

policy

**BOARD OF EDUCATION
BEDFORD CITY SCHOOL DISTRICT**

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CREATING A POSITION

All professional staff positions will be created only with the approval of the Board of Education. It is the Board's intent to activate a sufficient number of positions to accomplish the School District's goals and objectives.

The Superintendent shall verify all new full-time and part-time employees' right to work in the United States according to the Federal Immigration Reform and Control Act of 1986.

Before any new position is established, the Superintendent will present for the Board's approval a job description for the position, which specifies the job holder's qualifications, the job's performance responsibilities, and the method by which the performance of these responsibilities will be evaluated.

Although a position may remain temporarily unfilled or the number of persons holding the same type of position be reduced in the event of staff reductions, only the Board may abolish a position it has created.

The Superintendent will keep all job descriptions current and present recommended changes to the Board for approval.

R.C. 3313.17, 3313.47, 3319.07, 3319.08
Federal Immigration Reform and Control Act of 1986
8 U.S.C. 1255 a

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REPORT OF NEW HIRES

In compliance with the provisions of O.R.C. 3121.89-3121.8911, the Superintendent or designee shall report, in writing, to the Ohio Department of Job and Family Services the hiring, rehiring, or return to work as an employee of a person who resides, works or will be assigned to work in Ohio and to whom the Board anticipates paying compensation. For the purposes of this policy, an employee is an individual who provides services for compensation to the Board, including an individual who provides services to an independent contractor, and who is an individual, the sole shareholder of a corporation, or the sole member of a limited liability company. This report shall be made not later than twenty (20) days after the date on which the Board hires or rehires an employee or the employee returns to work, and the report shall include the following:

- A. The employee's full name, address, date of birth, social security number, and date of hire, rehire, or return to work;
- B. The employer's name, address, and federal employer identification number.

The Superintendent or designee may make the required report by submitting a copy of each employee's W-4 tax form, a form provided by the Department of Job and Family Services, or any other hiring document or data storage device or mechanism the Department authorizes by mail, fax, magnetic or electronic means. The information shall be sent to the Ohio New Hire Reporting Center, P.O. Box 15309, Columbus, Ohio 43215-0309.

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EMPLOYMENT OF PROFESSIONAL STAFF

The Board of Education recognizes that it is vital to the successful operation of the District that positions created by the Board be filled with highly qualified and competent personnel.

The Board shall approve the employment, and also, when not covered by the terms of a negotiated, collectively-bargained agreement, fix the compensation and establish the term of employment for each professional staff member employed by this District.

Individuals employed as administrators and teachers shall be considered members of the professional staff.

Such approval shall be given only to those candidates for employment recommended by the Superintendent

Relatives of Board members and the Superintendent shall not be employed but may be reemployed by the Board.

Relatives of staff members may be employed by the Board, provided the staff member being employed is not placed in a position in which s/he is supervised directly by the relative staff member.

Any professional staff member's intentional misstatement of fact material to qualifications for employment or the determination of salary shall be considered by this Board to constitute grounds for dismissal.

The employment of professional staff members prior to approval by the Board is authorized when their employment is required to maintain continuity in the educational program. Employment shall be recommended to the Board at the next regular meeting.

No candidate for employment as a professional staff member shall receive recommendation for such employment without having proffered visual evidence of proper certification or that application for such certification is in process.

The Superintendent shall prepare administrative guidelines for the recruitment and selection of all professional staff.

R.C. 3319.02, 3319.07, 3319.11, 3319.23 - .282, 3319.301

EMPLOYMENT OF PROFESSIONAL STAFF

The Board of Education recognizes that it is vital to the successful operation of the District that positions created by the Board be filled with highly qualified and competent personnel.

The Board shall approve the employment, and also, when not covered by the terms of a negotiated, collectively-bargained agreement, fix the compensation and establish the term of employment for each professional staff member employed by this District.

Individuals employed as administrators and teachers shall be considered members of the professional staff.

Such approval shall be given only to those candidates for employment recommended by the Superintendent.

Relatives of the Board of Education and the Superintendent may be employed under the following conditions: A Board member may not discuss, or vote, or otherwise participate in the making of an employment contract with the Board member's immediate family, i.e., father, mother, sister, brother, spouse, or child.

Relatives of staff members may be employed by the Board, provided the staff member being employed is not placed in apposition in which s/he is supervised directly by the relative staff member.

Any professional staff member's intentional misstatement of fact material to qualifications for employment or the determination of salary shall be considered by this Board to constitute grounds for dismissal.

The employment of professional staff members prior to approval by the Board is authorized when their employment is required to maintain continuity in the educational program. Employment shall be recommended to the Board at the next regular meeting.

No candidate for employment as a professional staff member shall receive recommendation for such employment without having proffered visual evidence of proper certification or that application for such certification is in process.

The Superintendent shall prepare administrative guidelines for the recruitment and selection of all professional staff.

EMPLOYEE WELLNESS PROGRAM

The Board of Education recognizes that employee health and wellness affects the well being and performance of their employees. Furthermore, research suggests that there is a positive correlation between a person's health and well-being and his/her ability to perform their job duties.

Therefore, the Board authorizes the Superintendent to work with the employee groups, health care providers, community organizations, and other such committees as the Superintendent may create, to establish wellness programs and activities that serve to enhance an employee's performance by the positive influence such wellness programs will inevitably develop.

The Board requires that participation in any wellness program be strictly voluntary; however, should an employee wish to participate they will be required to sign a waiver form that will protect the Board from any liability as a result of the employee's participation.

The Board further authorizes the Superintendent to make such expenditures as necessary in providing a wellness program providing they are contemplated as part of the annual appropriation resolution.

EMPLOYMENT OF SUBSTITUTES

The Board of Education recognizes the need to procure the services of substitutes in order to continue the operation of the school as a result of the absence of regular personnel.

The Superintendent shall employ substitutes for assignment as services are required to replace temporarily absent regular staff members and fill new positions. Such assignments of substitutes may be terminated when their services are no longer required.

Relatives of the Board of Education and the Superintendent may be employed as a substitute under the following conditions: A Board member may not discuss, or vote, or otherwise participate in the making of an employment contract with the Board member's immediate family, i.e., father mother, sister, brother, spouse, or child.

Substitutes must possess a valid Ohio professional certificate or substitute certificate.

Substitutes shall have complied with the tuberculosis examination and the criminal records check as required by law.

In order to retain well-qualified substitutes for service in this District, the Board will offer competitive compensation at a rate set by the Board.

A substitute employed for more than sixty (60) days in one (1) specific position will be placed at the appropriate position on the salary schedule and will be eligible for fringe benefits provided regular staff members.

Daily substitutes shall not earn sick leave nor be paid for days when students are not required to attend school.

R.C. 3307.381(A), 3319.10, 3317.13

Revised: 3-3-08

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**EMPLOYMENT OF PERSONNEL IN
SUMMER SCHOOL AND ADULT EDUCATION PROGRAMS**

The Board of Education recognizes that the success of the summer school and adult education programs depend in large measure upon the employment of qualified and competent personnel.

The Board shall fix the compensation and set the term of employment for each person employed in the subject programs established for this District. The Board will employ only those candidates recommended by the Superintendent.

A candidate's intentional misstatement of fact material to his/her qualifications for employment or the determination of his/her salary will be considered by the Board to constitute grounds for dismissal.

No candidate for employment shall receive recommendation for such employment without having proffered visual evidence of proper certification, if needed or that application for such certification if in process.

R.C. 3307.381, 3319.10, 3317.13

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SELECTING STUDENT TEACHERS/ADMINISTRATIVE INTERNS

The Board of Education encourages cooperation with State-approved colleges and universities in the training of student teachers and administrative interns, because the public school offers an essential ingredient - direct experience with students and teachers at work in the classroom. However, certain safeguards have been found to be necessary for the best interests of all concerned.

Colleges and universities should first make contact with the Superintendent regarding placement of a student teacher or administrative intern.

The Superintendent shall, with the approval of the Board, make the final placement of teachers or administrative interns.

The supervising staff member shall have had no less than three (3) years of successful experience in the area of assignment.

Professional staff members who agree to serve as supervisors of student teachers or administrative interns may accept honoraria or stipends directly from the college/university for those services rendered outside the regular school day and above and beyond the duties and responsibilities specified in their contracts.

The following conditions shall also be met:

- A. The institution making the assignment shall provide on-going supervision in a manner suitable to the Superintendent.
- B. The supervising teacher or administrator must agree to work effectively with both the student teacher or administrative intern and the institutional supervisor.
- C. If at any time the quality of teaching or administrative internship is judged to be inferior or s/he is disruptive to the on-going program, the Superintendent may request withdrawal of that person from the program.

The Board also authorizes the Superintendent to provide, in cooperation with appropriate colleges and universities, a "field experience" program in order for selected interns to gain first-hand knowledge of and experience in a school environment.

The Superintendent may terminate a teaching program if one or more aspects of the program are not of high quality or meeting District needs or expectations.

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EMPLOYMENT OF CASUAL RESOURCE PERSONNEL

The Board of Education shall allow the casual employment of personnel in a consulting capacity for assisting the District in administration, staff development, and instruction.

Such employment may include resource persons from specialized fields of education or from industry, business, agriculture, health, and other germane occupations.

R.C. 3313.53

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VOLUNTEERS

The Board of Education recognizes that certain programs and activities can be enhanced through the use of volunteers who have particular knowledge or skills that will be helpful to members of the professional staff responsible for the conduct of those programs and activities.

The Superintendent shall be responsible for recruiting community volunteers, reviewing their capabilities, and making appropriate placements. S/He shall not be obligated to make use of volunteers whose abilities are not in accord with District needs.

The Superintendent is to inform each volunteer that s/he:

- A. is required to abide by all Board policies and District guidelines while on duty as a volunteer;
- B. will be covered under the District's liability policy but the District can not provide any type of health insurance to cover illness or accident incurred while serving as a volunteer, nor is the person eligible for workers' compensation.

The Superintendent shall also ensure that each volunteer is properly informed of the District's appreciation for his/her time and efforts in assisting in the operation of the schools.

R.C. 3327.16, 3313.203

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CRIMINAL HISTORY RECORD CHECK

To more adequately safeguard students and staff members, the Board of Education requires an inquiry into the background of each applicant the Superintendent recommends for employment on the District's professional staff. This requirement includes all former employees who have had a break in service, substitutes, and persons employed on a part-time basis such as coaches or activity supervisors. It is not required of any currently-employed staff member who is a candidate for another position in the District, unless the candidate has not had a criminal record check within one (1) year.

The Superintendent shall establish administrative guidelines which will facilitate a records check that complies with the law and ensures that the applicant is properly informed of the requirement to obtain a criminal history records check prior to employment: a.) a set of the applicant's fingerprints and b.) proof that the applicant has been a resident of Ohio for the five (5) years previous to the criminal history records check, for if not, the Bureau of Criminal Investigation shall be requested to obtain criminal history information from the Federal Bureau of Investigation.

The guidelines shall also ensure that any information and records obtained from such inquiries are confidential and shall not be released or disseminated.

Should it be necessary to employ a person to maintain continuity of the program, prior to receipt of the criminal history record, the Superintendent may employ the person on a provisional basis until the report is received.

R.C. 109.57, 109.572, CH 2950, 2953.32, 3319.39, 3301.541

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EQUAL EMPLOYMENT OPPORTUNITY

The Board of Education shall comply with all Federal laws and regulations prohibiting discrimination and with all requirements and regulations of the U.S. Department of Education. It is the policy of the Board that no professional staff member or candidate for such a position in this District shall, on the basis of race, color, religion, national origin, creed or ancestry, age, gender, marital status, or disability, be discriminated against, excluded from participation in, denied the benefits of, or otherwise be subjected to, discrimination in any program or activity for which the Board is responsible or for which it receives financial assistance from the U.S. Department of Education.

The Superintendent shall appoint a compliance officer whose responsibility it will be to ensure that Federal and State regulations are complied with and that any complaints are dealt with promptly in accordance with law. S/He shall also ensure that proper notice of nondiscrimination for Title II, Title VI, and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Act is provided to staff members and the general public. Any sections of the District's collectively-bargained, negotiated agreements dealing with hiring, promotion, and tenure need to contain a statement of nondiscrimination similar to that in the Board's statement above. In addition, any gender-specific terms should be eliminated from such contracts.

R.C. 4112.02

A.C. 3301-35-03(A)

42 USC, 2000e, et seq., Civil Rights Act of 1964

42 USC, 12112, Americans with Disabilities Act of 1990

29 U.S.C. 701 et seq., Rehabilitation Act of 1973

20 U.S.C. 1681 et seq., Title IX

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DRUG-FREE WORKPLACE

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

The Board shall not permit the manufacture, possession, use, distribution, or dispensing of any controlled substance, including alcohol, by any member of the District's professional staff at any time while on District property or while involved in any District-related activity or event. Any staff member who violates this policy shall be subject to disciplinary action in accordance with District guidelines and the terms of collectively-bargained agreements.

The Superintendent shall establish guidelines that ensure compliance with this policy and that each staff member is given a copy of the standards regarding unlawful possession, use, or distribution of illicit drugs and alcohol by staff and informed that compliance with this requirement is mandatory. Such guidelines shall provide for appropriate disciplinary actions, if and when needed, which comply with the terms of any negotiated agreement.

41 U.S.C. 701 et seq., Drug-Free Workplace Act of 1988
20 U.S.C. 3224A

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ASSIGNMENT AND TRANSFER

The Board of Education believes that the appropriate placement of qualified and competent staff is essential to the successful functioning of the District.

The Superintendent shall be responsible for the proper assignment and transfer of all teaching and other professional staff members and shall attempt to effect the optimum assignment of the professional staff in conformance with any applicable contractual or legal requirements and the needs of the School District.

The staff shall develop administrative guidelines to implement this policy.

R.C. 3319.01, 3319.12

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REDUCTION IN STAFF

It is the responsibility of the Board of Education to provide the staff necessary for the implementation of the educational program of the District and the operation of the schools and to do so efficiently and economically.

The Board reserves the right to abolish positions in the District and to reduce the staff whenever reasons of decreased enrollment of students, return to duty of regular professional staff members after leaves of absence, suspension of schools or territorial changes affecting the District, change in financial conditions, or other good cause warrant.

The Superintendent shall develop administrative guidelines for the reduction of staff which shall be in accordance with the terms of the negotiated, collectively-bargained agreement, due process, and the best interests of the District.

R.C. 3319.17

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TERMINATION AND RESIGNATION

TERMINATION

An employment contract may be suspended or terminated, upon a majority vote of the Board of Education, for reasonable and just cause such as gross inefficiency, immorality, willful and persistent violation of Board policy or District guidelines, or for disclosing a question to a student on a State proficiency test. In such cases, the Board shall abide by due process, statutory procedures, and such terms as may be set forth in a negotiated, collectively-bargained agreement.

RESIGNATION

A professional staff member may resign in accordance with the terms of the negotiated, collectively-bargained agreement or his/her employment contract.

An administrator may resign by filing a written resignation with the Superintendent at least thirty (30) days prior to the effective date of the resignation.

R.C. 3319.02, 3319.15, 3319.151, 3319.16, 3319.161

NON-RENEWAL OF A TEACHER CONTRACT

It is the responsibility of the Board of Education to provide a competent and able professional staff to perform the educational services of the District.

The Board, upon the recommendation of the Superintendent, may exercise its option, under law, not to renew the contract of a teacher under a limited or extended limited contract. The term "teacher" refers to any person employed by the Board who is covered by the negotiated agreement between the Board and the Bedford Education Association.

A teacher, employed under a limited contract and not eligible for consideration for employment under a continuing contract, shall be considered to be reemployed under a limited contract unless the Board, acting on the Superintendent's recommendation, follows the evaluation procedures in compliance with the negotiated agreement and gives the teacher written notice of its intention not to reemploy on or before April 30th. It shall be presumed that the teacher has accepted such reemployment unless s/he notifies the Board in writing to the contrary on or before June 1st.

A teacher, employed under a limited contract and eligible for consideration for employment under a continuing contract, shall receive a continuing contract or an extended limited contract, unless the teacher is non-renewed according to the terms of this policy and the collective bargaining agreement.

Teachers, eligible for continuing service status in this District, shall be those properly-certificated teachers, who within the last five (5) years, have taught for at least three (3) years in the District, and those who, having attained continuing contract status elsewhere, have served two (2) years in the District. However, the Board, upon the recommendation of the Superintendent, may at the time of employment or at any time within such two (2) year period, declare any of the latter teachers eligible.

Upon the recommendation of the Superintendent that a teacher eligible for continuing service status be reemployed, a continuing contract shall be entered into between the Board and the teacher, unless the Board by three-fourths (3/4's) vote of its full membership rejects the recommendation of the Superintendent. If the Board rejects by a three-fourths (3/4's) vote of its full membership the recommendation of the Superintendent that a teacher eligible for continuing service status be reemployed, the Board may declare its intention not to reemploy the teacher. Prior to taking this action, however, the Superintendent shall have the right to recommend an extended limited contract. The Superintendent may recommend reemployment of the teacher, if continuing service status has not previously been attained elsewhere, under an extended limited contract for a term not to exceed two (2) years, provided that written notice of the Superintendent's intention to make such recommendation has been given to the teacher with reasons directed at the professional improvement of the teacher on or before April 30th.

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If the Superintendent makes no recommendation of an extended limited contract, or if the Board by a three-fourths (3/4's) vote of its full membership rejects said recommendation for an extended limited contract, the Board may non-renew the teacher if it has followed the evaluation procedures in compliance with the negotiated agreement and gives the teacher written notice on or before April 30th of its intention not to reemploy the teacher.

If the teacher is granted a limited extended contract, upon any subsequent reemployment of the teacher, only a continuing contract may be entered into with the teacher. A teacher employed under an extended limited contract and eligible for a continuing contract at the expiration of such extended limited contract, shall be deemed reemployed under a continuing contract unless the Board, acting on the Superintendent's recommendation that the teacher not be reemployed, gives the teacher written notice on or before April 30th of its intention not to reemploy him/her and has followed the evaluation procedures in compliance with the negotiated agreement. The Superintendent shall require that the teacher, at the time of receipt, provide signed evidence of the time and date of receipt of the notice.

This policy does not apply to the Superintendent, administrators, teacher supplemental contracts, or teachers employed as substitutes for less than 120 days during the school year.

R.C. 3319.08, 3319.11, 3319.111

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NON-RENEWAL OF ADMINISTRATIVE CONTRACTS

Before taking action to non-renew an administrator's contract, the Board of Education shall send written notice of the pending action to the administrator prior to the last day of March preceding the termination date. S/He shall also be advised of his/her right to request a meeting in executive session to discuss a non-renewal of the contract. The Superintendent shall have provided the administrator with a written evaluation of his/her performance at least sixty (60) days prior to the notice to provide time for the administrator to show progress toward eliminating deficiencies identified in the evaluation. The Superintendent shall also ensure that the following language is contained in each administrator's evaluation: the establishment of this evaluation procedure shall not create an expectancy of continued employment.

An administrator who wishes to meet with the Board concerning his/her non-renewal shall make the request in sufficient time for the Board to provide a proper hearing and complete its action by no later than the last day of March.

R.C. 3319.02

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PHYSICAL EXAMINATION

The Board of Education or Superintendent reserves the right to require, after a conditional offer of employment, that the candidate submit to an examination in order to determine the physical and/or mental capacity to perform assigned duties. Such examinations shall be done in accordance with the Superintendent's guidelines and/or the terms of the negotiated, collectively-bargained agreements.

Reports of all such examinations or evaluations shall be delivered to the Superintendent, who shall protect their confidentiality. Reports will be discussed with the employee or candidate and made a part of an employee's personal record. In the event of a report of a condition that could influence job performance, the Superintendent shall base a nonemployment recommendation to the Board upon a conference with a physician and substantiation that the condition is directly correlated to defined job responsibilities.

The Board shall assume any uninsured fees for required examinations.

The Board requires, at initial employment, that all professional staff members undergo a tuberculosis examination in accordance with law.

R.C. 3313.71
42 U.S.C. 12.101 et seq., Americans with Disabilities Act of 1990
29 C.F.R., part 1630

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UNREQUESTED LEAVES OF ABSENCE

It is the policy of the Board of Education to protect students and employees from the effects of unwell professional staff members.

The Board may place a professional staff member on unrequested leave of absence for physical or mental inability to perform assigned duties in conformance with statute and the negotiated, collectively-bargained agreement.

In the case of a professional staff member who, in the opinion of the Superintendent, is unable to function properly in this District by reason of physical or mental condition, the professional staff member will be offered the opportunity for a hearing.

If a professional staff member fails to comply with the Superintendent's recommendation or fails to request an appearance before the Board within the time allowed, the Board shall order the professional staff member to submit to an appropriate examination by a physician designated and compensated by the Board.

If, as a result of such examination, the professional staff member is found to be unable to perform assigned duties, the professional staff member shall be placed on leave of absence until proof of recovery, satisfactory to the Board, is furnished or for a period not to exceed one (1) year.

Should a professional staff member refuse to submit to the examination requested by the Board and the professional staff member has exercised his/her rights under the provisions hereinabove set forth, such refusal shall subject the professional staff member to disciplinary action.

R.C. 3319.13, 3319.16
42 U.S.C. 12.101 et seq., Americans with Disabilities Act of 1990
29 C.F.R., Part 1630

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SUBSTANCE ABUSE

The Board of Education recognizes alcoholism and drug abuse as treatable illnesses. When such illnesses impair the performance of professional staff members, the Board recognizes a responsibility to assist in a manner recommended by appropriate specialists in the treatment of those illnesses.

A professional staff member having an illness or other problem relating to the use of alcohol or other drugs will receive the same careful consideration and offer of assistance that is presently extended to professional staff members having any other illness.

The responsibility to correct unsatisfactory job performance or behavior resulting from a suspected health problem rests with the professional staff member. Failure to do so will result in appropriate corrective or disciplinary action as determined by the Board.

No professional staff member will have his/her job security or promotion opportunities jeopardized by his/her request for counseling or referral assistance.

Professional staff members who suspect they may have an alcohol or other drug abuse problem are encouraged to seek counseling and information on a confidential basis by contacting resources available for such service.

R.C. 2925.01 et seq., 3313.60, 3719.01 et seq., 3793.02

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EMPLOYEE ASSISTANCE PROGRAM (EAP)

The Board of Education believes that early recognition and treatment of illegal drug use, controlled substance abuse, or alcohol abuse is important for successful rehabilitation, return to productive work, and reduced personal, family, and social disruption.

The District encourages the earliest possible diagnosis and treatment for illegal drug use or controlled substance abuse and supports sound treatment efforts. Whenever feasible, the District will assist staff members in overcoming illegal drug use or controlled substance abuse. However, the decision to seek diagnosis and accept treatment for illegal drug use or controlled substance abuse is primarily the individual staff member's responsibility. Any costs associated with treatment in excess of those costs covered by the staff member's medical insurance plan shall be borne by the individual.

Staff members with personal drug or controlled substance abuse problems should request assistance from the Assistant Superintendent. Assistance will be provided on a confidential basis, and each staff member will be referred to the appropriate treatment and counseling services.

Although the District will assist a staff member to the extent feasible through the Employee Assistance Program, the Board cannot guarantee that the staff member's use of illegal drugs or abuse of alcohol or controlled substances will not impact adversely the staff member's employment status through disciplinary procedures.

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STAFF ETHICS

All staff members have a responsibility to make themselves familiar with and abide by the laws of the State of Ohio, the policies of the Board of Education, and the administrative guidelines designed to implement them.

In the area of personal conduct, the Board desires that staff conduct themselves in a manner that not only reflects credit to the School District, but that sets forth a model worthy of emulation by students.

All staff members will be expected to carry out their assigned responsibilities with conscientious concern. Essential to the success of on-going school operations and the instructional program are the following specific responsibilities, which will be required of all personnel:

- A. recognize basic dignities of all individuals with whom they interact in the performance of duties;
- B. represent accurately their qualifications;
- C. exercise due care to protect the mental and physical safety of students, colleagues, and subordinates;
- D. keep in confidence legally-confidential information as they may secure;
- E. avoid accepting anything of value offered by another for the purpose of influencing judgment;
- F. regular and prompt attendance at work;
- G. support and enforcement of policies of the Board and guidelines of the school administration in regard to students;
- H. diligence in submitting required reports promptly at the times specified;
- I. care and protection of school property;
- J. concern and attention toward their own and the School District's legal responsibility for the safety and welfare of students, including the need to assure that students are under supervision at all times.

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STUDENT SUPERVISION AND WELFARE

Professional staff members because of their proximity to students are frequently confronted with situations which, if handled incorrectly, could result in liability to the District and personal liability to the professional staff member. It is the intent of the Board of Education to direct the preparation of guidelines that would minimize that possibility.

It is the responsibility of the Superintendent to prepare administrative guidelines to ensure the maintenance of the following standards:

- A. Each professional staff member shall maintain a standard of care for supervision, control, and protection of students commensurate with assigned duties and responsibilities.
- B. A professional staff member should not volunteer to assume responsibility for duties s/he cannot reasonably perform. Such assumption carries the same responsibilities as assigned duties.
- C. A professional staff member shall provide proper instruction in the safety matters presented in assigned course guides.
- D. Each professional staff member shall immediately report to the principal any accident or safety hazard s/he detects.
- E. A professional staff member shall not send students on any personal errands.
- F. A professional staff member shall not associate with students, particularly those of the opposite gender, at any time in a manner which gives the appearance of impropriety, including, but not limited to, the creation or participation in any situation or activity which could be considered abusive or sexually suggestive or involve illegal substances such as tobacco, alcohol, or drugs. Any sexual conduct with a student by a professional staff member or other person in authority in the school subjects the offender to criminal liability and discipline up to and including termination of employment.

This provision should not be construed as precluding a professional staff member from associating with students in private for legitimate or proper reasons.

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- G. If a student comes to a staff member to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/or family relationships, the staff member may help the student make contact with certified or licensed individuals in the District or community who specialize in the assessment, diagnosis, and treatment of the student's problem. Under no circumstances should a staff member attempt, unless properly licensed and authorized by the administration to do so, to counsel, assess, diagnose, or treat the student's problem or behavior.
- Parents shall be informed of the matter if the student's health or safety may be jeopardized.
- H. A professional staff member shall not transport students in a private vehicle without the approval of the principal.
- I. A student shall not be required to perform work or services that may be detrimental to his/her health.

Pursuant to the laws of the State and Board Policy 8462, each professional staff member shall report to the proper legal authorities immediately, any sign of suspected child abuse or neglect.

Most information concerning a child in school, other than directory information described in Policy 8330, is confidential under Federal and State laws. Any staff member who shares confidential information with another person not authorized to receive the information may be subject to discipline or civil liability. This includes, but is not limited to, information concerning assessments, grades, behavior, family background, race, disability, and alleged child abuse.

R.C. 2907.03

policy

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STAFF GIFTS

Good practice discourages the giving and receiving of gifts by educational personnel in situations related to their professional status.

Actions or comments by individuals, which might be interpreted as invitations for gifts of any nature are highly unethical and strongly disapproved.

There are differences in the economic status of families represented by the students in the School District and the Board wishes to avoid any embarrassment of students or hardship on families that lack financial resources.

There shall be no classroom exchange of gifts, between students, from students or parents to teachers, or teachers to students. This eliminates classroom collection of money for gifts.

Charity or general solicitations from students will be permitted only after written approval has been given by the Superintendent. The Superintendent will annually approve all solicitations that will be permitted in the schools.

There will be no solicitation of money from local industry, businesses, District residents, parents, or anyone by any school organization without the approval of the Superintendent.

When the graduating class wishes to present a gift to the school, it will be encouraged to donate the balance of the class fund to a school service project, the school scholarship fund, or to present a gift that will have long-lasting benefit to all students in the District.

Permission will rarely be given for the school to sponsor nonschool fund-raisers or to provide for student involvement in such.

This policy does not pertain to any welfare or flower fund policy, or appropriate recognition on special occasions. Cards or notes of appreciation are suggested as acceptable substitutes for gifts.

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USE OF TOBACCO BY PROFESSIONAL STAFF

The Board of Education recognizes that the use of tobacco presents a health hazard which can have serious consequences both for the user and the nonuser and is, therefore, of concern to the Board. This hazard has been substantiated and documented by the findings of the Surgeon General and the EPA.

For purposes of this policy, "use of tobacco" shall mean all uses of tobacco, including a cigar, cigarette, pipe, snuff, or any other matter or substances that contain tobacco.

In order to protect students, staff, and visitors who choose not to use tobacco from an environment noxious to them, and because the Board cannot condone the use of tobacco, the Board prohibits the use of tobacco in school buildings, District offices, and non-instructional facilities, grounds, and school-owned vehicles, and at any school-related event.

The Board directs the administration to develop procedures for the implementation of this policy which ensures that staff members who violate this policy shall be disciplined in accordance with District guidelines and the terms of negotiated agreements adopted. The Board also directs the administration to communicate this policy to the entire community for understanding and compliance.

R.C. 3313.20, 3313.47
20 USC 6081 et seq

policy

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STAFF DRESS AND GROOMING

The Board of Education believes that professional staff members set an example in dress and grooming for their students to follow. A professional staff member who understands this precept and adheres to it enlarges the importance of his/her task, presents an image of dignity, and encourages respect for authority. These factors act in a positive manner toward the maintenance of discipline.

The Board retains the authority to specify the following dress and grooming guidelines for staff that will prevent such matters from having an adverse impact on the educational process. When assigned to District duty, all professional staff members shall:

- A. be physically clean, neat, and well groomed;
- B. dress in a manner consistent with their professional responsibilities;
- C. dress in a manner that communicates to students a pride in personal appearance;
- D. be groomed in such a way that their hair style or dress does not disrupt the educational process nor cause a health or safety hazard.

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DANGEROUS WEAPONS

The Board of Education will not tolerate the possession of weapons or any other device designed to inflict serious bodily harm by any staff member while on District property, at a school-sponsored event, or on a school vehicle.

Any staff member found possessing a weapon or other device designed to inflict serious bodily harm while on District premises, a school vehicle, or on property being used by the District for school purposes may be charged with a felony. This restriction applies to staff members licensed to possess firearms unless serving as an authorized security officer.

The Superintendent shall ensure that any staff member possessing a weapon or other device designed to inflict serious bodily harm is reported immediately to the appropriate law enforcement agency. As well, the staff member shall be disciplined up to and including discharge consistent with law, due process, and the terms of any negotiated agreement.

R. C. 2923.22, 3313.20
18 USC 922

policy

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STAFF EVALUATION

The Board of Education through the powers derived from the Ohio Revised Code, is responsible for the employment and discharge of all personnel. To carry out this responsibility, it delegates to the Superintendent the function of establishing and implementing a program of personnel assessment.

Evaluations shall be conducted of each professional staff member. A professional staff member shall be given a copy of any documents relating to his/her performance which are to be placed in the personnel file.

Evaluations of administrators shall be conducted in accordance with State statute. In order to provide time to show progress in correcting deficiencies identified in the evaluation, the completed evaluation shall be shown to the evaluatee at least sixty (60) days prior to any action by the Board on the administrative staff member's contract of employment.

R.C. 3319.02, 3319.11, 3319.111
A.C. 3301-35-03(A)

EVALUATION PROCEDURE FOR ADMINISTRATIVE PERSONNEL

Each administrator and supervisor shall be evaluated annually through a Board adopted written evaluation and in accordance with O.R.C. 3319.02.

The Board of Education has a responsibility to create a favorable climate for all administrators in which to perform their duties and meet their responsibilities to the children and community. The school system uses its evaluation procedures to facilitate this goal.

The insight and growth of each administrator resulting from participation in the evaluation process are more significant than the process itself. Evaluation should be continuous and should be a constructive, cooperative enterprise between the administrator and the evaluator.

The evaluative process is tailored to the individual's needs and minimizes the comparison of one person's performance with that of another. Each administrator has the opportunity to use initiative and leadership in defining specific goals and working cooperatively with his/her evaluator in accomplishing them:

Evaluation in the Bedford City Schools is constructed to promote improved performance, professional growth, and professional integrity.

Procedures for Administrative Evaluation

- A. The evaluation shall be conducted by the Superintendent or designee.
- B. The evaluation shall measure each administrator's effectiveness in performing the duties outlined in the job description.
- C. In order to provide time to show progress in correcting deficiencies identified in the evaluation process, the evaluation process shall be completed as follows:
 1. In any school year that the administrator's contract is not due to expire, at least one (1) evaluation shall be completed. A written copy of the evaluation shall be provided to the administrator no later than the end of his/her contract year as defined by the annual salary notice.

2. In any school year that the administrator's contract is due to expire, at least a preliminary evaluation and at least a final evaluation shall be completed. A written copy of the preliminary evaluation shall be provided to the administrator at least sixty (60) days prior to any action by the Board of Education on the administrator's contract. A written copy of the final evaluation, indicating the Superintendent's intended recommendation to the Board of Education regarding a contract for the administrator, shall be provided to the administrator at least five (5) days prior to the Board's action to renew or not renew the contract.
- D. Before taking action on the administrator's contract, the Board of Education will send written notice to the employee of the pending action and advise him/her of the date the contract expires and of his/her right to request a meeting in executive session at which the Board shall discuss its reasons for considering renewal or nonrenewal of the contract. The administrator shall be permitted to have a representative present at this meeting.
 - E. The evaluation and recommendation shall be considered by the Board when acting on an administrator's contract.
 - F. If the Board takes action to nonrenew the contract of an administrator, the administrator shall be provided with written notice of the Board's action on or before the last day of March of the year in which his/her contract expires.

The evaluation procedure does not create an expectancy of continued employment. Nothing contained herein shall prevent the Board of Education from making the final determination regarding the renewal or nonrenewal of the contract of any administrator. However, if the Board fails to evaluate the administrator pursuant to paragraph C of this policy, or fails to provide a meeting to the administrator at his/her request, pursuant to paragraph D of this policy, the administrator shall automatically be reemployed for the period of one (1) year at the same salary plus any increments authorized by the Board, except that, if the administrator has been employed by the district for three (3) years or more, the period of reemployment shall be for two (2) years.

O.R.C. 3319.02

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OUTSIDE ACTIVITIES OF STAFF

The Board of Education directs the Superintendent to promulgate the following guidelines so that professional staff members may avoid situations in which their personal interests, activities, and associations may conflict with the interests of the District. If such situations threaten a staff member's effectiveness within the school system, the Superintendent shall evaluate the impact of such interest, activity, or association upon the professional staff member's responsibilities.

- A. Staff members should not give work time to an outside interest, activity, or association without valid reason to be excused from assigned duties.
- B. Staff members shall not use school property or school time to solicit or accept customers for private enterprises without written administrative permission.
- C. Staff members shall not engage in business transactions on behalf of private enterprises in which s/he may profit by virtue of his/her official position or authority or benefit financially from confidential information which the employee has obtained or may obtain by reason of his/her position or authority.
- D. Staff members shall not campaign on school property on behalf of any political candidate for local, State, or National office. A candidate for office may campaign in designated areas on election day.
- E. Staff members may not accept fees for tutoring/counseling when such services are conducted during the normal work day.
- F. Staff members may not accept fees for remedial tutoring/counseling of students currently enrolled in one (1) or more of their classes.

Research and Publishing

- A. Professional staff members are encouraged to contribute articles to professional publications and to engage in approved professional research.
- B. Materials which might be considered for publication and/or production, which identify the District in any manner, shall be cleared with the Superintendent prior to publication and/or production.

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- C. Publications and productions shall be subject to the following copyright provisions:
1. Rights to copyrights or patents of books, materials, devices, etc. developed by professional staff members on their own time will be relinquished by the Board upon request of the staff member provided that:
 - a. the books, materials, devices, etc. were prepared without the use of District data, facilities, and/or equipment;
 - b. the District is granted the privilege of purchasing the materials or products free of any copyright or royalty charges;
 - c. the staff member does not become involved in any way in the selling of the product to the District.

The final decision regarding whether materials were produced independently of any work assignment, and/or without using school equipment, facilities, data, or equipment rests with the Superintendent.

Professional staff members who desire to publish or produce materials on their own time should make such action known to the Superintendent prior to the time such work is started in order that proper procedures can be established to assure that District interests and the interests of the staff member are protected.

2. All books, materials, devices, or products which result from the paid work time and/or prescribed duties of professional staff members shall remain the property of the District. The District shall retain all rights and privileges pertaining to the ownership thereof.

In the event that any of these products have commercial possibilities, the Superintendent is authorized to secure copyrights, patents, etc. which will ensure the ownership of the product by the District.

The Superintendent is authorized to negotiate with appropriate agencies for the production and distribution of products with commercial appeal. Such negotiations shall ensure fair and appropriate compensation, including sharing of royalties, for the staff member(s) who developed the products.

policy

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POLITICAL ACTIVITIES

Employees of the School District have the same fundamental civic responsibilities and privileges as other citizens. Among these are campaigning for an elective public office and holding an elective or appointive public office.

Any employee who intends to campaign for an elective public office will notify the Superintendent, together with the decision as to whether s/he wishes to continue employment.

The terms and conditions under which the employee may continue employment as s/he seeks or holds such office shall be determined in accordance with law or contract requirement.

In connection with campaigning, no employee will use School District time, facilities, equipment, or supplies; nor will the employee campaign with school personnel or students during the working day.

No employee or elected official of the Board shall, in any manner, make use of any federal funds for political purposes.

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PROFESSIONAL GROWTH

Professional staff members will be encouraged to pursue and will be provided with opportunities for the development of increased competencies beyond those which they may attain through the performance of their assigned duties and assistance from supervisors.

Opportunities for professional growth in the School District will be provided through such means as the following:

- A. Planned in-service programs and workshops offered within the school system.
- B. Released time for visits to other classrooms and schools and for attendance at conferences, workshops, and other professional meetings.
- C. Leaves of absence for advanced educational training.

The Superintendent will have authority to approve released time for conferences and visitations and reimbursements for expenses, provided such activities are within budget allocations for that purpose.

R.C. 3319.071
A.C. 3301-35-03

policy

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PROFESSIONAL MEETINGS

The Board of Education encourages opportunities for professional staff members to develop increased competence, beyond that which they may attain through the performance of their assigned duties by attendance at professional meetings.

For purposes of this policy, a professional meeting shall be defined as any meeting that is related to the activities, duties, or responsibilities of professional staff members as determined by the Superintendent and/or a meeting through which direct value can be derived for the person in attendance for later use in the performance of District duties.

The Superintendent shall prepare administrative guidelines to implement this policy.

R.C. 3313.20

policy

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FREEDOM OF SPEECH IN NONINSTRUCTIONAL SETTINGS

The Board of Education acknowledges the right of its professional staff members, as citizens in a democratic society, to speak out on issues of public concern. When those issues are related to the District, however, the professional staff member's expression must be balanced against the interests of this District.

The following guidelines are adopted by the Board to help clarify and, therefore, avoid situations in which the professional staff member's expression could conflict with the District's interests. In such situations, s/he should:

- A. state clearly that his/her expression represents personal views and not necessarily those of the School District;
- B. refrain from expressions that would disrupt harmony among co-workers or interfere with the maintenance of discipline by school officials;
- C. not make threats or abusive or personally defamatory comments about co-workers, administrators, or officials of the District;
- D. refrain from making public expressions which s/he knows to be false or are made without regard for truth or accuracy.

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SEXUAL AND OTHER FORMS OF HARASSMENT

The Board of Education recognizes that a professional staff member's right to freedom from employment discrimination includes the opportunity to work in an environment untainted by sexual harassment. Sexually offensive speech and conduct are wholly inappropriate to the harmonious employment relationships necessary to the operation of the District and intolerable in a workplace to which the students of this District are exposed.

Sexual harassment includes all unwelcome sexual advances, requests for sexual favors, and verbal or physical contacts of a sexual nature whenever submission to such conduct is made a condition of employment or a basis for an employment decision, or when such conduct has the purpose or effect of unreasonably interfering with work performance or creating an intimidating, hostile, or offensive working environment.

The sexual harassment of a staff member or student of this District is strictly forbidden. Any staff member or agent of this Board who is found to have sexually harassed a professional staff member, student, or other employee of this District will be subject to discipline. Any professional staff member who has been exposed to sexual harassment by any staff member or agent of this Board is encouraged to report the harassment to an appropriate supervisor.

The Superintendent shall make appropriate efforts to ensure that all professional staff members and agents of this Board understand this policy and recognize and correct speech and behavior patterns that may be sexually offensive with or without the intent to offend. The policy shall be posted in appropriate places throughout the District.

R.C. 4112
42 USC 2000d et seq.
42 USC 2000e et seq.
29 USC 621 et seq.
29 USC Section 794
42 USC Section 12101 et seq.
20 USC 1681 et seq.

policy

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THREATENING BEHAVIOR TOWARD STAFF MEMBERS

The Board of Education believes that a staff member should be able to work in an environment free of threatening speech or actions.

Threatening behavior consisting of any words or deeds that intimidate a staff member or cause anxiety concerning his/her physical well-being is strictly forbidden. Any student, parent, visitor, staff member, or agent of this Board who is found to have threatened a member of the staff will be subject to discipline up to and including termination and/or be reported to the authorities.

The Superintendent shall implement guidelines whereby students and employees understand this policy and appropriate procedures are established for prompt and effective action on any reported incidents.

R.C. 2917.11

policy

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COMPENSATION FOR PART-TIME STAFF

The Board of Education requires that part-time professional staff members be prorated so that they are compensated in an amount equivalent to the portion of time worked, whether it be a fraction of a day or a fraction of a year. The Superintendent shall ensure that such arrangements comply with the terms of the negotiated, collectively-bargained agreement.

R.C. 3315.08, 3319.081

FAMILY LEAVES OF ABSENCE

In accord with Federal law, the Board of Education shall provide up to twelve (12) work weeks of unpaid leave to all professional staff members working 1,250 hours or more during any contract year for one of the following reasons:

- A. The birth of a child or the placement of a child with the professional staff member by way of adoption or foster care;
- B. The professional staff member is needed to care for a newborn, adopted child or foster child within one year of the child's arrival;
- C. The professional staff member is needed to care for an immediate family member (son, daughter, spouse, or parent) with a serious health condition; or
- D. The professional staff member's own serious health condition prevents him/her from performing the functions of his/her job.

Such leave may not be taken intermittently or on a reduced-leave schedule in the event of the birth, adoption, or foster care of a child, unless there has been specific approval by the Superintendent. A staff member may, however, take an intermittent or reduced-leave schedule when medically necessary to care for a spouse, child, or parent who has a serious health condition, or if the staff member has a serious health condition. In both cases, the taking of such leave results in the total reduction of the twelve (12) weeks only by the amount of leave actually taken.

The Superintendent may require the staff member to transfer temporarily to an alternative position at the same compensation when the intermittent or reduced-schedule leave is foreseeable and the transfer better accommodates recurring periods of leave, if the leave periods exceed twenty percent (20%) of the total number of workdays encompassing the period of anticipated leave.

Whenever the leave is necessitated by the serious health condition of the staff member or his/her family member, and is foreseeable based on planned medical treatment, the staff member shall provide the Superintendent with thirty (30) day's notice. If there is insufficient time to provide such notice because of the need for treatment, the staff member shall provide such notice as early as practicable. The staff member shall make reasonable efforts to schedule treatments so as not to unduly disrupt the regular operation of the District.

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The Board shall require that all accrued paid vacation leave, medical or sick leave, or personal leave be used to substitute for the family leave described in this policy. In cases in which the District has employed both the husband and the wife, the total amount of family leave is twelve (12) weeks for the couple, except when the leave is due to the serious health condition of either the husband or the wife.

If the professional staff member has not accrued adequate paid leave to encompass the entire twelve (12) week period of leave, the additional weeks of leave necessary to attain the twelve (12) weeks of Family and Medical Leave shall be taken without compensation.

In the case of a health condition of a family member, the Superintendent is directed to obtain medical certification from the physician of the staff member or his/her family member, including:

- A. the date the serious health condition began;
- B. the probable duration;
- C. appropriate medical facts regarding the condition;
- D. a statement that the staff member is needed to care for the family member;
- E. an estimate of the amount of time needed for such care.

In the event of the staff member's own health condition, a statement from his/her physician will be required which states that the staff member is unable to perform the functions of his/her position. Any leave or return from leave during the last five (5) weeks of an academic term shall be reviewed individually by the Superintendent to ensure minimal disruption to the students' program.

The Board reserves the right to obtain, at its expense, the opinion of a second health provider and, in the event of conflict, the opinion of a third health provider whose decision shall be binding and final.

The staff member shall provide the District with a statement from his/her physician that s/he is able to assume full-time responsibilities for his/her position.

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At the end of any leave described in this policy, the Board shall restore the staff member to his/her former position or to one that is equivalent in responsibility and compensation. During a family leave, the Board shall maintain the staff member's current coverage under the District's health insurance program, but the staff member shall not accrue any seniority, sick leave, vacation, or other benefits during the family leave period.

Should the staff member elect not to return to work at the end of the leave for reasons other than the continuation, recurrence, or onset of the health condition that gave rise to the leave or for circumstances beyond the control of the staff member, the staff member shall reimburse the District for the health insurance premiums paid by the District during the leave period.

The Superintendent shall prepare guidelines which are appropriate for this policy.

29 U.S.C. 2654
29 C.F.R. part 825
Family and Medical Leave Act of 1993
20 U.S.C. 1400
29 U.S.C. 795 sec. 504
42 U.S.C. 2000d

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JOB-RELATED EXPENSES

The School District personnel and officials who incur expenses in carrying out their authorized duties will be reimbursed by the District upon submission of a properly filled out and approved voucher with such supporting receipts as required by the Treasurer. Such expenses may be approved and incurred in line with budgetary allocations for the specific type of expense.

When official travel by a personally owned vehicle has been authorized, mileage payment will be made at the rate currently approved by the Board of Education and within the limitations of State law.

A traveler on official school business will be expected to exercise the same care in incurring expenses that a prudent person would exercise in traveling on personal business. Excessive costs, such as those caused by circuitous routes or luxury services or accommodations, will not be considered prudent nor will they be accepted.

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UNAUTHORIZED WORK STOPPAGE

The Board of Education is obligated and committed to provide certain basic services to students participating in District programs. Therefore, if the schools are open and the students are in attendance, those basic services will be provided.

Recognizing the fact that the District, for various reasons, could experience an unauthorized work stoppage, the Board remains committed to providing educational and related services to the schools and will fulfill its obligations to operate the schools when possible.

Professional staff members who fail to perform their normal duties when so required as part of a concerted unauthorized work stoppage will be subject to loss of pay and fringe benefits, including paid insurance coverage, as well as disciplinary measures in accordance with the laws of the State.

R.C. 3313.202, 4117.01 et seq.