

# Beaver Dam

UNIFIED SCHOOL DISTRICT

*Guiding students. Empowering futures.*



## **EMPLOYEE HANDBOOK**

**July 1, 2013**

**Revised June, 2023**

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*Leading the way in student growth and achievement.*

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## INTRODUCTORY STATEMENT

This *Employee Handbook* has been prepared for all employees of the Beaver Dam Unified School District. The provisions described herein are the terms and conditions governing employment; compliance with them is required.

This *Employee Handbook* is a collection of policies adopted by the BDUSD Board of Education, as well as administrative guidelines, rules, and regulations of the District. It has been prepared and is intended to provide general information and guidance to govern employment of all staff members, but is not to be considered all-inclusive. Due to the dynamic nature of an organization, the BDUSD expressly reserves the right to change, add, or delete any of the provisions in this handbook. When the District deems it necessary to make changes to policies described in this handbook, the following protocol will be followed:

1. In normal circumstances, employees will receive a 90-day notice of the changes.
2. Employees will be given the opportunity to ask questions and discuss the changes.

It is each staff member's responsibility to read and become familiar with the information contained within the BDUSD Employee Handbook and to comply with the policies adopted by the Board and/or the administrative guidelines authorized by the Superintendent. All above-mentioned documents are available electronically on the District website.

If you have questions regarding any of the Board policies, administrative guidelines, or policies contained in this Handbook; please contact your immediate supervisor or the Human Resource Department.

## DISCLAIMER STATEMENT

This Employee Handbook has been prepared for informational purposes only. None of the statements, policies, and administrative guidelines, rules, or regulations contained herein constitutes a guarantee of employment, a guarantee to any other right or benefit, or a contract of employment, express or implied.

Violations of the terms of the Employee Handbook may be subject to disciplinary action in accordance with **Board Policy [#3139](#) or [#4139](#)**, up to and including termination of employment.

## **PUBLIC NOTIFICATION OF NONDISCRIMINATION POLICY**

The Board of Education does not discriminate in the employment of staff on the basis the Protected Classes of race, color, national origin, age, sex (including transgender status, change of sex, sexual orientation, or gender identity), pregnancy, creed or religion, genetic information, handicap or disability, marital status, citizenship status, veteran status, military service (as defined in 111.32, Wis. Stats.), national origin, ancestry, arrest record, conviction record, use or non-use of lawful products off the District's premises during non-working hours, or declining to attend an employer-sponsored meeting or to participate in any communication with the employer about religious matters or political matters, or any other characteristic protected by law in its employment practices. The Board of the Beaver Dam Unified School District does not discriminate on the basis of sex in its education program or activity and is required by Title IX and its implementing regulations not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The District's Title IX Coordinators are: Jesse Peters, District Assessment & Technology Officer 705 McKinley Street, Beaver Dam, WI 53916-[petersj@bdusd.org](mailto:petersj@bdusd.org), (920) 885-7300 - OR - Tiffany Sponholz, Director of Student Services, 705 McKinley Street, Beaver Dam, WI 53916 - [sponholz@bdusd.org](mailto:sponholz@bdusd.org), (920) 885-7300. Any inquiries about the application of Title IX and its implementing regulations to the District may be referred to the Title IX Coordinators, the Assistant Secretary for the U.S. Department of Education's Office for Civil Rights, or both. The Board has adopted a grievance process that provides for the prompt and equitable resolution of student and employee complaints alleging any action that is prohibited by Title IX and/or its implementing regulations. The grievance process is included in [Policy 2266 – Nondiscrimination on the Basis of Sex in Education Programs or Activities](#). The grievance process specifically addresses how to report or file a complaint of sex discrimination, how to report or file a formal complaint of Sexual Harassment, and how the District will respond.

## **EQUITY IN OUR SCHOOLS**

As part of our efforts to ensure equitable access and delivery of educational services to our students, we will follow a 5-year strategic plan for our district. "Educational equity means that every student has access to the resources and educational rigor they need at the right moment in their education, across race, gender, ethnicity, language, disability, sexual orientation, family background, and/or family income" (Wisconsin Department of Public Instruction, 2020).

BDUSD believes that in order to sustain and accomplish our Student Growth and Achievement goal, we need to ensure equitable access and delivery of educational services. Our commitment to equity will be achieved by:

- Preparing all students to succeed in a multi-cultural society by ensuring the curriculum provided by the district addresses cultural norms in modern day society.
- Recognizing equitable outcomes depend on changing the school's and district's beliefs and practices by challenging biases and discrimination in order to remove barriers to student achievement.
- Building upon the strengths of each and every student.
- Providing curricular and programming resources, opportunities, and supports to ensure preparation for post-secondary readiness and success, and social/emotional growth.

- Engaging students' families as essential partners in their child(ren)'s education.
- Establishing additional community partnerships to better serve the evolving needs of students and families.
- Examining our policies and procedures in order to ensure that barriers for students are removed.
- Respecting the identities and cultures of learners and families by using practices, curriculum, and policies that ensure equity for students.

Each school has an established list of collective commitments that each and every staff member must agree to, abide by, and contribute to upon hire and each year upon signing their contract. This practice ensures that our staff are all striving for the same goal to ensure equitable access for all students.

## **BDUSD Mission Statement**

Guiding Students. Empowering Futures

## **BDUSD Vision Statement**

Leading the way in student growth and achievement

## **BDUSD Belief Statements**

- We believe that quality instruction is best supported through a relevant, challenging, innovative, and articulated curriculum.
- We believe that all members of the learning community have the responsibility of promoting student well-being, including social, emotional, physical, and mental health.
- We believe that accomplishing personally set goals can promote personal excellence and a healthy sense of self.
- We believe that individuals learn in different ways and at different rates. Therefore, we need to be flexible, open-minded, and creative.
- We believe in the power of equity in education by meeting and engaging the diverse needs of students, which ultimately empowers them to find their true potential and be productive in the life and career paths of their choosing.
- We believe that students need tools for thriving in a changing world. These tools include opportunities to develop skills (such as adapting, adjusting, seeking, and accepting change).
- We believe in opportunities for growth and support provided through relevant partnerships in the community.
- We believe that students, families, school staff, and community members share responsibility for developing academically, socially, and behaviorally responsible citizens. We further believe that all members of our learning community should take pride in their roles; commit to excellence; and demonstrate compassion, empathy, and respect.
- We believe that collaboration skills are important to foster in adults and students alike.
- We believe in making today's decisions with an eye to the future so that the school district may deliver exceptional results over a sustained period of time.



Dear Beaver Dam Unified School District Employee:

**On behalf of the Board of Education and Administration, we would like to take this opportunity to personally welcome you to the Beaver Dam Unified School District.** Whether you are new to the School District or a long-time employee, we offer our appreciation for your commitment to support the learning environment of our students. The District strives to provide an educational working environment that is characterized by safety, respect, collaboration, productivity, growth, and satisfaction.

The Beaver Dam Unified School District is committed to increasing academic achievement, improving our accountability, and building relationships within our community. We have one ultimate goal: all students will be successful! We work diligently to prepare our students to be successful in the postsecondary educational environment of their choice; whether that is attending a two-year technical college, studying law at the University of Wisconsin, or working to graduate from one of our four military academies. To accomplish this goal, it is imperative that BDUSD attract, motivate, and retain the most talented and effective staff. We recognize that our employees are central to student success and the most important variable in creating the learning atmosphere in which our students grow.

The School Board knows that working in the Beaver Dam Unified School District is a choice and appreciates your choice to dedicate your talent and expertise to the success of our learners. Our hope is that this relationship is long, productive, and professionally fulfilling. On behalf of the Beaver Dam Unified School District Board of Education and Administration, we are proud to have you as a member of our team!

Sincerely,

Board President

Superintendent

# BEAVER DAM UNIFIED SCHOOL DISTRICT

## BOARD OF EDUCATION

ISSAC DORNFELD	dornfeldi@bdusd.org
MARGE JORGENSEN	jorgensenm@bdusd.org
JOHN KRAUS, JR.	krausj@bdusd.org
MARY KUNTZ	kuntzm@bdusd.org
MARIA MASON	masonm@bdusd.org
LISA PANZER	panzerl@bdusd.org
CHAD PRIEVE (PRESIDENT)	privec@bdusd.org
GARY SPIELMAN	spielmang@bdusd.org
JOANNE TYJESKI	tyjeskij@bdusd.org

## EDUCATIONAL SERVICE CENTER

400 E. Burnett St.  
Beaver Dam, WI 53916  
920.885.7300

## CENTRAL OFFICE ADMINISTRATORS:

MARK DiSTEFANO	SUPERINTENDENT
DR. NICOLE WHITE	DIRECTOR OF HUMAN RESOURCES
RYAN CASHMAN	DIRECTOR OF BUSINESS SERVICES
ROBERT MEYER	DIRECTOR OF TEACHING AND LEARNING
TIFFANY SPONHOLZ	DIRECTOR OF STUDENT SERVICES

## **ELEMENTARY BUILDING ADMINISTRATORS**

### **JEFFERSON**

JESSE PETERS – PRINCIPAL  
CELINA ALVIN – ASSOCIATE PRINCIPAL  
301 Brook St., Beaver Dam, WI 53916  
920.885.7392

### **LINCOLN**

TBD - PRINCIPAL  
210 Gould St., Beaver Dam, WI 53916  
920.885.7396

### **PRAIRIE VIEW**

BRANDON KRAUSE - PRINCIPAL  
KATELYN DWYER- ASSOCIATE PRINCIPAL  
510 N. Crystal Lake Rd., Beaver Dam, WI 53916  
920.885.7380

### **WASHINGTON**

PAUL WILSON - PRINCIPAL  
600 Grove St., Beaver Dam, WI 53916  
920.885.7376

### **WILSON**

ASHLEY JANSMA - PRINCIPAL  
405 W. Third St., Beaver Dam, WI 53916  
920.885.7373

## **MIDDLE SCHOOL ADMINISTRATORS**

WILLIAM LOSS - PRINCIPAL  
TBD - ASSOCIATE PRINCIPAL

108 Fourth St., Beaver Dam, WI 53916  
920.885.7365

## **HIGH SCHOOL ADMINISTRATORS**

RUSS TRONSEN - PRINCIPAL  
JOHN CASPER - ASSOCIATE PRINCIPAL  
ROBERT ESSIG - ASSOCIATE PRINCIPAL  
RYAN GERBER - ASSOCIATE PRINCIPAL (ACTIVITIES & ATHLETICS DIRECTOR)

500 Gould St., Beaver Dam, WI 53916  
920.885.731

## SAFETY and EMERGENCY PROCEDURES

### **ABUSE/NEGLECT (potential social services referral)**

1. If you become aware of a situation of possible physical abuse, significant neglect, or sexual abuse; immediately communicate your concerns and specifics to the building principal/administrator or Student Services personnel. If they are unavailable, proceed to Steps 2 & 3 immediately.
2. Complete the District Abuse Reporting form.
3. Call Dodge County Human Services with a referral and fax the District reporting form.

### **BOMB THREAT**

#### Recipient

1. Engage caller and write down exact statements; if possible record conversation. Try to engage assistance while on the phone. Do not interrupt the caller except to ask the following questions, using the bomb threat checklist:
  - a. When is the bomb going to explode? \_\_\_\_\_
  - b. Where is the bomb? \_\_\_\_\_
  - c. What does it look like? \_\_\_\_\_
  - d. What kind of bomb is it? \_\_\_\_\_
  - e. What will cause it to explode? \_\_\_\_\_
  - f. Why are you doing this? \_\_\_\_\_
  - g. Who are you? \_\_\_\_\_
  - h. Where are you calling from? \_\_\_\_\_
2. Origin of call (if known):  
\_\_Local \_\_Distance \_\_Internal \_\_Cellular  
Description of caller's voice:      Male      Female  
Estimate of age (young, middle age, old) Race: \_\_  
Accent: \_\_\_\_\_ Tone of Voice: \_\_\_\_\_  
Other voice characteristics: \_\_\_\_\_  
Did the caller seem familiar with the facility? \_\_\_\_\_  
Was there any background noise? \_\_\_\_\_  
Other comments or remarks: \_\_\_\_\_
3. Leave the phone off the hook to allow police to trace the call.
4. **Notify administration.**

#### Instructor/Staff Procedures

1. Bring emergency folder containing a class roster and emergency contact information upon direction to leave the classroom setting.
2. If directed to evacuate the building, follow the guidelines in the School Emergency Operations & Crisis Response Plan. **Do not allow students to use the bathroom or go to their lockers.**
3. If a student is handicapped, it is the responsibility of the teacher to help the student out of the building safely.

## **DEATH**

1. Communicate to students **only factual information** when directed from administration or designated crisis response coordinator.
2. Assist in identifying students who require grief support.
3. Contact Student Services staff to refer students for support.
4. Assist in monitoring student's grieving progress for days/weeks following death.

## **FIGHTS**

1. Assess seriousness of situation; determine need and secure nearest available assistance.
2. **STAY ON SCENE.** Attempt to take control by giving specific directions to stop.
3. Get assistance if needed by contacting the office or sending someone for help.
4. When the situation is controlled, escort involved parties to the office.
5. Document incident ASAP and get report to building principal.

## **MEDICAL EMERGENCY**

*Serious injuries that require immediate medical attention*

1. Evaluate the scene. Call 911 if necessary.
2. If scene is safe, proceed to victim and utilize blood borne pathogens procedure.
3. Send responsible student/additional staff for help to nearest teacher or principal.
4. Stabilize victim in position found until emergency medical personnel arrive.
5. Notify building office to proceed with emergency response plan.
6. File accident report with school nurse.

## **MISSING CHILD**

1. After a student who has been present during school hours is deemed missing, contact main office.
2. If student returns, notify main office.

## **SEXUAL ASSAULT**

1. Assess nature of incident to determine level of response.
2. Contact building administrator and student services staff.
3. Stay with victim until building administrative staff arrives.

## **SUICIDE – VERBAL / WRITTEN THREAT**

1. Take all threats seriously and report immediately to student services or administration.
2. Do not leave person unattended.

## **THREATENING PERSON *INSIDE* THE BUILDING**

1. If you encounter a threatening person:
  - a. Report threatening person to administration. Give description and location and describe the activity the threatening person is involved in.
2. When a lockdown has been called:
  - a. Visually sweep the hallway. Direct students in the hallway into a classroom.
  - b. Lock the classroom door and turn off lights. **Do not let anyone in until directed by administration or police.**
  - c. Take control of students. Keep classroom/students secure and quiet. Sit students out of sight of windows and doors. Direct students to turn off cell phones. Do not call out on phones.

- d. If students are on the playground, have children lay flat on the ground with hands over head until directed by police or administration or move to off-site evacuation site if you can do so safely.

### **THREATENING PERSON *OUTSIDE* THE BUILDING**

1. Determine degree of threat, call or send responsible party to main office, and give description and location of threatening person.
2. Assess measures for student safety. Take control and give direction (i.e. enter building, move to alternate location, take cover, get down).
3. Move students into building as soon as safely possible.
4. Remain in rooms until directed by administration or police.
5. Notify office of missing or injured students.
6. Close blinds on outside windows.
7. Administration will use e-mail to provide updates and status reports to staff regarding the situation.

#### *Custodial Procedures*

Make sure all exterior building doors are locked and secure.

### **CHEMICAL SPILL**

1. Evaluate level of hazardous exposure. If critical, evacuate immediately.
2. Avoid direct contact with chemical.
3. If chemical has contacted skin or eyes, flush for at least 15 minutes.
4. Contact main office.
5. Locate Material Safety Data Sheet (MSDS).
6. Do not attempt to clean up spilled chemical without reviewing MSDS and obtaining proper protective equipment.
7. Keep students and staff away from area.

#### *Custodial Procedures*

1. If chemical hazards have been identified through the label and/or MSDS, proceed with clean-up.
2. Keep students and staff away from spill.
3. Only attempt clean-up if proper protective equipment is available.
4. If spill is too large to handle, contact main office.

### **FIRE / EXPLOSION**

1. Activate fire alarm.
2. Follow fire drill/evacuation route procedures as posted in room or as outlined in School Emergency Operations and Crisis Response plan.
3. If safe, use fire extinguisher.
4. Notify main office of location.
5. Close door and turn off lights when leaving room.
6. Reassemble students at predetermined area and take roll.
7. Report any missing students.
8. Await further instruction from main office.
9. Reoccupy building when given all clear from administration or fire department.

### **FLOODING IN BUILDING**

1. Be prepared to evacuate area when given instructions.
2. Keep everyone away from flooding water and/or flooded areas.

## **GAS LEAK**

1. Evacuate area.
2. Use fire drill evacuation procedures; pull fire alarm in an area that is away from the suspected gas leak.
3. Notify building administrator.
4. If gas shut-off is located in the room, turn it off.
5. Do not operate any electrical switches, cell phones, etc.

### *Custodial Procedures*

1. Do not operate any electrical switches.
2. Ventilate area via opening windows/doors.
3. Shut off main gas lines.
4. Assist gas company in location of leak.
5. Keep building administrator advised of situation.

## **HAZARDOUS MATERIAL RELEASE (outside of school)**

1. Evaluate level of hazardous exposure.
2. Avoid direct or indirect contact with released material; wind may be a factor.
3. Contact main office.
4. Keep students and staff away from area.

### *Custodial Procedure:*

1. Shut down all HVAC equipment.
2. Notify Director of Building and Grounds.

## **TORNADO**

**Tornado warning** means a funnel cloud has been sighted. Take cover.

### **When warning occurs:**

- Warning will come over the Early Warning Weather Alert Radio
  - Warning will be announced over the PA
  - Take cover
1. Proceed to the shelter area designated by chart posted in classroom or in the School Emergency and Crisis Response Plan.
  2. Assume ready position, sitting, and knees up, hands around knees.
  3. Assume alert position, bring head to knees and hands behind head.
  4. Maintain position until all clear is announced over the PA system and/or bell has rung.

## **POST TORNADO PROCEDURES**

1. Check students / take roll.
2. Identify missing or injured students.
3. Restore calm.
4. Assess students or staff injuries, call for assistance (additional staff, nurse, health assistant).
5. Monitor students until further instructions.

## **UTILITY FAILURE / LOSS OF ELECTRICITY**

1. Instructors conducting class remain in classroom until further instructions.
2. Instructors without classes and other staff report to main office for instructions.
3. If during lunch, all instructors should report to office for instruction.

### **Custodial Procedures**

1. Determine extent of loss of electricity.
2. Contact Coordinator of Buildings and Grounds and/or the Maintenance Supervisor immediately.

## **VANDALISM**

1. Contact the building Administrator and report the vandalism.
2. Document the incident immediately or ASAP and give the report to the principal.

## **SECTION 1. PREAMBLE AND DEFINITIONS**

### **1.01 About this *Handbook***

- A. Employees Covered: This *Handbook* is provided as a reference document for the Beaver Dam Unified School District (hereinafter referred to as “District”) for all certified full-time and regular part-time staff, administrators, substitute staff, student services, and non-certified personnel; including secretaries, teaching assistants, educational interpreters, IT, food service, custodial, and maintenance.
- B. Disclaimer: The contents of this *Handbook* are presented as a matter of information only. The plans, policies, and procedures described are not conditions of employment. The District reserves the right to modify, revoke, suspend, terminate, or change any or all such plans, policies, or procedures, in whole or in part. Normally, a 90-day notice will be given employees to allow for questions and comments. The language, which appears in this *Handbook*, is not intended to create or constitute an agreement or contract between the District and any one or all of its employees or a guarantee of continued employment. Notwithstanding any provisions of this *Handbook*, employment may be terminated at any time, with or without cause, except as explicitly provided for in any other pertinent section of this *Handbook* or individual contract.

This *Employee Handbook* is intended to provide employees with information regarding policies, procedures, ethics, expectations, and standards of the District; however, this *Handbook* should not be considered all-inclusive. Copies of Board Policies and Administrative Guidelines are available in each administrative office to all personnel and are on the District website at [www.bdusd.org](http://www.bdusd.org). It is important that each employee is aware of the policies and procedures related to his/her position. The rights and obligations of all employees are governed by all applicable laws and regulations, including, but not limited by enumeration to the following: Federal laws and regulations, the laws of the State of Wisconsin, Wisconsin State Administrative Code, and the policies of the BDUSD Board of Education.



## 1.02 Definitions

- A. **Certified Staff:** Certified employees who implement or supervise one (1) or more aspects of the District's program, whose position requires a professional credential from the State, and who were hired under a contract under §118.22, Wis. Stats.
- B. **Support Staff:** An employee who provides support to the District's program and whose position may not require a professional certificate, including but not limited to: secretaries, teaching assistants, educational interpreters, IT, food service, custodial, and maintenance.
- C. **Substitute Staff:** Substitute staff are defined as persons hired to replace certified or support staff during the regular employee's absence.
- D. **Limited Term and/or Seasonal Staff:** Limited Term and/or Seasonal employees are defined as persons hired for a limited period of time.
- E. **Employee Discipline:** As used in this policy, employee discipline shall include any employment action that results in disciplinary action, which typically involves any of four (4) steps: verbal reprimand, written reprimand, suspension with or without pay, and termination of employment.
- F. "Employee discipline," as used in this policy, shall not include the following:
  - 1. Plans of correction or performance improvement;
  - 2. Performance evaluations or reviews;
  - 3. Documentation of employee acts and/or omissions in an employment file;
  - 4. Administrative suspension with pay, pending investigation of alleged misconduct or nonperformance;
  - 5. Non-disciplinary wage, benefit, or salary adjustments;
  - 6. Other non-material employment actions;
  - 7. Counseling meetings or discussions or other pre-disciplinary action; or
  - 8. Demotion for reasons other than discipline, transfer, or change in assignment.
- G. **Employee Termination:** As used in the *Employee Handbook*, employee termination shall not include the following:
  - 1. Layoffs;
  - 2. Workforce reduction activities;
  - 3. Voluntary termination including quitting or resignation;
  - 4. Job abandonment;

5. End of employment due to disability, lack of qualification or licensure, or other inability to perform job duties;
6. Retirement; or
7. Any other cessation of employment not involving involuntary termination.

### **1.03 General Personnel Policies**

This *Employee Handbook* is subservient to and does not supersede the provisions set forth in District Policies.

## **SECTION 2. EMPLOYMENT LAW**

### **2.01 Equal Opportunity**

It is the policy of the District that no person may be illegally discriminated against in employment by reason of their age, race, creed, color, disability, pregnancy, marital status, sex, citizenship, national origin, ancestry, sexual orientation, arrest record, conviction record, military service, membership in the National Guard, state defense force or any other reserve component of the military forces of Wisconsin or the United States, political affiliation, use or nonuse of lawful products off the employer's premises during nonworking hours, declining to attend a meeting or to participate in any communication about religious matters or political matters, the authorized use of family or medical leave or worker's compensation benefits, genetic information, or any other factor prohibited by state or federal law.

Reasonable accommodations shall be made for qualified individuals with a disability, unless such accommodations would impose an undue hardship on the District. A reasonable accommodation is a change or adjustment to job duties or work environment that permits a qualified applicant or employee with a disability to perform the essential functions of a position or enjoy the benefits and privileges of employment comparable to those enjoyed by employees without disabilities.

Requests for accommodations under the Americans with Disabilities Act or under the Wisconsin Fair Employment Act from current employees must be made in writing in accordance with District policy.

***Board Policy [#3122](#) and [#4122](#)***

### **2.02 Equal Opportunity Complaints**

The District encourages informal resolution of complaints under this policy. A formal complaint resolution procedure is available, however, to address allegations of violations of the policy in the District.

### **2.03 Fair Labor Standards Act**

Certain types of workers are exempt from the minimum wage and overtime pay provisions, including bona fide executive, administrative, and professional employees who meet regulatory requirements under the Fair Labor Standards Act [FLSA]. Notification of rights under the FLSA is set forth in the employment poster section on page.

## 2.04 Family and Medical Leave Act

- A. Notification of Benefits and Leave Rights: Since the District has an employee handbook or other written policy concerning employee benefits or leave rights, information concerning FMLA entitlements and employee obligations under the FMLA is included in the *Handbook* as required by federal law. The District shall post the text of the notice contained in the following link in a conspicuous place where notices to employees and applicants are customarily placed: <http://www.dol.gov/whd/regs/compliance/posters/fmlaen.pdf>. See 29 U.S.C. § 2619(a); 29 C.F.R. § 825.300(a)(1).
- B. Eligibility Notice. When an employee requests FMLA leave or when the employer acquires knowledge that an employee's leave may be for an FMLA-qualifying reason, the employer must notify the employee of the employee's eligibility to take FMLA leave within five business days, absent extenuating circumstances. 29 C.F.R. § 825.300(b). The notice is posted on bulletin boards in all district buildings.
- C. Rights and Responsibilities Notice. The District shall provide written notice outlining specific obligations of the employee and explaining any consequences of not meeting those requirements 29 C.F.R. § 825.300(c). The District is satisfying this notice requirement by directing the employee to the following website, which combines the eligibility notice and the rights and responsibilities notice into a single form: U.S. DEPARTMENT OF LABOR, *Notice of Eligibility and Rights & Responsibilities (FMLA)*, available at <http://www.dol.gov/whd/forms/WH-381.pdf>.
- D. Designation Notice. The District shall “inform employees in writing whether leave requested under the FMLA has been determined to be covered under the FMLA.” For purposes of determination, the District will use a rolling calendar. U.S. DEPARTMENT OF LABOR, *Designation Notice (Family and Medical Leave Act)*, available at <http://www.dol.gov/whd/forms/WH-382.pdf>. See 29 C.F.R. § 825.300(d).
- E. Under the WFMLA, if the staff member satisfies the eligibility requirements set forth s/he is entitled to ten (10) work weeks of leave in a **calendar year** as follows:
1. a total of six (6) weeks of leave for the birth of his/her natural child and/or the placement of a child with the staff member for, or as a precondition to, adoption;
  2. a total of two (2) weeks of leave to care for a covered family member with a serious health condition; and
  3. a total of two (2) weeks of leave due to the staff member's serious health condition.
- F. Board policy calls for concurrent Federal/State leave coverage whenever a staff member is eligible for leave under both the FMLA and WFMLA to the extent available under the law. Further detailed information is available on the WFML poster at <https://dwd.wisconsin.gov/dwd/publications/erd/pdf/erd-7983-p.pdf>

## 2.05 Discrimination and Harassment

The District is committed to providing fair and equal employment opportunities and to providing a professional work environment free of all forms of illegal discrimination, including harassment. The

District shall not tolerate harassment based on any personal characteristic described above in section 2.01. Harassment and other unacceptable activities that could alter conditions of employment, form a basis for personnel decisions, or interfere with an employee's work performance are specifically prohibited. Sexual harassment, whether committed by supervisory or non-supervisory personnel, is unlawful and also specifically prohibited.

A. Prohibited Harassment

The District is committed to a work environment that is free of harassment of any form. The District will not tolerate any form of harassment and will take all necessary and appropriate action to eliminate it. Any member of the School District community who violates this policy will be subject to disciplinary action, up to and including termination of employment. Additionally, appropriate action will be taken to stop and otherwise deal with any third party who engages in harassment against our employees.

For purposes of this policy, "School District community" means an individual subject to the control and supervision of the Board including, but not limited to, students, teachers, staff, volunteers, and Board members. "Third party" means individuals outside the School District community who participate in school activities and events authorized by the Board including, but not limited to, visiting speakers, participants on opposing athletic teams, and vendors doing business with, or seeking to do business with, the District.

Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based on a person's protected status, such as sex, color, race, ancestry, creed, religion, genetic information, national origin, age, handicap, disability, marital status, veteran status, citizenship status, sexual orientation, arrest record, conviction record, or other protected group status, which affects tangible job benefits, interferes unreasonably with an individual's work performance, or creates an intimidating, hostile, or offensive working environment. Harassment may occur employee-to-employee, student-to-employee, male-to-female, female-to-male, male-to-male, female-to-female, or employee-student.

B. Sexual Harassment

The Board of the Beaver Dam Unified School District does not discriminate on the basis of sex in its education program or activity and is required by Title IX of the Education Amendments Act of 1972, and its implementing regulations not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment.

The District's Title IX Coordinators are:

Jesse Peters, Principal  
301 Brook St.  
Beaver Dam, WI 53916  
[petersj@bdusd.org](mailto:petersj@bdusd.org)  
(920)885-7392

**OR**

Tiffany Sponholz, Director of Student Services  
400 E. Burnett Street  
Beaver Dam, WI 53916  
[sponholz@bdusd.org](mailto:sponholz@bdusd.org)  
(920)885-7300

Anonymous reports may be submitted using the Speak Up, Speak Out hotline reporting number: 1-800-697-8761.

Any inquiries about the application of Title IX and its implementing regulations to the District may be referred to the Title IX Coordinators, the Assistant Secretary for the U.S. Department of Education's Office for Civil Rights, or both.

The Board has adopted a grievance process that provides for the prompt and equitable resolution of student and employee complaints alleging any action that is prohibited by Title IX and/or its implementing regulations. The grievance process is included in Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities. The grievance process specifically addresses how to report or file a complaint of sex discrimination, how to report or file a formal complaint of Sexual Harassment, and how the District will respond.

The District is committed to providing fair and equal employment opportunities and to providing a professional work environment free of all forms of illegal discrimination, including harassment. The District shall not tolerate harassment based on any personal characteristic described above in section 2.01. Harassment and other unacceptable activities that could alter conditions of employment, form a basis for personnel decisions, or interfere with an employee's work performance are specifically prohibited. Sexual harassment, whether committed by supervisory or non-supervisory personnel, is unlawful and also specifically prohibited.

Other forms of sexual harassment deserve special mention as well. Just because a sexual harassment claim may not qualify as sexual harassment under the Title IX guidelines, does not mean it does not qualify under sexual harassment through other definitions. Unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex constitute sexual harassment when:

1. a supervisory employee engages in harassing behavior towards a subordinate employee, regardless of whether such conduct creates a hostile work environment;
2. acquiescence in or submission to such conduct is an explicit or implicit term or condition of employment;
3. an individual's acquiescence in, submission to, or rejection of such conduct becomes the basis for employment decisions affecting that individual;
4. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment;
5. consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism results in an adverse employment action for another employee or otherwise creates a hostile work environment;

6. inappropriate boundary invasions, as defined in **Board Policy #3362**, by a District employee or other adult member of the District into a student's personal space and personal life.

Sexual relationships between staff members, where one staff member has supervisory responsibilities over the other, are discouraged as a matter of Board policy. Such relationships have an inherent possibility of being construed as sexual harassment because the consensual aspect of the relationship may be the result of implicit or explicit duress caused by uncertainty regarding the consequences of non-compliance.

#### C. Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disabling condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

#### D. Reporting Procedures

The reporting procedures shall, at a minimum, provide as follows:

1. Any employee who believes s/he has been the victim of harassment prohibited under this policy will be encouraged to report the alleged harassment to appropriate school officials.
2. Teachers, administrators, and other school officials who have or receive notice that an employee has or may have been the victim of harassment prohibited under this policy shall immediately report the alleged harassment to an appropriate school official.
3. Any other person with knowledge or belief that an employee has or may have been the victim of harassment prohibited by this policy shall be encouraged to immediately report the alleged acts to an appropriate school official.
4. The reporting party or complainant shall be encouraged to use a report form available from the principal of each building or available from the District office, but oral reports shall be considered complaints as well. Use of formal reporting forms shall not be mandated. However, all oral complaints shall be reduced to writing. Further, nothing in the administrative guidelines shall prevent any person from reporting harassment directly to the District Administrator.
5. To provide individuals with options for reporting harassment to an individual of the gender with which they feel most comfortable, each school's building principal shall be advised to designate both a male and a female Complaint Coordinator for receiving reports of harassment prohibited by this policy. At least one (1) Complaint Coordinator or other individual shall be available outside regular school hours to address complaints

of harassment that may require immediate attention. See *Administrative Guidelines #3362.01 and #4362.01*

E. Reprisal

Submission of a good faith complaint or report of harassment will not affect the complainant's or reporter's work status or work environment. However, the District also recognizes that false or fraudulent claims of harassment or false or fraudulent information about such claims may be filed. The District reserves the right to discipline any person filing a false or fraudulent claim of harassment or false or fraudulent information about such a claim.

The District will discipline or take appropriate action against any member of the School District community who retaliates against any person who reports an incident of harassment prohibited by this policy or participates in a proceeding, investigation, or hearing relating to such harassment. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

F. Miscellaneous

The Board will respect the privacy of the complainant, the individuals against whom the complaint is filed, and the witnesses as much as practicable, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery, disclosure, or other legal obligations. See *Board Policy #2260, #2266, #3362 and #4362*.

## **SECTION 3. GENERAL EMPLOYMENT PRACTICES AND EXPECTATIONS**

### **3.01 District Expectations**

The District expects its employees to produce quality work, maintain confidentiality, work efficiently, and exhibit a professional and courteous attitude toward other employees, parents, and students. The District expects employees to comply with all applicable Board Policies, Administrative Guidelines, work rules, job descriptions, terms of this *Handbook*, and legal obligations.

The District expects employees to comply with the standards of conduct set out in Board Policies, this *Handbook*, Administrative Guidelines, and with any other policies, regulations that impose duties, requirements, or standards attendant to their status as District employees. Violation of any policies, regulations, and guidelines may result in disciplinary action, up to and including termination of employment.

The following delineation of employment practices is for informational purposes and is not intended to be an exhaustive list of all employment expectations that may be found in other applicable Board policies, Administrative Guidelines, school handbooks, work rules, job descriptions, terms of this *Handbook*, or legal obligations.

### **3.02 Accident/Incident Reports**

All accidents/incidents occurring on District property or during the course of school-sponsored activities, including field trips and other off-site events, are to be reported to the building principal/immediate supervisor immediately. Reports should cover property damage as well as personal injury. A completed accident report form should be submitted to the District Office – Human Resource Department and must be submitted to the building principal within twenty-four (24) hours or the next scheduled District workday, as appropriate. In the event of a work-related accident or injury, please see Worker’s Compensation section of this *Handbook* on page.

### **3.03 Attendance**

The District expects employees to make every effort to be present for work. Employees are expected to adhere to their assigned schedule. In order for the schools to operate effectively, employees are expected to perform all assigned duties and work all scheduled hours during each designated workday, unless the employee has received approved leave.

Employees who are unable to report to work shall follow the applicable procedures utilizing the District’s online attendance reporting and monitoring system for reporting absences. It is an expectation that all District employees enter their own absences in the online attendance reporting and monitoring system through the website or phone system. When employees leave their assigned building during their scheduled work time for personal reasons, the time must be accounted for in the online attendance reporting and monitoring system unless it is done under the professional courtesy language (see applicable Appendices).

The District will monitor attendance and absence patterns. Failure to notify the District of an absence in a timely manner and failure to report to work on such day could result in disciplinary action up to and including termination.

### **3.04 Communications**

The District is committed to providing technology resources that allow employees to communicate effectively with all employees in the District. In the District’s effort to maintain current technology practices, more responsibility and cooperation are required of employees to use the following core software programs and technology resources.

#### **A. Electronic Communications:**

1. Electronic communications are protected by the same laws and policies and are subject to the same limitations as other types of media. When creating, using, or storing messages on the network; the user should consider both the personal ramifications and the impact on the District should the messages be disclosed or released to other parties. Extreme caution should be used when committing confidential information to the electronic messages, as confidentiality cannot be guaranteed.
2. The District may review email logs and/or messages at its discretion. Because all computer hardware, digital communication devices, and software belong to the Board; users have no reasonable expectation of privacy, including the use of email, text-message, and other forms of digital communications, e.g. voicemail, Twitter™, Facebook™, etc.



3. The use of the District's technology and electronic resources is a privilege which may be revoked at any time.
4. Electronic mail transmissions and other use of the District's electronic communications systems or devices by employees shall not be considered confidential and may be monitored at any time by designated District staff to ensure appropriate use. This monitoring may include, but is not limited to activity logging, virus scanning, and content scanning. Participation in computer-mediated conversation/ discussion forums for instructional purposes must be approved by the building and/or District administration. External electronic storage devices are subject to monitoring if used with District resources.

B. User Responsibilities: Please see Acceptable Use Policy language, ***Board Policy #7540***

1. Staff Technology Acceptable Use and Safety

- a. Resources are provided for staff and students to conduct research, create content, explore academic resources, and exchange information with others in the educational world. Communications using information technology resources may be considered to be a public record, therefore, general rules and standards for appropriate professional behavior will apply. All use of technology and communication resources should be a positive representation of the district and must support the district's Mission, Vision and Principles. Communication and files stored may be subject to disclosure pursuant to public records requests. Staff is personally responsible for all use of their accounts.
- b. The district relies upon technology resources to communicate information; therefore, staff will be responsible for monitoring these resources to maintain timely communications and to be fully informed of district information.
- c. The misuse of technology by staff can have a negative impact on the school environment, the network and on students and staff. In order to avoid such an impact, district information technology and communication resources shall not be used by staff to publish inappropriate content, communicate in an unacceptable manner or interfere with district services. Examples of behaviors not permitted while using district information technology and communication resources include but are not limited to publishing inappropriate content, sending or displaying offensive messages or pictures, using obscene in inappropriate language or content, harassing, insulting or attacking others, including cyber-bullying and engaging in any other behavior which violates district policy, work rules or law.
- d. The district reserves the right to review files and communications, including any personal communications conducted through district equipment. Staff use of district technology can be monitored at any time and any staff communication or behavior using district information technology and communication resources is not private.
- e. Violations of the conduct prescribed in this policy may result in a loss of the staff member's access to district network resources and/or other disciplinary action up to and including termination.

- f. When driving for district business purposes, whether in a personal or district owned vehicle, the district prohibits the use of cellular devices unless a hands-free method is utilized.
- g. Further information, guidelines and requirements are included in [Board Policy 7540.04 - Staff Technology Acceptable Use and Safety](#).

## 2. Social Networking

- a. Social networks, instant messaging, blogs, interactive pages, websites such as *Facebook*, *Myspace*, *Twitter*, *Snapchat* and *Wiki pages* and sites where video and pictures can be posted such as *YouTube* are exciting new forums for communication (collectively “social networking”) which enable employees to share knowledge, information, express creativity and connect with others. The district recognizes the growth and potential usefulness of these social networking forums in disseminating educational information between employees and students and/or their parents/guardians.
- b. At the same time, the district must be mindful of the opportunity that social networking may create for inappropriate communications among employees, between employees and students and/or their parents/guardians as well as the potential negative effect that social networking may have on the district’s reputation and image. Social networking may compromise an employee’s ability to remain truly objective with students, encourage inappropriate behaviors and can undermine the district’s authority to maintain discipline and potentially exposes individual employees and the district to liability. This policy is intended to assist employees in making good decisions when engaging in social networking and applies to all social networking whether generated from district or personal computer equipment or devices.
- c. Safeguarding children is a key responsibility if all district employees and it is essential that all employees consider this and act responsibly when using social networking. District employees are further charged with protecting the district from social networking communications, which could harm its reputation and image. Even if an employee is not using a school telephone, computer, classroom or the like to engage in contact with a co-employee, student or parent/guardian, such contacts are not outside of the district’s authority to take appropriate disciplinary action. Employees may face individual liability for inappropriate online communications with student and/or parents and guardians and also could expose the district to liability.
- d. Accordingly, employees are required to uphold principles of accuracy, respect for the individual, dignity, honesty, professionalism, concern for and protection of children, security of intellectual property, maintenance of privacy and confidentiality of information and safety in all social networking. All social networking must comply with applicable laws including, without limitation, those laws relating to privacy, confidentiality (e.g. HIPAA and FERPA) and copyright. All social networking must also comply with the district’s rules, policies, procedures, standards of conduct and guidelines including, without limitation,

those rules and regulations set forth in the District's policy, Staff Technology Acceptable Use and Safety. ***Board Policy #7540***

- e. If an employee is communicating as an employee of the district in social networking, the employee must be aware that readers will assume you “speak for the district.” All social networking, when an employee is actually acting on behalf of the district or creating the appearance that the employee is doing so, must be professional at all times and reflect positively on the district. Even if an employee posts information or comments that are not related to the district, the employee's activities may still result in professional and/or personal repercussions. Such actions include, but are not limited to posting of written communications, photographs or videos, regardless of the content, which could be considered offensive to other parties and be a violation of state and/or district rules and policies and posting of information that is considered to be proprietary, copyrighted, defamatory, libelous or obscene. Never pretend to be someone else and post information about the district.
  - f. If employees use social networking, they may not, without express written permission from the superintendent of schools or his or her designee, use the school's logo, likeness or any school photographs or other property that belongs to the school. The use of images or photographs of students on personal social media are absolutely prohibited.
  - g. Employees who engage in social networking with students and parents/guardians must limit those communications to matters directly related to education and educational-related activities. Employees should notify parents/guardians of their intention to use social networking to communicate with the student and the intended purpose of such communications.
  - h. Employees who engage in social networking using their own personal resources, as opposed to district resources, or who use personal cell phone text messages and emails to communicate with students and their parents/guardians must also be mindful that such communications compromise the employee's, as well as the district's, ability to retain public records in accordance with the requirements of Wisconsin's public records laws. When employees communicate through school-based resources, such as staff email or school sponsored web pages, such records are retained and archived through the school's information technology department. If, however, an employee communicates outside of these resources, such information is not retained by the district. The burden falls on the employee to retain all such communications sent by employees from their personal devices and to comply with public records laws when using personal computers, smartphones, social network accounts or other personal means to communicate with students and/or parents and guardians.
- C. Electronic Communications with Students: Employees are prohibited from personal communication with students who are enrolled in the District through electronic media, except as set forth herein. An employee is not subject to this prohibition to the extent the employee has a pre-existing social or family relationship with the student.

For example, an employee may have a pre-existing relationship with a niece or nephew, a student who is the child of an adult friend, a student who is a friend of the employee's child, or

a member or participant in the same civic, social, recreational, or religious organization. The following definitions apply for purposes of this section on Electronic Communication with Students:

“Authorized Personnel” includes classroom teachers, counselors, principals, assistant principals, directors of teaching and learning, coaches, co-curricular coordinators, athletic trainers, and any other employee designated in writing by the District Administrator or a building principal.

“Communicate” means to convey information and includes a one-way communication as well as a dialogue between two or more people. A public communication by an employee that is not targeted at students (e.g., a posting on the employee’s personal social network page or a blog) is not a communication; however, the employee may be subject to District regulations on personal electronic communications. Unsolicited contact from a student through electronic means is not a communication.

“Electronic media” includes all forms of social media, such as, but not limited to the following: text messaging, instant messaging, electronic mail (email), Web logs (blogs), electronic forums (chat rooms), video sharing Websites (e.g., YouTube™), editorial comments posted on the Internet, and social network sites (e.g., Facebook™, MySpace™, Twitter™, LinkedIn™), and all forms of telecommunication such as landlines, cell phones, and web-based applications.

D. Limited Electronic Communication with Students: Authorized personnel may communicate through electronic media with students who are currently enrolled in the District only within the following guidelines:

1. The employee shall limit communications to matters within the scope of the employee’s professional responsibilities (e.g., for classroom teachers, matters relating to class work, homework, and tests).
2. If an employee receives an unsolicited electronic contact from a student that is not within the employee’s professional responsibilities (e.g., for classroom teachers, matters not relating to classroom work, homework, and/or tests), the employee shall not respond to the student using any electronic media except to address a health or safety emergency.
3. The employee is prohibited from communicating with students through a personal social network page; the employee must create a separate social network page (“professional page”) for this purpose. The employee must enable administration and parents to access the employee’s professional page.
  - a. An employee may request an exception from one or more of the limitations above by submitting a written request to his/her immediate supervisor.

E. Upon request from administration, an employee will provide the phone number(s), social network site(s), or other information regarding the method(s) of electronic media the employee uses to communicate with any one or more currently-enrolled students.

1. The employee continues to be subject to applicable state and federal laws and local administrative regulations including:

- a. Prohibitions against soliciting or engaging in sexual conduct or a romantic relationship with a student.
  - b. Confidentiality of student records. **Board Policy [#8330](#)**
  - c. Confidentiality of other District records, including educator evaluations, credit card numbers, and private email addresses.
- F. **Electronic Recording:** Employees shall not electronically record by audio, video, or other means any conversations or meetings unless each and every person present has been notified and consents to being electronically recorded. Persons wishing to record a meeting must obtain consent from anyone arriving late to any such meeting. Employees shall not electronically record telephone conversations unless all persons participating in the telephone conversation have consented to be electronically recorded. These provisions are not intended to limit or restrict electronic recording of publicly posted Board meetings, grievance hearings, and any other Board sanctioned meeting recorded in accordance with Board policy. These provisions are not intended to limit or restrict electronic recordings involving authorized investigations conducted by District personnel or authorized agents of the District or electronic recordings that are authorized by the District, e.g. surveillance videos, extracurricular activities, voicemail recordings, etc.
- G. **Compliance with Federal, State and Local Law:** For all electronic media, employees are subject to certain state and federal laws, local policies, and administrative regulations, even when communicating regarding personal and private matters, regardless of whether the employee is using private or public equipment, on or off District property. These restrictions include:
1. Confidentiality of student records. **Board Policy [#8330](#)**
  2. Confidentiality of other District records, including evaluations and private email addresses.
  3. Confidentiality of health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law. **Board Policy [#8320](#) and [#8320.01](#)**
  4. Prohibition against harming others by knowingly making false statements about a colleague or the District.
- H. **Personal Web Pages:** Employees may not misrepresent the District by creating or posting any content to any personal or non-authorized website that purports to be an official/ authorized website of the District. No employee may purport to speak on behalf of the District through any personal or other non-authorized website.
- I. **Disclaimer:** The District's electronic systems are provided on an "as is, as available" basis. The District does not make any warranties, whether expressed or implied, with respect to any services provided by the system and any information or software contained therein. The District does not warrant that the functions or services performed by or that the information or software contained on the system will meet the system user's requirements, that the system will be uninterrupted or error-free, or that defects will be corrected. Opinions, advice, services, and all other information expressed by system users, information providers, service providers, or other third-party individuals in the systems are those of the individual or entity and not the District.

The District will cooperate fully with local, state, or federal officials in any investigation concerning or relating to misuse of the District's electronic communications system.

### **3.05 Confidentiality**

Pupil information employees obtain as the result of their employment with the District is confidential and protected by law unless such information has been designated as pupil directory data as set forth in ***Board Policy #8350***

The law and respect for our students require that student issues are only discussed with employees and parents who need to know the information. In addition to student information, confidentiality is expected in other areas, including employee or District business information.

Health or personnel information concerning colleagues must be kept confidential unless disclosure serves lawful professional purposes or is required by law. ***Board Policy #8320 and #8320.01***

All requests for District records shall be referred to the District Superintendent and/or his/her designee.

### **3.06 Conflict of Interest**

A conflict of interest is defined as any judgment, action, or relationship that may benefit an employee or another party the employee is affiliated with because of the employee's position with the District. Employees must avoid outside activity that may compete or be in conflict with the best interests of the District. Employees must disclose to their immediate supervisor information of any transaction that may be considered a conflict of interest as soon as they know the facts. No employee may use his or her position to obtain financial gain or anything of substantial value for the private benefit of himself or herself or for an organization with which he or she is associated. ***Board Policy #1130, #3231, and #4231***

### **3.07 Contracts and Conflict of Interest**

No employee may negotiate, bid for, or enter into a contract in which the employee has a private financial interest, direct or indirect, if at the same time the employee is authorized or required by law to participate in the employee's capacity as an employee in the making of that contract or to perform in regard to that contract some official function requiring the exercise of discretion on the employee's part.

No employee may, in the employee's capacity as an employee, participate in the making of a contract in which the employee has a private financial interest, direct or indirect, or performs in regard to that contract some function requiring the exercise of discretion on the employee's part. *See Wis. Stats. §946.13(1)(a) and (b).*

### **3.08 Copyright**

A variety of machines and equipment for reproducing materials to assist staff in carrying out their educational assignments are available to staff in both the school and home setting. Infringement on copyrighted material, whether prose, poetry, graphic images, music audiotapes, video, or computer programmed materials is a serious offense against federal law, a violation of Board policy, and a contradiction of ethical standards required of staff. All reproduction of copyrighted material shall be conducted strictly in accordance with applicable provisions of law. Unless otherwise allowed as "fair use" under federal law, permission must be acquired from the copyright owner prior to reproduction of material

in any form. Employees are further advised that copyright provisions apply to all forms of digital media. See *Administrative Guideline #2531* for detailed information.

### **3.09 Cell Phone and Other Personal Use of a Wireless Communication Device (WCD) While at Work**

District employees may carry personal WCDs with them while at work, but are subject to the following restrictions:

- A. Excessive use of a WCD for personal business during work hours is considered outside the employee's scope of employment and may result in disciplinary action.
- B. Employees are personally and solely responsible for the care and security of their personal WCDs. The Board assumes no responsibility for theft, loss, damage, or vandalism to WCDs brought onto its property or the unauthorized use of such devices.

### **3.10 Criminal Background Checks/Charges/Convictions for Active Employees - Obligation to Report Criminal Record**

All District employees shall notify his/her immediate supervisor or administrator as soon as possible, but no more than three calendar days after any arrest, indictment, conviction, no contest or guilty plea, or other adjudication.

The requirement to report a conviction or deferred adjudication shall not apply to minor traffic offenses. However, an offense of operating under the influence, revocation or suspension of license, and driving after revocation or suspension must be reported if the employee drives or operates a District vehicle or piece of mobile equipment or transports students or staff in any vehicle. Failure to report under this section may result in disciplinary action, up to and including termination. Such report shall be made as soon as possible, but in no circumstance more than three calendar days after the event giving rise to the duty to report. The District may conduct criminal history and background checks on its employees. An arrest, indictment, or conviction of a crime shall not be an automatic basis for termination. The District shall consider the following factors in determining what action, if any, should be taken against an employee who is convicted of a crime during employment with the District:

- A. the nature of the offense;
- B. the date of the offense;
- C. the relationship between the offense and the position to which the employee is assigned.

Nothing herein shall prohibit the District from placing an employee on administrative leave based upon an arrest, indictment, or conviction.

### **3.11 Defined Work Week**

The District will define a standard work week as the seven (7) day period of time beginning on Monday at 12:00 a.m. and continuing to the following Sunday at 11:59 p.m. *Board Policy #6700*

### 3.12 District Property

The District may supply an employee with equipment or supplies to assist the employee in performing his/her job duties. All employees are expected to show reasonable care for any equipment issued and to take precautions for theft. Employees cannot take District property for personal use or gain. Any equipment, unused supplies, or keys issued must be returned prior to the employee's last day of employment, including but not limited to employee identification badges, Passpoint and/or keys for building access, and any electronic devices.

### 3.13 Drug, Alcohol, and Tobacco-Free Workplace

The District seeks to provide a safe, drug-free workplace for all of its employees.

- A. Prohibited Acts - Drugs and Alcohol: The manufacture, distribution, dispensation, possession, use of or being under the influence of alcohol, inhalants, controlled substances, substances represented to be such, or unauthorized prescription medication is prohibited on school premises or at school activities. An employee shall be considered under the influence if they have any detectable level of drugs or alcohol in their system. In addition, the District will not condone the involvement of any employee with illicit drugs, even if the employee is not on District premises.

Employees of the school system shall not possess, use, or distribute any illicit drug or alcoholic beverage as defined in Wisconsin Statutes while on school premises or while responsible for chaperoning students on school-sponsored trips. Any employee who possesses, uses, or distributes any illicit drug or alcoholic beverage on school premises, or while responsible for chaperoning students on a school-sponsored trip may be disciplined, up to and including termination of employment. All school employees shall cooperate with law enforcement agencies in investigations concerning any violation of this provision. ***Board Policy [#3122.01](#) and [#4122.01](#)***

- B. Tobacco Products: Employees shall not use tobacco products on District premises, in District vehicles, or in the presence of students at school or school-related activities. ***Board Policy [#7434](#)***. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment. § 120.12(20), Wis. Stats.
- C. Drug-Free Awareness Program: The District shall establish a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace; the District's policy of maintaining a drug-free workplace; any available drug counseling, rehabilitation, and (if applicable) employee assistance abuse programs; and the penalties that may be imposed upon employees for drug abuse violations. 41 U.S.C. § 702(a) (1)
- D. Reasonable Suspicion Testing: Any employee shall be required to undergo alcohol and drug testing at any time the District has reasonable suspicion to believe that the employee has violated the District's policy concerning alcohol and/or drugs. Reasonable suspicion alcohol or drug testing may be conducted when there is reasonable suspicion to believe that the employee has used or is using drugs or alcohol prior to reporting for duty, while on duty, or prior to or while attending any District function on or off District property. The District's determination that reasonable cause exists must be based on specific, contemporaneous, accurate observations concerning the appearance, behavior, speech, or body odors of the employee. A trained supervisor must make the observations. Refusal to consent to testing will result in disciplinary action, up to and including termination of employment.



- E. District Functions: Employees who attend District sponsored employee functions, such as the End of the Year Banquet, that are held in public venues and not on District premises will be allowed to consume alcohol or tobacco products. Employees should always conduct themselves in a professional manner that reflects positively on the District and themselves.
- F. Consequence for Violation: Employees who violate the District's policies and rules regarding alcohol or drug use shall be subject to disciplinary sanctions. Such sanctions may include referral to employee assistance programs, discipline or discharge from employment with the District, and referral to appropriate law enforcement officials for prosecution. Compliance with the District's policies and rules is mandatory and is a condition of employment.
- G. Notification of Conviction: As a further condition of employment, an employee shall notify the District Administrator of any criminal drug statute conviction for a violation occurring in the workplace no later than three days after such conviction. Within ten days of receiving such notice – from the employee or any other source – the District shall notify any federal granting agency of the conviction. 41 U.S.C. 702(a) (1) (D). After receiving notice from an employee of a conviction for any drug statute violation occurring in the workplace, the District shall either (1) take appropriate personnel action against the employee, up to and including termination of employment, or (2) 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 agency; law enforcement agency; or other appropriate agency. 41 U.S.C. 703 [This notice complies with notice requirements imposed by the federal Drug-Free Workplace Act (41 U.S.C. 702)].
- H. Employee Assistance Program: The employee assistance program (EAP) is a voluntary work-site program to assist employees affected by behavioral, medical, or productivity concerns or problems. EAP helps in the prevention, identification, and resolution of these problems and concerns. To reach the EAP coordinator in the District, please contact the District Administrator and/or his/her designee. See [www.NISEAP.com](http://www.NISEAP.com).

### **3.14 Employee Identification Badges**

The District shall provide employees with an employee identification badge. Employee identification badges are an important part of employee work attire. They allow students, parents, coworkers, vendors, and the public to know who employees are. They are an important part of providing a secure environment for our students. Employees must wear their employee identification badges in a visible spot during their contracted work time.

### **3.15 Financial Controls and Oversight**

The employee shall adhere to all internal controls that deter and monitor all fraud or financial impropriety in the District. Any person who suspects fraud or financial impropriety in the District shall report the suspicions immediately to any supervisor, the District Administrator and/or his/her designee, the Board President, or local law enforcement. Reports of suspected fraud or financial impropriety shall be treated as confidential to the extent permitted by law. Limited disclosure may be necessary to complete a full investigation or to comply with law. Each employee who supervises or prepares District financial reports or transactions shall set an example of honest and ethical behavior and shall actively monitor his or her area of responsibility for fraud and financial impropriety. Neither the Board nor any District employee shall unlawfully retaliate against a person who in good faith reports fraud or financial impropriety.

### **3.16 Fraud and Financial Impropriety**

The District prohibits fraud and financial impropriety in the actions of its Board members, employees, vendors, contractors, consultants, volunteers, and others seeking or maintaining a business relationship with the District.

Fraud Investigations: If an employee is found to have committed fraud or financial impropriety, the District Administrator and/or his/her designee shall take or recommend appropriate disciplinary action, up to and including termination of employment. When circumstances warrant, the Board, District Administrator, and/or his/her designee may refer matters to appropriate law enforcement or regulatory authorities. In cases involving monetary loss to the District, the District may seek to recover lost or misappropriated funds.

### **3.17 Licensure/Certification**

Each employee who is required to be licensed or certified by law must provide the District with a copy of the current license or certificate to be maintained in his or her personnel file. Personnel files can be found in the Human Resource Department located at the District Office. Employees are expected to know the expiration date of their license/certification and meet the requirements for re-licensure or certification in a timely manner. A teaching contract with any person not legally authorized to teach the named subject or at the named school shall be void. All teaching contracts shall terminate if, and when, the authority to teach terminates.

### **3.18 Mandatory Reporting**

Wisconsin law requires all employees of Wisconsin public school districts to report suspected child abuse and neglect, Wis. Stat. sec. 48.981(2)(a)16m. In addition, school boards are to ensure all employees receive training provided by the Department of Public Instruction within six months of initial hiring and at least every five years thereafter, Wis. Stat. sec. 118.07(5). All staff members/employees who receive a paycheck from the District will need to participate in this training and must provide proof that they have complied with this mandate.

### **3.19 Nepotism**

Relatives of Board members may be employed by the District, provided the Board member does not participate in any way in the discussion or vote on any matter relating to said employment.

Relatives of staff members may be employed by the District provided the staff member being employed is not placed in a position in which he/she would be supervised directly by the relative staff member. Relative is defined as but not limited to mother, father, sister, brother, spouse, parent of spouse, child, grandparents, and grandchild. *Board Policies [#3120](#) and [#4120](#)*

### **3.20 Operators of Personal Vehicles to Transport Students**

Employees must notify and receive approval from the District Office Transportation Manager/Business manager prior to transporting students in private cars for school activities. Such approval shall be in compliance with all applicable state and federal laws and administrative code provisions and shall include, but not be limited to review of the employee's driving record and an examination of the vehicle. Please note the district requires a hands-free device policy while driving.

### **3.21 Personal Appearance/Staff Dress Code**

District employees are judged not only by their service, but also by their appearance. It is the District's expectation that every employee's appearance is consistent with the high standards we set for ourselves as a District. Employees are expected to present a well-groomed, professional appearance and to practice good personal hygiene. Remember that to our students, parents, and the public; employees represent the District. ***Board Policy [#3216](#) and [#4216](#)***

The District expects that all employees wear appropriate dress for work (business casual) that is in good taste and suitable for the job at hand. The District will not tolerate dress or attire from school employees that the principal or supervisor considers disruptive, inappropriate, or which adversely affects the educational atmosphere. See *school handbooks* for more specific information.

### **3.22 Personal Property**

- A. Liability: The District does not assume any responsibility for loss, theft or damages to personal property. In order to minimize risk, the District advises employees not to carry unnecessary amounts of cash or other valuables. If employees bring personal items to work, they are expected to exercise reasonable care to safeguard them. The District is not liable for vandalism, theft or any damage to cars parked on school property.
- B. Search of Personal Effects: Employees should have no expectation of privacy to any items brought on District premises, for example, but not limited to automobiles parked on the District's property, items left on top of or within desks, cabinets, lockers, etc. Items contained within personal property, e.g. purse, satchel, wallet, coat, backpack, etc., may be searched in accordance with applicable state and federal law.

### **3.23 Personnel Records**

Maintaining accurate personnel records is critical to effective human resource management and to the District satisfying its legal obligations. In addition, such records frequently contain confidential information that must be managed appropriately.

The District Administrator, or Human Resource Department as a designee, will maintain a personnel file, a payroll file, an I-9 file, and a medical file for each employee. The files will be maintained in separate, secure locations. Supervisors and other administrators should forward all personnel records, I-9 records, payroll records, and medical records to the HRD to ensure that they are properly filed and maintained. Supervisors and other administrators should not maintain files containing an employee's personnel records, payroll records, I-9 records, or medical records. The HRD will also ensure the personnel records are maintained in separate, secure files.

Any individual, except legal counsel, who reviews personnel records will sign and date a log, which shall be kept in a secure location.

#### **Content of Personnel Record Files**

The content of the files maintained by the District shall be determined by the HRD consistent with the requirements of State and Federal law and sound principles of human resource management.

### **Third-Party Access to Personnel Records – Confidentiality**

It is the Board's policy to respect individual privacy and to maintain in confidence all information and records pertaining to employees to the extent practicable in keeping with the Board's interest. Information in an employee's personnel file, medical file, payroll file, I-9 file and all other employment-related files will not be disclosed to any third party without an employee's written consent, except to meet the legitimate business needs of the Board or as required by law (e.g. subpoena or public record request). Further, neither the Board nor any individual employed by the Board shall access an employee's personnel records except for legitimate business purposes.

#### **A. Access to Personnel Documents, Employee and Designated Representative**

Upon the written request of an employee or former employee (the "employee"), the District shall permit the employee to inspect any personnel documents which are used or which have been used in determining that employee's qualifications for employment, promotion, transfer, additional compensation, termination or other disciplinary action, and medical records. However, the employee has no right to inspect the following:

1. records relating to the investigation of possible criminal offenses committed by that employee
2. letter of reference for that employee
3. any portion of a test document, except that the employee may see a cumulative total test score for either a section of the test document or for the entire test document
4. materials used by the District for staff management planning, including judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions, and job assignments or other comments or ratings used for the District's planning purposes
5. information of a personal nature about a person other than the employee if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy
6. records relevant to any other pending claim between the District and the employee which may be discovered in a judicial proceeding
7. medical records that the District believes would have a detrimental effect on the employee.
8. In this instance, the District may release the medical records to the employee's physician or through a physician designated by the employee, in which case the physician may release the medical records to the employee or to the employee's immediate family.

#### **B. Request and Review Procedure**

The District shall grant at least two (2) requests by an employee in a calendar year, to inspect the employee's records as provided in this policy.

The District shall provide the employee with the opportunity to inspect the employee's records within seven (7) working days after the employee makes the request for inspection. The inspection shall take place at a location reasonably near the employee's place of employment and during normal working hours. If the inspection during normal working hours would require an employee to take time off from work, the District may provide some other reasonable time for the inspection. In any case, the District may allow the inspection to take place at a time other than working hours or at a place other than where the records are maintained if that time or place would be more convenient for the employee. The records will be reviewed in the presence of the HRD or a designee.

The employee shall not make any alterations or additions to the record nor remove any material from the record. A copy of the employee's request to review personnel records shall be filed in the employee's personnel file.

#### C. Designated Representative

An employee who is involved in a current grievance against the District may designate a representative to inspect the employee's personnel records, which may have a bearing on the resolution of the grievance. The designation shall be in writing. The District shall allow such a designated representative to inspect that employee's personnel records in the same manner as the employee is permitted to inspect them under this guideline.

#### D. Copy Charges

The District will charge employees who wish to copy or receive a copy of records a reasonable fee for providing copies, which may not exceed the actual cost or reproduction.

### **Personnel Record Correction**

If an employee disagrees with any information contained in the personnel records, a removal or correction of that information may be mutually agreed upon by the District and the employee. If an agreement cannot be reached, the employee may submit a written statement explaining the employee's position. The District shall attach the employee's statement to the disputed portion of the personnel record. The employee's statement shall be included whenever that disputed portion of the personnel record is released to a third party as long as the disputed record is a part of the file. § 103.13(4) Wis. Stats. ***Board Policy #8320***

### **3.24 Physical Examination**

Upon initial employment and thereafter, physical examinations shall be required of District employees in accordance with section 118.25 of the Wisconsin statutes. Upon initial employment, evidence that employees are of sound health, sufficient to perform the essential functions of their assignment, with or without accommodation, is necessary to make binding the offer of employment or the initial contract, as applicable, with the District.

The District may require a physical and/or mental examination at the expense of the District when reasonable doubt arises in the minds of the District concerning the ability of an employee to perform the employee's job duties, as long as it is consistent with the limitations imposed by applicable state and federal law. Failure to comply with this request or failure to provide a doctor's certification of sufficiently sound health to perform duties assigned may result in discipline up to and including termination of employment.

### **3.25 Political Activity**

Employees may exercise the rights and privileges of any citizen in matters of a political nature consistent with the following restrictions:

- A. No school employee shall, during hours for which pay is received and during times in which a student is present, engage in any activity for the solicitation, promotion, election, or defeat of any referendum, candidate for public office, legislation, or political action.
- B. No school employee shall use in any way the classrooms, buildings, or pupils for the purpose of solicitation, promotion, election, or defeat of any referendum, candidate for public office, legislation, or political action.
- C. No school employee shall make use of school equipment or materials for the purpose of solicitation, promotion, election, or defeat of any referendum, candidate for public office, legislation, or political action. *Board Policy [#3231](#) and [#4231](#) and Administrative Guideline [#3231A](#) and [#4231A](#)*

### **3.26 Position Descriptions**

Position descriptions are available for inspection for each District employee. At a minimum, the descriptions will include the job title and description, the minimum qualifications, and the essential functions of the position. Employees must be able to perform the essential functions of the job description, with or without accommodation.

### **3.27 Severance from Employment**

An employee's employment relationship shall be broken and terminated by:

- A. termination pursuant to the terms of this *Handbook* and the employee's individual contract [if any];
- B. voluntary resignation;
- C. retirement;
- D. nonrenewal of the employee's contract, [only applicable to employees where nonrenewal rights are provided under the Wisconsin statutes];
- E. failure to return to work without prior approval or official notification in the case of an emergency; or
- F. job abandonment.

### **3.28 Staff Ethics**

An effective educational program requires the services of employees of integrity, high ideals, and human understanding. The District expects all staff members to maintain high standards in their working relationships and in the performance of their professional duties. To maintain and promote these essentials, the District expects all staff to:

- 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. seek and apply the knowledge and skills appropriate to assigned responsibilities;
- E. keep in confidence legally-confidential information;
- F. ensure that their actions or those of another on their behalf are not made with specific intent of advancing private interests;
- G. avoid accepting anything of value offered by another for the purpose of influencing judgment;
- H. refrain from using position or public property, or permitting another person to use an employee's position or public property for partisan political or religious purposes. This will in no way limit constitutionally or legally protected rights as a citizen.

***Board Policy [#3210](#) and [#4210](#)***

### **3.29 Workplace Safety**

All employees shall adhere to the District’s **SAFETY and EMERGENCY PROCEDURES** and regulations (summary on page 8) and shall report unsafe conditions or practices to their supervisor.

All employees shall report all cases of assault or injury suffered in connection with employment in the performance of duties to the District Administrator and/or his/her designee, who shall acknowledge receipt of such report and keep the staff involved informed of action taken.

- A. “Injury” means physical harm to an employee caused by accident or disease in the performance of duties by the employee.
- B. “Performance of duties” means duties performed within the employee’s authorized scope of employment and performed in the line of duty.

## **SECTION 4. GRIEVANCE PROCEDURE**

It is the policy of the District to treat all employees equitably and fairly in matters affecting their employment. Each employee of the District shall be provided an opportunity to understand and resolve matters regarding an employee's disagreement with discipline or termination of employment, as well as any matter relating to workplace safety.

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

#### 4.01 Procedure

A grievance shall mean a dispute concerning an employee's discipline or termination of employment or a dispute concerning workplace conditions that affect workplace safety. Only one subject matter shall be covered in any one grievance. A written grievance shall contain:

- the name and position of the grievant;
- a clear and concise statement of the grievance;
- the issue involved;
- the relief sought;
- the date the incident or violation took place;
- the specific section of the *Employee Handbook* alleged to have been violated;
- the signature of the grievant and the date.

All employee grievances must be filed by the aggrieved employee(s). The grievance must be filed within five (5) working days after the employee knew or should have known of the cause of such grievance. The following procedures shall be followed:

##### A. District Administrator

This grievance shall fully state the details of the problem and suggest a remedy. The District Administrator shall, within five (5) working days of receipt of the grievance, meet and discuss the grievance with the employee and then reply in writing within ten (10) working days. This step does not apply to any grievance related to action by the Board of Education that directly affects the grievant.

##### B. Hearing Before an Impartial Decision Maker:

In the event the matter is not resolved to the employee's satisfaction by the District Administrator, the employee may, within five (5) working days of the date of the written decision of the District Administrator, request in writing that the matter be referred for a hearing before an impartial hearing officer. The Board of Education shall appoint a hearing officer for the purpose of conducting the hearing. The Board may appoint a hearing officer or panel of potential hearing officers from which to select an officer for this purpose either on an ad hoc basis or by resolution adopted for a school year and delegate to the District Administrator the responsibility to arrange for such hearing with one of the selected officers. Each grievance shall be heard by a single hearing officer and such hearings shall be private. The employee and the District may present witnesses, and each side may select one individual to attend the hearing as a representative. Any employee representative selected should be at no expense to the District.



The Hearing Officer may only consider the matter presented to him/her in the initial grievance filed by the employee. The decision will apply exclusively to the employee presenting the grievance.

C. Board of Education:

In the event that either party is dissatisfied with the hearing officer's decision, that party may within ten (10) working days, present the grievance in writing to the Board, who shall consider the matter within thirty (30) working days after its receipt, unless postponed by mutual agreement. The Board shall review the decision of the impartial hearing officer and may either issue a decision or determine that additional evidence or testimony is necessary and provide for a hearing for that purpose.

This procedure constitutes the exclusive process for the redress of any employee grievances. However, nothing in this grievance procedure shall prevent any employee from addressing concerns regarding matters not subject to the grievance procedure with administration; employees are encouraged to do so. Matters not subject to the grievance procedure that are raised by employees shall be considered by administration which has final authority, subject to any applicable Board policy or directive, to resolve the matter.

Time limits contained in this grievance procedure outlined above may be extended by mutual consent of the parties. If any applicable time limit for advancing the grievance to the next step in the process is not met, the grievance shall be deemed resolved. Each employee shall be afforded any opportunity to be represented at each step of the grievance procedure by a representative of the employee's choice and at no expense to the District.

#### **4.02 Definitions**

For purposes of this grievance procedure, the following definitions shall apply:

- A. "Workplace safety" refers to any condition of employment or duty, responsibility, or environmental hazard that may reasonably be viewed to affect an employee's health or the health of other employees. Workplace safety matters expressly include workplace harassment, including sexual harassment. In the event that an employee believes the safety of the workplace is compromised by harassment, s/he must first make a complaint concerning the matter and follow the procedures outlined in the District's Harassment ***Board Policy #3362 and #4362***. Grievance timelines associated with workplace harassment do not begin to run until completion of an investigation and final action on the complaint by the administration.
- B. "Termination" does not include the nonrenewal of an employment contract pursuant to 118.22 and 118.24 Wis. Stats., nor does it include termination of an employment contract due to reduction in force. ***Board Policy #3131 and #4131***
- C. "Employee discipline" refers to oral reprimands where a written record is placed in the employee's personnel file, written reprimands, and unpaid suspensions. Employee discipline shall not include the following:
  - 1. Plans of correction or performance improvement;
  - 2. Performance evaluations or reviews;

3. Documentation of employee acts and/or omissions in an employment file;
4. Administrative suspension with pay, pending investigation of alleged misconduct or nonperformance;
5. Non-disciplinary wage, benefit, or salary adjustments;
6. Other non-material employment actions;
7. Counseling meetings, discussions, or other pre-disciplinary action; or
8. Demotion for reasons other than discipline, transfer, or change in assignment.

#### **4.03 Grievant's Right to Representation**

Any grievant may be represented at all stages of the grievance procedure by a representative(s) of his/her own choosing.

#### **4.04 Consolidation of Grievances**

Grievances of the same type and with similar fact situations may be consolidated at the discretion of the Administration.

#### **4.05 Group Grievances**

Group grievances involve more than one employee and involve any of the following:

- A. More than one work site;
- B. More than one supervisor; or
- C. An administrator other than the immediate supervisor.

Such grievances may be initially filed at the level of the District Administrator. However, they shall follow the initial timelines for filing the grievance at the informal step.

## **SECTION 5. PAYROLL**

### **5.01 Payroll Dates**

12-month staff will be paid bi-weekly in 26 equal installments from July through June. School year employees are paid bi-weekly September through June for a total of 22 or 21 pay periods. If school year employees choose to be paid in 26 equal installments from September through August, they will need to sign a waiver to annualize their salary.

## **5.02 Payroll Errors**

Employees should report payroll errors to the payroll department no more than 14 days after the date of the payroll in which the error occurred. If an error is discovered by the payroll department, the District will reconcile the individual's pay within a reasonable period of time after the error has been discovered.

## **5.03 Garnishments**

If the District receives legally binding garnishments for the collection of an employee's debt to a third party, the District will withhold from the employee's paycheck the appropriate amount prescribed by law until the debt is paid in full or the Garnishment is removed.

## **5.04 Direct Deposit**

All regular employees shall participate in a direct payroll deposit. Direct deposit statements will be available on the employee ERMA portal each payday.

## **5.05 Salary Deferrals –Tax Sheltered Annuities (TSA)**

Employees shall have the opportunity to participate in the District's 403(b) Savings Program through salary deferrals to an investment vehicle offered by a vendor listed as a District-approved vendor, as required by the Internal Revenue Service (IRS) Code 403(b) Savings Program.

# **SECTION 6. WORKER'S COMPENSATION**

## **6.01 Worker's Compensation Coverage and Reporting Responsibilities**

All employees shall be covered by Worker's Compensation Insurance. Any employee who is injured on the job shall report the injury to the school office, complete an accident report form prior to seeking medical attention if at all possible, and notify the Human Resource Department. In the event of an emergency, the employee shall notify his/her immediate supervisor within twenty-four (24) hours after the occurrence of the injury or as soon as practicable.

# **SECTION 7. SICK LEAVE**

## **7.01 Sick Leave**

Employees shall be credited with sick leave days each year (see Appendices A-G for specific employee group information).

## **7.02 Sick Leave Use**

- A. Sick leave shall be paid, when accrued sick leave balance is available, for an absence from work due to the following:
  1. Personal illness, injury, or serious health condition of the employee;

2. Illness or injury of an employee's dependent child under the age of eighteen (18) or age eighteen (18) or older if the child has a handicapping condition as set forth in Wisconsin Administrative Code section PI 11.02(23) (Examples of a handicapping condition are: Cognitive disability, learning disability, autism, etc.);
  3. Medical appointments for the employee and/or child that cannot be scheduled outside of the employee's regularly scheduled work hours; or
  4. FMLA and WFMLA.
- D. Minimum increment allowed for sick leave will be one-half (1/2) day for salaried staff and 30-minute increments for hourly staff.
- E. Special circumstances outlined in the Appendices may be approved under certain circumstances with approval of the Director of Human Resources.

### **7.03 Sick Leave Accumulation**

See Appendices A-G for Sick leave accumulation information.

### **7.04 Sick Leave Verification - Doctor's Certificate**

When an employee is ill for three or more days or whenever the supervisor deems appropriate, the employee may be required to furnish the District with a certificate of illness signed by either a licensed physician or a nurse practitioner. Such certificate should include a statement releasing the employee to return to work and a statement as to whether any limitations or restrictions are placed upon the work which may be performed. Nothing in this section shall be interpreted as limiting the District's ability to discipline or discharge employees for excessive absenteeism.

## **SECTION 8. JURY DUTY LEAVE**

### **8.01 Jury Duty Leave**

Subject to the provision on "Payment for Time Out on Jury Duty" (see below), a non-accumulative paid leave for as much time as is required will be provided to an employee to serve on a jury for which he or she is summoned by the court when such duty occurs during the employee's work hours.

### **8.02 Employee Notice**

An employee must notify his or her immediate supervisor as soon as notice of jury duty is received. Also, the employee is expected to contact his or her immediate supervisor immediately upon termination of jury duty or when temporarily relieved of jury duty.

### **8.03 Payment for Time Out on Jury Duty**

An employee who is unable to report for work because of jury duty will be paid the regular hours he or she is scheduled to work. The employee will turn over the check received for Jury Duty to the Business Office, and the school district will reimburse them for any travel expenses. The employee will not suffer any loss

of benefits that would be accrued during this time (i.e. sick leave, health insurance, vacation, etc.) or loss of any salary adjustment to which the employee is entitled.

#### **8.04 Witness Testimony**

Employees may use paid personal days and/or vacation for attendance requiring an employee to be a witness by an officer of a court or statutory tribunal. Proof of summons and of attendance may be required. If the purpose of the testimony is related to your employment with the District, leave and payroll adjustment procedure shall be as prescribed under Jury Duty provision.

### **SECTION 9. BEREAVEMENT/FUNERAL LEAVE**

#### **9.01 Bereavement/Funeral Leave**

**Bereavement Leave for an Immediate Family Member:** In the event a death occurs in an employee's immediate family, employees may take up to three (3) days off with pay (no leave deduction) to attend the funeral.

**Immediate Family Defined for Bereavement Leave:** Immediate family members are defined as an employee's spouse, parents, stepparents, sisters, brothers, children, stepchildren, grandparents, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandchild, niece, nephew, aunt, uncle or first cousin.

**Non-Family Member Funeral Leave:** All employees may take up to one (1) day off with pay (no leave deduction) to attend the funeral of a non-family member.

**Additional Bereavement Time Off:** The Beaver Dam Unified School District understands the deep impact that death can have on an individual and/or family; therefore, additional paid time off may be granted considering the circumstances such as distance, the individual's responsibility for the funeral arrangements, and the employee's responsibility for taking care of the estate of the deceased. The employee may request with the Director of Human Resources additional paid days off in the instance of the death of an immediate family member.

Individual employee circumstances may be discussed with the Director of Human Resources to determine whether additional considerations are needed. It is the Beaver Dam Unified School District's intention to support employees during their times of grief and bereavement.

### **SECTION 10. PERSONAL LEAVE**

#### **10.01 Personal Leave Days Provided**

Employees shall be provided with personal days (See Appendices A-G for specific information).

#### **10.02 Personal Leave Day Restrictions**

A request for a personal day must be made as far in advance as possible, but not less than five (5) days prior to the leave day.

- A. The Administrator/supervisor has the right to approve or disapprove all requests.
- B. The number of staff members allowed to take a personal day will be limited per employee group on a district-wide basis on any given day (see Appendices for more information). Leave requests will be granted on a first-come, first-served basis.
- C. Personal days will not be granted during the first or last week of the school year or on in-service days and/or when staff development programs are scheduled during the contract year.
- D. Employees are restricted on taking personal days immediately preceding or following a holiday, vacation, or other days that are limited on a district-wide basis. Requests for personal days shall be submitted after July 1 of each year. See Appendices for specific information.

### **10.03 Personal Leave Increments**

The minimum increment allowed for personal days is one-half (1/2) day for salaried staff and 30 minutes for hourly staff.

## **SECTION 11. UNIFORMED SERVICES LEAVE**

### **11.01 Uniformed Services Leave of Absence**

The District will follow the policies and practices set forth under the Uniformed Services Employment & Reemployment Rights Act (USERRA).

### **11.02 Seniority/Length of Service during Uniformed Services Leave**

Employees shall continue to accrue length of service for wage/salary increments, if applicable, and all other purposes where length of service is a factor. The employee's absence shall not be construed as a break in service for any purpose. Reemployment rights extend to persons who have been absent from a position of employment because of "service in the uniformed services." "Service in the uniformed services" means the performance of duty on a voluntary or involuntary basis in a uniformed service, including:

- A. Active duty and active duty for training;
- B. Initial active duty for training;
- C. Inactive duty training;
- D. Full-time National Guard duty;
- E. Absence from work for an examination to determine a person's fitness for any of the above types of duty;
- F. Funeral honors duty performed by National Guard or Reserve members;
- G. Duty performed by intermittent employees of the National Disaster Medical System (NDMS), which is part of the Department of Health and Human Services, when activated for a public

health emergency and approved training to prepare for such service (added by Pub. L. 107-188, June 2002). *See* 42 U.S.C. § 300hh-11(d).

### **11.03 Payment of Wisconsin Retirement While on Active Leave**

USERRA does not require an employer to make employer-required contributions to WRS until the employee returns from active military duty and is reemployed with that same employer. Once the employee is no longer on active military duty and is reemployed with his or her pre-military leave of absence employer, the employee may choose whether he or she will make up none, some, or all of the missed WRS employee-required contributions. The employer is required to make employer-required contributions to match the contributions made by the employee. The employer is also required to fund any additional obligations, including interest that would have accrued on the employee- and employer-required contributions, once those contributions are made. The employer is under no obligation to make contributions to WRS if the employee decides that they will not make up the employee-required portion of the contribution for the period they were on leave.

### **11.04 Requests for Uniformed Services Leave**

When time permits, the request for a reserve military leave should be as far in advance as possible so the employer can adequately plan for the absence. Whenever possible, the request should be accompanied by a copy of the reservist's military orders. The request shall be submitted to the District Administrator or his/her designee.

## **SECTION 12. UNPAID LEAVES OF ABSENCE**

### **12.01 Temporary Absences**

The District may grant reasonable requests for absences of short duration without pay, including compulsory military leave. Military leave of short duration shall not count against emergency leave or personal day leave.

### **12.02 Leaves of Absence of Long Duration**

- A. The District will grant members of the staff leaves of absence up to one year in length for restoration of health or child rearing, with the expectation that the staff member will return to the district after the leave.

The staff member shall submit a written request, stating the purpose of the leave to the Superintendent. Requests will be acted on by the Board at its next regularly scheduled meeting or within thirty (30) days, whichever is greater. Action may be taken earlier by the Superintendent on the Board's behalf.

1. Child rearing requests shall be granted for a period of up to one year from the date of birth and/or adoption.
2. A request for restoration of health must be accompanied by a statement from the attending physician indicating that such a leave would be beneficial to the restoration of health of the staff member.

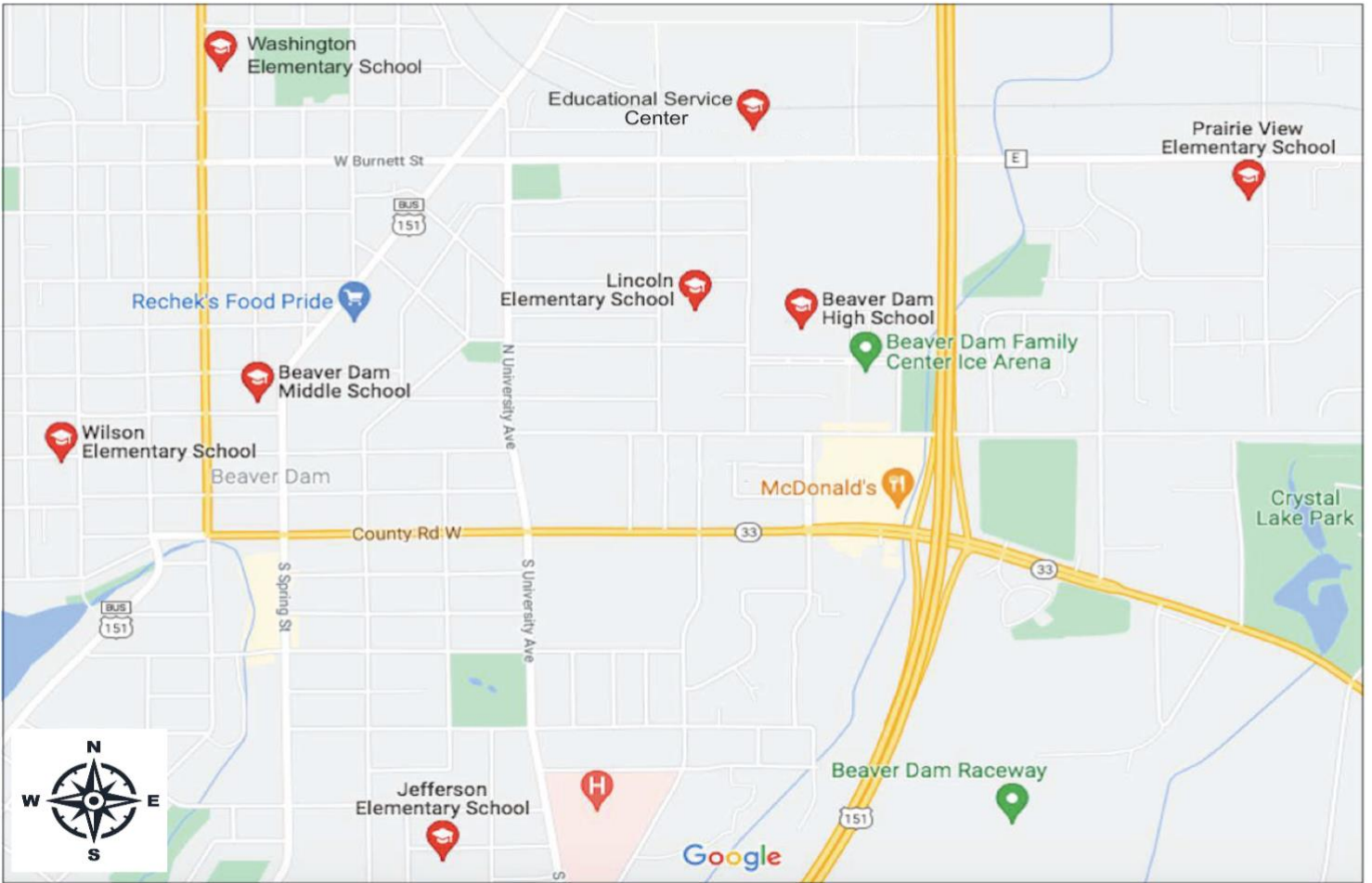
A staff member on leave for restoration of health or child rearing shall not receive credit for advancement on the salary schedule, but shall receive credit for seniority for the period of leave.

- B. The Board may, at its discretion, grant a leave for reasons of personal renewal or personal hardship for a staff member or for personal hardship of an immediate family member. In instances of personal renewal, efforts will be made, without guarantee, to insure that a similar position is available upon the member's return to the District.
- C. The Board may consider sabbatical leaves of up to one year for reasons such as study, foreign teaching, public service, or career development. Staff shall submit written requests for such leaves to the Superintendent stating the plans for the sabbatical by February 15 of the school year preceding the leave. The Board will act on such requests no later than the regularly scheduled April board meeting. The Board may deny the request if any of the following apply:
  - 1. The staff member will have less than five years in the district when the leave would begin;
  - 2. Granting the leave would be of no benefit to the district;
  - 3. If the Board denies a request for a sabbatical, the staff member shall be informed of the basis of the denial. The Board may, at its discretion, grant sabbatical leaves to those who apply after February 15;
  - 4. Staff members on temporary or long duration leaves shall be permitted to continue, at their own expense, group insurance benefit.
  - 5. Staff members returning from temporary or long duration leaves shall suffer no loss of previously accumulated benefits to the date leave began.
  - 6. Staff members on a leave of absence may not be under contract with other employers during the term of the employee's approved leave of absence unless it is for military service.



# DISTRICT MAP AND SCHOOL LOCATIONS

## BEAVER DAM UNIFIED SCHOOL DISTRICT



Beaver Dam High School  
500 Gould Street

Lincoln Elementary School  
210 Gould Street

Wilson Elementary School  
405 West Third Street

Beaver Dam Middle School  
108 Fourth Street

Prairie View Elementary School  
510 North Crystal Lake Road

Educational Service Center  
400 E. Burnett Street

Jefferson Elementary School  
301 Brook Street

Washington Elementary School  
600 Grove Street

# **EMPLOYEE RIGHTS AND RESPONSIBILITIES**

## **UNDER THE FAMILY AND MEDICAL LEAVE ACT**

### **Basic Leave Entitlement**

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- for incapacity due to pregnancy, prenatal medical care or child birth;
- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son, daughter or parent, who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

### **Military Family Leave Entitlements**

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings. FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is:

(1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness\*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.\*

**\*The FMLA definitions of "serious injury or illness" for current service members and veterans are distinct from the FMLA definition of "serious health condition".**

### **Benefits and Protections**

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

### **Eligibility Requirements**

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months\*, and if at least 50 employees are employed by the employer within 75 miles.

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

### **Definition of Serious Health Condition**

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

### **Use of Leave**

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for

planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

### **Substitution of Paid Leave for Unpaid Leave**

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

### **Employee Responsibilities**

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

### **Employer Responsibilities**

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility. Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

### **Unlawful Acts by Employers**

FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provide under FMLA; and
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

### **Enforcement**

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

**FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulation 29 C.F.R. § 825.300(a) may require additional disclosures.**

### **For additional information:**

1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627

[WWW.WAGEHOUR.DOL.GOV](http://WWW.WAGEHOUR.DOL.GOV)

U.S. Department of Labor Wage and Hour Division

WHD Publication 1420 · Revised February



## BASIC INFORMATION

current as of June 2012

The U.S. Department of Labor's Wage and Hour Division (WHD) is responsible for administering and enforcing laws that establish minimally acceptable standards for wages and working conditions in this country, regardless of immigration status.

## FAIR LABOR STANDARDS ACT



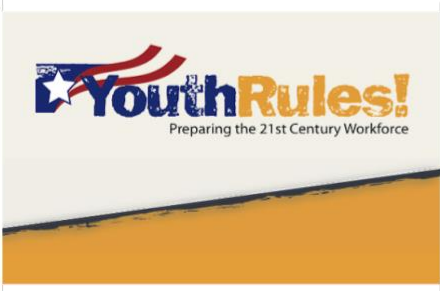
The Fair Labor Standards Act (FLSA) affects most private and public employment. The FLSA requires employers to pay covered non-exempt employees at least the federal minimum wage and overtime pay for all hours worked over 40 in a work week.

Covered employees must be paid for all hours worked in a workweek. In general, compensable hours worked include all time an employee is on duty or at a prescribed place of work and any time that an employee is suffered or permitted to work. This would generally include

work performed at home, travel time, waiting time, training, and probationary periods.

- Federal Minimum Wage: \$7.25 per hour effective July 24, 2009
- Tipped employees may be paid \$2.13 per hour; if an employee's tips combined with cash wage does not equal the applicable minimum wage, the employer must make up the difference
- Overtime after 40 hours in a week = 1 ½ times an employee's regular rate of pay

## CHILD LABOR



The FLSA also regulates the employment of youth.

Jobs Youth Can Do:

- 13 or younger: baby-sit, deliver newspapers, or work as an actor or performer
- Ages 14-15: certain permitted in such establishments as office work, grocery store, retail store, restaurant, movie theater, and amusement parks
- Age 16-17: Any job not declared hazardous
- Age 18: No restrictions

Hours Youth Ages 14 and 15 Can Work:

- After 7 am and until 7 pm (Hours are extended to 9 pm June 1-Labor Day)
- Up to 3 hours, including Fridays on a school day
- Up to 18 hours in a school week
- Up to 8 hours on a non-school day
- Up to 40 hours in a non-school week

**Note:** Different rules apply to youth employed in agriculture. States also regulate the hours that youth under age 18 may work. To find more information on federal or state rules, log on to [www.youthrules.dol.gov](http://www.youthrules.dol.gov).

## FAMILY AND MEDICAL LEAVE ACT



The Family Medical and Leave Act (FMLA) applies to employers who employ 50 or more employees, public agencies, and elementary and secondary schools. Eligible employees are entitled to take unpaid, job-protected leave with continuation of group health insurance coverage for up to 12 workweeks in a 12-month period for:

- the birth and care of a newborn child;
- the placement and care of an child for

adoption or foster care;

- for the serious health condition of the employee or the employee's spouse, child, or parent;
- for qualifying exigencies arising out of a covered military member's covered active duty status.

And 26 workweeks of leave during a single 12-month period to care for a covered servicemember with a serious injury or illness.

## MIGRANT AND SEASONAL AGRICULTURAL WORKER PROTECTION ACT



The Migrant and Seasonal Agricultural Worker Protection Act (MSPA) requires farm labor contractors, agricultural employers, and agricultural associations who "employ" workers to:

- Pay workers the wages owed when due
- Comply with federal and state safety and

health standards if they provide housing for migrant workers

- Ensure that vehicles that they use to transport workers are properly insured, operated by licensed drivers and meet federal and state safety standards
- Provide written disclosure of the terms and conditions of employment

### CONTACT US:

1-866-4US-WAGE

### MORE INFORMATION AVAILABLE AT:

YOUTHRULES!: [WWW.YOUTHRULES.DOL.GOV](http://WWW.YOUTHRULES.DOL.GOV)  
WHD WEBSITE: [WWW.WAGEHOUR.DOL.GOV](http://WWW.WAGEHOUR.DOL.GOV)

ELAWS: [WWW.DOL.GOV/ELAWS](http://WWW.DOL.GOV/ELAWS)  
DOL WEBSITE: [WWW.DOL.GOV](http://WWW.DOL.GOV)

## EMPLOYEE ACKNOWLEDGEMENT FORM

**This is a duplicate copy of the form. Please retain this copy with your handbook for reference. An additional copy must be signed, dated, and submitted to the Human Resources Department. The signature on this form indicates receipt of the *Employee Handbook*.**

The *Employee Handbook* describes important information about the Beaver Dam Unified School District. I understand that I should consult my supervisor or the Human Resource Department if I have any questions that are not addressed in the handbook.

I understand and acknowledge that there may be changes to the information contained in the *Employee Handbook*. I understand that the BDUSD may add new policies and/or replace, change, or withdraw existing policies. When the District deems it necessary to make changes to policies described in this handbook, the following protocol will be followed:

1. In normal circumstances, employees will receive a 90-day notice of the changes.
2. Employees will be given the opportunity to ask questions and discuss the changes.

I further understand that no one can make verbal/oral modifications to this handbook, nor can it be modified by practice. I understand that district handbook changes can only be authorized in writing by the BDUSD District Administrator or Board of Education.

I understand and acknowledge that the district handbook is not a contract for employment or a legal document. I understand and acknowledge that the Employee Handbook does not alter my employment status or guarantee employment for any definite period of time. I have received the district handbook and understand that it is my responsibility to read and follow the policies, standards, and procedures defined or referenced in this document. It is also important to know that additional regulations, policies, and laws are in the Board of Education Policies and in the District's Administrative Guidelines, as well as school-based handbooks.

The *Employee Handbook* and the Board Policies can be located throughout the District in school offices, in supervisors' offices, and on the District's website.

**Your signature acknowledges receipt of this handbook. Please sign, date, and keep this copy with your Employee Handbook.**

EMPLOYEE NAME (printed): \_\_\_\_\_

EMPLOYEE SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_