

MONROE COUNTY BOARD OF EDUCATION

DIRECTORY OF CENTRAL OFFICE EMPLOYEES

Website: www.monroe.k12.tn.us

Fax: (423) 442-1389

DIRECTOR OF SCHOOLS' OFFICE

Tim Blankenship	Director of Schools	442-2373
Kristi Windsor	Assistant Director of Schools	442-2373
Sandra Blair	Administrative Assistant/Personnel Coordinator	442-2373
Debbie Hearl	Receptionist / Secretary	442-2373
Brooke Johannsen	Attendance & Student Management Coordinator/ 9-12 Testing	442-8003
Shauna Bowers	Supervisor of Instruction PreK-8	442-2373
Janie Evans	Secondary Coordinator	442-2373

TRANSPORTATION

Maurice Moser	Transportation Director/Truancy Court Representative/ Evaluator/TSSAA	
Gina Tallent	Secretary	

FEDERAL PROGRAMS

Lee Anne Strickland	Federal Programs Director, K-8 Testing Coordinator, 504, Guidance Supervisor	442-7104
Colleen Sloan	Federal Programs Secretary	
Denise Cole	Data & Accountability Coordinator/Parental Involvement/K-8 Instructional Support/ Complaint Manager	442-2373
Angie Garrett	Elementary Instructional Coach, Response to Intervention	442-2373
Elton Frerichs	CTE Director	
Sherry McConkey	Administrative Assistant	

TECHNOLOGY 423- 442-3297

Alonzo Bell	Director	
Brad Ogle	Computer Technician	
John Lovelace	Computer Technician/Audio Visual Specialist	
Mark Richardson	Computer Technician	

SPECIAL EDUCATION DEPARTMENT 423-442-5592		
Trey Ferguson	Supervisor	
Debbie McDaniel	Secretary	
Donny Ballard	Psychologist	
Katie Lopreore	Psychologist	
Mistina Brown	Psychologist	
Phoebe Ryans	Program Coordinator	
Debbie Reed	Program Coordinator / Vision	
Michelle Fast	Psychologist	
Zach Hitson	Psychologist Assistant	
ALTERNATIVE SCHOOL 423-420-1009		
Charlie Lee	Teacher/Principal	
MAINTENANCE 423-442-3916		
Phillip Carroll	Supervisor	
Megan Bushey	Secretary	
MONROE COUNTY FINANCE DEPT. 423-442-9383 FAX: 423-442-7933		
Libby Hicks	Finance Director	
Gail Sensibaugh	Grants & Contracts	
Sondra Denton	Asst. Finance Director	
Shelley Reynolds	Accounts Payable	
Kim Jones	Payroll	
Julie Fitch	Purchasing	
Jessi Soileau	Purchasing	
Haleigh Steel	Insurance / Benefits	
Lori Millsaps	Administrative Asst.	

SCHOOL NUTRITION OFFICE 423-442-2092		
Lisa Arden	Food Services	
Sue Moore	Secretary	

COORDINATED SCHOOL HEALTH PROGRAM		423-420-9678 FAX: 423-442-8601
Jackie Gray	School Health Supervisor	
Nicole LaRue	CSH Secretary	
Kim Williamson	Billing Specialist	
Lacey Mason	CSH Director	
Shannon Wheeler	FRC Director	
Sherri Raper	CSH Assistant	
SCHOOL RECORDS	records@monroe.k12.tn.us	423-442-2373
Haley Raper		
Jean Samples		

MONROE COUNTY SCHOOLS
2017-2018 School Calendar

First day of Class – August 8, 2017 – 10:00 a.m. dismissal with teachers working all day
Last day of class - May 23, 2018 - Students will be dismissed at 10:00 a.m.

STATE REQUIRED INSERVICE TRAINING DAYS – 5

County-Wide (½ day) & School-based (½ day)	August 3, 2017
Administrative Day (school-based in-service)	August 4, 2017
Principal Discretion	3 days

BOARD DESIGNATED ADMINISTRATIVE DAYS - 4

Administrative Days (school based in-service)	August 2 and 7, 2017
1 day to close school	May 22, 2018
Parent Conference	1 Day

HOLIDAYS

Labor Day (1 day)	September 4, 2017
Fall Break (5 days)	October 9 - 13, 2017
Thanksgiving (3 days)	November 22 - 24, 2017
Winter Break (10 days)	December 19, 2017 @ 10:00 a.m. through January 3, 2018 (inclusive) Students return on January 4, 2018
Martin Luther King Day (1 day)	January 15, 2018
Presidents’ Day (1 day)	February 19, 2018
Spring Break (5 days)	March 26 – 30, 2018

STAFF DEVELOPMENT (Students do not attend these days)

September 1, 2016
November 3, 2017
January 3, 2018 – (May be used for make-up snow day if more than 9 days are missed.)
May 4, 2018 – (May be used for make-up snow day if more than 9 days are missed.)

ACTUAL DAYS TAUGHT PER MONTH

August	18 days	January	20 days
September	21 days	February	19 days
October	17 days	March	17 days
November	19 days	April	21 days
December	<u>13 days</u>	May	<u>16 days</u>
TOTAL	87 days	TOTAL	93 days

SCHOOLS WILL RECOGNIZE VETERANS’ DAY ON November 11, 2017
State guidelines will be followed for make-up snow days.
Semester exams will be given before winter break.
Buses will not run on early dismissal days (10:00 a.m.)

NON-DISCRIMINATION STATEMENT

As an equal opportunity employer, employment will be based upon consideration of the qualifications of all employees or applicants for employment. Discrimination based upon an applicant's or employee's race, color, sex, religion, national origin, age, or disability will not be tolerated.

DISCRIMINATION/HARASSMENT OF EMPLOYEES **(Sexual, Racial, Ethnic, Religious)**

Employees shall be provided a work environment free from sexual, racial, ethnic and religious discrimination/harassment. It shall be a violation of Monroe County School Board Policy 5.500 for any employee or any student to discriminate against or harass an employee through disparaging conduct or communication that is sexual, racial, ethnic or religious in nature. Guidelines are set forth in Policy 5.500 to protect employees from discrimination/harassment. Employee discrimination/harassment will not be tolerated. If any employee feels that he/she has been subjected to discrimination/harassment, the employee should immediately report such treatment to the employer in accordance with the procedures set out in Monroe County School Board Policy 5.501 – Complaints and Grievances.

IMMIGRATION PAPERS

Upon initial employment, all employees are required to attest that they are lawfully eligible to work in the United States. Employees are further required to supply to the employer copies of documents proving this eligibility, as required by law.

EMPLOYMENT

Employees are contracted on a yearly basis. However, if there is reasonable cause to require termination during the year a due process procedure will be followed. Employees may be terminated for failure to satisfactorily perform their duties, but they shall not be terminated for a discriminatory or illegal purpose. Support Staff employees can be given two (2) weeks notice not to be rehired at the end of the school year.

Administrative Procedures Regarding Personnel Practices And Decisions

The duties of the Director of Schools shall be to hire, transfer, suspend, non-renew, grant leaves of absence and dismiss all personnel, with the exception of placing teachers on tenure and dismissing tenured teachers – School Board Policy 5.802 & TCA 49-2-301.

Application

An individual desiring a position with the Board shall make application to the Director of Schools on forms approved by the Board. In a continuing effort to further ensure the safety and welfare of students and staff, the district shall require criminal history records checks and fingerprinting of applicants for teaching positions and any other employee who has proximity to children. The Board shall require all applicants to submit to fingerprinting and history record checks when employment is offered. The employee shall pay any costs incurred by the Tennessee Bureau of Investigation in

conducting such investigations. Knowingly falsifying information shall be sufficient grounds for termination of employment and shall also constitute a Class A misdemeanor, which must be reported to the District Attorney General for prosecution. The Board assigns to the Director of Schools the duty to conduct thorough background checks and to advise all applicants that all hiring decisions are contingent upon satisfactory background check results. Effective July 1, 2002 - all new substitute staff will be required to pay for background checks when they are hired (*MCSB approved: June 13, 2002*).

Employment:

Professional Employees – After checking references and receiving written recommendations, the Director of Schools shall hire and assign qualified applicants. (Policy 5.106 & TCA 49-2-301(f)(12). Upon initial employment, the Director of Schools shall notify such person, in writing, of the offer and conditions of employment. Upon receipt of employment notification, such person shall have fourteen (14) days to accept or reject, in writing, the offered employment. From the date of the written acceptance, such person is considered to be under employment with the Board and is subject to all rights, privileges, and duties (MCSB Policy 5.106 & TCA 49-5-406).

Support Staff Employees – After checking references and receiving written recommendations from principals and/or supervisors, the Director of Schools shall hire and assign qualified applicants. The contract of each support employee shall contain a statement regarding the 90 day probationary period.

Personnel Transfers

The Director of Schools shall transfer and/or reassign employees as necessary for the efficient operation of the schools (TCA 49-2-301). Personnel desiring a change of assignment shall discuss the matter with the principal and submit a request for transfer in writing to the Director on or before March 1. All employees transferred shall receive written notification of the transfer with reason(s) prior to the transfer.

Assignment – TCA 49-2-301 (f)(12); TCA 49-5-401:

The Director of Schools shall assign personnel to the various schools by June 15 for licensed personnel and June 15 for non-licensed personnel preceding the school year for which such persons are employed while allowing each principal or immediate supervisor to assign more specific responsibilities within each school. Transfers may occur after this date, at the discretion of the Director, based on needs that arise within the school system. All non-tenured teachers may be notified of non-renewal no later than five (5) days after the last day of school. (SBP 5.115)

EXPENSE REPORTS

Notice to all staff members: You will not be reimbursed for sales tax on motel/hotel bills turned in on your expense reports. The Finance Department will issue a purchase order and precut a check for your motel/hotel expenses after you get them the proper information. In conjunction with that, a tax exempt form will be sent with you to present to the motel/hotel. As a procedure is in place to take advantage of our tax exempt status, the school system cannot justify reimbursing for sales tax related to hotel/motel costs.

PERSONNEL RECORDS

The Director of Schools or his designee(s) shall be authorized to maintain personnel records and to permit inspection of the same. Employee records are public records, except medical records,

and shall be open for inspection during regular business hours. A record of the person inspecting and the date of inspection shall be recorded. Copies of records may be made under rules determined by the Director of Schools. It is the responsibility of each employee to provide accurate information to the employer. Employees are also responsible for reporting to the employer any change in the information they have previously provided.

TEACHER LICENSING

Address and Telephone Number

Office of Teacher Licensing
Tennessee Department of Education
4th Floor, Andrew Johnson Tower
710 James Robertson Parkway
Nashville, TN 37243-0377

Website: www.tennessee.gov/education/lic

It is the teacher's responsibility to make sure certification is up-to-date. A copy of the teaching license must be on file in the Director of School's Office to verify certification.

SALARY RATINGS

TCA 49-5-402, relative to salary ratings:

Salary ratings for the current school year shall be determined on the basis of information available in the office of the commissioner on December 1 of the current school year. If there is no information available in the office of the commissioner on December 1 on which to rate the employee, the salary rating shall be the minimum salary as provided by the applicable salary schedule.

Mid-Year Salary Re-determination (MCSB Amended effective 1/1/06)- Employees who complete additional academic training after the beginning of a school year, but prior to January 1 of that school year, that would qualify employee for a higher salary rating shall be eligible to have their salary rating redetermined as of January 1 of the school year. This adjustment will apply to the 2nd half of the current school year. To receive such adjustment, employee shall give notice, in writing, of employee's intention to complete academic training that may qualify the employee for a higher salary rating. Such written notice shall be given to the Director of Schools prior to submission of the LEA's budget to the local legislative body. **This notice must be received in the Director of Schools' Office at the end of the current school year in order to receive a pay increase January 1st of the next school year.**

PAYROLL PROCEDURES

If the end of a pay period falls on a non-working day, employees will be paid on the last working day prior to the end of the pay period.

If an employee is absent for more days than leave has been earned, salary payment will be docked to reflect the days absent without pay.

If, at the termination of services, any employee has been absent for more days than leave has been earned, an amount sufficient to cover the excess days used shall be deducted from the employee's final salary payment.

DIRECT DEPOSIT

It is mandatory for all employees to participate in Direct Deposit. All changes must be in writing and sent to the Finance Department. You may use any bank of your choice. Only one bank can be used but deposits may be split between two accounts as long as there is a routing and account number for each. Funds will be available by 6:00 a.m. on payday. Employees may access their check stubs and other information at www.mybenefitschannel.com. Monroe County Schools no longer distribute pay stubs for employees effective January 1, 2016.

CAREER LADDER

Career Ladder Certificates - In June 1997, a law was passed which "froze" Career Ladder I, II, III Certificates with expiration years of 1998 or beyond. This means educators holding certificates, which expire in 1998 or any year thereafter, have valid certificates that will never have to be renewed. Because eligibility for Career Ladder supplements has always been based on the validity of teaching licenses, it is important educators be informed that they must keep their licenses updated in order to continue receiving Career Ladder supplements. Renewal of Career Ladder Certificates at any level is no longer necessary.

Career Ladder Payments - **If the money has been received from the State Department of Education**, Career Ladder payments are made in the months of November or December and April or May. Payments are based on a 200 day contract. If an employee is absent from work without pay after they have received their career ladder payments, the adjusted amount will be deducted from their June payroll check.

SALARY DEDUCTIONS

IRS regulations allow changes to tax sheltered annuities at any time. Changes or additions to voluntary deductions under the section 125 that are tax deferred can be made on the January payroll. During the year, changes can be made if a valid change in status occurs, i.e. change in marital status, change in number of dependents, or change in employment status. Changes shall be made in writing by all school personnel. Only cancellations to voluntary deductions that are not tax deferred under the section 125 can be made at any time.

TENNESSEE CONSOLIDATED RETIREMENT SYSTEM (TCRS)

All full-time employees are required to contribute 5% of their gross salary to TCRS. The county matches 9.08% for certified staff and 4.43% for non-certified staff. Service credit for a full-time employee who is without pay during a period will be adjusted and reported on a pro rata basis in direct proportion to a full-time schedule. Actual service credit will be

reported to the retirement system each month. Any rounding of service will be made by the retirement system.

Our local government passed the provisions of the 414(h) plan, which makes your retirement contributions tax deferred.

TCRS Toll Free – 1-800-770-8277 or visit the website for up-to-date information or forms:

www.tn.gov/treasury/tcrs/

GREAT WEST 401(K) HYBRID PLAN

During the 2013 General Assembly session, legislation was enacted to provide a new pension plan for state employees and teachers hired on or after July 1, 2014. The pension reform language can be found in Public Chapter 259, Acts of 2013 or on the Tennessee Consolidated Retirement System website at <http://treasury.tn.gov/tcrs/>. New Teachers hired on July 1, 2014 or after, as a condition of employment, automatically fall under the “Hybrid Plan” for TCRS. If they maintain membership in the TCRS legacy pension plan based on previous service as a state employee, higher education employee or Teacher prior to July 1, 2014, this plan will not apply to them. The new pension plan has two components, a defined benefit plan and a defined contribution plan, and accordingly is referred to as the Hybrid Plan. The defined contribution component will be administered through the State of Tennessee’s 401(k) plan with record keeping by Great-West Financial.

PART-TIME EMPLOYEES

A part-time employee designation will be used for those employees whose regular assigned work schedule includes less than twenty-nine (29) hours or less per week. The benefits set out in this manual are intended to apply only to full-time employees. These rules and regulations are not intended to establish paid leave of any kind, including sick leave, for part-time employees. Teachers employed on a 100 or 120 day contract are considered part-time employees.

INTERIM EMPLOYEES

Support Staff

Interim employees, replacing regular employees on leave, who work less than ninety consecutive days, shall receive no fringe benefits or sick leave. Sick leave accrual begins on the 91st day of consecutive employment. If the regular employee is using paid leave, the replacement shall receive substitute pay (no less than minimum wage). If the regular employee is using unpaid leave, the replacement shall receive the regular rate of pay for the specific job classification. Any absences of regular employees with ten or fewer consecutive days shall have no replacement. **Any exceptions must have prior approval of the Director of Schools.**

Professional Personnel

A certified interim teacher, substituting for the regular teacher, will be paid teacher pay commensurate with degree and experience after 20 days, even if the regular teacher continues to use sick leave. The first 20 days will be at substitute pay, if the teacher is using paid leave. If the teacher is on unpaid leave, the interim will be paid teacher pay beginning on the first day of work. Some hard to find certifications may require paying a certified teacher at the teacher pay scale for the entire time they substitute in order to attract a certified teacher. Such cases will be handled on a case by case basis as determined by the Director.

STAFF TIME SCHEDULES

Work Schedules

The workday for full-time licensed and professional staff will be a minimum of seven hours and fifteen minutes and will continue until professional responsibilities to the student(s) and the school are completed. Administrative meetings, curriculum development, faculty meetings, student supervision, assigned duties, parent conferences, group or individual planning and extra-curricular activities may require hours beyond the stated minimum.

Teachers shall be allotted a duty-free planning period of two and one-half (2 1/2) hours each week to provide time for planning, preparation for effective teaching and attention to major program improvement. Work schedules for other employees will be defined by the director of schools or his/her designee, consistent with the Fair Labor Standards Act and the provisions of this policy.

Extra Duties

Extra duties shall be fairly distributed among the staff. At least one (1) principal or teacher must be on the school grounds when a bus arrives and at least one (1) teacher must remain after the close of the school day until all buses depart and no students remain.

Leaving Classroom

A Teacher shall not be called from his/her classroom, unit or area while students are under his/her immediate supervision for any purpose other than an emergency concerning or for purposes, as deemed by the principal, to be official school business needing immediate attention. Under no circumstances should a group of students be left unsupervised.

Workweek Defined

Working hours for all employees not exempted under the Fair Labor Standards Act,³ including but not limited to teacher assistants, secretaries, bus drivers, cafeteria, janitorial and maintenance personnel, LPN, and clerks will conform to federal and state regulations. The director of schools will ensure that job positions are classified as exempt or nonexempt and that employees are made aware of such classifications. Supervisors will make every effort to avoid circumstances which will require non-exempt employees to work more than forty (40) hours each week. For purposes of compliance with the Fair Labor Standards Act, the workweek for school district employees will be 12:00 a.m. Saturday until 11:59 p.m. Friday.

Overtime and Compensatory Time

The Board discourages overtime work by non-exempt employees. A non-exempt employee will not work overtime without the express approval of his/her supervisor. All overtime work must be expressly approved in writing by the director of schools or his/her designee. All supervisory personnel must monitor overtime on a weekly basis and report such time to the director of schools/designee. Principals and supervisors will monitor employees' work, will ensure that overtime provisions of this policy and the Fair Labor Standards Act are followed and will ensure that all employees are compensated for any overtime worked. Principals or supervisors may need to adjust daily schedules to prevent non-exempt employees from working more than forty (40) hours in a workweek. Accurate and complete time sheets of actual hours worked during the workweek will be signed by each employee and his/her supervisor and submitted to the director of schools office. The director of schools or designee will review work records of employees on a regular basis to make an assessment of overtime use.

In lieu of overtime compensation, non-exempt employees may receive compensatory time off at a rate of not less than one and one-half (1.5) hours for one hour of overtime worked over forty (40) hours a week, if such compensatory time (1) is pursuant to an agreement between the employer and employee reached before overtime work is performed, and (2) is authorized by the immediate supervisor.

Employees will be allowed to use compensatory time within a reasonable period after requesting such use if the requested use of the compensatory time does not unduly disrupt the operation of the school division. Employees may accrue a maximum of thirty-five (35) compensatory time hours before they will be provided overtime pay at the rate earned by the employee at the time the employee receives such payment. In addition, upon leaving the school division, an employee must be paid for any unused compensatory time at the rate of not less than the higher of (1) the average regular rate received by the employee during his/her last three (3) years of employment, or (2) the final regular rate received by the employee.

Non-exempt employees whose workweek is less than forty (40) hours will be paid at the regular rate of pay for time worked up to forty (40) hours. Such employees shall be provided overtime pay or compensatory time as provided for working more than forty (40) hours in a workweek. This policy shall be included in the staff handbook. Employees will be provided with a copy of this handbook and will be required to sign this handbook as an acknowledgement of their understanding of overtime and compensatory time provisions. Such signed handbook shall be placed in the employee's personnel file and shall constitute the written agreement required in this section.

Attendance Expectations

All employees are expected to be present during all work hours. Absence without prior approval, chronic absences, habitual tardiness or abuses of designated working hours are all considered neglect of duty and will result in disciplinary action up to and including dismissal.

HOLIDAYS

The school board approved calendar for holidays will be followed.

ABBREVIATED DAYS (sick/personal leave)

If an employee (certificated personnel) is absent on one of the three abbreviated days during the school year (first day of classes, last day before Winter Break, or last day of classes) that day shall be counted as a full day absent (whether it is sick or personal). If there is a substitute involved, the substitute shall be paid for a full day.

SICK LEAVE

Professional Personnel

The time allowed (days earned) for sick leave for professional personnel shall be one (1) day for each month employed (20 days = one month of employment) during the school year and shall accumulate for an unlimited number of days.

Sick leave shall be defined as: illness of a teacher from natural causes or accident, quarantine or illness or death of a member of the immediate family of a teacher, including the teacher's wife or husband, parents, grandparents, children, grandchildren, brothers, sisters, mother-in-law, father-in-law, daughter-in-law, son-in-law, brother-in-law, and sister-in-law.

A signed statement, the sick leave form, listing the cause of absence shall be provided by the employee on forms furnished by the Director of Schools and shall promptly be given to the immediate supervisor in support of all claims for sick leave pay. A falsified statement shall be grounds for dismissal. A certificate from the physician on forms furnished by the Board may be required in support of any claim for sick leave pay.

The principal shall notify the Director of Schools at once if an employee is sick beyond the limit of his/her sick leave accumulation. The substitute teacher, beyond this point must have a certificate or permit and must be paid according to the state salary scale. Permanent cumulative sick leave records for each active professional employee shall be kept in the Director of Schools' office. A teacher, upon employment, may transfer his/her accumulated sick leave from another Tennessee school system, provided that the Director of Schools of the system in which the accumulated leave was held provides notarized verification.

Sick leave for maternity purposes may be taken during the period of physical disability only. A teacher may use up to thirty (30) days of accumulated sick leave for the adoption of a child. If both adoptive parents are teachers only one parent may request leave. Written verification from the adoption agency or other entity handling the adoption shall be required before the leave is granted. If an employee is absent on one of the three abbreviated days during the school year (first day of classes, last day before Christmas Break, or last day of classes) that day shall be counted as a full day absent (whether it is sick or personal). If there is a substitute involved, the substitute shall be paid for a full day.

At the termination of the employment of any employee, all unused sick leave accumulated by the employee shall be terminated with the county but may transfer to another school system. Each twenty (20) days of unused accumulated sick leave will add one additional month of retirement credit to the member's total service credit. Any employee who goes on maternity leave shall be allowed to use all or a portion of her accumulated sick leave for maternity purposes during the period of her physical disability only, as determined by the physician.

When appropriate, one-half sick day may be used rather than a full day. 12 month employees, who become ill during the period of their vacation, may request that their vacation be temporarily terminated and the time changed to sick leave.

No employee may give or loan sick leave time to another employee. Employees are required to notify the employer as early as possible on the first day of their sick leave absence. Employees who have used all of their accumulated sick leave will not receive financial compensation for additional days needed due to illness or injury. For any additional time needed, the employee will be considered on leave without pay status.

Support Staff Personnel

Sick leave shall be the same for support personnel as for certificated employees. The time allowed (days earned) for sick leave shall be one (1) day for each month employed (20 days = one month of employment) during the school year and shall accumulate for an unlimited number of days.

Sick leave days will be advanced to support staff employees at the beginning of the school year, after the employee completes one year of employment.

At the termination of the employment of any employee, all unused sick leave accumulated by the employee shall be terminated.

The immediate supervisor may require a physician's certificate stating the reason for absence.

Each twenty (20) days of unused accumulated sick leave will add one additional month of retirement credit to the member's total service credit.

Any employee who goes on maternity leave shall be allowed to use all or a portion of her accumulated sick leave for maternity purposes during the period of her physical disability only, as determined by the physician.

When appropriate, one-half sick day may be used rather than a full day. 12 month employees, who become ill during the period of their vacation, may request that their vacation be temporarily terminated and the time changed to sick leave.

No employee may give or loan sick leave time to another employee. Employees are required to notify the employer as early as possible on the first day of their sick leave absence.

Employees who have used all of their accumulated sick leave will not receive financial compensation for additional days needed due to illness or injury. For any additional time needed, the employee will be considered on leave without pay status.

Full Time Personnel

Upon request, up to five (5) days of sick leave shall be granted at any one time in the event of death of an employee's immediate family to include spouse, child, brother, sister, son-in-law, daughter-in-law, parent, father-in-law, mother-in-law, brother-in-law, sister-in-law, grandparents, grandchildren, legal guardians, aunt, uncle, niece, nephew, stepchildren and stepparents. If additional sick days are required, the Director of Schools may be consulted.

PERSONAL LEAVE

Professional Personnel

Certificated employees shall earn personal leave at the rate of one day for each half-year employed for a total of (2) days per year. Any personal leave remaining unused at the end of a year shall be credited to sick leave.

Subject to the following conditions, personal leave may be taken at the discretion of the employee:

1. Except in emergency, each employee shall give the principal at least one day's notice in writing of intent to take leave;
2. The approval of the principal of the school shall be required:
 - a. If more than ten percent (10%) of the teachers in any given school request its use on the same day;
 - b. If requested during any prior established student examination period;
 - c. If requested on the day immediately preceding or following a holiday or vacation period.

Support Staff Personnel

Support Staff employees may use two (2) days of their sick leave allowance per fiscal year for personal leave. The fiscal year shall begin July 1 and end June 30 each year.

BEREAVEMENT LEAVE

Full-Time Employees Professional / Non-Professional

Upon request of the employee up to two (2) bereavement days shall be provided by the Monroe County Board of Education for immediate family members. These include spouse, child, stepchild, parent stepparent, foster parent, parents-in-law, siblings, grandparents and grandchildren, and other

family members if they reside in the home. A copy of the obituary shall be provided upon request of the Director of Schools. These days may not be accumulated from one year to the next. If the funeral is more than 250 miles away, one extra day of bereavement leave may be granted with the Director's approval

Upon request, up to five (5) days of sick leave shall be granted at any one time in the event of death of an employee's immediate family to include spouse, child, brother, sister, son-in-law, daughter-in-law, parent, father-in-law, mother-in-law, brother-in-law, sister-in-law, grandparents, grandchildren, legal guardians, aunt, uncle, niece, nephew, stepchildren and stepparents. If additional sick days are required, the Director of Schools may be consulted.

T.C.A. 4-21-408. LEAVE FOR ADOPTION, PREGNANCY, CHILDBIRTH AND NURSING AN INFANT

(a) Employees who have been employed by the same employer for at least twelve consecutive months as full-time employees, as determined by the employer at the job site or location, may be absent from such employment for a period not to exceed (4) four months for adoption, pregnancy, childbirth and nursing an infant, where applicable, referred to as "leave" in this section. With regard to adoption, the four-month period shall begin at the time an employee receives custody of the child.

(b)(1) Employees who give at least three (3) months' advance notice to their employer of their anticipated date of departure for such leave, their length of leave, and their intention to return to full-time employment after leave, shall be restored to their previous or similar positions with the same status, pay, length of service credit and seniority, wherever applicable, as of the date of their leave.

(2) Employees who are prevented from giving (3) three months' advance notice because of a medical emergency that necessitates that leave begin earlier than originally anticipated, shall not forfeit their rights and benefits under this section solely because of their failure to give three months' advance notice.

(3) Employees who are prevented from giving three (3) months' advance notice because the notice of adoption was received less than three (3) months in advance shall not forfeit their rights and benefits under this section solely because of their failure to give three (3) month's advance notice.

(c) (1) Leave may be with or without pay at the discretion of the employer. Such leave shall not affect the employee's right to receive vacation time, sick leave, bonuses, advancement, seniority, length of service credit, benefits, plans or programs for which the employee was eligible at the date of their leave, and any other benefits or rights of their employment incident to the employee's employment position; provided that the employer need not provide for the cost of any benefits, plans or programs during the period of such leave, unless such employer so provides for all employees on leave of absence.

(2) If an employee's job position is so unique that the employer cannot, after reasonable efforts, fill that position temporarily, then the employer shall not be liable under this section for failure to reinstate the employee at the end of the leave.

(3) The purpose of this section is to provide leave time to female employees for adoption, pregnancy, childbirth and nursing the infant, where applicable; therefore, if an employer finds that the employee has utilized the period of maternity leave to actively pursue other employment opportunities, or if the employer finds that the employee has worked part-time or full-time for another employer during the period of leave, then the employer shall not be liable under this section for failure to reinstate the employee at the end of the leave.

(4) Whenever the employer shall determine that the employee will not be reinstated at the end of the leave because the employee's position cannot be filled temporarily or because the employee has used the leave to pursue employment opportunities or to work for another employer, the employer shall so notify the employee.

(d) Nothing contained within the provisions of this section shall be construed to:

- (1) Affect any bargaining agreement or company policy that provides for greater or additional benefits than those required under this section;
 - (2) Apply to any employer who employs fewer than one hundred full-time employees on a permanent basis at the job site or location; or
 - (3) Diminish or restrict the rights of teachers to leave pursuant to Title 49, Chapter 5, Part 7, or to return or to be reinstated after leave.
- (e) The provisions of this section shall be included in the next employee handbook published by the employer.

FAMILY and MEDICAL LEAVE **(FMLA)**

PURPOSE

To entitle employees to take reasonable leave for medical reasons, for the birth or adoption of a child, and for the care of a child, spouse or parent who has a serious health condition.

ELIGIBILITY

Anyone who has been employed for at least twelve (12) months by the Board or anyone who has at least 1,250 hours of service (hours used for leave, even FMLA leave, shall not be credited for service for purposes of FMLA eligibility) during the previous twelve month period. The twelve (12) month period shall begin on July 1 and end on June 30 of the following year.

GENERAL PRINCIPLES

1. Any employee shall be granted, upon request, up to twelve (12) weeks unpaid leave for the birth or adoption of a child, the care of a child, spouse, or parent who has a serious health condition or for qualifying exigencies arising out of the fact that the employee's spouse, child, or parent is on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation. (Any employee requesting leave due to pregnancy, childbirth or adoption shall be granted at least four (4) months leave.)
2. Any employee on maternity leave shall be permitted to use accumulated sick leave during the period of actual physical disability only. Otherwise, the maternity leave shall be unpaid. A teacher may use up to thirty (30) days of accumulated sick leave for the adoption of a child. If both adoptive parents are teachers only one parent may request leave. Written verification from the adoption agency or other entity handling the adoption shall be required before the leave is granted.
3. A physician's statement may be required by the Director when determining the period of actual physical disability.
4. Request for leaves and extension of leaves shall conform to state law governing all leaves of absence.

QUALIFYING EXIGENCIES

Qualifying exigencies include:

Issues arising from a covered military member's short notice deployment (i.e. less days of notice for a period of seven days from the date of notification);

Military events and related activities, such as official ceremonies, programs, or events sponsored by the military or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered service member;

Making or updating financial and legal arrangements to address a covered service member's absence;

Attending counseling provided by someone other than a health care provider for oneself, the covered service member, or the child of the covered service member, the need for which arises from the active duty or call to active duty status of the covered service member;

Taking up to five days of leave to spend time with a covered service member who is on short-term temporary, rest and recuperation leave during deployment;

Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of 90 days following the termination of the covered service member's active duty status, and addressing issues arising from the death of a covered service member;

Any other event that the employee and employer agree is a qualifying exigency.

MILITARY CAREGIVER LEAVE

An eligible employee who is a spouse, child, parent or next of kin of a covered service member with a serious injury or illness shall be granted up to a total of 26 workweeks of unpaid leave during a "single 12-month period" to care for the service member or covered veteran. A covered service member is 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. A covered veteran is an individual who was a member of the Armed Forces at any time during the period of 5 years preceding the date of the medical treatment, recuperation, or therapy that has a serious injury or illness who is currently receiving medical treatment, recuperation, or therapy. The calculation of this 5 year period shall not include the interval of October 28, 2009 through March 8, 2013.

For covered service members, a serious injury or illness is one that was incurred by a service member in the line of duty on active duty that may render the service member medically unfit to perform the duties of his or her office, grade, rank, or rating. For covered veterans, a serious injury or illness is defined as:

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1. A continuation of a serious injury or illness that was incurred or aggravated in the line of duty while on active duty that rendered the veteran unable to perform the duties of the veteran's office, grade, rank, or rating;
 2. A physical or mental condition for which the veteran has received a U.S. Department of Veterans Affairs Service Related Disability Rating (VASRD) of 50 percent or higher and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave;
 3. A physical or mental condition that substantially impairs the veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
 4. An injury, including a psychological injury, on the basis of which the veteran has been enrolled in the Department of Veterans Affairs program of Comprehensive Assistance for Family Caregivers.

The "single 12-month period" for leave to care for a covered service member or covered veteran with a serious injury or illness begins on the first day the employee takes leave for this reason and ends 12 months later, regardless of the 12-month period established by the employer for other types of FMLA leave. An eligible employee is limited to a combined total of 26 workweeks of leave to provide care for a covered service member. The maximum of 26 workweeks may include no more than 12 workweeks of leave that is taken for the birth and care of a newborn child, for placement of a child for adoption or foster care, for care of a parent who has a serious health condition, or for the employee's own serious health condition.

RESTRICTIONS

1. For foreseeable leave, the employee shall provide the Director of Schools with at least thirty (30) days written notice before the beginning of the anticipated leave.
2. The Director may require that a request for leave be supported by certification issued by a health care provider with the following information:
 - a. the date on which the serious health condition commenced;
 - b. the probable duration of the condition;
 - c. the appropriate medical facts within the knowledge of the health care provider regarding the condition; and
 - d. a statement that the eligible employee is needed to care for the son, daughter, spouse or parent and an estimate of the amount of time that such employee is needed.
3. If there is any reason to doubt the validity of the certification provided, the Director of Schools may require at the expense of the Board, an opinion of a second health care provider.
4. Once it has been established that the leave requested qualifies for FMLA, the Director of Schools / designee shall notify the employee within two (2) business days (absent extenuating circumstances) that the leave is approved.
5. Intermittent Leave – When a licensed employee requests foreseeable leave for planned medical treatment and the employee would be on leave for greater than 20% of the total number of working days in the period during which the leave would extend, the Director may require that such employee elect to either take the leave for periods of a particular duration, not to exceed the duration of the planned medical treatment or to transfer

temporarily to an available alternative position offered by the Board for which the employee is qualified, and that has equivalent pay and benefits and better accommodates recurring periods of leave.

6. Period Near the End of an Academic Term (*Professional Employees*) – If leave is taken more than five (5) weeks prior to the end of the term, the Director may require the employee to continue taking leave until the end of the term if the leave is at least three (3) weeks of duration and the return of employment would occur during the three (3) week period before the end of the term.

If the leave is taken five (5) weeks prior to the end of the term, the Director of Schools may require the employee to continue taking leave until the end of the term if the leave is greater than two (2) weeks duration and the return to employment would occur during the two (2) week period before the end of the term.

7. Any employee eligible under state law who requests leave due to pregnancy, childbirth, or adoption shall be granted up to four (4) months leave. FMLA leave for birth and care of a newborn child or for placement of a child for adoption or foster care, shall run concurrently with the state leave.
8. Spouses who are both eligible employees of the school district are limited to a combined total of 12 workweeks of FMLA leave in a single 12-month period if the leave is taken for birth and care of a newborn child, for placement of a child for adoption or foster care, or to care for a parent who has a serious health condition. Under certain circumstances, spouses who share such leave may be eligible for limited amounts of additional leave for other qualifying FMLA reasons.

REQUIREMENTS OF THE BOARD

1. The employee shall be restored to the same position of employment or an equivalent position with no loss of benefits, pay or other terms of employment.
2. The employee shall be kept under any group health plan for the duration of the leave.
3. The Board may recover the premium paid under the following conditions:
 - a. the employee fails to return from leave after the period of the leave has expired.
 - b. the employee fails to return to work for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond the control of the employee.

SBP 5.305

BENEFITS WHILE ON UNPAID LEAVE

During the period of absence, the employee will not accrue vacation, sick leave, Tennessee Consolidated Retirement System (TCRS) service credit or other benefits. As with any type leave, if an employee has accrued leave for which they are paid when absent from work, they will receive credit in the TCRS. However if an employee is absent from work without pay, regardless if the Family Medical Leave Act (FMLA) applies, they will not receive credit in the TCRS.

INSURANCE CONTINUATION WHILE ON LEAVE

Any employee who is on leave of absence without pay may continue any optional insurance coverage such as health, disability, dental, life, accident, cancer, etc. The employee will need to pay for any insurance premiums at the beginning of each month to the Monroe County School System. These premiums will then be paid on behalf of the employee.

It will be the responsibility of the employee to pay the Monroe County School System for any optional insurance premiums such as disability, life, dental, accident, cancer, etc. while on medical or family leave.

The Monroe County School System will continue to pay the employee's individual portion of the family medical insurance premiums while the employee is on family medical leave. The employee will need to pay the Monroe County School System for their portion of the family medical insurance coverage while on leave. The Monroe County School System will then pay the health insurance premiums on behalf of the employee. If for any reason an employee does not return to work, the employee shall reimburse the school system in full for any insurance premiums paid on behalf of the employee.

EMERGENCY AND LEGAL LEAVE

An immediate supervisor may grant a certificated or non-certificated employee emergency leave during the workday for a sudden, unexpected occurrence demanding immediate attention. Leave shall be taken as personal leave, sick leave or leave without pay. The employee who uses emergency leave shall confirm said leave on appropriate forms the day after returning to work.

JURY DUTY AND COURT APPEARANCES

When a teacher is summoned for jury duty s/he shall appear in court and specify a seven (7) day period within twelve months that s/he will be available for jury duty. The following procedures shall regulate the leave for jury duty and court appearances for employees:

- A. The teacher shall present written evidence to the principal that s/he had been summoned to serve on a jury; and,
- B. The teacher shall be entitled to the usual compensation, less the amount paid by the court.
- C. The employee may retain all compensation or fees received for serving as a juror or as a witness.
- D. If the employee is relieved from jury duty during working hours after serving less than three hours, the employee must report back to the employer. If the employee is relieved from being a witness during working hours, the employee will report back to the employer.
- E. On occasions when the employee is included as a plaintiff, defendant, or witness in private litigation, the employee must take vacation leave, personal leave or leave without pay.

COURT APPEARANCES

If a teacher appears in state court because of a personal interest, whether as a plaintiff, defendant or witness or voluntarily appears on behalf of family or friends, or when a teacher is required to appear in court either as a defendant or plaintiff in a civil case, personal leave or leave without pay shall be granted in accordance with the established board policies on leave.

Support Personnel

Support personnel called for jury duty or who serve as court witnesses shall present the subpoena or documents which give reporting instructions to the immediate supervisor.

IN-LINE-OF-DUTY INJURY LEAVE

Any employee sustaining an injury or an illness during the course and scope of his or her employment which is determined to be compensable under the provisions of the Workers' Compensation Law shall be entitled to receive in-line-of-duty injury leave. This leave shall not be counted against any accrued sick leave, which the employee has accumulated. The provisions of the Workers' Compensation Law including, but not limited to, the following will determine benefits, which are receivable, by the employee:

Benefit Review – If you are injured on the job or have a job related illness, contact your employer immediately to report it. If you have any problems with any portion of your Workers' Compensation Claim, the State of Tennessee now has a Benefit Review System whereby a Workers' Compensation specialist has the authority by law to mediate disputes and settle any claims at no cost. Information can also be provided regarding what benefits a worker is entitled to receive. Call the Division's Tennessee toll free telephone number 1-800-332-COMP (2667).

Medical Benefits – Your employer is required to furnish all necessary medical and hospital care. An employer has the right to designate the treating physician. The injured employee must be given the names of three or more physicians, not associated in practice, from which the employee is to choose one.

In accordance with T.C.A. 50-6-204 - Monroe County Board of Education has designated the following panel of physicians from which an injured employee may choose to receive medical treatment:

Blount Memorial Occupational Health	423-884-6958
CHOTA	423-442-2622
Lakeway Urgent Care	865-271-0038
Sweetwater Hospital Emergency Room	865-213-8524

Sweetwater Hospital Emergency Room is the initial emergency facility for Monroe County School System; therefore an employee should visit there when possible. An injured employee should, of course, visit the nearest facility in an emergency; however, an employee with a non-emergency injury should visit a physician from the above-designated panel. If the employee seeks treatment from a doctor not authorized by the employer, the employer is not responsible for the expense. In addition, should an employee require treatment from a specialist (e.g. chiropractic, orthopedic, neurological) the employee is required to choose from the Worker's Compensation provider specialist panel. This panel is available in the Director of Schools' Office, Personnel Department.

Weekly Benefits – Compensation begins on the 8th day of disability. You are not entitled to compensation for the first week of disability unless you are disabled for 14 days. Thereafter, you are entitled to 66 2/3% of your average weekly wage subject to the maximum and minimum rates of compensation in effect at the time of your injury. If the injury results in permanent disability, The Tennessee Workers' Compensation Law provides additional benefits. **Sick leave and workers' compensation benefits cannot be collected together.**

In accordance with T.C.A. 50-6-201- Every injured employee or such injured employee's representative shall, **immediately** upon the occurrence of an injury, or as soon thereafter as is reasonable and practicable, give or cause to be given to the employer who has not actual notice, written

notice of the injury, and the employee shall not be entitled to physician's fees or to any compensation which may have accrued under the provisions of the Workers' Compensation Law from the date of the accident to the giving of such notice, unless it can be shown that the employer had actual knowledge of the accident; and no compensation shall be payable under the provisions of this chapter unless such written notice is given to the employer within thirty days after the occurrence of the accident, unless reasonable excuse for failure to give such notice is made to the satisfaction of the tribunal to which the claim for compensation may be presented. (Acts 1919, Ch. 123, &22; Shan. Supp., &3608a171; Code, 1932 & 6872; impl. am. Acts 1980, Ch. 534, & 1; T.C.A. (orig.ed.) & 50-1001.) Monroe County School System will abide by the Tennessee Workers' Compensation Law and all amendments thereto.

ADMINISTRATIVE LEAVE WITH PAY

The employer may grant absence with pay for administrative purposes. Such leave must be for a good cause as determined by the employer. This leave shall not exceed five working days per year unless exceptional circumstances exist.

ADMINISTRATIVE LEAVE WITHOUT PAY

Any employee, at the discretion of the employer, may be granted leave without pay for sufficient reason as determined by the employer. During the period of absence, the employee will not accrue vacation, sick leave, TCRS service credit (retirement) or other benefits. The absence without pay leave shall not extend for a period in excess of one year.

MILITARY LEAVE

Employees who are members of any reserve component of the Armed Forces of the United States shall be granted leave of absence for all periods of military service during which they are engaged in the performance of duty or training in the service of the state or the United States. Reservists who anticipate military duty during the school year must give written notice to the Director of Schools, within thirty days of the beginning of the school year, of the dates of the anticipated duty. While performing such duty or training, the employee shall be paid his/her regular salary up to a maximum of twenty (20) working days in any one calendar year, plus such additional days as may result from any call to active state duty. An employee called to active duty by the governor to enforce the laws of the state shall be paid his/her regular salary for such time as he/she is engaged in the performance of his/her duty, and any time spent in active state duty shall not count against the twenty (20) day period of leave allowed for military service.

Request for leaves and extension of leaves shall conform to state law and board policy governing all leaves of absence. Failure to comply with applicable laws and policies shall constitute grounds for dismissal.

The employee shall supply a copy of the orders for duty, including the dates of departure and return it to the Director of Schools prior to, or simultaneous with, requesting leave.

TERMINATION PAY

An employee whose services are being terminated, either voluntarily or involuntarily, shall be paid for all regular earnings, overtime which are due and accrued, except unused sick/personal leave days. The employee who is terminated involuntarily will not be compensated for any unused sick leave days or accrued vacation time. In the event of death, the accrued wages and benefits of the employee shall be paid to the employee's estate or to the surviving spouse as may be required by law.

COBRA

An individual covered by the employee health plan has the right to seek continued health coverage upon the occurrence of certain events, such as termination of employment, which might affect that individual's coverage. The employee or covered individual should consult the health care plan administrator.

VACATION TIME – 12 MONTH EMPLOYEES ONLY

Vacation time only affects 12-month employees. All others follow school calendar. Full time 12-month employees (those who work thirty or more hours a week) shall earn paid vacation. Employees will be granted vacation time according to the date of employment as follows: six days of vacation time will be granted after the first year of service; twelve of vacation time will be granted after the second year of service; eighteen days of vacation time will be granted after the tenth year of service. Vacation time will be granted at the beginning of each fiscal year following the first year of service. Part-time employees do not qualify for vacation leave. Vacation time may not be accumulated and carried forward to the next year. Vacation requests will be honored to the extent possible as approved by the supervisor. If two or more employees request vacation leave for the same period of time, it will be the employer's decision if this will create a hardship upon the department. If it is determined that it is not possible for both employees to be on vacation leave at the same time, the request of the employee who has been employed with Monroe County School System for the longest period of time will be honored. No employee may give or loan vacation time to another employee. Upon termination of the employment of an employee, he or she shall be entitled to payment for any unused vacation time, which has accrued. Payment shall be made based upon the daily rate of compensation the employee received as of the time of termination.

EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of Monroe County School System that all persons shall have equal employment opportunities regardless of race, color, national origin, sex, age, religion or disability. Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, discipline or any other employment practices shall be prohibited. Harassment of employees in any form and for any reason is prohibited. The personnel policies of this school system shall be administered in such a manner as to comply fully with the Civil Rights Act of 1964 as amended and other applicable Federal and State laws as set out in this policy. Any employee or applicant who feels that he or she has not been afforded equal opportunity for any employment action may file a complaint in accordance with the discrimination complaint procedure with an assurance of protection from harassment and retaliation.

I. The Law

In our efforts to achieve equal employment opportunity for everyone in the service of the government of Monroe County School System, the intent and mandates of all applicable laws guide us. Major laws governing employment in the public sector include but are not limited to the following:

A. Federal Laws and Regulations

1. Civil Rights Act of 1964, Title VII- makes it unlawful for an employer to discriminate as to hiring, firing, promotion, compensation, terms, conditions or privileges of employment on the basis of race, color, religion, sex or national origin. It also forbids employers to limit, segregate or classify employees in any way that tends to deprive any individual of employment

opportunities or adversely affect his or her employment status because of race, color, religion, sex or national origin. This also applies to people in apprenticeship, training and retraining programs. It is also illegal to indicate a preference in advertisements relating to employment.

Major Amendments

a. Pregnancy Act of 1978- clarified that women affected by pregnancy and related conditions must be treated the same as other applicants and employees on the basis of their ability or inability to work.

b. Guidelines on Discrimination Because of Sex (1972/1980)- establish specific prohibitions of discrimination based on sex and make sexual harassment a violation of Title VII.

2. Civil Rights Restoration Acts of 1987- specifies that entire institutions receiving federal funds, rather than just programs or activities receiving the funds, must comply with Civil Rights laws.

3. Executive Order 11246 (as amended by Executive Order 11375)- imposes on government contractors and subcontractors obligations parallel to those established by Title VII of the Civil Rights Act. This order also prohibits discrimination on the basis of age or physical disability and requires that contractors take affirmative action to ensure equal opportunity.

4. Fourteenth Amendment to the United States Constitution- declares that no state shall make any law, which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty or property without due process of law; nor shall any state deny persons within its jurisdiction the equal protection of the laws.

5. Equal Pay Act of 1963 (amendment to the Fair Labor Standards Act)- mandates equal pay for equal work regardless of sex. The benchmarks for a job are skill, effort, responsibility and working conditions and the exceptions are applications of seniority or a merit system, a measure of quantity or quality of production or any other factor other than sex.

6. Age Discrimination in Employment Act of 1967 (as amended in 1978)- prohibits age-based employment discrimination against individuals forty years of age or older.

7. Rehabilitation Acts of 1973- Section 503 requires employers with federal contracts to take affirmative action for the employment of handicapped people. Section 504 forbids discrimination against handicapped persons by any employers receiving federal financial assistance.

8. Americans with Disabilities Act of 1990, Title I- prohibits covered employers from discriminating against a qualified individual with a disability in all areas of employment.

9. Immigration and Nationality Act (Immigration Reform and Control Act of 1986, as amended)- The IRCA establishes sanctions against employers who knowingly recruit or hire illegal aliens. The law prohibits discrimination against foreign nationals by employers who are not covered by Title VII of the Civil Rights Act.

B. State Laws and Regulations

1. Tennessee Anti-Discrimination Act- forbids job discrimination on the basis of race, creed, color, religion, sex, age or national origin.

2. Tennessee Maternity Leave Law- allows a female employee to take four months leave, paid or unpaid, for pregnancy, childbirth and nursing the infant.

3. Tennessee Handicapped Discrimination Act- prohibits discrimination against handicapped persons.

4. Tennessee Equal Pay Act- prohibits discrimination in the rate of pay because of sex.

II. Guideline on Discrimination/Harassment of Employees

Administrators and supervisors with the government of Monroe County School System are familiar with and will comply with all laws, regulations and guidelines governing various forms of

discrimination/harassment. Specific guidelines are summarized in this document and Monroe County School Board Policy 5.500 – Discrimination/Harassment of Employees. Employee discrimination/harassment will not be tolerated. Discrimination/harassment is defined as conduct, advances, gestures or words either written or spoken of a sexual, racial, ethnic or religious nature which:

1. Unreasonably interfere with the individual's work or performance; or
2. Create an intimidating, hostile or offensive work environment; or
3. Imply that submission to such conduct is made an explicit or implicit term of employment;
4. Imply that submission to or rejection of such conduct will be used as a basis for an employment decision affecting the harassed employee; or
5. Otherwise adversely affects an individual's opportunities associated with employment.

A. Race Discrimination (Civil Rights Act of 1964, Title VII)- it shall be against the policy of Monroe County School System to discriminate against an individual in the employment matters because of that individual's race.

B. Sexual Discrimination- it is the policy of Monroe County School System that there shall be no discrimination against any individual based on sex. This covers all employment actions and conditions of employment and benefits.

1. Job Policies and Practices (Civil Rights Acts of 1964, Title VII and Equal Pay Act of 1963)-

a. Personnel policies do not discriminate on the basis of sex.

b. Employees and applicants of both sexes are equally considered for any positions for which they are qualified.

c. Employment opportunities, wages, hours, conditions of employment and benefits are equally offered to all employees regardless of sex.

d. Marital status shall not be a factor in any employment opportunity or decision.

e. Appropriate physical facilities shall be provided for people of both sexes.

2. Maternity Leave (Pregnancy Acts of 1978 and Tennessee Maternity Leave Law)- accrued sick leave shall be granted for the time a woman is physically unable to work due to childbirth as documented by her physician. Additional vacation and/or leave without pay may be granted in accordance with State law. The same vacation and/or leave without pay may be granted as paternity or adoption leave.

3. Sexual Harassment (Civil Rights Acts of 1964, Title VII and Guidelines on Discrimination Because of Sex, 1980)- Sexual harassment of any employee is prohibited.

Sexual harassment can take many forms. It is not limited to overt physical acts. Suggestive comments, jokes of a sexual nature, sexually suggestive objects or pictures, obscene gestures, sexually graphic stories, as well as unwanted touching, can all constitute sexual harassment. Sexual harassment of any employee shall not be tolerated. No employee shall be allowed to sexually harass, either verbally or physically, another employee; nor shall any supervisor allow the harassment of any of his/her employees, whether by other employees or by persons not employed by Monroe County School System. It shall be the responsibility of managers and supervisors to take all steps necessary to ensure that the provisions of this policy are enforced. Any complaint of harassment will be investigated immediately (Discrimination/Harassment of Employees) and corrective and/or disciplinary action taken if the charges are found to be true.

C. Religious Discrimination (Civil Rights Act of 1964, Title VII)- Monroe County School System expresses its commitment to prohibit religious discrimination against applicants for employment and employees in all areas of employment and benefits. No distinction based on religion shall apply in employment opportunities, wages, hours of work, and other conditions of employment or benefits. Efforts will be made to accommodate the religious observance and practices of an employee unless such accommodation is unreasonable and would result in an undue hardship on the conduct of business. In making these decisions, supervisors will consider such factors as business necessity, financial costs and expenses and resulting personnel problems.

D. Age Discrimination (Civil Rights Act of 1964, Title VII and Age Discrimination in Employment Act of 1967, as amended)- The policy of Monroe County School System prohibits age-based discrimination against individuals forty years of age or older. No appointing authority shall be allowed to refuse to hire, to discharge or otherwise discriminate against any individual with respect to compensation, terms, conditions or privileges of employment because of an individual's age. Nor will any employee be segregated or classified in such a manner as to deprive him or her of job opportunities.

Exceptions:

1. There may be differentials in bona fide employee benefit plans.
2. For some areas of work, age may be a bona fide occupational qualification.

E. National Origin Discrimination (Civil Rights Act of 1964, Title VII and EEOC Guidelines effective December 29, 1980)- It shall be against the policy of Monroe County School System to discriminate because of an individual's or his or her ancestor's place of origin or because an individual has the physical, cultural or linguistic characteristics of a national origin group. Furthermore, it is against the policy of Monroe County School System to discriminate for reasons, which are grounded in national origin, such as:

- a. marriage or association with persons of a national origin group;
- b. membership in or association with an organization identified with or seeking to promote the interests of national origin groups;
- c. attendance or participation in schools, churches, temples, mosques generally used by persons of a national origin group; and
- d. because an individual's name or spouse's name is associated with a national origin group.

There shall be no discrimination based on national origin in any area of employment or condition of employment or in the granting of employment benefits. Monroe County School System requires that all employees be United States citizens or legal resident aliens. Specified classifications require United States citizenship as a bona fide occupational qualification.

F. Handicap Discrimination (State and Local Fiscal Assistance Act of 1972, Rehabilitation Act of 1973, and Americans with Disabilities Act of 1990)-

1. It is the policy of Monroe County School System to assure equal employment opportunity to a person with disabilities on the basis of qualifications and ability to perform the job. There shall be no discrimination in terms of employment opportunities, wages, hours of work or other conditions of employment or benefits. An individual with a disability is one who has a physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment, or who is regarded as having such an impairment.

2. Persons with disabilities are guaranteed the same application process as other applicants. Assistance may be provided when needed, such as the following:

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- a. A reader may be provided for completing an application or written examination for qualified applicants who are vision-impaired or functionally illiterate.
 - b. Waiver of a driver's license may be requested for qualified disabled applicants who are not allowed to drive.

3. All new appointees are required to take a physical examination and TB Skin Test (at the expense of the employee) after an offer of employment is made. The physical examination will be conducted at the health facility chosen by the employee. If a physical limitation is determined which prevents an otherwise qualified individual from performing the essential functions of the job, the appointee can still retain the position if reasonable accommodation can be made. The applicant and the employer shall determine the possibility of reasonable accommodation. Information obtained in the pre-employment physical shall be confidential to the extent allowed by law, except for the following:

- a. Supervisors shall be informed of any restrictions on the duties required for reasonable accommodation.
- b. Safety personnel shall be informed of any possibility of emergency treatment.

4. A department shall make reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with disabilities. The specific accommodations needed shall be determined jointly by the individual and the employer with technical assistance provided by the ADA Coordinator for Monroe County School System. Reasonable accommodation may include, but shall not be limited to:

- a. making facilities readily accessible to and usable by persons with disabilities, and
- b. job restructuring, job sharing or modified work schedule, acquisition or modification of equipment or devices and other similar actions.

In determining whether an accommodation would impose an undue hardship on the operation of the department, factors to be considered include:

- a. the overall size of the specific work area or program with respect to the number of employees and budget;
- b. the type of operation, and
- c. the nature and cost of the accommodation needed.

5. Each department is required periodically to survey their programs and physical facilities to determine if they are accessible to persons with disabilities. If structural problems are found, it is the responsibility of Monroe County to budget for changes. Non-structural problems requiring some form of reasonable accommodation, will be addressed on an individual basis. The ADA Coordinator will provide technical assistance in areas of accessibility to employment.

III. Harassment/Discrimination Complaint Procedure

A complaint of harassment/discrimination as outlined in the Guidelines on Discrimination, including a complaint of sexual harassment, may be filed according to the steps defined below (Monroe County School Board Policy 5.501 – Complaints and Grievances.)

Employees should notify any district complaint manager if they believe the Board, its employees or agents have violated their rights guaranteed by the State or Federal Constitution, State or Federal statute or board policy including:

1. Title II of the Americans with Disabilities Act, 1990
2. Title IX of the Education Amendments of 1972

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3. Section 504 of the Rehabilitation Act of 1973
 4. Claims of sexual harassment under Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972

The complaint manager will endeavor to respond and resolve complaints without resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably. The right of a person to prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies.

1. Filing a Complaint – An employee who wishes to avail himself or herself of this grievance procedure may do so by filing a complaint with any district complaint manager. The employee may request a complaint manager of the same sex. The complaint manager may request the employee to provide a written statement regarding the nature of the complaint. The complaint manager may assist the employee in filing a grievance.
2. Investigation – The complaint manager will investigate the complaint or appoint a qualified person to undertake the investigation on his or her behalf. The complaint and identity of the complainant will not be disclosed except (1) as required by law or this policy; or (2) as necessary to fully investigate the complaint; or (3) as authorized by the complainant. The complaint manager shall file a written report within ten (10) days of the filing of the grievance, of his or her findings with the director of schools. If a complaint of sexual harassment contains allegations involving the director of schools, the written report shall be filed with the Board. The director of schools shall keep the Board informed of all complaints.
3. Decision and Appeal – After receipt of the complaint manager's report, the director of schools shall render a written decision within five (5) days of the receipt of the report which shall be provided to the employee. If the employee is not satisfied with the decision, the employee may appeal the decision to the Board by making a written request to the complaint manager. The complaint manager shall be responsible for promptly forwarding all materials relative to the complaint and appeal to the Board. Thereafter, the Board shall render within thirty (30) days from the date the appeal was received, review the report and affirm, overrule or modify the decision and render a written finding which shall be provided to the complainant. This grievance procedure shall not be construed to create an independent right to a board hearing.

The director of schools has appointed the following two complaint managers: School Nutrition Supervisor, 205 Oak Grove Road, Madisonville, 442-2092 and Federal Programs Supervisor, 205 Oak Grove Road, Madisonville, 442-2373. Monroe County School System recognizes that allegations of discrimination are difficult and often embarrassing for all parties involved. Efforts should be made by employees and management to deal with such allegations in a professional and responsible manner.

IV. Utilization Analysis

A periodic utilization analysis will be done to help monitor representation by race and sex in each department. Such analysis will compare departmental representation with EEO categories to similar numbers in the local labor market work force. Statistics used are taken from the most current U.S. Census data adjusted by State reports on unemployment.

RETIREMENT

Retire Ready, Tennessee's Retirement Program may be accessed at RetireReadyTN.gov. For individual council contact Bob Rogers at Bob.Rogers@empower-retirement.com or by phone at 615-564-7005 / 423-280-6719

DRUG-FREE WORKPLACE

The Monroe County School System recognizes that the use and abuse of drugs and alcohol in today's society is a serious problem, which may involve the workplace. It is the intent of Monroe County School System to provide all employees with a safe and secure workplace in which each person can perform his/her duties in an environment that promotes individual health and workplace efficiency. Employees of Monroe County School System are public employees and must foster the public trust by preserving employee reputation for integrity, honesty and responsibility.

No employee shall unlawfully manufacture, distribute, dispense, possess or use on or in the workplace alcohol or any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance, as defined in federal law. "Workplace" shall include any school building or any school premise; any school-owned or any other school approved vehicle used to transport students to and from school or school activities; and off-school property during any school-sponsored or school-approved activity, event or function.

Any employee who violates the terms of this policy shall be suspended and shall be subject to dismissal and referral for prosecution.
(SBP 1.804)

Illegal Use or Possession of Drugs by Employees

No employee shall unlawfully manufacture, distribute, dispense, possess or use, at any time or any place, any narcotic drug, hallucinogenic drug, amphetamine barbiturate, marijuana, or any other controlled substance, as defined in state or federal law. Upon any charges being brought against any employee by any appropriate law enforcement official alleging that the employee has engaged in any such unlawful activities, the employee may be suspended without pay until the allegations are duly resolved by the proper court exercising jurisdiction over the pending charges.

The Board hereby declares its policy that any such unlawful activities when committed by a professional employee is conduct unbecoming to a teacher and renders the offender subject to dismissal.

Drug & Alcohol Testing for Employees

Reasonable Suspicion Drug Testing

Trained supervisors have the responsibility to observe and document the cause for reasonable suspicion and when appropriate, refer the matter to the Director of Schools / designee. It is not the supervisor's responsibility to attempt diagnosis. All information, facts and circumstances leading to and supporting this suspicion, should be included in a written report detailing the basis for the suspicion. After the report is filed, the employee should be notified.

Any employee may be required to submit to substance screening if the following conditions exist: (list not inclusive)

1. Observed use, possession or sale of illegal drugs and/or use, possession, sale or abuse of alcohol and/or prescription drugs.
2. Apparent physical state of impairment of motor functions.
3. Marked changes in personal behavior not attributed to other factors.

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4. Employee involvement in or contribution to an accident where the use of alcohol or drugs is reasonably suspected or employee involvement in a pattern of repetitive accidents whether or not they involve actual or potential injury.
 5. Violation of criminal statutes involving the use of illegal drugs, alcohol or prescription drugs and/or violations of drug statutes.

Testing for CDL Employees

All drivers and applicants for driver positions who are required to hold a Commercial Driver's License (CDL) to perform their job function must adhere to the requirements of this policy and all procedures relating to this policy.

The use, possession, sale, purchase or transfer of any controlled substances except medically prescribed drugs on school property, while on school business or while operating school vehicles and equipment is prohibited. Drinking alcoholic beverages during working hours, four (4) hours before reporting to work or having any measurable amount of alcohol in their system during working hours is prohibited, whether on or off school property. Working hours include all breaks. Off-duty use of drugs and alcohol is prohibited to the extent that it effects driver's attendance or performance and their ability to pass required DOT alcohol and controlled substance tests. Any violation of this policy is grounds for termination as an employee of the Board and possible legal prosecution.

The use of any prescription drug that could affect the central nervous system or one that would impair reaction time shall be reported to the Director of School/Director of Transportation. Notice shall be given of non-prescription (over-the-counter) drugs being taken on a regular basis. The notice shall include the duration of ingestion and the possible side effects.

Procedures

The execution and enforcement of this policy will follow set procedures to screen bodily fluids, conduct breathing testing, and/or search all employee/applicants for alcohol and drug use, and those employees suspected of violating this policy who are involved in a reportable accident or who are periodically or randomly selected. The procedures are designed not only to detect violations of this policy, but also to ensure fairness to each employee. Disciplinary action will be taken as necessary.

Implementation

The Director of Schools/Transportation Director is authorized to implement this policy and procedures for the drug testing program, including a periodic review of the program to address any problems, changes and/or revisions of it, maintenance of all records required by the federal regulations, and determination upon Board approval of how the program will be accomplished, whether in-house, contracted or by consortium.

Dissemination

The Director of Schools/Transportation Director shall be responsible for communicating this policy and procedures to all employees affected by this policy and shall be accountable for its consistent enforcement. The Director of Schools/ Transportation Director is designated to answer questions about this policy, procedures and all other matters involved in alcohol and controlled substance testing of CDL drivers and the reasonable suspicion testing of all other employees.

(SBP 5.403)

Employees needing treatment information on substance abuse should call Magellan Health Services at 1-800-308-4934 or e-mail www.magellanhealth.com. Assistance through this Employee Assistance Program (EAP) is provided free to employees of Monroe County School System. More information is available from the school insurance clerk in the Finance Department.

TOBACCO-FREE SCHOOLS POLICY

All uses of tobacco and tobacco products, including smokeless tobacco, are prohibited in all of the school district's buildings. Smoking shall be prohibited in any public seating areas, including but not limited to, bleachers used for sporting events, or public restrooms.

During regular school hours, smoking and tobacco products are prohibited anywhere on school grounds, except that adult staff members may smoke or use tobacco products out-of-doors in designated smoking areas, if any, but in no event within fifty (50) feet of any entrance to any building. The use of tobacco or tobacco products, including smokeless tobacco, will be prohibited in all vehicles, owned, leased, contracted or operated by the district.

District employees and students enrolled in the district's schools will not be permitted to use tobacco or tobacco products, including smokeless tobacco, while they are participants in any class or activity in which they represent the school district.

Any student who possesses tobacco products shall be issued a citation by the school principal/resource officer. The director of schools, in cooperation with the juvenile court and the local (police/sheriff's department), is responsible for developing procedures for issuance of the citations which shall include the form and content of citations and methods of handling completed citations. Signs will be posted throughout the district's facilities to notify students, employees and all other persons visiting the school that the use of tobacco products is forbidden. Such signs shall be prominently displayed throughout the buildings to insure that the public is aware of the restrictions applicable.

The following notice shall be prominently posted (including at each ticket booth) for elementary or secondary school sporting events: *Smoking is prohibited by law in seating areas and in restrooms.*

Employee Internet Postings and Social Media Policy

This Internet Postings and Social Media Policy applies to employees who post on the following:

1. Social networking websites including, but not limited to, Twitter, Flickr, YouTube, LinkedIn and Facebook;
2. Blogs;
3. Wikis including, but not limited to, Wikipedia; *AND*
4. Other websites and message boards.

(All of the above-activities shall be referred to as "Internet Postings")

The Monroe County School System encourages and respects its employees' rights under the First Amendment to the United States Constitution. Therefore, employees should not read this Policy as an overt attempt to limit their constitutionally protected freedoms.

However, as representatives of the Monroe County School System, employees shall maintain professional and appropriate relationships with their students and the community. Since most Internet Postings are available to the general public, employees' public postings should remain professional and appropriate for minor students' viewing.

The same level of scrutiny will not apply to employees' private Internet Postings. Private postings include, but are not limited to matters found on encrypted sites and *invite only* networks. However, when an employee makes those private postings available to students or parents, those postings should be treated as public and handled and maintained with appropriate care.

All employees shall sign a fair use agreement wherein employees agree that they will not use school computers or equipment for any inappropriate activities. Employees shall immediately remove any Internet Postings, public or private, that the District determines are inappropriate or unprofessional, including but not limited to Internet Postings that mention a student by name or that cast a student in an unfavorable light. Employees shall refrain from any public or private Internet Postings that violate Federal law, State law, or District Policies.

A. Liability

Employees should understand that they can be held legally responsible for Internet commentary. Therefore, employees should exercise caution with regard to their Internet Postings. Employees must also understand that the Monroe County School System shall not be liable for any errors, omissions, losses or damages claimed due to those employees' Internet Postings.

B. Confidentiality

Monroe County School System employees often find themselves privy to confidential education records. Such confidential information, or information reasonably related to confidential records, shall never be shared or posted on the Internet in any forum (i.e., public or private).

C. Representation

If an employee's Internet Postings or profiles identify him/her as a representative of the Monroe County School System, employees must make it clear that any views expressed are the employee's alone, and do not necessarily reflect those of the District. Furthermore, an employee's Internet Postings or profiles should not include trademarks/logos associated with the Monroe County School System or its schools without prior permission from the appropriate administrator.

D. Association

Many Monroe County School System employees' Internet Postings appear on sites officially associated with the District and/or its schools. The District and its administrators retain editorial control over any Internet Postings found on those officially associated sites. As such, an employee must obtain written permission from the Monroe County School System to associate or link his/her personal site or blog to an officially associated site. Please be aware that violation of this policy may result in disciplinary action up to and including termination.

Ethics Policy

An effective educational program requires the services of men and women of integrity, high ideals and human understanding. To maintain and promote these essentials, all employees are expected to maintain high standards in their school relationships.¹ These standards include the following:

1. The maintenance of just and courteous professional relationships with students, parents, staff members and others;
2. The maintenance of their own efficiency and knowledge of the developments in their fields of work;
3. The transaction of all official business with the properly designated authorities of the school system;
4. The establishment of friendly and intelligent cooperation between the community and the school system;
5. The representation of the school system on all occasions that the contributions of the school system to the community are recognized;
6. The welfare of children as the first concern of the school system when placing professional personnel. The use of pressure on school officials for appointments or transfers is unethical;
7. Restraint from using school contacts and privileges to promote partisan politics, sectarian religious views or selfish propaganda of any kind;
8. The responsibility to make any criticism of other staff members or of the school system directly to the particular school administrator who has the administrative responsibility for improving the situation and then to the director of schools, if necessary; and
9. The proper use and protection of all school properties, equipment and materials.

AMENDMENT OF RULES

It is the responsibility of all employees to carry out and comply with the rules and regulations contained in this manual. The employee should be aware that these rules and regulations are subject to periodic review and change by the employer. Before relying upon the provisions set out herein, it is the employee's responsibility to check with the employer to see if any changes have occurred. This personnel handbook is not intended to replace any Federal or State Regulations or Guidelines, School Board Policies.

**MONROE COUNTY DEPARTMENT OF EDUCATION
SCHOOL HEALTH SERVICES**

CONFIDENTIALITY AGREEMENT

I understand that parent / guardian has signed a release of information form to allow communication between the school health services staff and myself. The purpose of said release is to facilitate communication and coordination of services among educational staff and to allow discussion of pertinent counseling issues that may affect a student’s educational experience. I understand that all communications are considered confidential and therefore are protected by state and federal laws regarding confidentiality of student information. By signing below, I indicate (1) an understanding of the importance of the laws regarding confidentiality and (2) agreement to maintain confidentiality at all times.

Employee Signature

Date

Print Name (Employee)

School & Position

Witness

Date

As indicated by my signature below, I verify the following:

ACKNOWLEDGMENT OF EMPLOYEE HANDBOOK

- A. I have read the handbook and any questions which I have will be addressed to my employer or I will seek the assistance of my personal attorney if I do not understand any of the rules and regulations; and
- B. I understand that my employment will be subject to the provisions contained in this handbook along with any subsequent changes or amendments.

DRUG & ALCOHOL POLICIES ACKNOWLEDGMENT

I have carefully read the Monroe County School System Drug and Alcohol Policies included in this handbook, understand their requirements and agree, without reservation, to follow policy.

STAFF TIME SCHEDULES POLICY ACKNOWLEDGMENT

I have carefully read the Monroe County School System Staff Time Schedules Policy included in this handbook, understand the requirements and agree, without reservation to follow this policy.

E-MAIL POLICIES

I acknowledge that I am aware of the following Monroe County School Board policies: Use of Electronic Mail (e-mail); Employee Internet Posting and Social Media Policy.

SCHOOL-BASED CLINICS –Patient Rights & Responsibilities

I hereby acknowledge the reading of the Patient Rights and Responsibilities included in the employee handbook.

EMPLOYEE SIGNATURE

DATE

PRINT - NAME OF EMPLOYEE

SCHOOL & POSITION

SUPERVISOR SIGNATURE

DATE