy when using the District's electronic communication system, even for personal use. The electronic communication system is the property of the District, and the District reserves the right to monitor and inspect any messages, information and data sent, received or stored on the District's electronic communication system. Documents or messages created, sent, received or stored on the District's electronic information system may be considered a public record and subject to disclosure under the Public Records Law.

The administration may access any message for reasons including, but not limited to the following situations:

- Finding lost messages/documents;
- Assisting employees in their performance of job duties;
- Studying the effectiveness of the communication system;
- Complying with investigations into suspected criminal acts or violation of Board policies or work rules;
- Recovering from systems failures and other emergencies;

- Complying with discovery proceedings or using as evidence in legal actions; and/or conditions that may otherwise be required or permitted by state or federal law.
4. **Prohibited use of the District’s electronic communication system:** Employees’ use of the District’s Electronic Communication System must reflect the District’s standards for professionalism. The District’s computer network and internet system do not serve as a public access service or public forum. Employees shall not use the District’s electronic communication system for the following purposes:
- Accessing, sending, viewing or storing messages, images, websites or other materials which are sexually explicit, obscene, pornographic or harmful to minors;
 - Soliciting for personal commercial activities or non-District related organizations or activities, unless approved by the District pursuant to the procedures in Board Policy 1500;
 - Accessing or disclosing confidential information without authorization. Any access to or disclosure of confidential student information must comply with the Family Educational Rights and Privacy Act, Section 118.125 of the Wisconsin statutes and the District’s student records policy; or
 - Any other purpose that would violate law or Board policy (including harassment policies).
5. **Use of District technology equipment off District premises:** Employees may use District-owned technology equipment off District premises with appropriate administrator approval. Technology equipment may not be removed from a District building if its removal in any way causes disruption to the learning environment or decreases access to technology for District staff. Any technology assigned to staff for both on and off premises must be reflected in the KUSD Asset Manager system. A virtual private network (VPN) solution allows staff to work on their district assigned device outside of the KUSD network. This scenario ensures proper security and access to internal resources for job responsibilities. Staff that utilize a VPN will be filtered and protected as if they were physically operating behind the KUSD firewall.
- Employees who use District equipment off District premises will accept full and unconditional responsibility for any equipment damage or loss and will reimburse the District within a reasonable time for the applicable repair/replacement cost. Further, the responsible party agrees to hold the District harmless for damages caused to any individual or others by the use of this equipment.
6. **Personal use of the District’s electronic communication system:** Incidental and occasional personal use of the District’s electronic communication system is permitted, but such use is subject to this policy. Personal use of technology must be limited to break time and time outside the workday. Personal use must not interfere with student instruction, the performance of an employee’s job duties or District business. Employees shall not use their District email address for personal commercial purposes. Employees may connect personal technology devices to the District’s network, as long as this does not interfere with the operation, integrity or security of the District’s network. The District is not responsible for the safety or security of personal technology devices or the software on them that employees choose to bring into the District. The District does not provide technology support for personal devices. Personal devices are prohibited from accessing KUSD internally supported networks.

7. **Personal/off-duty use of social media and personal web pages:** Even if an employee is off-duty and not using the District's electronic communication system, an employee's personal use of technology or social media may be subject to this policy and regulated by the District if under the following conditions: the employee chooses to identify themselves as a District employee; the use affects the employees job performance; or the performance of other District employees or the use involves or relates to the District, District students/families or District employees. Unless authorized to do so by the Superintendent or their designee, employees shall not represent themselves as a spokesperson for the District or create or post content to a personal/non-authorized website that purports to be an official/authorized website of the District. Employees shall not use their District email address to register for a personal social media account and shall not post photos of students or other personally identifiable confidential student information on personal pages and/or sites without the written consent of the adult student or the minor student's parent/guardian.
8. **Electronic communication with students:** Employees shall use their District email address(es) when communicating with students. Unless authorized to do so by the superintendent or their designee, employees shall not communicate with students via their personal email addresses, social media accounts, home phones, cellphones or other application not authorized by the District for communication with students. Employees also should use discretion when communicating with parents on social media (e.g., accepting "friend" or "follower" requests). Staff have KUSD-approved communication options for authorized use. Staff-provided email addresses and resources should be used as the communication portal for interacting virtually with students. Guidance, training and support for currently available technologies and future utilities will be shared and integrated when possible.
9. **Personally identifiable information:** Personally identifiable information relating to individual students or their families, except as permitted by the Family Education Rights and Privacy Act, Section 118.125 of the Wisconsin Statutes, and the District's student records Policy 6470. Elementary (4K-5) students only may be identified by their first name and last initial. Note: Regardless of age, photos, videos, names, artwork or other likenesses cannot be used if a student has a social media restriction on file. Email addresses of students and their family members shall not be posted or shared.
10. **The District's website/social media pages:** The Superintendent or the designee reserve the right to approve content posted on the District's website and social media pages. All school-level web editors must communicate with the District web specialist for information and assistance. The editors are responsible for ensuring accurate information is shared by maintaining the website and requesting updates be made by the web specialist. The social media administrators are responsible for ensuring accurate and timely information is shared and/or posted. The web editors and social media administrators are expected to ensure accurate spelling and grammar.

The following content shall not be posted or shared on the District's website or social media pages:

- Content that is sexually explicit, obscene, pornographic or depicts alcohol drug or tobacco use.
- Copyrighted material without the written consent from the owner and proper attribution.
- Any photos, videos, names, artwork or other likenesses of students with a media restriction on file.
- Links to personal or commercial websites.

- Content that violates Board policy or rules.

11. The staff-directed use of digital applications: Educators need to be aware of how data privacy, confidentiality and security practices affect students. When engaging with online educational service providers, educators must review the privacy policies prior to having students create accounts in selected applications. The Children’s Online Privacy Protection Act (COPPA) governs online collection of personal information from children under age 13. Educators can act in the capacity of a parent to provide consent to sign students up for online education programs that are COPPA compliant at the school for the use and benefit of the school, and for no other commercial purpose.

12. Areas of Expected Privacy

- Students, school employees and other persons present on school property shall respect and protect the privacy interests of individuals who are using a locker room, restroom or other designated changing area. Students or employees who violate this policy, or any related rules or directives, shall be subject to school disciplinary action and possible legal referral. Other persons violating this policy may lose the privilege of using District facilities, may be referred to law enforcement and/or may be subject to penalties provided under applicable law.
- In keeping with the District’s objective of taking reasonable measures to protect the privacy interests of persons who are using a locker room, restroom or other changing area for an authorized purpose, all persons present on school property shall, at minimum, observe the follow measures:
 - The use of recording and other electronic devices is substantially restricted in locker rooms, restrooms and other designated changing areas.
 - No person may use a camera, video recorder, cell phone or any other device with recording capabilities at any time to capture, record, transmit or transfer an image or representation of an undressed or partially undressed person who is in any locker room, restroom or other designated changing area.
 - No recording function (photographic, video, audio) of any type of device may be used in any non-emergency situation in such facilities at any time unless (1) the individual has received the prior permission of the District Administrator, building principal, or other District-designated facility supervisor; and (2) any person being recorded has consented to the recording. Such permission shall not be exercised when persons who are present in the facilities are using the area as a changing area, shower facility and/or restroom.
- In order to avoid any appearance of a violation of privacy or other impropriety, individuals present in such facilities are expected to restrict their use of the non-recording functions of any communications device or other multi-function device to (1) emergencies; or (2) situations where they have received the prior permission of the District Administrator, building principal, or other District-designated facility supervisor. That is, with these limited exceptions, voice calls, texting, etc. Should not be occurring in such facilities.
- No person shall view or attempt to view from any concealed location, or in an otherwise secret or hidden manner, an undressed or partially undressed person who is using a locker room, restroom, or other designated changing area.
- Loitering in a locker room, restroom or other designated changing area is prohibited.

- No media is allowed access to locker rooms before, during or after any school athletic event or practice. Coaches and student athletes may be available for interviews outside the locker rooms, consistent with District policy and school rules.
- When District employees or other District-designated individuals enter a locker, restroom or other designated changing area in order to exercise their supervisory responsibilities (including any exchange of information with persons using the locker room), they shall exhibit due regard for the privacy of the individuals who may be using such facilities, including recognizing that the relevant privacy interests are heightened when an individual has a supervisory need to enter a facility designated for use by persons of the opposite sex.
- Nothing in this policy shall be interpreted to prohibit coaches and other athletic-team personnel from being present in a locker room, whether of the same sex or of the opposite sex, in circumstances where the presence of such individuals would not compromise the privacy interests of the student athletes or other persons who may be using the facility, such as during pre/post game team meetings, halftime meetings, or other similar circumstances.

Reference: Board Policy and Rule 4226

Conflict of Interest

In order to ensure sound management policies and procedures and in order to avoid actual or potential conflicts of interest, no close relative of any employee of the District or member of the Board of Education shall be appointed to and/or assigned to a position having a conflicting interest with a position held by a close relative.

Conflicting interest is defined as having a direct responsibility involving power to recommend appointment, dismissal, promotion and demotion, or for supervision and evaluation of close relatives. For purposes of this policy, close relatives shall be defined as spouse, parent, mother-in-law, father-in-law, son, daughter, sister, brother, brother-in-law, sister-in-law, daughter-in-law or son-in-law.

Positions of conflicting interest are defined as follows:

1. Any administrative or supervisory position having immediate or partial supervisory responsibilities on other than an occasional basis. (For purposes of applying this section of the policy, the quasi-supervisory positions of the following sections shall not be viewed as immediate supervisory positions.)
2. Any teaching position having quasi-supervisory responsibilities such as a teacher consultant or department chairperson, or any teaching position having an educational assistant position.
3. Any secretarial position having supervisory responsibility within a given school or department.
4. Any building service employee having supervisory responsibilities such as head custodian, assistant head custodian, foreman or head cook.
5. Any recreation department position having supervisory responsibility within any program.

In addition to any statutory requirements regarding conflicts of interests of board members, no board member shall participate in a decision regarding the employment or discipline of a close relative.

Nothing in this policy shall be construed as discouraging the appointment of relatives for positions not designated by this policy as being in conflict. Except as restricted by this policy, each recommendation for appointment shall be based upon the best qualified applicant for the position to be filled. Nothing in this policy shall be construed to limit the opportunity for promotion of any person employed by the District.

Reference: Board Policy 4331

Limitations on Outside Employment

The District recognizes the right of District employees to engage in employment outside of the district. However, outside employment and other non-employment pursuits must not conflict with the employee's duties, responsibilities, and regular periods of work for the district.

District employees shall not engage in any outside business activity, accept private employment, or render services for private interest when such business activity, private employment, or services is incompatible with the employee's official duties or would impair the employee's independence, judgement or action in the performance of the employee's official duties.

Employees must seek written approval from the Superintendent or their designee prior to accepting outside employment or engaging in outside activities or other pursuits which are not permitted pursuits identified in this policy.

Examples of outside activities, employment and other pursuits permitted by the District without the need for approval include but are not limited to the following:

1. Volunteering to chaperone a child's field trip or other special event;
2. Attending events at another K-12 educational institution that are open to the public;
3. Attending Parent Teacher Organization (PTO) meetings or events;
4. Volunteering at a K-12 educational institution's charity event or gathering;
5. Volunteering in a classroom to assist a teacher with student activities;
6. Tutoring, provided those sessions do not interfere with the employee's scheduled work hours.

Outside activities, employment and other pursuits that are strictly prohibited by the District include but are not limited to the following:

1. Assisting another K-12 educational institution within the KUSD boundaries with the recruitment of students and/or the administration of the school;
2. Assisting another K-12 educational institution within the KUSD boundaries with teaching students (not applicable for staff who have part-time contracts with higher educational institutions);
3. Serving on a board for another K-12 educational institution within the KUSD boundaries.
4. Work which interferes with your responsibility as a District employee and interferes with your independent judgement in the exercise of your official duties;
5. Outside activities, employment or other pursuits that conflict with the interests of the District's mission, vision, goals and purpose.

Approval for outside employment shall be at the sole discretion of the Superintendent or their designee. The decision of the Superintendent shall be final.

Reference: School Board Policy 4391

School Year/Hours of the Day/Workday

The current school year calendar can be found on the District's website.

Work schedules for employees vary throughout the school district. Supervisors will advise employees of their individual work schedules. Staff needs and operational demands may necessitate variation in starting and ending times, as well as variations in the total hours that may be scheduled each day and week. Regardless of the shift, no breaks other than lunch periods are part of your normally scheduled day.

Paid hours per day are as follows for a 1.0 FTE (not including the duty free lunch):

- Teacher 7.5 hours per day
- ESP 7 hours per day
- Interpreters 7 hours per day
- ASP 8 hours per day
- Service/Maintenance 8 hours per day
- AST 8 hours per day

All staff are responsible for the completion of their duties as set forth in the job description and other duties specific to each position.

Lunch Periods

Hourly employees working six hours or more per day shall receive at least a 30-minute duty-free lunch period. Lunch will be scheduled with a supervisor to best meet the scheduling needs of the building or department. An employee must receive permission to work during their scheduled lunch period and must report any time worked. Lunch periods may not be used to account for an employee's late arrival or early departure.

Break Time for Nursing Mothers

As per Section 7(r) of the Fair Labor Standards Act, for one year after the birth of a child, all nursing mothers will be allowed reasonable break time during the work day to express breast milk. The break time will be allowed each time the mother has the need to express breast milk. A place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, will be provided for nursing mothers to express breast milk.

Emergency Closings and/or Learning Adjustments

Only the superintendent of schools and/or their designee is authorized to close school buildings due to inclement weather and/or intermittent emergency/crisis situations. If the decision to close buildings is made, a public announcement will be made via various platforms no later than 5 a.m. unless emergency circumstances require otherwise. In the instance of long-term situations, such as a pandemic, decisions regarding closures and/or learning adjustments shall include board discussion and action unless mandated by the state or federal government.

If a public announcement is not made by 5 a.m. on any given day, schools will be open and following their regular schedules.

The superintendent reserves the right to close the district for *all* students and staff if deemed necessary.

Reference: Board Policy 3643

Staff Reporting Requirements

The district puts student safety first, which is why several factors are taken into consideration when determining whether to close buildings due to inclement weather and/or emergency/crisis situations, such as:

- Whether a weather warning has been issued and remains in effect at or after 5 a.m. of the day in question
 - Warnings issued in advance are often canceled due to a change in storm systems and the district does not want to make decisions based on inaccurate data/information
- Whether there is a sustained wind chill of -34 degrees or lower
- Whether there is a sustained temperature of -20 degrees or lower
- Whether there is or will be a heavy accumulation of snow, especially during typical travel times to and from school
 - Are streets and sidewalks clear?
 - Are buses unable to run due to extreme cold or unplowed streets?
 - Are driving conditions hazardous?
 - Are there power or phone outages?

If school is not canceled and a parent/guardian believes their child is safer at home, the parent/guardian may keep their child home. Keeping a child home due to weather will be recorded as an excused absence on the student's record per Policy 5310 and Wis. Statute 118.15 so long as parents/guardians report the absence in a timely manner.

In the event schools are closed or the arrival time is changed due to inclement weather and/or emergency/crisis situations, an announcement will be made:

- Via email and/or text message to all families and staff who have updated and accurate contact information listed in student and staff databases.
- On KUSD and school websites, KUSD Channel 20, social media platforms, and 262-359-SNOW (7669).
- Via the appropriate avenues to be shared on local and extended news station platforms.

Announcements will be made by 5 a.m. unless emergency circumstances require otherwise. If schools are closed, all after-school activities, including sports, fine arts and evening events, also will be canceled. When KUSD schools are closed, no transportation will be provided to private and parochial schools.

THREE PROCEDURES TO LOOK/LISTEN FOR

Unless notified otherwise, Procedure 1 is in effect. Nothing prevents the district from enacting any of the procedures below on a case-by-case basis if impending emergencies/crises are isolated to individual schools/buildings.

- Procedure 1: All schools in KUSD will be open today. Students and personnel are expected to attend.
- Procedure 2: All schools in KUSD will open two hours late, and school buses that transport students will be running approximately two hours late. There will be no a.m. or p.m. early childhood, speech impact or 4K classes.
- Procedure 3: All schools in KUSD will be closed; no students are expected to report. The Kenosha Senior Center also will be closed. KUSD employees – see below for attendance and guidelines.

Two (2) days are built into the academic calendar for school closings.

- If Procedure 1 is enacted, staff will be expected to report to work at their assigned buildings as normally scheduled.
- If Procedure 2 is enacted, staff will be expected to report to work at their assigned buildings as normally scheduled.

If Procedure 3 is enacted, only specified facilities staff shall report to work the first two days, no others shall report to work when school is closed due to weather or emergency purposes, but must make up state mandated student contact time at a future date(s) to be determined by administration. **Beyond the first two days:** Teachers, educational support professionals and interpreters should not report to work when school is closed due to weather or emergency purposes, but must make up state mandated student contact time at a future date(s) to be determined by administration.

Administrative, supervisory, technical personnel; administrative support professionals; community and support; facilities; and food service must report to work or take a vacation or personal day.

Timesheet employees will not be required to work when schools are closed and will not be compensated unless their direct supervisor requests otherwise, in which case a timesheet for hours worked must be submitted.

Reference:

Board Policies 3643, 6210,5310, 3511

Wisconsin Statutes, Sections

115.01(1)

121.02(1)(f)

121.56

118.15

Job Postings

When the District determines to post a position, the vacancies will be posted online for a minimum of five calendar days or until filled.

Employment ID

Each employee is given an ID badge at the time of hire. The ID is provided for security purposes. Employees are expected to wear their badge every day and ensure it is visible when on District property.

Facility Visitors

The District welcomes visitors. To ensure the safety and well-being of all students and staff, visitors must comply with the following procedures:

1. Enter through the front lobby area.
2. Sign the visitor register upon entering and exiting the facility to ensure that everyone is accounted for in the event of an emergency.
3. Wear required identification.
4. Comply with building procedures to ensure the safety of the students and staff.
5. Comply with site-specific visitor check-in procedures.

SECTION 2: COMPENSATION

Base Pay

The District is committed to providing a fair and competitive compensation package that will attract, retain and develop staff.

Job Classifications

The District positions will be assigned to employment classifications based on the education and experience requirements of the positions and in accordance with state or federal requirements, where applicable. When positions change, they will be reassessed and may be reclassified, if necessary.

Payroll

The District runs payroll on a biweekly cycle. Payroll information, including payroll periods and pay dates, is updated and published annually and can be viewed on the the District intranet. This information is also accessible by contacting the Payroll Department and is distributed to all new hires. All employees' normal wages are paid through the end of the current pay period. Special wages, like overtime (see Overtime/Compensatory Time Off for Hourly Employees below), will be included in the next pay period.

Direct Deposit

The District requires and provides direct deposit into the employee's bank or credit union. All payrolls are processed utilizing direct deposit only.

Employee Intranet

All employees will have the ability to view their paycheck stubs through Employee Online. It is each employee's responsibility to verify the accuracy of the information. Employees should check for mistakes made in salary and leave balances each time a paycheck is processed. The District takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. In the unlikely event of an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Payroll Department so that corrections can be made as quickly as possible. Any changes to an employee's time record must be approved by their supervisor/principal.

Overtime/Compensatory Time Off for Non-Exempt Employees

Overtime assignments and weekend duties for hourly employees will be assigned at the discretion of the supervisor and/or District administrator. Administration and Teachers are exempt from overtime compensation. Hours, shifts and assignments will be determined by the District. Eligible employees will be paid for all overtime hours worked. All overtime must be approved in advance by the immediate supervisor. Employees will be paid overtime as required by the Fair Labor Standards Act. The District may provide mutually agreeable compensatory time off in lieu of overtime pay.

Overtime pay: Only non-exempt employees will receive compensation at the rate of one and one-half times their regular hourly rate of pay for all hours worked over 40 hours in any given work week. A supervisor must always approve overtime before it is performed. Only actual hours worked will be used to calculate overtime. Paid time off for vacation, holidays, sick days, leaves of absence or other reasons will not be considered hours worked. Supervisors will attempt to provide employees with reasonable notice when the need for overtime arises, however, advance notice may not always be possible.

Time and Attendance

All non-exempt employees are required to keep accurate and complete records of time worked on a District-issued timesheet or timekeeping system (check with your supervisor). Non-exempt employees will forward a complete and signed timesheet to their supervisor at the end of each pay period within one working day.

Payroll Deduction

All required deductions, such as federal, state* and local taxes and Wisconsin Retirement System contributions, as well as all authorized voluntary deductions, such as Tax Sheltered Annuity (TSAs) and health insurance and other benefit premiums, will be withheld automatically from employee paychecks. Employees are able to adjust voluntary deductions via Employee Online.

Garnishments and Wage Assignments

All official garnishments and wage adjustments will be processed according to the prevailing applicable laws via legal documents provided to the Payroll Department.

Tax Deferred Investments

Employees have the opportunity to take advantage of tax deferred income taxation provisions. The Office of Human Resources maintains a list of investment companies available to employees on the Employee Intranet.

Reference:

Wisconsin Statutes Sections

71.64

103.457

109.03

241.09

812.42

812.43

Fair Labor Standards Act

26 U.S.C 3102

26 U.S.C. 3402

29 C.F.R. Part 541, et seq.

SECTION 3: EMPLOYMENT CHANGES

Personnel Data Changes

The District maintains personnel records and files for each employee. Maintaining these files with up-to-date information is very important as it provides the District with contact information in case of emergency, address mailings, data for payroll purposes and information required for reporting purposes and benefit programs.

All employees must notify the Office of Human Resources within five days of any changes in:

1. Address
2. Marital status/name change
3. Emergency contact
4. Phone number
5. Dependent(s)

Personnel Records

Records of all personnel shall be considered confidential to the extent required by law and shall be kept in the Office of Human Resources. Records shall be maintained in accordance with all applicable federal and state laws and regulations, and retained in accordance with District's record retention schedule.

1. Personnel records may be examined in the presence of the Office of Human Resources personnel.
2. Materials shall not be removed from personnel files without permission of the Superintendent or designee.
3. The Office of Human Resources may duplicate post-employment file materials for the employee, and individual employee will pay the cost.
4. Transcripts and licenses may, if requested, be returned to individuals upon termination of employment provided a receipt is signed.
5. Pre-employment references, credentials and evaluations are not available to employees. Confidential pre-employment credentials shall be sent to the supplying agency only.
6. Personnel files will not be available to former employees, except to the extent authorized by law.
7. Employee information may be made available to anyone to the extent authorized by law. Ordinarily, employee information available to the public shall be limited to the name of the employee, the assignment, the dates of employment and compensation.
8. An employee may request the source of any material placed in their file.
9. Any written complaint about an employee, or written material that the employee's principal or other supervisor deems derogatory, will be called to the employee's attention within 48 hours. The employee may respond; their response will be reviewed by the administrator, attached to the complaint or written material and included in the employee's personnel file.

10. Where parents have oral complaints about an employee, the affected employee will be notified if/when they are addressed by an administrator in writing. The employee will also be given a meaningful opportunity to provide input for the response.

Reference: Board Policy and Rule 4260

Employee Evaluations

Instructional administrators (i.e., principals and assistant principals) and teachers shall be evaluated by their direct supervisor in accordance with the Educator Effectiveness model as required by the Wisconsin Department of Public Instruction. This includes following the evaluation timeline of a summary year followed by two support years, as well as providing yearly feedback on annual goals. Details are outlined at <https://dpi.wi.gov/ee>. This model and its timeline also align with Wisconsin State Statute 121.02(1)(q) which reads, "Evaluate, in writing, the performance of all certified school personnel at the end of their first year and at least every 3rd year thereafter."

Non-instructional administrators, supervisory, technical and hourly staff shall be evaluated at the end of their first year and every three years thereafter. In addition, non-instructional administrators, supervisory and technical staff also will set annual goals and receive informal feedback from their direct supervisor similar to that presented via the Educator Effectiveness model for teachers and instructional administrators.

Evaluation tools for groups other than teachers and instructional administrators will be developed and maintained by the Office of Human Resources. Copies of completed, signed evaluations shall be submitted to the Office of Human Resources for inclusion in personnel files.

Neither of the timelines above prohibit the district from addressing performance or behavior issues in any given year through performance improvement plans or corrective disciplinary action.

Reference: Board Policy and Rule 4380

SECTION 4: EMPLOYEE BENEFITS AND GENERAL LEAVES

Benefits

The District offers a comprehensive benefit package. Details with respect to eligibility, benefits, including employee contributions (premium costs), claims procedures and limitations can be found on the District website. Benefits may include health, dental, life, vision, disability, flex and retirement savings and are subject to change.

Vacation Days

Benefit eligible 12-month employees will earn vacation on the fiscal year (July 1-June 30) and may take it on the calendar year (January 1-December 31). New employees will earn vacation on a prorated basis at the rate of 1/12 of their allocated amount per month and may begin using accrued vacation upon completion of six months of service.

For example: An hourly 12-month employee is hired on October 1. Since the new hire is starting after July 1, they will earn vacation on a prorated basis equal to 9/12 (the employee will work 9 months of the 12) of their allocated amount per month.

July 1 – June 30 is the earning period

Date of hire = October 1

Earned vacation from October 1 – June 30 = 75% of the annual vacation allotment.

Total day of vacation available after six months = 7.5 days (10 days x 0.75)

All employees who earn vacation time will be paid out unused earned vacation time upon a voluntary separation from the District. Payout of vacation time will be calculated based on the remaining balance of vacation days earned as of the date of the voluntary separation. Any individual whose employment with the District is involuntarily terminated will not be paid for unused earned vacation time.

Vacation time shall be taken in half-day or full-day increments. The vacation period and the number of employees on vacation at any given period shall be determined and approved by the employee's immediate supervisor or principal. The supervisor may deny the use of vacation time based on needs of the District. Payment in lieu of vacation time will not be granted.

Employees are required to use all accrued sick and vacation balances for any absences from the District before being allowed to request unpaid time off with Administrator approval. Vacation cannot be borrowed or advanced from future allotments.

ADMINISTRATIVE, SUPERVISORY AND TECHNICAL EMPLOYEES (AST)

See AST Policy

NON-EXEMPT/HOURLY 12-MONTH EMPLOYEES

(Employees currently receiving a greater benefit will retain that benefit)

One week = five days

During first year, two weeks prorated

After first year, two weeks

After second year, three weeks

After third year, four weeks

NON-EXEMPT/HOURLY 10-MONTH EMPLOYEES

(FOOD SERVICE OR ADMINISTRATIVE SUPPORT PROFESSIONAL (SECRETARY))

Current 10-month employees who continue to accrue vacation will maintain their vacation benefit for the duration of their employment as a 10-month employee, but vacation may not be taken. Payment for vacation time in lieu of time off will be granted annually in June. Once an employee leaves one of the two 10-month employee groups referenced above via transfer or separation from the District, their grandfather status is gone. The sunset of this benefit was effective June 30, 2013.

Carryover Vacation Days

Employees may carry over a maximum of five vacation days from one calendar year to another. Employees must submit requests for carryover vacation days to their supervisor for approval who will submit to the Office of Human Resources for recordkeeping. Carryover vacation days must be used by June 30 of the following calendar year. Any remaining carryover vacation days at that time will be removed from the employee's available vacation leave balance.

Reference: Board Policy 4280

Personal Days

All employees who earn sick days may request to use up to two (2) of them as paid personal days. 10-month FTE employees may request to use up to four (4) sick days as personal days. Personal days may be taken July through June. The Personal Day Request must be submitted in writing to the employee's supervisor for approval. Personal days may not be taken in greater than two-day increments and may not be combined with vacation to extend an employee's absence. Personal days may not be used to extend a holiday. There must be available sick days in your sick bank equal to the number of personal days requested before they can be taken. Unrequested personal days do not carry-over from year to year. These paid personal days will be deducted from the employee's accrued sick days. Personal days are not guaranteed, and are granted on a case-by-case basis based on the needs of the department.

Illness on a Holiday or Vacation Day

Any illness or disability, which occurs after approved vacation has commenced, is considered vacation and shall not be paid as other benefit time. If one of the paid holidays shall fall during an employee's vacation, the paid holiday will be applied in lieu of the paid vacation day.

Holidays

ADMINISTRATIVE, SUPERVISORY AND TECHNICAL EMPLOYEES (AST)

See AST policy.

NON-EXEMPT/HOURLY 12-MONTH AND EXEMPT/NON-EXEMPT/HOURLY 10-MONTH EMPLOYEES

Non-exempt/hourly 12-month employees	Exempt and non-exempt/hourly 10-month employees
Independence Day Labor Day Thanksgiving Day Day after Thanksgiving Christmas Eve Christmas Day New Year's Eve New Year's Day Martin Luther King, Jr. Day Good Friday Memorial Day	Labor Day Thanksgiving Day Day after Thanksgiving Christmas Day New Year's Day Martin Luther King, Jr. Day Good Friday Memorial Day

Additional Holiday Information

The District will establish the preceding Friday or the following Monday as the holiday if the holiday falls on a Saturday or Sunday.

All 12-month exempt and non-exempt (hourly workers) will receive winter recess as paid time off. These dates are designated by the District calendar.

Supervisors have the option of adjusting schedules of those employees who may have to work due to the needs of the District.

Ten-month employees are off during spring break and winter recess; however, these are unpaid days except the holidays referenced above. Temporary part-time, non-benefit employees are not eligible for holiday pay.

In order to receive holiday pay, an employee must be paid on their last scheduled day before and the next scheduled day after the holiday unless other arrangements are made in advance with the employee's supervisor or the employee is on vacation at the time of the holiday. If an employee does not do so, then the employee will not be paid for the holiday. This does not include mandated District closures such as winter break or spring break.

Sick Days

Sickness is defined as illness or disability for self or immediate family. Sick days may also be used for attending a medical appointment for an employee or their immediate family member(s).

Employees who work 10 months will receive 10 paid days per year and those who work 12 months will receive 12 paid days per year up to a maximum of 90 days. Any employee who works 50 percent or greater per week (.50 FTE or greater) will be eligible for sick days on a pro-rated basis. Temporary (part-time/non-benefit eligible) employees will not accrue sick days. Employees currently receiving a greater benefit will retain that benefit. Employees will be required to use all accrued sick and vacation balances for any absences from the District before being allowed to elect unpaid time off.

Sick days may not be used prior to accrual. The District may require employees to provide a note from the doctor verifying that an absence was caused by a medical situation or medical appointment. The

District also may require documentation from the doctor authorizing the employee to return to work. If sick days are exhausted, employees should refer to this handbook for additional unpaid leaves available.

For purposes of using sick days, immediate family is defined to include only spouse, brother(s), sister(s), children, parent(s), parent(s)-in-law and other family members living in the household.

Sick days are earned on the first payroll of each month as long as at least half of the prior month was worked. Teachers will receive their 10 days at the start of the school year. Teachers hired after the start of the school year will receive their pro-rated sick allotment in a payroll following hire.

Sick days will be taken in half-day or full-day increments. Anytime an employee misses three or more consecutive days, the employee will be asked to provide documentation from the physician who treated the employee and/or employee's immediate family when returning to work. The supervisor may request a medical excuse or other documentation regarding the use of sick days at any time.

Sick days will not be paid out upon separation from the District. Administrative, Supervisory and Technical employees should refer to the AST policy.

Bereavement

Employees shall be allowed up to six paid days for absences necessitated by the death of an employee's immediate family members (including spouse, mother, father, sister, brother, child, stillborn child, miscarriage, son-in-law, daughter-in-law, father-in-law, mother-in-law, stepmother, stepfather, or any other person whom the employee stands in a mutually acknowledged relation of parent or child) and up to three paid days for grandparents, grandchildren, sister-in-law, brother-in-law, aunt, uncle, niece, or nephew. Proof of loss must be provided to the building/department leave reporting secretary. Days do not need to be taken consecutively but must be taken within six months of the individual's passing. Bereavement days must be taken in full day increments.

Jury Duty

Upon receipt of notification from the state or federal courts of an obligation to serve on a jury or to act as a court witness, the employee should notify their supervisor. The employee is required to provide copies of the subpoena or jury summons to their supervisor and the Office of Human Resources. The supervisor will verify the notification and make scheduling adjustments to accommodate the employee's obligation. Employees will not be deducted pay for the jury duty or subpoenaed court appearances on behalf of the District if the above is adhered to. If an employee is called to appear as a plaintiff, defendant or for subpoenaed and non-subpoenaed court appearances not related to the District, they will be deducted pay unless vacation or personal days are used. Any compensation (except transportation) received by the employee for jury duty or service must be paid to the Finance Office. Timesheet employees are not eligible to receive jury duty pay from the District.

Family and Medical Leave Act (FMLA)

Employees may be eligible for leave in accordance with the state and federal Family and Medical Leave Acts (FMLA). The District utilizes the calendar year (January 1 through December 31) to establish its 12-month FMLA measurement period.

The following information concerns your rights and obligations under the family and medical leave laws, and District policy and guidelines, and will explain to you the consequences of your failure to meet these obligations. Please read this information carefully, and if you have any questions, please contact your supervisor or the Office of Human Resources.

1. **Leave entitlement.** The actual amount of time you spend on family and/or medical leave will be subtracted from your unpaid leave entitlement for a calendar year. Your family and medical leave, under state and federal laws, will run concurrently with any other leave for which you are eligible under applicable District policies.
2. **Medical certification.** If your request is based on your serious health condition or the serious health condition of your child, spouse, parent, domestic partner or covered service member, you must provide the District with a medical certification (“Health Care Provider Certification”) prepared by the health provider. This certification must be provided to the District within 15 calendar days of the request for leave, unless it is not practicable under the particular circumstances to do so despite the employee’s diligent, good-faith efforts, in which case it must be provided as soon as practicable. If you fail to provide a timely certification, your leave request or your continuation for leave may be denied or delayed until the required certification is provided.
3. **Additional certification.** If the District has any doubts about the accuracy of your initial medical certification, you must submit to another certification, at the District’s expense, by a health care provider selected by the District. If the second opinion differs from the initial certification, a third opinion may be obtained. The third opinion is final and binding.
4. **Recertification.** On a periodic basis as allowable by law, you must provide the District with subsequent recertification that your serious health condition still prevents you from performing your job functions or that you are still needed to care for a family member with a serious health condition.
5. **Intent to return to work.** You must provide the District with a periodic report on your status and intent to return to work when instructed by the District. If you are released to return with restrictions, you must contact the Office of Human Resources to discuss possible accommodations available prior to the return to work.
6. **Fitness for duty.** If you are on medical leave because of your own serious health condition, you must provide the District with a medical release, “Fitness for Duty Certification” form signed by your health care provider before you can return to work. If you fail to provide the District with a medical release, your reinstatement will be delayed until the required certification is provided or denied.
7. **Substitution.** Employees will be required to use all accrued sick and vacation balances for any absences from the District before being allowed to elect unpaid time off under the District’s applicable leave policies.* You may be paid by the District, or you may request payment, for any paid leave to which you have a right to payment at the time of your leave under the District’s applicable leave policies. Paid leave will run concurrently with your family and medical leave and will not be available to you later. (Reference * at end of section.)
8. **Maintenance of insurance coverage.** In order to maintain your current elected benefits during your family or medical leave you must continue to pay any employee required contributions towards those elected benefit health insurance premiums, as you did prior to your leave. The District requires the substitution of paid leave, therefore your share of premiums, if any, will be paid through the District’s normal payroll deduction method. Otherwise, the District will designate a method for collection premiums when your leave is unpaid.

9. **Employment protection.** Upon returning to work from family or medical leave provided your 12 weeks of FMLA have not been exhausted, you will be reinstated to the position you held prior to leave or, if your position has been filled, to an equivalent position with equivalent pay, benefits, and other terms and conditions of employment. You will have no greater right to employment at the end of your leave than you would have had with the District if you had not taken leave. In the case of instructional employees, your reemployment may be delayed until the commencement of the next school semester if your leave begins in the last five weeks of the semester. Please contact the Office of Human Resources for additional information on your reinstatement rights.
10. **Recovery of premiums.** If you fail to return to work after your family or medical leave, you will be liable to the District for any health coverage premiums paid on your behalf during your leave and coverage will be cancelled back to the date of your last paid premium.

* Wisconsin FMLA allows employees to take up to 2 weeks of leave for their own serious health condition in a calendar year, up to 2 weeks for the serious health condition of a parent, child or spouse and up to 6 weeks for the birth or adoption of a child. The employee may elect to have this time be unpaid. Once an employee has exhausted their Wisconsin FMLA rights, they are subject to Federal FMLA and will be required to use all earned but unused vacation and sick time before election of unpaid time off.

Legal Reference:

29 USC Chapter 28 Sections 2601-2654 (Family and Medical Leave Act)

29 C.F.R. Part 825

Wisconsin Statute Section 103.10 (Family or Medical Leave)

Wisconsin Admin. Code Ch. DWD 225

Wisconsin Statute Section 103.11 (Bone Marrow and organ donation leave)

Wisconsin Bone Marrow and Organ Donation Leave Act

Unpaid leave may be taken by an eligible employee for the purpose to serve as a bone marrow or organ donor if the employee provides their employer with written verification that the employee may be a bone marrow or organ donor. An employee is eligible for leave if they have been employed by the District for more than 52 consecutive weeks and worked at least 1,000 hours during the preceding 52-week period. Leave may be taken only for the period necessary for the employee to undergo the bone marrow or organ donation procedure and to recover from the procedure, up to a maximum of six weeks in a 12-month period.

If an employee requests bone marrow or organ donation leave, the employer may require the employee to provide certification issued by the health care provider of the bone marrow or organ recipient or the employee, whichever is appropriate, indicating the following: that the recipient has a serious health condition that necessitates a bone marrow or organ transplant; that the employee is eligible and has agreed to serve as a bone marrow or organ donor for the recipient; and the amount of time expected to be necessary for the employee to recover from the bone marrow or organ donation procedure. The employee shall make a reasonable effort to schedule the bone marrow or organ donation procedure so that it does not unduly disrupt the District's operations, subject to the approval of the health care provider of the bone marrow or organ recipient, and give the District advance notice in a reasonable and practicable manner.

An employee may substitute, for portions of bone marrow or organ donation leave, paid or unpaid leave of any other type provided by the District.

Legal Reference: Wisconsin Statute Section 103.11 (Bone Marrow and organ donation leave)

Maternity/Paternity Leave

Employees will be allowed up to 12 weeks of leave during a calendar year as a result of a birth or placement of a child, or to bond with a newborn or newly placed child. This leave will run concurrently with any other leave which is available to the employee under other District leave and absence policies, or state and federal family and medical leave laws. All or a portion of this period may be paid in certain instances (e.g. sick days or vacation days). The taking of leave under this policy and its accompanying guidelines will not be used against an employee in any employment decision, including the determination of raises or discipline.

Child Rearing Leave

Once maternity/paternity and/or FMLA have/has been exhausted, an employee may request up to one year unpaid leave for the birth or adoption of a child. This one-year period includes the time off for maternity/paternity leave and/or FMLA, will not exceed 12 months total, must be taken immediately following the exhaustion of maternity/paternity or FMLA and may not be taken on an intermittent basis. Child-rearing leave will be unpaid, and no benefits will be provided during this time. Requests may be granted at the discretion of the Superintendent and/or the designee and may not be requested in consecutive years. An employee returning from child-rearing leave will be placed in an assignment for which the employee qualifies at the pay rate that is commensurate with their assignment.

Non-FMLA Medical Leave

Benefit-eligible employees (as defined in the Introduction section of this Handbook) who have exhausted FMLA, or did not originally qualify for FMLA, and are still unable to perform their regular duties due to their need to continue to care for themselves or an individual who was the subject of the original FMLA request may be eligible for a non-FMLA medical leave. Combined total leaves (FMLA and non-FMLA) shall not extend more than 12 months calculated by using the initial approved FMLA date leave if applicable. Non-FMLA medical leave shall not be taken on an intermittent basis. Additional non-FMLA medical leaves will not be granted until the employee has returned to normal work duties for minimum of six months.

In order to receive a non-FMLA medical leave, the employee must submit a "Request for a Non-FMLA Medical Leave" form to the Office of Human Resources. The employee will be required to exhaust all available sick and vacation balances at the beginning of their non-FMLA medical leave. In addition, the employee will be required to provide the Office of Human Resources medical documentation supporting the need for the requested leave. The non-FMLA medical leave will be granted at the discretion of the Superintendent or the designee.

Once all accrued paid time off is exhausted, during the non-FMLA medical leave, the employee will receive no compensation from the District. If the employee is able to return within the 12 month leave period (calculated by using the first day of approved FMLA), the employee may return to their original position.

Employees who are unable to return to work following 12 months of leave shall retire, resign or will be separated from the District in accordance with Section 6 – Employment Separation of this Handbook. Once separation has occurred, and the employee is able to return to work, the employee may apply for any vacant position for which they are qualified through the District's application process.

Participation in the District's insurance coverage may be available subject to provisions in the health insurance summary plan description, which can be found on the HR/Benefits section of the District's intranet.

Military Leave

Employees who serve in the armed forces will be granted leaves of absence if called to duty, and be reinstated in accordance with the applicable state and federal laws and regulations. Employees will be paid the difference between their military pay and District pay only for the employee's annual two-week military training.

Reference:

Wisconsin Statutes Sections 321.63 – 321.66

Uniformed Service Employment and Reemployment Rights Act (USERRA)

29 C.F.R. Part 1002, et seq.

Retirement in Wisconsin Retirement System

For eligible staff, the District will pay one-half of the actual contribution rate (employer-required share), which is determined by the Employee Trust Fund board. The employee will be responsible for the other half (employee-required share).

Employee Assistance Program

The District recognizes that a wide range of problems not directly associated with job function can have an effect on job performance. Employee problems can stem from emotional disorders, alcohol or other drug dependency, family or marital problems, financial problems or societal pressures and changes. The District is concerned with job performance including attendance, conduct and productivity during employment hours.

It is recognized that many personal problems can be successfully treated or resolved if assistance is offered at an early stage and referral is made to an appropriate form of assistance.

The District will offer an Employee Assistance Program (EAP), which will serve as a practical and constructive mechanism for dealing with employees' personal problems that may affect the work situation or as an aid to those employees and their family members who voluntarily wish to use the program as a means of resolving personal problems

The purpose of the EAP is to improve the quality of human life. It has the potential to help marriages, families and possibly even save lives. Other benefits include increased productivity, improved work quality, decreased turnover, more favorable public opinion, greater employee identification with the District, improved morale and cost savings to the District.

The program will operate within following guidelines:

1. The decision to request or accept assistance through the EAP is the voluntary and personal choice of the individual employee.
2. Voluntary self-referred employees or family members seeking assistance will be able to do so with anonymity and confidentiality.
3. Job security will not be jeopardized by a request for or acceptance of help through the EAP.
4. Referrals to the EAP agency can be by self-referral, family referral or supervisory referral.

5. The EAP will function through a District EAP resource person and a contracted community agency that will provide services under the EAP concept. The superintendent of schools shall appoint the EAP resource person.
6. The EAP does not alter existing contractual provisions, work rules or disciplinary procedures. It serves as a supplementary program to offer appropriate assistance to those who need or desire it.
7. Where necessary, sick leave shall be granted for treatment or rehabilitation on the same basis as other health problems. Leave without pay shall also be considered when determined to be necessary.

Reference: Board Policy 4233

Travel Pay Policy

It is Board policy to ensure that employees are properly compensated for all hours worked, including compensable travel time as required by law. Non-exempt employees are entitled to have compensable travel time counted as hours worked so long as the travel occurs during the employee's normal work hours.

Written authorization for travel on District business must be obtained prior to travel departure. The written authorization should be included with the expense report for travel expense reimbursement. Although required travel time undertaken at the District's direction is treated as work hours, voluntary travel undertaken at the employees own option for their sole convenience is not compensable travel time.

Under ordinary circumstances, it is the policy of the District to reimburse travel expenses on the basis of actual expenses incurred. Persons traveling on District business are entitled to transportation, hotel accommodation, meals, and limited incidentals (for example, taxis and telephone calls) that meet reasonable and adequate standards for convenience, safety and comfort.

Reference:

Board Policy 3412

Wisconsin Statutes Section 118.24

Fair Labor Standards Act 29

C.F.R. Part 541, et seq.

Tuition Assistance

ALL STAFF OTHER THAN AST

The District shall provide tuition assistance of \$50 per credit up to 12 credits maximum per school year (July 1-June 30). The tuition assistance must be requested within 12 months of credits being earned. Courses taken during the summer will be considered part of the up and coming school year. (Facilities employees only: All costs to maintain employment certifications and/or licenses will be paid by the District.)

To receive tuition assistance, employees must follow the appropriate guidelines:

1. Prior to taking the course:
 - a. Visit Frontline-Professional Growth to complete either an Out of District Course Approval Form or select a course form District's activity catalog.

- i. Requests will be routed to the building administrator/department supervisor for review and/or approval.
 - ii. Out of district courses must be taken via a regionally accredited school.
2. Following completion of the course:
 - a. Complete all course evaluations on Frontline – Professional Growth.
 - b. Complete Tuition Assistance Request Form
 - c. Upload a copy of the official transcript showing the credits earned or a certificate of completion and a copy of receipts for courses taken.
 - d. Submit to Human Resources for review and/ or approval.
 - i. Only courses earning a “B” or higher, or pass for non-graded courses, will be considered for assistance.
 - ii. If approved, this will be routed to the Office of Human Resources for processing as outlined below.

The Office of Human Resources will process requests for tuition assistance biannually in February and October. Due dates for requests will be January 31 for February processing and September 30 for October processing.

Submitting a form or selecting a course in Frontline does not track credits needed for Tier advancement. This process will be communicated separately to teaching staff each spring.

ADMINISTRATIVE, SUPERVISORY AND TECHNICAL EMPLOYEES (AST)

See AST Policy

Worker’s Compensation

Workers’ compensation was established to provide a basic safety net of benefits for employees who are injured on the job. While working for the District, employees are automatically covered by worker’s compensation insurance, which is paid by the District. This insurance coverage provides benefits to any employee who meets the following requirements: 1) the injury or illness occurs while engaged in performing work activities; and 2) the injury or illness arises out of working conditions, not personal medical conditions.

Under the rights and benefits of Worker’s Compensation Act: It is essential that an employee promptly report to his/her supervisor any injury or illness, no matter how minor it may appear at the time. Employees who are injured or become ill on the job must immediately report such injury or illness to their supervisor(s) along with the Employee Accident Report form which should be turned into the Office of Human Resources within 24 hours.

Employees are also required to report all work related injuries or illnesses that may need medical attention to the Care Line (1-833-564-0894). If it is unknown whether or not medical attention is needed, call the Care Line. This is the mandatory procedure for these injuries, and they must be reported as soon as possible.

Failure to follow this procedure may result in the failure to file the appropriate Worker's Compensation Report in accordance with the law, which may in turn jeopardize the employee's right to benefit in connection with the injury or illness.

Any leave taken under worker's compensation will run concurrently with the employee's family medical and leave act (FMLA) allowance.

Light Duty – Worker's Compensation

If lost time occurs, a written report from the treating physician must be completed within 24 hours of the incident. If the employee is able to return to work, any pertinent work restrictions must be indicated on the Workers' Compensation Work Status Report Form. Forms are available at each site office. If work restrictions exist, attempts will be made to place the employee in the Transitional Return to Work Program, if a reasonable placement is available. If the District makes any restricted work available, this may trigger a cessation or reduction of worker's compensation benefit payments. If the employee is unable to work, the anticipated return to work date and expected duration of the injury or illness must be indicated by the treating physician on the Worker's Compensation Work Status Report Form. Upon return to work following a work-related injury or illness, an employee will be required to provide certification from the employee's treating physician verifying that the employee is able to safely perform job functions.

Reference: Worker's Compensation Act

Employee Property

Employees may be offered lockers or other secured areas on District premises in which to temporarily leave their personal belongings. These lockers are, and remain, District property. The privilege of a locker may be revoked at any time. The locker may be inspected at any time. It is the responsibility of the employee to maintain the security of a locker provided for use.

The District provides a parking lot for employees' automobiles. The District does not accept responsibility nor assume liability for any loss, theft, fire or damage whatsoever. For employee protection, each employee must observe all parking rules, drive safely, lock cars, and leave no valuables exposed.

The District will assist individuals seeking redress by providing any available information that will help to facilitate reimbursement from others for any loss or damage of personal property on District premises, but assumes no responsibility for such loss as a District.

Any exception to this policy requires the approval of the Superintendent of Schools, upon recommendation by the Office of Human Resources.

Reference: Board Policy 3623

SECTION 5: CONDITIONS OF EMPLOYMENT

Required Medical Documentation: Non-Certified Positions

All non-certified employees must adhere to the following conditions of employment:

1. Employee must furnish the District with proof of a completed physical examination prior to employment start date.
2. Employee must furnish the District with a completed tuberculin skin test prior to employment start date.
3. Employee must agree that the appointment is contingent upon Board of Education approval, regardless of whether the employee has been placed on the District's payroll.
4. Employee must furnish the District with a completed employment drug test within 72 hours of the offer of employment.
5. Employee must pass the criminal background check during the hiring process.

Non-compliance in any of these areas will result in immediate revocation of the offer and/or termination of employment.

Required Transcripts, Certification and Medical Documentation: Certified Staff

The following conditions of employment apply for all certified staff:

1. Official college transcripts should reflect a 2.75 grade point average (GPA) in overall undergraduate coursework or 3.0 in major or 3.0 in a master's program (all GPA's based on a 4.0 scale). If the position is at the secondary level, employee should have a major or minor in the subject area(s) being taught.
2. Employee must provide the District with an official transcript(s) denoting graduation, or if a graduating senior, a letter from the dean or advisor verifying the anticipated graduation date prior to employment with Kenosha Unified School District. If a graduating senior, employee must provide an official transcript denoting graduation within 30 days of graduation.
3. Employee must furnish the District a copy of their instructional certification or proof of Wisconsin Department of Public Instruction application (e.g., copy of application and proof of payment) prior to employment with Kenosha Unified School District.
4. Employee must furnish the District with proof of a completed physical examination prior to employment start date.
5. Employee must furnish the District a completed tuberculin skin test prior to employment start date.
6. Employee must furnish the District with a completed employment drug test within 72 hours of the offer of employment.
7. Employee must agree that the appointment is contingent upon the Board's approval, regardless of whether the employee has been placed on the District's payroll.
8. Employee must pass the criminal background check during the hiring process.

Non-compliance in any of these areas will result in immediate revocation of the offer and/or termination of employment.

Required Documentation: Non-FTE/Timesheet/Temporary Staff

All part-time timesheet/temporary employees must adhere to the following conditions of employment:

1. Employee must furnish the District with proof of a completed physical examination prior to employment start date (substitute teachers and substitute custodians only).
2. Employees must furnish the District with a completed employment drug test within 72 hours of the offer of employment (cafeteria workers, substitute teachers and substitute custodians only).
3. Employees must furnish the District with a completed tuberculin skin test prior to employment start date (all employees).
4. Employees must pass the criminal background check during the hiring process (all employees).

Non-compliance in any of these areas will result in the immediate revocation of the offer and/or termination of employment.

Licensure

Certificated staff are required to maintain proper licensure. Failure to maintain proper licensure may result in pay reduction until the license can be obtained.

Teachers failing to maintain proper licensure, as defined by the Department of Public Instruction, may be non-renewed or receive a pay reduction until the license can be obtained.

Certificated staff are required to maintain proper licensure in order to maintain employment with the District. Wis. Stat. § 118.21 (1) states, "The school board shall contract in writing with qualified teachers. The contract, with a copy of the teacher's authority to teach attached, shall be filed with the school district clerk. Such contract, in addition to fixing the teacher's wage, may provide for compensating the teacher for necessary travel expense. A teaching contract with any person not legally authorized to teach the named subject or at the named school shall be void. All teaching contracts shall terminate if, and when, the authority to teach terminates."

Certificated staff are expected to know the expiration date of their licenses/certification, meet the requirements for re-licensure/certification in a timely manner, and provide immediate notice to the District if their license/certification is suspended or revoked.

Failure to maintain proper licensure, as defined by the Department of Public Instruction, will result in the immediate voiding of the employment contract and may result in termination of employment and the certificated staff member's position may be posted to be filled. Failure to provide immediate notice to the District of the suspension/revocation of the employee's license/certification may result in disciplinary action, up to and including termination.

Reference: Wisconsin Statute 118.21

Staff Physical Examinations

Upon initial employment, all employees of the District shall have a physical examination, including a tuberculin skin test and/or chest x-ray, in accordance with state law.

Upon initial employment, each employee shall furnish a certification of freedom from tuberculosis. Food service employees shall furnish such certification annually. Food service employees shall have other periodic health exams as required by the School Board. The Board may also require other employee health exams consistent with state and federal laws.

An employee may be exempt from the health examination requirements listed in this policy if an affidavit has been filed with the board claiming such exemption in accordance with state law. No employee shall be discriminated against by reason of their filing of an affidavit.

Reference: Board Policy 4231

Employee Attendance and Punctuality

Regular attendance is an essential job function. In the event of illness or other absence, the employee shall notify the automated substitute assignment system and/or their immediate supervisor prior to the employee's work starting time in accordance with District procedures.

An employee who is absent from work without notifying the District as required may be subject to disciplinary action up to and including discharge. A failure to report to work for three (3) consecutive days shall be deemed job abandonment and the employee's employment with the District shall immediately terminate.

1. An employee is responsible for notifying the automated substitute assignment system and/or their supervisor of their absence no later than 60 minutes prior to the employee's work starting time.
 - a. The employee must indicate the reason for the absence and advise when they will report back to work.
 - b. If the length of time of the absence is unknown, the employee shall provide this notification each day of the absence.
 - c. Employees absent from work due to an illness or injury may be required to submit a doctor's certificate or other appropriate medical authorization as deemed appropriate by the employee's supervisor.
 - d. Employees must follow additional school/department guidelines where appropriate.
2. Tardiness, unexcused absences, patterns of absenteeism (same days over a period of time) and excessive excused absences (other than FMLA) are cause for progressive discipline. Any disciplinary action taken shall be consistent with District policies and rules.
 - a. An employee is considered absent if they are not present for work as scheduled, regardless of the cause.
 - b. An employee is considered tardy if they report to work after the scheduled start time (unexcused).
3. Department managers and principals will develop and communicate work schedules to reflect a start and end time.
4. A supervisors, is to give special attention to absence patterns:
 - a. Absences before or after the weekend;

- b. Absences the day before and/or the day after a scheduled holiday or day off;
- c. Calling in sick as rapidly as sick time is accrued;
- d. Calling in sick or tardy after scheduled start time; and
- e. Absences the day before or the day of “hunting” season.

Reference: Board Policy 4280

Absence Reporting/Procedures

All employees are responsible for reporting absences to the District absence reporting system in place. The District’s absences reporting system will be available 24 hours a day, seven days a week, and can be accessed via internet and phone. Login instructions and access codes will be provided to employees after start of employment.

The District expects all employees to assume responsibility for their attendance and punctuality as an integral part of their employment. Regular attendance is expected of every employee. In order for the District to operate effectively, employees are expected to perform all assigned duties and work all scheduled hours during each assigned workday, unless the employee has received approved leave. Any deviation from assigned hours must have prior approval from the employee’s supervisor or building administrator. Staff should not make personal commitments during the day that may be scheduled at an alternative time.

Employees who are absent or tardy in excess or without a valid reason may be subject to corrective counseling and/or, when appropriate, disciplinary action. In cases where absence has been for three (3) or more consecutive work days due to illness, employee shall bring a doctor’s note or physician’s release before being allowed to return to work. Absences of three (3) consecutive work days without proper notification and approval will be construed as job abandonment and will constitute your resignation from the District without proper notice. (Please refer to Job Abandonment, page 47.)

When unable to work because of illness, injury or any other reason, employees are required to notify their supervisor or their designee and enter their absence into the leave reporting system as far in advance as possible, but no later than one (1) hour before the normal starting time on each day of absence. If the District has reason to believe that sick leave abuse or misuse is occurring, the District may require medical evidence to support a sick leave claim.

Reference: Board Policy 4280

Accident Reports

It is essential that all accidents occurring on school property concerning students, employees or members of the public, and casualty losses be reported promptly to the Office of Human Resources. Accidents shall be reported in accordance with established District procedures.

Reference: Board Policy 3631

Employee Dress and Grooming

The School Board believes that all employees of the District represent the District and set an example in their dress and grooming. Therefore, professional and support staff are expected at all times during scheduled working hours to wear attire that defines a professional atmosphere to students, parents and the public.

All District employees must comply with the following personal appearance standards at all times during scheduled working hours:

1. Employees are expected to dress in a manner that is normally acceptable in a professional environment. Employees should not wear suggestive or revealing attire, spaghetti straps, backless clothing, shirts or tops that reveal an exposed midriff, clothes printed with slogans or inappropriate offensive comments, blue jeans, athletic clothing, shorts, T-shirts, baseball hats, flip-flop sandals and similar attire that do not present a professional appearance.
2. Certain employees may be required to wear special attire, depending on the nature of their job.
3. At the discretion of the Superintendent and his/her designee, an employee may be allowed to dress in a more casual fashion than normally required. On these occasions, employees are still expected to present a neat appearance and are not permitted to wear ripped or disheveled clothing, athletic wear or similarly inappropriate clothing.

Employees shall be informed of these personal appearance standards at the time of hiring.

Any employee who does not meet the personal appearance standards outlined above will be required to take corrective action, which may include leaving work to change into appropriate clothing. Violations may also result in disciplinary action.

Reference: Board Policy 4229

Alcohol and Drug Free Workplace

The district recognizes alcohol and other drug abuse as a potential health, safety and security problem, and it is the district's intent and obligation to provide a drug-free, healthful, safe and secure work environment. Therefore, the unlawful manufacture, distribution, dispensation, possession, use of alcohol and/or controlled substances, or consuming intoxicating beverages on District premises or while conducting District business off premises is absolutely prohibited by the District (district business is defined as representing the district in an official capacity). As such, employees are prohibited from reporting to work with alcohol or non-prescription controlled substances in their system, unless they are able to provide documentation that such substances are needed due to their own medical condition and have been approved by the Medical Review Officer (MRO), who is contracted by the district for such services.

Employees must, as a condition of employment, abide by the terms of this policy and notify the district of any criminal drug conviction for a violation occurring on district premises or while conducting district business off premises with-in 24 hours of a conviction.

Employees violating this policy shall be subject to disciplinary action in accordance with this policy, up to and including termination.

Employees shall be given a copy of this policy and a copy of this policy will be posted on the district website.

Reference: Board Policy

Drug Testing: Reasonable Suspicion

All employees shall be required to undergo pre-employment drug testing as well as alcohol and drug testing any time the district has reasonable suspicion to believe that the employee has violated Policy 4221.

Reasonable suspicion alcohol or drug testing may be conducted when there is reasonable suspicion to believe that the employee has used or is using drugs or alcohol prior to reporting for duty, while on duty, or prior to or while attending any district function on or off district property. The district's determination that reasonable suspicion exists will be based on specific, contemporaneous, accurate observations concerning the appearance, behavior, speech, smell, conduct and other characteristics of the employee. The employee will be suspended with pay until the results of a drug and/or alcohol test are made available to the district by the testing laboratory or tester. When reasonable suspicion exists, two district employees who have undergone drug and alcohol signs and symptoms training must concur that reasonable suspicion exists to believe that the employee is in violation of the policy before the employee can be asked to submit to a test. If two symptom trained employees concur, the Office of Human Resources (HR) or its designee will meet with the employee to explain the basis for reasonable suspicion, and contact the drug testing collector to come to the location of the employee under suspicion. The employee under suspicion will be required to remain under observation by either administration staff or someone from HR until the certified tester arrives and tests the suspected employee.

Prior to submitting to a drug and/or alcohol test, the employee will be asked if they are under the influence of either drugs and/or alcohol. If the employee admits that they are under the influence of either drugs and/or alcohol, they will not be tested and will immediately be removed from their assignment and placed on an unpaid leave of absence. In the District's sole discretion, in lieu of termination from employment, upon such a disclosure, and on an unpaid leave of absence the employee will be required to enroll themselves into a treatment program at the district's choosing or of their own choosing. Enrollment must be done within five business days of the start of the unpaid leave of absence. Documentation must be provided to HR that the employee is enrolled in a treatment program. Upon successful completion of the program as notified by the program to the district, the employee may return to duty with the understanding that if a similar violation occurs again, that action may lead to additional discipline up to and including termination.

Before being asked to submit to an alcohol and/or drug test, the employee will receive written notice of the request and/or requirements from the certified tester and will sign a consent form releasing the results to the district. The district will incur all expenses related to the test.

Employees can refuse to undergo testing; however, refusal will be considered a violation of this policy and will be considered a positive test which will result in disciplinary action, up to and including termination.

When reasonable suspicion exists, the employee will not operate a motor vehicle for the remainder of the workday or until such time as permitted by the district, and the employee will be responsible for arranging transportation off District property. If an employee attempts to operate their own vehicle, district staff will notify the Kenosha Police Department (KPD) that they have reason to believe the employee is operating a vehicle under the influence.

If the district receives notice that the employee's drug test results were confirmed positive, the employee will be given the opportunity to explain the positive result to the Medical Review Officer (MRO). In addition, the employee may request a split test and have the sample retested at a laboratory of the

employee's choice and at their own expense pending the sample being available from the original testing site.

All testing results will remain confidential. Test results may be used in administrative hearings and court cases arising as a result of the employee's alcohol and drug testing. Results will be sent to federal agencies as required by federal law. If the employee is to be referred to a treatment facility for evaluation, the employee's test results will also be made available to the employee's counselor.

In addition, employees must report any conviction under criminal drug statute for policy violations occurring on or off district premises while conducting district business within 24-hours of a conviction to the Office of Human Resources. The Superintendent or their designee shall notify the appropriate federal agency within 10 days after receiving a report of a drug and/or alcohol conviction involving an employee engaged in the performance of a federal grant.

The district recognizes alcohol and drug dependency as an illness and a major health problem. Employees needing help in dealing with controlled substances are encouraged to use the district's Employee Assistance Program (EAP). Conscientious efforts to seek such help will not jeopardize an employee's job, and self-referrals will not be noted in any personnel record. Supervisory referrals will be noted in the employee's personnel record.

Reference: Board Policy 4221 and Rule 4221

Tobacco and/or Vaping Device Use on District Premises

Smoking and the use of tobacco products and/or vaping devices in any form, including those with or without nicotine, is strictly prohibited for all persons on district premises. "Premises" is defined as all property owned by, rented by or under the control of the district, including grounds, schools, offices, work areas, school buses and other school vehicles.

Reference: Board Policy 1310

Employee Right to Know: Toxic Substances and Infectious Agents

The District shall strictly carry out state law provisions relating to the rights of employees to obtain information on toxic substances and infectious agents present in the workplace.

In addition to providing such information upon request of an employee or an employee's representative, the Superintendent of Schools and designees shall provide information concerning toxic substances and infectious agents and provide education and training programs to those employees who may routinely be exposed to toxic substances and infectious agents while at work.

Reference: Board Policy 4235

Employee Training and Professional Learning

The District values professional learning as a means for staff to acquire new knowledge and skills. As a condition of employment, employees may be required to participate in mandatory training or professional learning.

It is understood that career development and job skills acquisition are the joint responsibility of the employee, the supervisor and the employing department. Supervisors are expected to consult annually with employees to develop an appropriate professional development plan.

Participation by employees in development opportunities should be scheduled so that disruptions to the delivery of service and normal work processes are minimized.

Supervisors and employees are responsible for ensuring that any requirements specific to a particular position are met.

Mandatory Training

Employees must complete all mandatory training requirements by the designated due dates established by the Office of Human Resources. Employees will receive an email from the Office of Human Resources with their individualized training requirements and the dates those trainings need to be completed. If an employee does not complete their required training by the required due date, the Office of Human Resources will reach out to the employee's supervisor to arrange an extension. If the employee fails to complete the training as required after an extension has been granted, the Office of Human Resources may implement disciplinary action up to and including termination.

Examples of mandatory training are, but not limited to:

- Bloodborne Pathogens-EMC Version
- Bloodborne Pathogens Additional Information
- KUSD ALICE Refresher Training
- KUSD Employee Handbook
- WI(DPI)-Mandatory Reporting of Child Abuse & Neglect
- WI(DPI)-Mandatory Reporting of Threats of School Violence

SECTION 6: EMPLOYMENT SEPARATION

Termination of Employment by the District

An employee may be non-renewed or terminated for any reason supported by just cause. An employee will be given due process as required by law.

Reference: Wisconsin Statutes Sections 118.22 – 66.0509

Reduction in Force

When deemed necessary or appropriate, employees will be selected for reduction based on the needs and best interest of the District. Employees have no recall rights. In the event that positions are restored, employees may be rehired based on the needs and best interest of the District.

Employee Resignation/Retirement

Employee resignations/retirements shall be made in writing to the Superintendent of Schools and shall be in accordance with applicable individual contracts. Resignations shall contain a specified effective date and should include a reason for termination.

Resignations shall be approved by the Board of Education during school board meetings.

Employee's resignation/retirement date must reflect the last contracted workday. Employees cannot use vacation and/or sick days to extend their resignation date.

Instructional staff mid-year resignations/retirements shall be made in writing to the Superintendent no later than the end of the first semester, and no later than June 15 for end of the year resignations/retirements.

If a former employee is rehired, the employee will be considered a new employee and will not be eligible for prior service recognition for seniority or benefit plan participation purposes. This means that all prior vacation, sick bank and accrual provisions will be set to zero and the rehired employee will need to earn them in accordance with the applicable accrual charts based on zero years of service.

Retirement eligible employees are encouraged to meet with a Human Resources representative to discuss retirement benefit options.

Reference: Board Policy 4361

Resignation Forfeiture for Certified Instructional Staff

All certified staff, who after having signed a contract of employment or having their contract of employment extended for the coming school year, leave their employment with the District for any reason except the employee's documented health related reasons (career ending), or documented health care related reasons where the employee is the primary caregiver shall be required to reimburse the Board in accordance with the following liquidated damages:

- a. If an employee provides written notice of their resignation/retirement, to be effective for the upcoming school year, before June 15, of the current school year no liquidated damages will be assessed.
- b. If an employee provides written notice of their resignation/retirement between June 16 of the current school year and the first day of the upcoming school year, \$1,000 in liquidated damages will be assessed.

- c. If an employee resigns/retires once the school year has started, \$2500 in liquidated damages will be assessed against that employee.

If monies are due to a teacher from the Board as of the last day worked, the liquidated damages amount may be deducted from any remaining paychecks as a payroll deduction(s).

The Office of Human Resources, in the sole exercise of its discretion, may waive the right to pursue collection of liquidated damages from an employee.

Medical Leave Separation

Employees who are unable to return to work following 12 months of medical leave as outlined herein shall retire, resign or will be involuntarily separated from the District. Resignations and retirements shall align with Policy 4361. Individuals who do not resign or retire in accordance with Policy 4361 will be involuntarily separated from the District upon the expiration of their approved medical leave.

Job Abandonment

If an employee fails to report as scheduled, or to contact their supervisor to report an absence, for a minimum of three consecutive working days, the District shall consider the employee's position abandoned and may treat the employee as having voluntarily resigned their position. If the District decides to treat the position abandonment as a voluntary resignation, the District shall notify the employee in writing that the employee is being treated as having voluntarily resigned as of the end of the last day worked.

Reference:

Wisconsin Statute Section 230.34

Board Policy 4280

SECTION 7: EMPLOYEE CONDUCT, CODE OF ETHICS AND DISCIPLINARY ACTION

General Rules of Conduct

Rules of conduct for employees are not for the purpose of restricting the rights and activities of employees but are intended to help employees by defining and protecting the rights and safety of all persons: employees, students and visitors.

General rules of conduct are essential to the safety and well-being of all employees. Employees are expected to acquaint themselves on additional departmental rules of conduct and regulations and all Board policies found on the District website.

Honesty is a core value in the district. Employee will not create any intentional inaccuracies verbally or on official district documents such as time sheets, job applications, student records, report cards, etc. Theft of time and/or improper modification of work records will be investigated and will result in disciplinary action up to an including recommendation for termination.

Disciplinary action or termination, depending on the severity of violation, will be recommended for violation of any of, but not limited to, the following listed rules:

1. Falsification or unauthorized altering of any and all records, employment application, time sheets, time cards, student cards, FMLA, etc.
2. Tardiness or absenteeism.
3. Failure to report absences from scheduled work shift in accordance with policy.
4. Unauthorized disclosure of information contained in communications and in personnel, student or other records of the District.
5. Use and/or possession of intoxicating beverages on District property or while supervising students.
6. Use and/or possession of narcotics or non-prescribed drugs.
7. Fighting, horseplay, or use of profane, obscene or abusive language toward any manager, employee or student.
8. Threatening, intimidating or coercing others on District premises.
9. Carrying unauthorized weapons.
10. Insubordinate conduct toward a supervisor.
11. Refusing to comply with District policies and procedures and/or carry out the instructions of a supervisor.
12. Sleeping while on duty.
13. Creating unsafe or unsanitary conditions.
14. Leaving the job without permission during regularly assigned working hours.
15. Theft or unauthorized use of District equipment or possessions.

16. Loss, damage, destruction or unauthorized removal or use of property belonging to the District, employees or students.
17. Negligence in observing fire prevention or safety regulations, or failure to report on-the-job injuries or unsafe conditions.
18. Unwillingness or inability to work in harmony with others, discourtesy or conduct creating discord.
19. Engaging in acts of sabotage; willfully or with gross negligence causing destruction or damage of District property, or the property of fellow employees, students or visitors, in any manner.
20. Violating a confidentiality agreement; giving confidential information to others; breach of confidentiality of student or personnel information.
21. Any act of harassment, sexual, racial or other towards anyone; telling sexist or racial-type jokes, making racial or ethnic slurs.
22. Soliciting during working hours and/or in working areas; selling merchandise or collection of any kind for charities or other organizations without authorization during business hours or at a time or place that interferes with the work of another employee on District premises.
23. Gambling during work hours.
24. Touching students or coworkers in any manner that could be interpreted as unwelcome, unwanted, or uncomfortable.
25. Providing false statements to your supervisor or during an investigation.

Staff-Student Relationships and Professional Boundaries

The District's expectation is that a staff member's interactions with students will be grounded in the staff member's District-authorized role and remain consistent with the scope of the staff member's assigned duties and responsibilities. The District recognizes that the vast majority of staff members maintain appropriate relationships and boundaries in their own interactions with students. However, one purpose for identifying rules, guidelines, and standards in written policy is to assist such staff in identifying potentially inappropriate conduct by others that should be reported for further investigation or supervisory follow-up.

It is not practical to establish an exhaustive list of rules that expressly define appropriate and inappropriate conduct in all situations. Staff-student relationships may become inappropriate depending on, for example, the frequency, timing, or location of any meetings, activities, or communications between the staff member and a student, and/or due to the specific nature, purpose, or subject matter of any meetings, activities, communications, or other conduct. The consent or purported consent of the student and/or their parent or guardian does not alone determine whether a staff member has maintained appropriate boundaries.

If no law, rule, or directive supplies a rule of conduct in a particular situation, District staff are expected to exercise sound and context-sensitive judgment and, as needed, seek input and guidance from a supervisor. The following are examples of conduct that constitute an inappropriate staff-student relationship and/or a failure to maintain appropriate staff-student boundaries:

1. No staff member may engage in a relationship, interaction, or communication with a student that is sexual or romantic in nature. This includes, but is not limited to: dating, making sexual or

romantic advances toward a student, accepting or encouraging any sexual or romantic advance initiated by a student, having sexual contact with a student, or communicating with a student using sexual innuendo or in a sexually-explicit or sexually-suggestive manner.

2. No staff member may engage in grooming behaviors with any student. In this context, grooming is defined as any conduct or communication that fosters, exploits, or is intended to gauge a student's vulnerability or willingness to engage in inappropriate behavior. Grooming may involve a course of repeated or escalating conduct that normalizes inappropriate conduct from a student's perspective or otherwise desensitizes a student to inappropriate behaviors.

Grooming often involves but is not limited exclusively to sexual contexts. Examples of conduct that can constitute grooming include:

a. Singling out a student for inordinate and inappropriate special attention, which may include exchanging special gifts, arranging to meet or communicate at inappropriate times or locations or without a sufficient school-related purpose, or making sexually-suggestive or otherwise inappropriate comments about the student's body or appearance.

b. Engaging in expressly or implicitly sexualized communication, including exchanging information about a student's or an adult's sexual experiences or communicating other sexual content or sexual subject matter.

c. Stating or agreeing that any inappropriate conduct or communications between the staff member and a student will be secrets or confidences that should not be shared or disclosed to others.

d. Using threats, bribery, fear, intimidation, harassment, embarrassment, or guilt to encourage secrecy in the relationship or to facilitate the start or continuation of inappropriate conduct or an inappropriate relationship.

3. No staff member may engage in any activity, conduct, or communication that constitutes, encourages, or invites either unlawful conduct or conduct that would unreasonably endanger the safety or well-being of any person.

The following expectations are necessarily context-sensitive and require staff members to reasonably exercise judgment and discretion in particular circumstances in order to maintain appropriate boundaries with students:

1. Staff shall not engage with students in inappropriately peer-like social relationships via activities or communications that reasonably may compromise the staff member's ability to perform their District role, including their ability to serve as an effective and objective adult authority figure.

2. Staff shall not foster, encourage, or maintain relationships with students in which there is an inappropriate level of communicative, interpersonal, or emotional intimacy that reasonably may compromise the staff member's ability to perform their District role, including their ability to serve as an effective and objective adult authority figure, even though there may be no sexual or romantic aspect to the relationship.

3. Staff shall appropriately limit their physical contact with students. For example, staff are expected to avoid physical contact with students that, taken in context, a reasonable person would

be likely to perceive as suggestive of romantic/sexual interest or involvement, or as inappropriately familiar or intimate.

If a staff member identifies a situation that could potentially be perceived as a failure to maintain appropriate boundaries with one or more students, but believes that the activity, communication, or conduct would, in fact, be appropriate under the specific circumstances, the appropriate course of action is for the staff member to obtain advance permission from a supervising administrator and, when practical, advance parental consent.

If a District staff member is approached by a student with or otherwise learns of a possible student problem or concern that is outside of the District staff member's scope of responsibility, the staff member is expected to refer the matter to or connect the student with the appropriate District resource(s). If the staff member is uncertain which District resource(s) would be appropriate in the situation, the staff member should contact the Chief of School Leadership or Chief of Human Resources, who serve as the Title IX Coordinators for the District.

Reference: Board Policy 4227

Employee Code of Ethics

Employees shall give their support to the education of Kenosha youth and shall faithfully discharge their professional duties to the District in accordance with the official job description pertaining to their individual assignments.

Channels of communication shall be in accordance with the policies, procedures, rules and regulations of the District.

Employees shall use confidential and privileged information appropriately and with respect for the rights of individuals. Confidential and/or privileged information shall not be used for personal gain or to the detriment of the District.

Employees who choose to engage in any remunerative activity other than that of their position shall avoid any activity that interferes with the execution of the responsibilities of their District position.

Employees shall not solicit or receive anything of value that involves an expressed or implied advantage or influence on any District judgment or decision.

Any complaint about the ethical behavior of an employee or a request for an investigation into the conduct of any employee shall be presented to the superintendent of schools and shall bear the signature of the person making the request.

Employees found in violation of this code may be subject to suitable corrective or disciplinary action.

Reference: Board Policy 4224

Employee Discipline

Employees shall abide by District policies and procedures, applicable rules and regulations, local, state and federal laws and regulations, and the expectations set forth in employee position specifications.

It is the responsibility of the District's administrators and supervisors to discipline employees for violations of District policies and procedures, applicable rules and regulations and the expectation set forth in the position specifications.

Discipline will follow the procedures outlined in the Progressive Discipline/Termination Procedures when appropriate and will not be imposed without just cause. Discipline may be imposed by oral reprimand, written reprimand, suspension with or without pay or discharge. Dismissal of any personnel shall be in accordance with established procedures and state law. Other forms of discipline may be imposed when appropriate. The concept of progressive discipline will be utilized, if appropriate. Steps in the progressive discipline progress may be skipped when warranted by the nature of the infraction. Discipline should be imposed only after a thorough investigation sufficient to determine the facts.

Employees who have been disciplined have access to the general employee complaint procedure in Policy 4270 – General Employee Complaints.

Reference:

Board Policy and Rule 4362

Board Policy 4270

Progressive Discipline/Termination Procedures

The District may adhere to the following progressive discipline/termination procedures. If problems with performance cannot be resolved informally, there is a four-step disciplinary process that may be followed. There may be circumstances when one or more steps are bypassed. Certain types of conduct are serious enough to justify either a suspension or termination of employment without going through progressive discipline steps. The District reserves the right, in its sole discretion, to impose disciplinary action as may be appropriate to the particular circumstances.

Note: In certain situations, administrative approval may be obtained to place an employee (instructional staff) on administrative leave with pay until a decision is made concerning the appropriate response and/or corrective action

STEP 1 – VERBAL REMINDER

The verbal reminder is a conversation between the supervisor and employee. During this meeting, the problem is identified along with performance expectations. At this time, the employee is asked to make a commitment to resolve the problem. A memo summarizing the discussion will be placed in the employee's personnel file and a copy will be given to the employee.

STEP 2 – WRITTEN REMINDER

If the employee fails to meet the commitment given in the verbal reminder meeting, the supervisor and employee meet again to discuss why the performance objective has not been met. After the meeting, the supervisor summarizes the conversation in a written memo. A copy is given to the employee and a copy is placed in the employee's file.

STEP 3 – DISCIPLINARY ACTION

If the employee has failed to correct the performance deficiency, the supervisor should contact the Office of Human Resources for a discussion with the employee. After the conversation, disciplinary action may be imposed, up to and including suspension, at the discretion of the Superintendent per the recommendation of the Office of Human Resources.

STEP 4 – INVOLUNTARY SEPARATION (TERMINATION OF EMPLOYMENT)

If the employee does not meet their performance expectation they may be subject to separation. The supervisor will work with the Office of Human Resources to discuss possible separation.

Involuntary separation requires review by the Superintendent. After separation, the employee is entitled to due process as defined in the employee complaint/grievance procedure.

The Office of Human Resources will consult with the supervisor regarding the appropriate procedures and documents to be used in the process.

Employee Complaint (Grievance) Procedure

Employees shall use the following procedure for resolving disputes regarding employee termination, employee discipline or workplace safety issues.

1. DEFINITIONS

- a. **Days** as used in this policy is defined as any day that the district is open.
- b. **Employee Termination** as used in this policy section shall not include the following:
 - Layoffs;
 - Workforce reduction activities;
 - Voluntary termination including, without limitation, quitting or resignation;
 - Job abandonment;
 - End of employment due to disability, lack of qualification or licensure or other inability to perform duties;
 - Retirement; or
 - Any other cessation of employment not involving involuntary termination.
- c. **Employee discipline** as used in this policy shall include any employment action that results in disciplinary action, which involves any of the following steps: , written reprimand, suspension with or without pay, and termination of employment.

Employee discipline as used in this policy shall not include the following:

- Plans of correction or performance improvement;
 - Performance evaluation or reviews;
 - Documentation of employee acts and/or omissions in an employment file;
 - Administrative suspension with pay pending investigation of alleged misconduct or nonperformance;
 - Non-disciplinary wage, benefit or salary adjustments;
 - Other non-material employment actions;
 - Counseling meetings or discussions or other pre-disciplinary action; or
 - Demotion for reasons other than discipline, transfer or change in assignment
- d. **Workplace safety** as used in this section means any alleged violation of any standard established under the state law or rule or federal law or regulation relating to workplace safety.

2. **TIME LIMITS**

Failure of the employee to comply with the timelines will be deemed a waiver of the processing of the grievance and the grievance will be denied. The employee may advance a grievance to the next step of the process if a response is not provided within the designated timeframes. The Office of Human Resources may advance a grievance to the next step at the request of either the employee or the employee's supervisor.

3. **PROCEDURE**

- a. **Informal grievance resolution:** The employee must discuss any grievance related to discipline or workplace safety with the employee's immediate supervisor prior to filing a formal written grievance in order to informally resolve the issue. This discussion must occur within five days of when the employee knew or should have known of the events leading to the grievance. Grievances related to termination may proceed straight to the Formal Grievance Procedure.
- b. **Formal grievance submission:** The employee must file a written grievance with the Superintendent (or designee) within 10 days of termination, discipline or actual or reasonable knowledge of the alleged workplace safety issue. The written grievance must contain the following:
 - Name of grievant;
 - A statement of the pertinent facts surrounding the nature of the grievance;
 - The date the alleged incident occurred;
 - The work rule or policy allegedly violated including any safety rule alleged to have been violated, if applicable;
 - The steps taken to informally resolve the grievance, the individuals involved in the attempted resolution, and the results of such discussion; and
 - The specific requested remedy.
- c. **Administrative response:** The Office of Human Resources (or designee) will meet with the grievant within 10 days of receipt of the written grievance. The administration will provide a written response within 10 days of the meeting. The administration's written response to the grievance must contain the following:
 - A statement of the date the meeting between the administration and grievant was held;
 - A decision as to whether the grievance is sustained or denied; and
 - In the event the grievance is denied, a statement outlining the timeline to appeal the denial.
- d. **Impartial hearing:** The grievant may file an appeal to the Impartial Hearing Officer (IHO) by giving written notice to the Superintendent within five days of the issuance of the Administrative Response. Depending on the issues involved the hearing officer will determine whether a hearing is necessary unless a hearing is required under the procedures established by the District in a different applicable policy. The administration will work with the IHO and grievant to schedule a mutually agreeable hearing date should one be needed. If it is

determined that no hearing is necessary, the matter will be decided based on the submission of written documents.

The administration shall select the IHO. The IHO shall not be an employee of the District. The IHO may be an employee of another district, a retired school administrator, a lawyer, a professional mediator/arbitrator or other qualified individual. The cost of the IHO will be the responsibility of the District.

Standard of review: The IHO will adhere to specific guidelines set forth by the District regarding hearing procedures. The rules of evidence will not be strictly followed, but no factual findings may be based solely on hearsay evidence. The standard of review for the IHO is whether the decision of the administration was supported by just cause. If the decision was supported by just cause, then the IHO is required to find on behalf of the administration.

IHO Response: The IHO shall file a written response within 30 days of the hearing date or the date of the submission of written documents.

The IHO's written response to the grievance must contain the following:

- A statement of the pertinent facts surrounding the nature of the grievance.
- A decision as to whether the grievance is sustained or denied, with the rationale for the decision.
- A statement outlining the timeline to appeal the decision to the School Board.
- The IHO must sustain or deny the decision of the administration. The IHO has no authority to modify the administration's decision and may not grant in whole or in part the specific request of the grievant.

- e. **Review by the School Board:** The non-prevailing party may file a written request for review of the IHO's decision by the School Board within 10 days of receipt of the IHO Response.

The School Board shall not take additional testimony or evidence; it may only decide whether the IHO reached decision supported by just cause based on the information presented to the IHO. The School Board will record and make a decision. A written decision will be made within 30 days of the filing of the appeal.

The School Board's written decision regarding the grievance must contain the following:

- A decision as to whether the grievance is sustained, denied or modified.
- The School Board shall decide the matter by a majority vote and the decision of the School Board is final and binding and is not subject to further review.

- f. **General requirements:**

- Grievance meetings/hearings held during the employee's off-duty hours and will not be compensated.
- Granting the requested or agreed upon remedy at any step in the process resolves the grievance.

Reference: Board Policy 4271

Staff Gifts

Collection of funds from students and/or their parents through organized solicitation on school property for the purpose of purchasing gifts for teachers or other District employees is prohibited during school hours. Parent or student groups collecting any such funds should do so outside of school hours.

Use of class time for the presentation of gifts to school personnel shall be discouraged.

Reference: Board Policy 4240

Staff Misconduct Reporting

Any employee who has engaged in specific misconduct shall be reported to the State Superintendent of Public Instruction. The District's Superintendent of Schools or designee shall make such reports in accordance with state law and established procedures. If a report concerns the Superintendent, the Board President shall file the report.

Reference: Board Policy 4223

Leadership Called Meetings

Employees are expected to attend all established staff meetings and professional learning opportunities as it relates to District/school mission and goals, unless otherwise notified by a supervisor.

Teacher Planning and Collaboration Time

The District believes that preparation time for teachers is important for planning and collaborating within their building. Therefore, it is the expectation that building principals, working with the teaching staff, identify regularly scheduled preparation time for all teaching staff. Given the variance in building programs, the time may not be exact from building to building. Additional information regarding collaboration time may be found on the School Leadership website: <https://www.kusd.edu/wp-content/uploads/2023/04/CTPL-FLIER-2023.pdf>.

Violence in the Workplace

The District is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, the district has adopted the following guidelines to deal with intimidation, harassment or other threats of (or actual) violence that may occur during business hours or on District premises.

All employees are to be treated with courtesy and respect at all times. Employees are prohibited from fighting, "horseplay," spreading rumors or other conduct that may be dangerous to others. Except to the extent allowed by law, firearms, weapons and other dangerous or hazardous devices or substances are prohibited from the premises.

Conduct that threatens, intimidates, or coerces another employee, a student or a member of the public at any time, including off-duty periods, will not be tolerated. All threats of (or actual) violence, both direct and indirect, must be reported as soon as possible to your immediate supervisor or any other member of management. This includes threats by employees, as well as threats by students, vendors, solicitors or other members of the public. When reporting a threat of violence, the employee should be specific and detailed as possible.

All suspicious individuals or activities must also be reported as soon as possible to a supervisor. No employees should place themselves in peril.

The District will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and integrity of its investigation, the District may suspend employees, either with or without pay, pending investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment. The District encourages employees to bring their disputes or differences with other employees to the attention of their supervisors or the Human Resources Department before the situation escalates into potential violence. The District is eager to assist in the resolution of employee disputes and will not discipline employees for raising such concerns.

Reference: Board Policy 4112

Employee Information Boards

The District maintains bulletin boards for the purpose of posting official District communications. No employee or non-employee may post anything on the official District bulletin boards. No posting may be removed, rearranged, altered, or otherwise obscured except with the express permission of the Office of Human Resources.

Anti-Graffiti

Unauthorized graffiti on District property and equipment degrades the work environment for all employees and students, is costly to remove, and exposes the District to potential liability. Additionally, the unauthorized creation of graffiti may be a criminal offense.

For the purpose of this document, “graffiti” means any inscription, word, figure, drawing or design which is marked, scratched, etched, drawn or painted with any substance, including, but not limited to, paint, ink, chalk or lead on any District property or the property of any other person or entity located on District premises.

No employee shall create graffiti on, or otherwise deface, any District property or equipment, or the property or equipment of any other person or entity located on District premises, without the District’s authorization.

Any employee found to be in violation may be subject to discipline up to, and including, termination.

Any employee who creates graffiti which is of a sexual or pornographic nature, or which references a person’s or group of persons’ protected status, such as sex, color, race ancestry, religion, national origin, age, physical or mental handicap, medical condition, disability, marital status, veteran status, citizenship status, sexual orientation, arrest record, conviction record or other protected group status, shall be subject to discipline of no less than a three-day suspension up to discharge.

Employees in violation of this document may also be subject to prosecution under applicable criminal laws. Any employee who observes, or has knowledge of, anyone violating this policy shall immediately report such information to the Office of Human Resources or their supervisor or shall be subject to discipline.

Any employee who observes graffiti on District property shall immediately report such graffiti to the Office of Human Resources or their supervisor so that the graffiti can be promptly removed.

Searches

Consistent with applicable law, searches may be conducted at any time either with or without notice. The District may inspect both District property and employee property, including but not limited to desks, computers, lockers, file cabinets, storage cabinets, or drawers and closets. District employees should not have any expectations of privacy in these areas. Additionally, consistent with applicable law, employee clothing, purses, brief cases, tote bags, lunch bags or buckets, backpacks, duffel bags, tool boxes and employee vehicles parked on District property may be inspected.

EMPLOYEE ACKNOWLEDGEMENT

Employees must acknowledge receipt and review of the Kenosha Unified School District Employee Handbook. The handbook is accessible via the District's intranet. The intranet is accessible on the District website under the staff button.

My signature below indicates I agree to read the Employee Handbook and abide by the standards, policies and procedures defined or referenced in this document. It is also important to know that additional regulations, policies and laws are in the Board Policies. The Employee Handbook and Board Policies can be found online via the District's website and intranet. The information in this Handbook is subject to change. I understand the changes in the District policies may supersede, modify or eliminate the information summarized in this handbook. As the District provides updated policy information, I accept responsibility for meeting and abiding by the changes.

I understand that the Handbook does not constitute an employment contract or alter my status as an at-will employee. This is only applicable to the employees who do not possess an individual contract. I understand that nothing in this Handbook is intended to confer a property interest in my continued employment with the District beyond the term of my current contract (if any). I understand that I have an obligation to inform the Office of Human Resources and my supervisor of any changes in my personal information, such as phone number, address, etc. These personal data changes may be updated using Employee Online.

I also accept responsibility for contacting my supervisor if I have any questions, concerns or need further explanation. My signature on this form acknowledges that I agree that I am legally responsible for any fines or fees charged to the District incurred by me (an example may be traffic citation, e.g. parking ticket, received as a result of my operation of a District motor vehicle) or reduction in salary for breach of contract. If any contractual relationship between the District and an employee (or group of employees) conflict with any provision of the Handbook, the contract shall govern with respect to that issue.

Printed name

Signature

Date