

CLARION- LIMESTONE AREA SCHOOL DISTRICT

SECTION: PROFESSIONAL EMPLOYEES

TITLE: FAMILY AND MEDICAL
LEAVES

ADOPTED: October 15, 2003

REVISED: October 19, 2005

435. FAMILY AND MEDICAL LEAVES

1. Purpose
29 U.S.C.
Sec. 2601 et seq

The purpose of this policy is to address specific leave of absence issues and to ensure the district's compliance with the Family Medical Leave Act, hereinafter referred to as FMLA.

2. Delegation of
Responsibility

The Superintendent shall develop administrative guidelines regulating leaves and ensuring the district's compliance with law. Although implementing the guidelines is the responsibility of the Superintendent, they must adhere to the basic principles of the law.

3. Guidelines

Required notices shall be posted by the district.

Guides advising employees of their rights and responsibilities shall be developed and posted. The guides shall be given to employees upon request; whenever an employee requests an FMLA leave; and whenever the district designates a leave as an FMLA leave.

All requests for leave, both FMLA leave and non-FMLA leave, shall be made in writing on district forms. The form shall request sufficient information to determine whether the leave qualifies as an FMLA leave.

Employees shall be required to apply the equivalent of the annual allotment of sick days (as specified by law or collective bargaining agreement) towards FMLA. The employee may at their option apply additional sick days beyond the minimum required towards the leave.

Medical certification forms shall be required whenever allowed or authorized by provisions of the FMLA.

Employees shall be required to provide a fitness-for-duty certificate upon returning from an FMLA leave when the leave was taken because of the employee's own serious health condition, except where such a requirement would be in violation of a collective bargaining agreement or where the employee has taken a paid leave concurrent with the FMLA leave and school district policy and practice has not required a fitness-for-duty certificate to be provided.

Seniority shall accrue for all purposes during FMLA leaves, and credit shall be given during FMLA leaves for accruals for other leaves.

For purposes of determining whether an eligible employee under the FMLA has exhausted the twelve (12) weeks of leave in any twelve-month period, the district shall utilize a rolling twelve-month period measured backwards from the date leave is used, to avoid stacking of back-to-back leave entitlements.

Eligibility for an FMLA leave shall be based entirely on the eligibility criteria established by the FMLA. This policy shall not be construed to expand eligibility for an FMLA leave beyond what is required by law.

Instructional employees may be required to continue FMLA leave to the beginning of a grading period or term if conditions of leave are those specified in the FMLA.

29 U.S.C.
Sec. 2611, 2612

District employees not covered by a bargaining group, who have been employed for at least twelve (12) months, and who have at least 1,250 hours of service during the previous twelve (12) months shall be eligible to apply for twelve (12) weeks of unpaid leave for any of the following reasons:

1. To care for the employee's child after birth, or placement for adoption or foster care.
2. To care for the employee's spouse, son or daughter, or parents who have a serious health condition.
3. For a serious health condition that makes the employee unable to perform his/her job.

Any employee health or benefit plans provided for the employee will continue for the unpaid leave, up to twelve (12) weeks, with the provision that the employees continue to be responsible for employee contributions under the terms of that benefit plan.

<p>29 U.S.C. Sec. 2618</p>	<p><u>Intermittent Or Reduced Schedule Leaves</u></p> <p>Professional employees seeking foreseeable leave based on planned medical treatment for more than twenty percent (20%) of the total number of working days in the period over which the leave would extend may be required to choose:</p> <ol style="list-style-type: none">1. Leave for periods of a particular duration, not to exceed the duration of planned medical treatment.2. A temporary transfer to an available alternative position. <p>Professional employees must comply with foreseeable leave requirements which impose obligations on employees to provide thirty (30) days notice and to make a reasonable effort to schedule medical treatment at times which do not disrupt the operation of the district.</p> <p>An employee will be denied intermittent leave or leave on a reduced leave schedule to care for an immediate family member (spouse, child, parent) with a serious health condition, or if the employee has a serious health condition when:</p> <ol style="list-style-type: none">1. The employee fails to establish, through medical certification, that there is a medical need for such a leave (as distinguished from voluntary treatments and procedures).2. The employee has failed to establish, through medical certification, that it is medically necessary for the leave to be taken intermittently on a reduced leave schedule.
<p>29 U.S.C. Sec. 2618</p>	<p><u>Leave Near The End Of An Academic Term</u></p> <p>If a professional employee begins leave more than five (5) weeks before the end of an academic term, the school may require the employee to continue leave until the end of the term, if the leave consists of at least three (3) weeks duration, and the return would be during the three-week period before the end of the term.</p> <p>If leave commences three (3) weeks or less before the end of an academic term, the school may require the employee to continue the leave until the end of the term, if the leave is expected to last more than two (2) weeks, and the return would be during the two-week period before the end of the term.</p> <p>If leave commences three (3) weeks or less before the end of an academic term, the school may require the employee to continue the leave until the end of the term, if the leave will last more than five (5) working days.</p>

<p>29 U.S.C. Sec. 2618</p> <p>29 U.S.C. Sec. 2601 et seq</p>	<p><u>When Both Spouses Are Employed By The District</u></p> <p>The combined amount of leave for birth, adoption, and family illness may be limited to twelve (12) weeks. However, in the situation of personal illness, leave shall not be similarly limited.</p> <p><u>Restoration To Equivalent Position</u></p> <p>Determination of the equivalence of a position for restoration must be made on the basis of established Board policies and practices and collective bargaining agreements.</p>
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CLARION- LIMESTONE AREA SCHOOL DISTRICT

SECTION: PROFESSIONAL EMPLOYEES
 TITLE: PERSONAL NECESSITY LEAVE
 ADOPTED: OCTOBER 15, 2003
 REVISED: APRIL 15, 2015

436. PERSONAL NECESSITY LEAVE	
1. Authority	This policy shall provide for absences for defined personal necessity leave by professional employees.
SC 510, 1154	The Board has the authority to specify reasonable conditions under which personal necessity leave may be granted, the type of situations in which such leave will be permitted, and the total number of days that may be used by a professional employee in any school year for such leave.
2. Guidelines	<p><u>Personal/Emergency Leave</u></p> <p>Personal/Emergency leave days with pay shall be granted to professional employees in accordance with provisions of the collective bargaining agreement or individual contract.</p> <p><u>Bereavement Leave</u></p>
SC 1154	Whenever a professional employee is absent from duty because of a death in the immediate family, there shall be no deduction in salary for an absence not in excess of five (5) school days. Bereavement leave shall be used within a thirty (30) day period from the date of death. In the event that the day of the funeral occurs on a weekend, one (1) day of bereavement leave must occur immediately prior to or immediately following the weekend. The Board of School Directors and/or Superintendent may extend the period of absence allowing the employee to use sick days in its/his discretion as the exigencies of the case may warrant. Immediate family shall be defined as father, mother, brother, sister, son, daughter, husband, wife, parent-in-law, son-in-law, daughter-in-law, grandchild, step-child, step-parent or near relative who resides in the same household, or any person with whom the employee has made his/her home.
SC 1154	When a professional employee is absent from duty because of the death of a near relative, there shall be no deduction in salary of said employee for an absence of one (1) work day of the funeral. Near relative shall be defined as first cousin, grandfather, grandmother, aunt, uncle, niece, nephew, brother-in-law or sister-in-law, or step-parent of employee's spouse.

51 Pa. C.S.A.
Sec. 4102, 7309

Military Leave

Military leave shall be granted in accordance with law.

An employee requesting absence due to military leave shall file a written request with the Superintendent.

Minimum Leave Time

An employee who is absent less than one-half (1/2) day shall be charged with the use of one-half (1/2) day of leave. If an absence is more than one-half (1/2) day but less than one (1) full day, one (1) day of leave shall be charged.

References:

School Code – 24 P.S. Sec. 510, 1154

CLARION- LIMESTONE AREA SCHOOL DISTRICT

SECTION: PROFESSIONAL EMPLOYEES

TITLE: SABBATICAL LEAVE

ADOPTED: October 15, 2003

REVISED:

438. SABBATICAL LEAVE	
1. Purpose	This policy shall establish the district's parameters for granting sabbatical leaves for restoration of health for eligible employees.
2. Authority SC 1166	The Board shall grant sabbatical leaves to professional employees only for the purpose of restoration of health.
SC 1171	The Board reserves the right to specify the conditions under which sabbatical leaves for restoration of health may be taken, consistent with law.
3. Guidelines	<u>Eligibility</u>
SC 1166	To be eligible for sabbatical leave, an employee shall have completed ten (10) years of satisfactory service in the public schools of the Commonwealth; at least five (5) consecutive years of such service shall be in this school district, unless the Board allows for a shorter period of time. Thereafter, one (1) leave of absence shall be allowed after each seven (7) years.
SC 1166	A sabbatical leave may be taken for a half or full school term.
SC 1167	The total number of professional employees on sabbatical leave at any one time shall not exceed ten percent (10%) of the number of eligible employees. In the care where more than ten percent (10%) of the staff apply, eligibility shall be determined on the basis of length of time in the district since the last sabbatical leave.
	<u>Application</u>
	Requests for sabbatical leave shall be submitted on the approved district form and forwarded with medical documentation to the Superintendent or designee as soon as possible.
	The Board shall review each application for sabbatical leave and shall approve those meeting the requirements of adopted policy.

<p>SC 1171</p>	<p><u>Documentation</u></p> <p>Applicants for sabbatical leave shall submit with the application form an official supporting medical statement and recommendation from his/her physician.</p> <p>At both the approximate midpoint of the leave and at least thirty (30) days prior to the conclusion of the leave, a physician's statement shall be submitted to the Superintendent or designee, indicating the extent to which the purpose of the leave has been achieved and evaluating the health status of the employee relative to his/her ability to return to employment.</p> <p>The Board reserves the right to require at its own expense additional examinations and reports by physicians of its choice to determine the validity of the leave request.</p>
<p>SC 1168</p>	<p><u>Commitment of Employee</u></p> <p>Acceptance of a sabbatical leave incurs a commitment by the employee to return to active duty in this district immediately following the sabbatical leave for one (1) full school year, unless physically or mentally unable to do so.</p> <p>The Board reserves the right to require at its own expense additional examinations and reports by physicians of its choice to determine the employee's ability to return to work.</p>
<p>SC 1168</p>	<p><u>Commitment of Employer</u></p> <p>At the expiration of the sabbatical leave, the employee shall, unless agreed otherwise, be reinstated in the same position held at the time of the granting of the leave.</p>
<p>SC 1170</p>	<p>Time on sabbatical leave shall be counted as time on the job for purposes of seniority, where applicable in the district, and for retirement fund purposes but for no other purpose.</p>
<p>SC 1169</p>	<p><u>Compensation</u></p> <p>During the period of sabbatical leave, an employee shall be compensated at least one-half the salary to which s/he would have been entitled had the employee not taken leave.</p> <p>While on leave, the employee shall be entitled to insurance benefits provided other professional employees of a similar class at no cost to the employee.</p>

438. SABBATICAL LEAVE - Pg. 3

<p>SC 1166</p> <p>School Code 1166, 1167, 1168, 1169, 1170, 1171</p>	<p>A sabbatical leave granted for restoration of health shall also serve as a leave of absence without pay from all other school activities.</p>
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CLARION- LIMESTONE AREA SCHOOL DISTRICT

SECTION: PROFESSIONAL EMPLOYEES

TITLE: COMPENSATED
PROFESSIONAL LEAVES

ADOPTED: October 15, 2003

REVISED:

438.1. COMPENSATED PROFESSIONAL LEAVES	
1. Purpose	This policy shall establish the district's parameters for granting professional development and classroom occupational exchange leaves for eligible professional employees.
2. Definitions SC 1166.1	Professional development leave - shall be defined as a leave of absence granted for the purpose of improving professional competency or obtaining a professional certificate or commission. Such leave shall be directly related to an employee's professional responsibilities, as determined by the Board, and be restricted to activities required by state regulation or law, or completed to improve professional competency.
SC 522.2	Classroom occupational exchange leave - shall be defined as a leave of absence granted for the purpose of acquiring practical work experience in business, industry or government.
3. Authority SC 1166.1, 1171	The Board shall have sole authority to adopt and enforce policy establishing the conditions for approval of a professional development leave. All requests for such leave shall be subject to review by the Board. The Board may approve or reject a proposed plan for professional development leave.
SC 522.2	The Board may grant a leave to eligible employees for classroom occupational exchange leave for the specified purpose.
4. Guidelines	PROFESSIONAL DEVELOPMENT LEAVE
SC 1166	<u>Eligibility</u> To be eligible for professional development leave, an employee shall have completed ten (10) years of satisfactory service in the public schools of the Commonwealth; at least five (5) consecutive years of such service shall be in this school district, unless the Board allows for a shorter period of time. Thereafter, one (1) leave of absence shall be allowed after each seven (7) years.

<p>SC 1166</p>	<p>A leave for professional development may be taken for a half or full school term.</p>
<p>SC 1167</p>	<p>The total number of professional employees on professional development leave shall not exceed ten percent (10%) of the number of eligible employees. In the case where more than ten percent (10%) of the staff apply, eligibility shall be determined on the basis of length of time in the district since the last professional development leave.</p>
<p>SC 1166.1</p>	<p><u>Application</u></p> <p>Professional development leaves shall be granted only to employees participating in an academic program for the purpose of retaining a professional certificate or commission, further preparation and improvement in an area(s) of certification, additional certification, attaining other appropriate and identifiable educational positions within the school district, or as the Board may require, and upon the recommendation of the Superintendent.</p> <p>Requests for professional development leave shall be submitted on the district form and forwarded with a detailed plan to the Superintendent.</p> <p>Applications for professional development leave for the following year shall be filed by May 15 of the current school year. Unexpected circumstances shall be the only exception.</p> <p><u>Documentation</u></p>
<p>SC 1166.1</p>	<p>Applicants for professional development leave shall submit with the application form a detailed plan describing the professional development activities to be undertaken and a statement specifying the benefits of the leave to the employee and the school district. The plan shall provide sufficient information to permit the Board to adequately evaluate the request.</p> <p>The Board may at any time require additional information from the employee in order to assist the Board in evaluating the request and the leave's benefits to and impact on the employee and the school district.</p>
<p>SC 1166.1</p>	<p>The minimum requirements for leave for a half school term shall consist of any one or combination of the following:</p> <ol style="list-style-type: none"> 1. Nine (9) graduate credits. 2. Twelve (12) undergraduate credits. 3. One hundred eighty (180) hours of professional development activities.

	<p>The minimum requirements for leave for a full school term shall consist of any one or combination of the following:</p> <ol style="list-style-type: none"> 1. Eighteen (18) graduate credits. 2. Twenty-four (24) undergraduate credits. 3. Three hundred sixty (360) hours of professional development activities. <p>Applicants who propose to take graduate or undergraduate credits shall submit notification of acceptance and enrollment from an accredited institution of higher learning for study in courses approved by the Superintendent. The employee shall successfully complete the approved courses and receive passing grades. Upon return from professional development leave, the employee shall submit to the Superintendent within the first month an official transcript of all courses completed. Failure to receive passing grades or to submit required transcripts on time shall result in forfeiture of monies paid by the district.</p> <p>Applicants who propose to undertake professional development activities shall submit to the Board a detailed plan listing the specific activities. Upon return from professional development leave, the employee shall submit to the Superintendent within the first month a formal report describing the educational activities pursued and their benefits and relevancy. Failure to submit required reports on time shall result in forfeiture of monies paid by the district.</p> <p><u>Commitment of Employee</u></p> <p>SC 1166.1, 1168 Acceptance of professional development leave incurs a commitment by the employee to return to active duty in this district immediately following the leave for one (1) full school year, unless prevented by illness or physical disability. Employees shall submit required reports on time or forfeit all compensation and benefits.</p> <p><u>Commitment of Employer</u></p> <p>SC 1168 At the expiration of the professional development leave, the employee shall, unless agreed otherwise, be reinstated in the same position held at the time of the granting of the leave.</p> <p>SC 522.1, 1170 Time on professional development leave shall be counted as time on the job for purposes of seniority, where applicable in the district, and for retirement fund purposes but for no other purpose.</p>
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<p>SC 1169</p>	<p><u>Compensation</u></p> <p>During the period of professional development leave, an employee shall be compensated at least one-half the salary to which s/he would have been entitled had the employee not taken leave.</p> <p>While on leave, the employee shall be entitled to insurance benefits provided other professional employees of a similar class at no cost to the employee.</p> <p>A leave of absence granted for professional development shall also serve as a leave of absence without pay from all other school activities.</p> <p style="text-align: center;">CLASSROOM OCCUPATIONAL EXCHANGE LEAVE</p> <p><u>Application</u></p> <p>Requests for classroom occupational exchange leave shall be submitted on the approved district form and forwarded with appropriate documentation to the Superintendent.</p> <p><u>Documentation</u></p> <p>Applicants for classroom occupational exchange leave shall submit with the application form a statement from the employer agreeing to the terms and conditions of the leave, as specified in Board policy.</p>
<p>SC 522.2, 1166.1</p>	<p>Upon return from such leave, the employee shall submit to the Board a final report detailing the work experience and its benefits.</p>
<p>SC 1168</p>	<p><u>Commitment of Employee</u></p> <p>Acceptance of classroom occupational exchange leave incurs a commitment by the employee to return to active duty in this district immediately following the leave for one (1) full school year, unless prevented by illness or physical disability.</p>
<p>SC 1168</p>	<p><u>Commitment of Employer</u></p> <p>At the expiration of the classroom occupational exchange leave, the employee shall, unless agreed otherwise, be reinstated in the same position held at the time of the granting of the leave.</p>

438.1. COMPENSATED PROFESSIONAL LEAVES - Pg. 5

SC 522.2	<p>Time on classroom occupational exchange leave shall be counted as time on the job for purposes of seniority, where applicable in the district, and for retirement fund purposes but for no other purpose.</p> <p><u>Compensation</u></p>
SC 522.2	<p>The business, industry or government to whom the employee is assigned during the leave shall fully compensate the school district for all salary, wages, pension and retirement contributions, and other benefits as if the employee were in full-time active service.</p>

CLARION- LIMESTONE AREA SCHOOL DISTRICT

SECTION: PROFESSIONAL EMPLOYEES

TITLE: UNCOMPENSATED LEAVE

ADOPTED: October 15, 2003

REVISED:

439. UNCOMPENSATED LEAVE	
1. Purpose	The Board recognizes that in certain situations an employee may request extended leave for personal reasons, and the district could benefit from the return of the employee. This policy establishes guidelines for granting uncompensated leaves of absence.
2. Authority SC 1154	The Board reserves the right to specify the conditions under which uncompensated leave may be taken.
3. Guidelines	<p>In addition to the use of all acquired, earned, negotiated or legislated leaves, the Board may grant, at its discretion, up to one (1) additional year of leave under the following conditions:</p> <ol style="list-style-type: none"> 1. The requested leave is for a certified medical condition of the employee. 2. Any employee who has worked a minimum of five (5) continuous years, and who is not eligible for sabbatical leave, is eligible. If the employee is eligible for sabbatical leave, sabbatical leave will be used in lieu of uncompensated leave. 3. Requests for uncompensated leave shall be granted for up to six (6) months, at the discretion of the Board. Additional leave of up to six (6) months may be requested at the end of the first uncompensated leave of absence. 4. Additional uncompensated leaves of absence may be requested over the lifetime of the district employment, provided a minimum of five (5) years of service has elapsed since the previous approved sabbatical leave or approved uncompensated leave identified in this policy has ended. 5. Uncompensated leave may only be used when all existing leaves have been exhausted. 6. No district benefits, pay or service time for seniority will be earned during uncompensated leaves of absence.

<p>School Code 1154</p>	<ol style="list-style-type: none">7. Uncompensated leave is exclusive of workers' compensation laws and regulations.8. If an employee cannot return to work at the end of uncompensated leave to perform the essential functions of the job, the Board shall declare the job abandoned and all rights of the employee for returning to a similar position will cease to exist.
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CLARION-
 LIMESTONE AREA
 SCHOOL DISTRICT

SECTION: PROFESSIONAL EMPLOYEES

TITLE: LEAVE OF ABSENCE FOR
 CHILDBEARING/CHILD-
 REARING/ADOPTION/FOSTER
 PLACEMENT

ADOPTED: October 15, 2003

REVISED:

<p>1. Guidelines</p>	<p>439.1. LEAVE OF ABSENCE FOR CHILDBEARING/ CHILDBEARING/ADOPTION/FOSTER PLACEMENT</p>
	<p>Employees shall be granted a leave of absence, without pay, when such leave of absence is requested because of childbearing, childrearing, adoption or foster placement. Requests shall submitted in writing and presented to the Board forty-five (45) days prior to the anticipated absence.</p> <p>The forty-five (45) day requirement shall be waived by the Board in the event of an adoption or foster placement, provided that employee notifies the Board within five (5) days of being informed of the date the child will be received.</p> <p>Maximum leave time granted to an employee for such leave shall be one (1) year or two (2) full semesters, whichever is applicable.</p> <p>Seniority shall continue to accrue.</p> <p>Pension rights and other fringe benefits shall not continue to accrue.</p> <p>Upon return to duty, the employee shall be offered the same assignment held prior to the leave, if the position exists, or a substantially equivalent assignment for which the employee is certified.</p>
<p>Pol. 435</p>	<p>The first twelve (12) weeks of approved leave will include continuation of insurance coverage on the same basis provided by the district. After twelve (12) weeks, the employee may continue insurance coverage at his/her own cost.</p>

CLARION- LIMESTONE AREA SCHOOL DISTRICT

SECTION: PROFESSIONAL EMPLOYEES

TITLE: RESPONSIBILITY FOR
STUDENT WELFARE

ADOPTED: October 15, 2003

REVISED:

<p>1. Purpose</p> <p>2. Delegation of Responsibility</p> <p>3. Guidelines</p>	<p style="text-align: center;">440. RESPONSIBILITY FOR STUDENT WELFARE</p> <p>This policy establishes guidelines for ensuring adequate consideration of student welfare.</p> <p>The Superintendent or designee shall prepare and promulgate guidelines to ensure the maintenance of standards to protect student welfare.</p> <p>Teachers and other professional employees are responsible for the safety of students in their charge within the building and on school property. Each staff member must be in the classroom or at an assigned station or ensure that another teacher is temporarily in charge.</p> <p>Each staff member must maintain a standard of care and concern for supervision, control and protection of students commensurate with assigned duties and responsibilities.</p> <p>In addition to the instructional responsibilities of teachers, each teacher may be assigned other responsibilities including, but not limited to:</p> <ol style="list-style-type: none"> 1. Cafeteria supervision. 2. Bus duty. 3. Playground duty. 4. Supervision of extracurricular activities. 5. Chaperone for student groups. 6. Service on committees. <p>A staff member should not voluntarily assume responsibility for duties s/he cannot reasonably perform. Such voluntary assumption carries the same responsibilities as assigned duties.</p>
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A teacher must provide proper instruction in the safety matters presented in assigned curriculum guides.

Each staff member has the responsibility to report immediately to the principal an accident or a safety hazard. Accident reports shall be submitted to the Superintendent's office.

A staff member may not send students on any personal errands.

A staff member may not transport students in a personal vehicle except where specifically permitted.

Employees shall not require a student to perform work or services that may be detrimental to the student's health.

Health Responsibilities

Teachers have both an opportunity and an obligation to aid students in building up and maintaining a high level of health. Opportunities for health discussion arise in every class. The health responsibilities of the teacher include:

1. Continual observation of students to note any deviation from the normal.
2. Report to proper authority when a student appears to be in need of health counseling.
3. Cooperate in preventing the spread of communicable diseases.
4. Maintain sanitary, safe and congenial environmental conditions in the classroom.
5. Note the kind of questions students ask and assume some responsibility for helping them find accurate answers.
6. Recognize requirements and activities that may jeopardize health.
7. Assume responsibility for seeing that students receive first aid and emergency care.
8. Analyze subject matter areas for the purpose of making the content more functional in terms of the health needs and problems of the students.
9. Screen students before issuing a pass to the health office.

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| | <ol style="list-style-type: none">10. Notify the nurse if a student habitually shows signs of low vitality, poor nutrition, disinterest, etc.11. Notify the nurse if a student has been absent with a particular illness, operation, fracture, etc.12. Insist upon high standards of dress and wholesome practices. |
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CLARION- LIMESTONE AREA SCHOOL DISTRICT

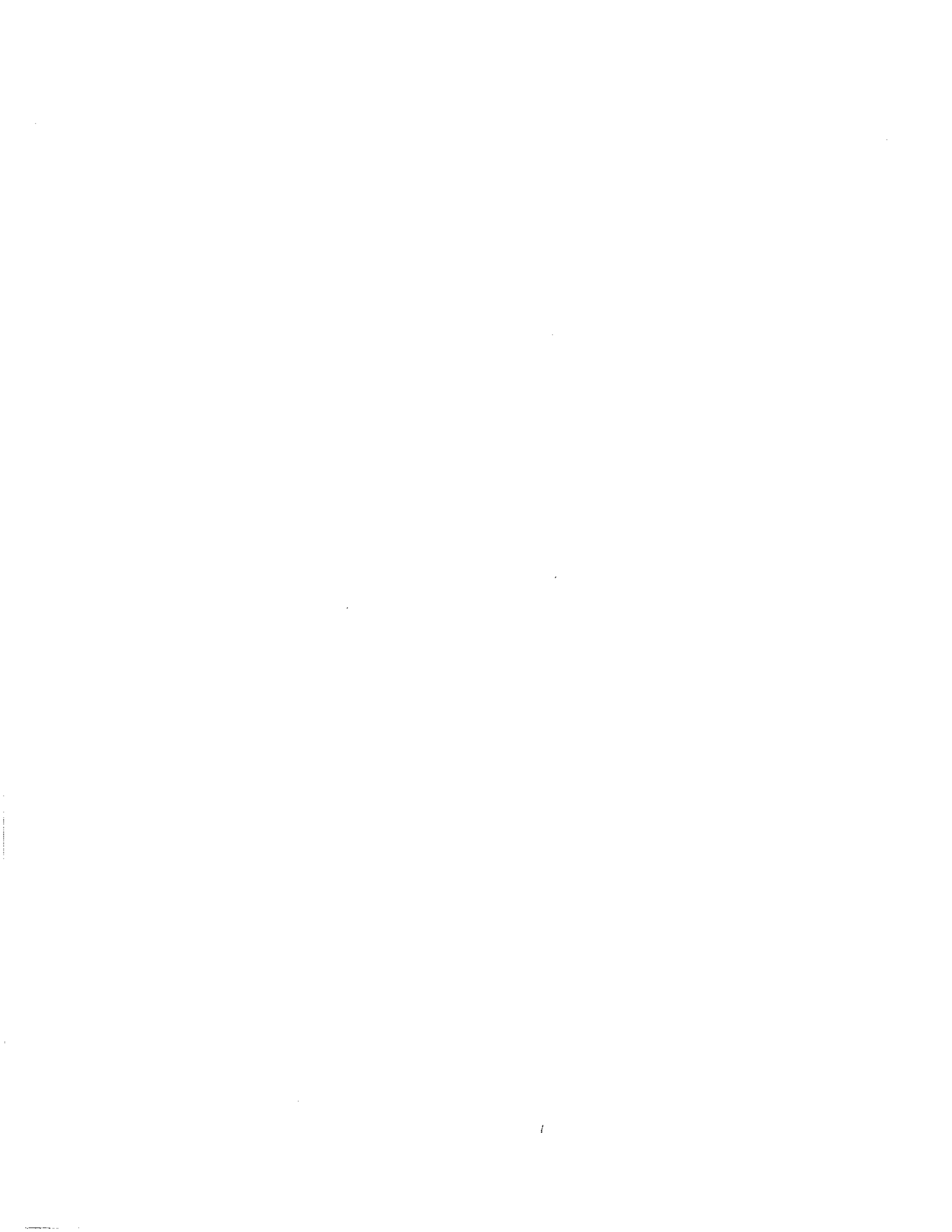
SECTION: PROFESSIONAL EMPLOYEES

TITLE: JURY DUTY

ADOPTED: October 15, 2003

REVISED:

442. JURY DUTY	
1. Authority 42 Pa. C.S.A. 4563	Professional employees regularly employed shall be protected against loss of pay for time served on jury duty.
2. Guidelines	<p>An employee who serves on jury duty, upon proper notification of the court, shall be paid the difference between juror's pay and the employee's daily rate of pay, provided the employee notifies the Board in advance of such service.</p> <p>Employees who are served a subpoena to testify shall be permitted to do so without loss of pay or benefits. However, this provision shall not apply to legal proceedings between the Board and employees.</p> <p>Time spent on jury duty will not be charged against personal leave and will count as time on the job.</p> <p>Employees must submit to their supervisor a record from the court of the number of days served.</p>



CLARION- LIMESTONE AREA SCHOOL DISTRICT

SECTION: PROFESSIONAL EMPLOYEES
TITLE: WORKERS' COMPENSATION
TRANSITIONAL
RETURN-TO-WORK PROGRAM

ADOPTED: November 20, 2013

REVISED:

	<p style="text-align: center;">447. WORKERS' COMPENSATION TRANSITIONAL RETURN-TO-WORK PROGRAM</p> <p>1. Purpose The purpose of a workers' compensation transitional return-to-work program is the safe, timely return of injured district employees to transitional or regular employment.</p> <p>2. Authority In an effort to control workers' compensation costs, the Board adopts this policy to ensure that employees who have been injured at work and are covered by workers' compensation return to work as soon as possible, in accordance with Board policy and administrative regulations.</p> <p>This policy shall apply only to an employee who meets all of the following conditions:</p> <ol style="list-style-type: none"> 1. Has been injured at work. 2. Is disabled as defined under the state Workers' Compensation Act. 3. Is capable of productive work. 4. Cannot return to his/her pre-injury job for the district with or without reasonable accommodations as a result of his/her work injury. 5. Is expected to be able to return to his/her pre-injury job within a definite period of time. 6. Is being paid workers' compensation disability benefits. <p>An employee shall not be eligible for continuation in the transitional return-to-work program if one (1) of the following determinations is made:</p> <ol style="list-style-type: none"> 1. Employee cannot perform the assigned lighter duty work.
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447. WORKERS' COMPENSATION TRANSITIONAL
RETURN-TO-WORK PROGRAM - Pg. 2

<p>3. Delegation of Responsibility</p>	<p>2. Employee will be unable to return to his/her pre-injury occupation with or without reasonable accommodations within a reasonable period of time.</p> <p>The work that shall be offered to an eligible employee shall be productive work that will advance the interests of the district.</p> <p>The Superintendent or designee shall establish a transitional return-to-work program and develop administrative regulations to implement the Board policy.</p> <p>The Superintendent or designee shall ensure that all district staff responsible for the transitional return-to-work program shall receive periodic training from legal counsel with expertise in the Family And Medical Leave Act, Americans With Disabilities Act, workers' compensation and labor relations. The training shall include information on the interaction of the transitional return-to-work program and applicable laws, contracts and collective bargaining agreements.</p> <p>The Superintendent or designee shall determine if a lighter duty job will be offered to an eligible employee.</p> <p>When the interactive process is going to be engaged in, the Superintendent or designee shall engage the solicitor or special labor counsel.</p>
<p>4. Guidelines</p>	<p>The transitional return-to-work program and Board policy shall be implemented in a manner that does not conflict with applicable laws, contracts or collective bargaining agreements.</p> <p>Nothing in this policy shall be construed as requiring that a lighter duty job be provided to an eligible employee or that the essential functions of any job be eliminated. Lighter duty jobs are intended as a transitional opportunity to assist an injured employee to return to his/her pre-injury occupation with or without reasonable accommodations.</p>

447. WORKERS' COMPENSATION TRANSITIONAL
RETURN-TO-WORK PROGRAM - Pg. 3

References:

Workers' Compensation Act – 77 P.S. Sec. 1 et seq.

Family And Medical Leave Act – 29 U.S.C. Sec. 2601 et seq.

Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq.

Family And Medical Leave Act, Title 29, Code of Federal Regulations –
29 CFR Part 825

Health Insurance Portability And Accountability Act, Title 45, Code of
Federal Regulations – 45 CFR Part 160, Part 164

CLARION- LIMESTONE AREA SCHOOL DISTRICT

SECTION: PROFESSIONAL EMPLOYEES

TITLE: UNLAWFUL HARASSMENT

ADOPTED: October 15, 2003

REVISED:

448. UNLAWFUL HARASSMENT	
<p>1. Purpose</p>	<p>The Board strives to provide a safe, positive working climate for its employees. Therefore, it shall be the policy of the district to maintain an employment environment in which harassment in any form is not tolerated.</p>
<p>2. Authority Title VI 42 U.S.C. Sec. 2000e et seq Title IX 20 U.S.C. Sec. 1681</p>	<p>The Board prohibits all forms of unlawful harassment of employees by all district students and staff members, contracted individuals and vendors, and volunteers in the schools. The Board encourages employees who have been harassed to promptly report such incidents to the designated administrators.</p> <p>The Board directs that complaints of harassment shall be investigated promptly, and corrective action shall be taken when allegations are verified. Confidentiality of all parties shall be maintained, consistent with the district's legal and investigative obligations. No reprisals nor retaliation shall occur as a result of good faith charges of harassment.</p>
<p>3. Definitions 29 CFR Sec. 1606.8 (a) 62 Fed. Reg. 12033 (March 13, 1997) 66 Fed. Reg. 5512 (Jan. 19, 2001)</p>	<p>For purposes of this policy, harassment of an employee consists of verbal, written, graphic or physical conduct relating to an individual's race, color, national origin/ethnicity, gender, age, disability, sexual orientation or religion when such conduct:</p> <ol style="list-style-type: none"> 1. Is sufficiently severe, persistent or pervasive that it affects an individual's ability to perform job functions or creates an intimidating, threatening or abusive work environment. 2. Has the purpose or effect of substantially or unreasonably interfering with an individual's work performance. 3. Otherwise adversely affects an individual's employment opportunities.

<p>29 CFR Sec. 1604.11 (a)</p>	<p>For purposes of this policy, sexual harassment of an employee shall consist of unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal, written, graphic or physical conduct of a sexual nature when:</p> <ol style="list-style-type: none"> 1. Acceptance of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature is a term or condition of an individual's continued employment. 2. Submission to or rejection of such conduct is the basis for employment decisions affecting the individual. 3. Such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of creating an intimidating, hostile or offensive working environment. <p>Examples of conduct that may constitute sexual harassment include but are not limited to sexual flirtations, advances, touching or propositions; verbal abuse of a sexual nature; graphic or suggestive comments about an individual's dress or body; sexually degrading words to describe an individual; jokes, pin-ups, calendars, objects, graffiti, vulgar statements, abusive language, innuendoes, references to sexual activities, overt sexual conduct, or any conduct that has the effect of unreasonably interfering with a employee's ability to work or creates an intimidating, hostile or offensive learning or working environment.</p>
<p>4. Delegation of Responsibility</p>	<p>The district shall annually inform students, staff, parents/guardians, independent contractors and volunteers that unlawful harassment of employees will not be tolerated, by means of distribution of written policy and publication in handbooks.</p> <p>The district shall provide training for students and staff concerning all aspects of unlawful harassment.</p> <p>Each staff member shall be responsible to maintain a working environment free from all forms of unlawful harassment.</p> <p>Each employee shall be responsible to respect the rights of district staff and to ensure an atmosphere free from all forms of unlawful harassment.</p> <p>The building principal shall be designated to receive harassment complaints. If the building principal is the subject of the complaint, the complainant shall report the complaint directly to the Superintendent or designated administrator.</p>

<p>5. Guidelines</p>	<p>When an employee believes that s/he is being harassed, the employee should immediately inform the harasser that the behavior is unwelcome, offensive or inappropriate. If the unwelcome, offensive or inappropriate behavior continues, the employee shall follow the established complaint procedures.</p> <p><u>Complaint Procedure</u></p> <ol style="list-style-type: none"> 1. An employee shall report a complaint of harassment, orally or in writing, to the building principal or a designated employee, who shall inform the employee of his/her rights and of the complaint process. 2. The building principal immediately shall notify the Superintendent or designated administrator and shall conduct an impartial, thorough and confidential investigation of the alleged harassment. <p>In determining whether alleged conduct constitutes harassment, the totality of the circumstances, nature of the conduct, and context in which the alleged conduct occurred shall be investigated.</p> <ol style="list-style-type: none"> 3. The building principal shall prepare a written report summarizing the investigation and recommending disposition of the complaint. Copies of the report shall be provided to the complainant, the accused, the Superintendent and others directly involved, as appropriate. 4. If the investigation results in a substantiated charge of harassment, the district shall take prompt corrective action to ensure the harassment ceases and will not recur. <p><u>Discipline</u></p> <p>Pol. 317, 417, 517 A substantiated charge against a district staff member shall subject such staff member to disciplinary action, including discharge.</p> <p>Pol. 218, 233 A substantiated charge against a district student shall subject such student to disciplinary action, consistent with the Student Code of Conduct, and may include educational activities and/or counseling.</p> <p>Pol. 317, 417, 517 If it is concluded that an employee has made false accusations, such employee shall be subject to disciplinary action, including termination.</p>
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Appeal Procedure

1. If the complainant or accused is not satisfied with the principal's decision, the employee may file a written appeal to the Superintendent.
2. The Superintendent shall review the initial investigation and report and may also conduct a reasonable investigation. S/He shall prepare a written response to the appeal. Copies of the response shall be provided to the complainant, the accused, building principal and others directly involved, as appropriate.

CLARION- LIMESTONE AREA SCHOOL DISTRICT

SECTION: PROFESSIONAL EMPLOYEES

TITLE: DRUG AND SUBSTANCE
ABUSE

ADOPTED: October 15, 2003

REVISED:

451. DRUG AND SUBSTANCE ABUSE	
<p>1. Purpose</p> <p>P.L. 100-690</p>	<p>The Board recognizes that the misuse of drugs is a serious problem with legal, physical and social implications for the whole school community and is concerned about the problems that may be caused by employees, especially as the use relates to an employee's safety, efficiency and productivity.</p> <p>The primary purpose and justification for any district action will be for the protection of the health, safety and welfare of students, staff and school property.</p>
<p>2. Definitions</p> <p>35 P.S. Sec. 780-101 et seq</p> <p>P.L. 100-690</p>	<p>Drugs - shall be defined as those outlined in the Controlled Substance, Drug, Device and Cosmetic Act.</p> <p>Conviction - a finding of guilt, including a plea of nolo contendere, or imposition of sentence, or both by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statute.</p> <p>Criminal Drug Statute - a federal or nonfederal criminal statute involving the manufacture, distribution, dispensing, use or possession of any controlled substance.</p> <p>Drug-free Workplace - the site for the performance of work at which employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance.</p>
<p>3. Authority</p>	<p>The Board requires that each professional employee be given notification that, as a condition of employment, the employee will abide by the terms of this policy and notify the district of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.</p>

<p>SC 527</p> <p>4. Delegation of Responsibility P.L. 101-226 Sec. 5115</p>	<p>An employee convicted of delivery of or possession of a controlled substance with the intent to deliver shall be terminated from his/her employment with the district. An employee who is not terminated from his/her employment must certify that s/he has enrolled in and/or completed a drug abuse assistance or rehabilitation program, as a condition for returning to work.</p> <p>A statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the employee's workplace shall be provided by the Superintendent and shall specify the actions that will be taken against the employee for violation of this policy, up to and including termination and referral for prosecution.</p> <p>In the event that any employee violates this policy by possessing, manufacturing, distributing, dispensing or using any controlled substance, or by being convicted of violating any criminal drug statute, s/he shall be suspended from work immediately until such time that a hearing before the Board is conducted to adjudicate the employee's violation of this policy.</p> <p>Grantors of funds shall be notified within ten (10) days after receiving notice from an employee or receiving actual notice of a conviction.</p> <p>The district shall be responsible for taking action within thirty (30) days of receiving notice, with respect to any convicted employee.</p> <p>The district shall take appropriate personnel action against such an employee, up to and including termination or require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency.</p> <p>The district shall maintain a drug-free awareness program for its employees which explains:</p> <ol style="list-style-type: none">1. Dangers of drug abuse in the workplace.2. District's policy of maintaining a drug-free workplace.3. Availability of drug counseling, drug rehabilitation, and employee assistance programs.4. Penalties that may be imposed for drug abuse violations occurring in the workplace.
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The district shall make a good faith effort to continue to maintain a drug-free workplace through implementation of this policy.

The district shall distribute a copy of this policy to all employees.

School Code
527

35 P.S.
Sec. 780-101 et seq

P.L. 100-690
P.L. 101-226
Sec. 5115

