



# EMPLOYEE HANDBOOK

*TOGETHER, ENGAGING STUDENTS TO SUCCEED*

# HIGH DESERT EDUCATION SERVICE DISTRICT

## *TOGETHER, ENGAGING STUDENTS TO SUCCEED*

### MISSION

Improve student outcomes with **EXCELLENCE, EQUITY** and **EFFICIENCY**.

### CORE VALUES and BELIEFS

**We put children/students first:** All of High Desert ESD's decisions fundamentally address the questions: Will this decision be best for the children we serve; Will it increase access and lower barriers to the success of all of our students?

#### **How:**

- ✓ **We put relationships at the center of all we do.** We are caring, responsive, nurturing and accepting of others. We believe that collaboration is central to all of the work we do and investing in those relationships is critical to improving outcomes for those we serve.
- ✓ **We invest in lifelong learning.** We support and model professional learning to continually improve as an organization and as individuals. Learning can take many forms including taking risks and learning from failure.
- ✓ **We innovate to grow.** We embrace innovation through flexibility, idea testing, risk-taking and empowering those closest to the work.
- ✓ **We are nimble, flexible and data-driven.** We efficiently and effectively respond to data. We are nimble and flexible in addressing the needs of those we serve.

### GOALS

- ✓ Improve the emotional, physical and mental well-being of students in our region as measured by improved attendance, safety, and graduation rates.
- ✓ Be the most responsive, effective and sought-after provider of educational services in Central Oregon by combining professional excellence, innovation and drive.
- ✓ Recruit, support and retain an outstanding, engaged, professional and diverse workforce to provide excellent services that are innovative and responsive to those we serve.
- ✓ Be the P-20 regional collaborative leader in Central Oregon to bridge gaps and bring people together in support of improved student outcomes.

## **STRATEGIC PRIORITIES**

Implement best practices for educators gleaned from **INVESTIGATION**, **INNOVATION** and **INCUBATION** of ideas and efforts from the public and private sectors.

- ◆ Foster education opportunities from birth to career
  - ✓ Increase student access to education
  - ✓ Advocate regionally for birth to career education opportunities
  - ✓ Garner funds for programs and services
- ◆ Provide value to our school districts, families and other customers
  - ✓ Provide services on behalf of our districts due to cost, politics or expertise
  - ✓ Listen to and meet the needs of our constituents
  - ✓ Employ individuals with experience and expertise
- ◆ Bridge gaps and bring people together
  - ✓ Build coalitions and partnerships
  - ✓ Look for and respond to unmet needs
  - ✓ Enhance state and regional presence – Advocate and inform

## **PREFACE**

This employee handbook has been prepared as a summary of High Desert ESD policies, practices, and in some cases, labor contract provisions or the laws effecting public employment in Oregon. It is not intended as a contract between the High Desert ESD and an employee. It is unilateral statement of current practices. The High Desert ESD reserves the right to change such practices. When you have a question, it is always best to check with your supervisor or the appropriate High Desert ESD Department.

## **DISTRICT OFFICE CONTACT NUMBERS**

Dr. Paul Andrews, Superintendent	541.693.5600 ext 2003 or ext 2008
Sandra Bishop, Assistant Superintendent	541.693.5600 ext 2027 or ext 2008
Human Resources	541.693.5600 ext 2625 or ext 2685
Legal Services	541.693.5600 ext 2017, 2004, 2005 and 2019
Business Services	541.693.5600
Senior Financial Analyst	541.693.5600 ext 2014
Accounts Payable	541.693.5600 ext 2015
Payroll	541.693.5600 ext 2010

## Tables of Contents

Note on Forms, Documents and Policies.....	6
Welcome to High Desert ESD .....	6
Attire.....	6
Building Maintenance.....	6
Business Cards.....	6
Calendars and Schedules.....	6
Directory Information.....	6
Computer & Technology Responsible Use Policy.....	7
Email Access .....	8
Internet Access .....	8
Mobile Devices.....	9
Network Security.....	9
Evaluation .....	10
Liaison.....	11
Name Badge .....	11
Suspected Child Abuse and/or Neglect.....	11
Confidentiality .....	11
Non-English Speaking Families .....	11
Working Alone With Students .....	12
Transportation of Students and Type 10.....	12
Working Procedures .....	12
Payroll Timeline.....	12
Paychecks.....	12
Accounts Payable Timeline .....	12
Copyright.....	12
Conferences/Workshops.....	13
Fundraising .....	13
Leave Accounting Procedure .....	13
Types of Leave .....	13
Licensed Staff Advancement on the Salary Schedule.....	14
Political Activity/Advocacy.....	15
School/Program Closure or Weather Delays and Work Days .....	15
Tuition Reimbursement.....	16
Business Mileage Reimbursement.....	16
Business Travel Reimbursement .....	17
Volunteers.....	19
Safety and Health Issues.....	19
Accident/Incident Reporting .....	19
Emergency Building Reference Guide .....	19
Employee Assistance Plan.....	19
Employee Health and Safety.....	19
First Aid/CPR .....	20
Security.....	20
Sick Leave Bank .....	20
Universal Infection Precautions.....	20

Complaint Procedures and Board Policies .....	21
General Problems and Questions .....	21
Staff Complaints.....	21
Official Complaint Procedure .....	21
Sexual Harassment of Staff and Students .....	22
Hazing/Harassment/Intimidation/Bullying/Menacing Complaint Procedure.....	24
Drug-Free Workplace.....	25
Tobacco and Inhalant Devices.....	26

## **Note on Forms, Documents and Policies**

Throughout this Handbook, there are specific forms, documents and policies referenced. The current, updated version of these and numerous others can be accessed at the High Desert Education Service District webpage at [www.hdesd.org](http://www.hdesd.org) . Navigate to Departments > Human Resources>Documents and Forms. All Board Policies can be accessed on the website. Navigate to About Us > Board of Directors > ESD Policies.

## **Welcome to HDES**

### **Attire**

Appropriate dress is required. Casual dress may be acceptable but generally does not include athletic wear. Dress appropriately for the most formal appointment of the day and in compliance with applicable building and department procedures. Good individual judgement is the best guideline, but the ESD retains the right to decide what clothing is appropriate. Some adults and children are allergic to perfumes and colognes— please, be sensitive to this situation.

### **Building Maintenance**

If something in your site needs attention, please tell your liaison or supervisor. Please assume responsibility for cleaning up after yourself (including your desk, book shelves, etc.) and others (work room, conference rooms, break room, kitchen, computer labs, etc.).

### **Business Cards**

Business cards are available as needed and as approved by your supervisor. Send your request to your liaison. **[Form: “Business Card Order”]**.

### **Calendars and Schedules**

Once your work schedule has been established, submit your completed calendar to your liaison by September 15<sup>th</sup> or within one week from the time of hire. All deviations from the standard school year calendar need to be discussed with your supervisor prior to finalizing your schedule. Staff with authorized flextime shall notify his/her immediate supervisor in writing of any schedule deviation of more than one half-hour.

Since the HDES is not like a K-12 school district which is able to set one or two work calendars for their employees, individual work calendars are extremely important. They are a legal document and part of each employee’s permanent record (OAR 839-020-0080) and are referenced for various employment verifications including employee loan applications, TSPC licensure renewals and benefit calculations, and to locate an employee in an emergency. Calendar changes made during the year must be pre-approved by supervisor, clearly marked on a copy of the original calendar and received and approved by the HR office prior to the change. There are several staff calendars, be sure to pick the correct one. **[Document: “Calendar Directions” Form: Calendar]**.

### **Directory Information**

"Directory Information" is information generally needed in locating a named HDES employee, including information readily found in published documents. The HDES will publish a regional staff directory including the employee’s name, job title and work phone. This directory will be made available to component districts and on the HDES website. HR will maintain a master staff list including home phone numbers and addresses for HDES internal information only. Unlisted phone numbers will be listed as such. **Regional Staff Directory can be found on the website homepage.**

## **Electronic Communications and Acceptable Use**

### **Computer & Technology Responsible Use Policy (RUP)**

High Desert Education Service District (HDES) recognizes the important role of technology in enhancing the work we do for students and our communities. HDES staff are encouraged to use information and technology resources to improve excellence, equity, and efficiency in their work.

### **Purpose**

The purpose of the High Desert Education Service District Responsible Use Policy (RUP) is to provide guidelines, rules, and the code of conduct for the use of information and technology resources, the HDES network, and other connected networks including the internet. We provide these guidelines and rules to ensure the safety of staff, students, parents and computer systems while providing the opportunity to utilize networking technology and Internet in enhancing the education process.

### **User Responsibilities**

HDES staff are required to read and understand this RUP before accessing HDES information and technology resources. Staff will acknowledge, by digital or written form, they have read and will comply with the RUP. HDES staff with questions regarding the application or meaning of this RUP are encouraged to communicate with the Chief Information Officer to obtain clarification.

### **Expectation of Privacy**

HDES staff are reminded there is no expectation of privacy when using HDES information and technology resources. HDES reserves the right to disclose any electronic messages to law enforcement officials or third parties as appropriate. All documents and communication are subject to the public records disclosure laws of the State of Oregon, e.g. ORS 192.410.

### **Responsible Use**

In addition to the general use of information and technology resources, staff are encouraged to use digital tools to communicate with colleagues, students, and parents/guardians, subject to appropriate consideration for student privacy. Digital communications are often public in nature; therefore, general rules and standards for professional behavior and communications will apply. HDES staff are reminded the use of technology resources is subject to the same management oversight as other employee activities.

Responsible use of HDES information and technology resources by staff includes, but is not limited to, the following:

- using HDES-owned hardware, software, network, and internet connectivity to work efficiently;
- accessing the internet to retrieve information for use in operations and instruction;
- communicating using email and messaging applications;
- acting as positive representatives of HDES while on the internet;
- maintaining and safeguarding passwords; changing passwords regularly
- conducting online activities in an ethical and legal fashion;
- abiding by generally accepted rules of network etiquette; and,
- notifying the technology department if you learn others are utilizing HDES information and technology resources for unlawful or suspicious activities.

## **Access**

### **User Access**

All staff members are authorized to use HDESD information and technology resources within the limitations established by Board policy and this RUP. The district will monitor electronic communication use, including internet and e-mail use.

### **E-mail Access**

Each HDESD employee will be provided an HDESD e-mail address. E-mail is the primary source for agency-wide communications and will be relied upon to communicate announcements, changes in procedures, and other important information. **Each employee is expected to access e-mail on a regular basis.**

### **Hardware and Software Access**

Each HDESD employee will be provided access to hardware and software to meet the needs of the work assigned, in consultation with and approval of the employee supervisor or program manager. We will match needs with desktop computers, laptop computers, mobile devices, and a range of productivity software.

### **Internet Access**

The use of the internet while at work should support the educational, instructional, and operational goals of our organization. This includes accessing web sites, search engines, productivity tools, communication tools, social media, and email. HDESD staff will use network etiquette, including but not limited to:

- Be polite. Do not be abusive in your messages to others.
- Use appropriate language. Do not swear, use vulgarities or any other inappropriate or suggestive language.
- Do not break the law. Illegal activities are strictly forbidden. (Remember that staff have no expectation of privacy while using their HDESD-provided e-mail accounts and internet. Technology staff who operate the system have access to all mail. Messages relating to or in support of illegal activities will be reported to the appropriate authorities.)
- Do not reveal your personal address or phone number or that of other employees or students, except in your normal course of duties.
- Do not disrupt the use of the network by other users. (This can happen when downloading large movie files or with some streaming media services.)
- Do not download and use copyrighted material without the written permission of the copyright holder.

### **HDESD Wireless Internet Access**

It is permissible to access HDESD wireless internet where available using any personal computing device. However, access of the wireless internet by a user means that the user agrees to all the rules and guidelines set forth in this document.

### **Personal Internet Access**

Occasional and incidental personal use of the district's information technology resources and internet access is allowed subject to limitations.

Personal use of the internet is prohibited if:

- It materially interferes with the use of information and technology resources by the district;  
or
- Such use burdens the district with additional costs; or



- Such use interferes with the staff member's employment duties or other obligations to the district; or
- Such personal use includes any activity that is prohibited under any district procedural directive.

## **Mobility**

### **Mobile Devices**

Employees issued an HDESD mobile device shall have no expectations of privacy with respect to the content on the device. This includes, but is not limited to, internet usage, phone calls, text messages, photos, email, notes, and applications. Prohibited activities outlined in this RUP shall apply to activity on district mobile devices.

District mobile devices and related content are subject to provisions of the Public Records Act, including any personal information that may be housed on the district mobile device. Pursuant to Oregon statutes, public records may not be intentionally destroyed once the information has been formally requested.

Employee personal mobile devices may also be subject to the Public Records Act if the employee has engaged in HDESD business on their personal device.

### **Mobile Device Administrator Permissions**

Employees who access HDESD information services, e.g. email, using a mobile app on their device will be asked to grant security administrator access to their device in the event of device theft, loss, or data that is in any other way compromised. This access does not allow a system administrator to view content on your device. It allows the system administrator to suspend your device's connections to HDESD services or, in the case of theft or loss, to wipe your device.

## **Security**

### **Network Security**

Passwords are the first level of security for a user account. System logins and accounts are to be used only by the authorized owner of the account for authorized district purposes. Staff are responsible for all activity on their account, must not share their account password, must not use the account of other users, and must exercise responsible password management, including password changes at regular intervals.

### **Privacy**

Staff should not reveal personal information, including a home address and phone number on websites, blogs, podcasts, videos, social networking sites, wikis, e-mail or as content on any other electronic medium.

Staff should not reveal personal information about another individual on any electronic medium without first obtaining permission.

### **Student Information Privacy**

HDESD staff who have access to or may have access to personally identifiable student records shall adhere to all standards included in the Family Educational Rights and Privacy Act (FERPA), Health Insurance Portability and Accountability Act (HIPAA), and other applicable laws and regulations, as they related to the release of student information.

### **Social Media**

HDESD staff should exercise caution and common sense when using personal social media.

Employees are prohibited from inappropriate online socializing with students or from engaging in any conduct on social networking web sites that violates the law, district policies, or other generally recognized professional standards. Employees whose conduct violates this policy may face discipline or termination, consistent with board policies, responsible use agreement, and collective bargaining agreements, as applicable.

HDESD staff are encouraged to use appropriate privacy settings to control access to their personal social media sites although there are limitations to privacy settings. Private communication published on the internet can easily become public; social media sites can change their current default privacy settings and other functions. As a result, employees have an individualized responsibility to understand the rules of the social media site being utilized.

### **Filtering and Monitoring**

Filtering software is used to block and/or filter access to visual depictions that are obscene and all child pornography in accordance with the Children's Internet Protection Act (CIPA). Filtering software is not 100% effective. While filters make it more difficult for objectionable material to be received or accessed, filters are not a complete solution. HDESD staff must take responsibility for their use of the network and internet and avoid objectionable sites.

### **Prohibited Activities**

- Staff shall not use the network to transmit profane, obscene, vulgar, sexually explicit, threatening, defamatory, abusive, discriminatory, harassing, criminal or otherwise objectionable messages or materials. (Employees are also prohibited from visiting internet sites that post such materials and downloading or displaying such materials.)
- Staff shall not upload or otherwise transfer out of the district's direct control any software licensed to the district or data owned or licensed by the district without explicit written authorization.
- Staff shall not use information technology resources to reveal confidential or sensitive information, student data, or any other information covered by existing state or federal privacy or confidentiality laws, regulations, rules, policies, procedures, or contract terms.
- Staff shall not use HDESD information and technology resources for personal gain, commercial solicitation or compensation of any kind.
- Staff shall not use HDESD information and technology resources to support or oppose ballot measures, candidates and any other political activity.
- Staff shall not use HDESD information and technology resources to intentionally disable or overload any computer system or network, or to circumvent any system intended to protect the privacy or security of the district's information technology resources.
- Email shall not be utilized to share confidential information about students or staff without authorization.
- No staff member may disclose, use, or disseminate any personal information regarding students or staff without authorization.
- Generally, the same standards of acceptable staff conduct which apply to any aspect of job performance shall apply to use of HDESD information technology resources.

### **Evaluation**

Each employee (non-licensed and licensed) will have access online to evaluation handbooks which explains the evaluation process including all appropriate forms. **[Form/Document: "Evaluation Packet Non-Licensed", "Evaluation Packet Licensed", "Professional Growth Plan Licensed Staff", "Professional Growth Request"]**.

## **Liaison**

Each employee is assigned a HDESD liaison who serves as that employee's connection with HDESD administrative departments. The liaison answers general questions, reports building safety issues, reports incidents and accidents, handles timesheets, mileage reimbursement requests, leave accounting, processes purchase requests, and sometimes technical assistance.

## **Name Badge**

Staff are expected to wear photo name badges in all programs serving children or as otherwise required. Name badges are issued upon hire. Replacement badges are available from the HR Department.

## **Suspected Child Abuse and/or Neglect**

**Board Policy Code: JHFE**

Any High Desert Education Service District (ESD) employee who has reasonable cause to believe that any child with whom he/she has come in contact has suffered abuse or neglect, as defined in state law, or that any adult with whom he/she is in contact has abused a child, will immediately notify the Oregon Department of Human Services (DHS) or the local law enforcement agency. The ESD employee shall also immediately inform his/her program supervisor, administrator or superintendent. **Training: All annual trainings will be completed through "SAFE SCHOOLS." Employees will be notified through the HDESD email service with the "SAFE SCHOOLS" web-link.**

## **Confidentiality**

All records and other information on children and families in HDESD programs are **confidential**. Parents must sign a form releasing his/her child's records before information can be shared with outside non-educational agencies. Check with your program supervisor for further information.

To ensure confidentiality:

- Avoid discussing children/students/families in public places (including break rooms and work rooms).
- Write only first names or initials on papers that are posted in the classroom (e.g. data sheets, art work, attendance records, program minutes/notes and working files).
- Avoid discussing a child's/student's disabilities or program with anyone who is not directly involved with that child's program. This may include other parents, classroom volunteers, substitutes, bus drivers or interpreters.
- Place correspondence in a sealed envelope when sending home with a child/student.
- Write "confidential" on envelopes and information when appropriate.
- Be brief when leaving phone messages including your name, phone number, and a request to return your call.
- Shred documents with personal information when they no longer need to be kept.

## **Non-English Speaking Families**

When having eligibility and/or IFSP/IEP meetings, staff should document on the paperwork that an interpreter was present. In addition, staff should address with all families their preference for receiving information following the meeting. For example:

- Tape recorded summary in native language
- Written summary in native language
- Written translation of the document
- None needed

Note the parent preference in contact or meeting minutes. Responsibility for delivery of information rests with the HDESD program or the school district.

### **Working Alone With Students**

Staff should avoid being alone with students in private situations whenever possible. This includes: in the classroom, bathrooms in particular or other areas where you may be providing instruction. When possible, make sure there is another adult, a parent, or possibly a child who could act as a witness within the vicinity when you are working individually with a student. If there is a need to be alone for therapy or instruction, please leave doors ajar, notify someone of your schedule and follow it.

When your job assignment requires being alone with a student, bring any sensitive student/family concerns to your supervisor prior to providing service.

### **Transportation of Students and Type 10**

The High Desert ESD does not allow staff members to transport students in personal vehicles unless your position requires you to do so. If your position requires you to transport students you must have approval from your supervisor, completed the Type 10 or 20 training through the HDESD, have a current Oregon Drivers License, and a current First Aid/CPR card.

## **Working Procedures**

### **Payroll Timeline**

Paychecks are issued on the 15<sup>th</sup> of the month. When the 15<sup>th</sup> falls on a non-working day paychecks are issued on the preceding workday. (For example, if the 15<sup>th</sup> is a Sunday, paychecks are delivered on Friday the 13<sup>th</sup>)

Timesheets are paid on a monthly system and are due in the HDESD Business Services by the 4<sup>th</sup> of the following month. When received on time, they are paid on the 15<sup>th</sup>. Timesheets that are not received by the 4<sup>th</sup> may not be guaranteed payment on the 15<sup>th</sup>. Failure to submit timesheets in a timely manner may result in disciplinary action. Only original, signed timesheets can be accepted – no copies or faxes will be accepted for payment. **[Form: “Time Sheet ESD Programs”]**

### **Paychecks**

Every employee should check his or her paycheck each month to make sure that wages, deductions and leave accounts are correct. In case of an overpayment or underpayment, please contact the Business Office immediately.

For an overpayment, the employee will be responsible to pay back any difference between the correct amount and overpayment. The reverse is true for an underpayment. The HDESD will adjust your pay appropriately to pay you the correct amount.

### **Accounts Payable Timeline**

Mileage or expense reimbursement will be paid approximately two (2) weeks after the date the Business Office receives them. If forms are held up at a supervisor’s/liaison’s desk, or have to be returned for appropriate signatures or approval, reimbursements will be paid approximately two (2) weeks from the time they are returned to the Business Office.

### **Copyright**

The Board recognizes that the unlawful copying of copyrighted materials contribute to higher costs for materials, lessens the incentives for development of qualified educational materials, fosters an attitude of disrespect for law which is in conflict with the educational goals of the district and puts the HDESD at risk of litigation. All copyright laws are honored. If extra copies of a document, book, video or software are needed,

please order it and use your supply budget. A small portion of a document, book, CD, DVD, or video may be copied **only if** a credit statement is included. If you have further questions, talk to your supervisor.

### **Conferences/Workshops**

Requests to attend conferences/workshops must be submitted to your immediate supervisor at least 10 days in advance for prior approval on the Conference, Workshop, In-service Request Form. Conferences/workshops must be related to your job assignment, student caseload, and/or performance goals. Attach all appropriate receipts to your travel form. Carpooling arrangements should be made when other staff are attending the same conference. **[Form: “Conference, Workshop, In-service, Travel Reimbursement”]**

### **Fundraising**

**Board Policy Code: KH**

Fundraising is extremely important to this agency and helps to supplement program budgets that are not met by state contracts or by the HDESD general fund. However, the time spent on fundraising during regular work hours should be minimal. It is understood that occasionally an employee may need to perform an activity regarding fundraising during work hours; however, the amount of time that an employee spends on any fundraiser during the workday should be limited.

### **Leave Accounting Procedure**

When an employee has reason to request leave he/she will follow the established procedures.

Sick Leave/Sick Time: Sick Leave shall cover absences due to employee’s illness or injury, including pregnancy disability, or unavoidable employee absence due to illness or injury in the employee’s immediate family as defined by the Collective Bargaining Agreement. Failure to report absences in a timely manner may be considered a job performance issue.

If you are unable to report to work it will be your responsibility to report your absence to your liaison and the school/building that you are working at. **Report this as soon as you are aware that you will not be working on that day.** You and your supervisor should determine ahead of time if you will be required to have a substitute for your position in the case of an absence.

If you are unable to report to work and you need to be replaced by a substitute (this should be predetermined between you and your supervisor) Aesop will schedule a substitute for you. Aesop may be accessed by phone 1-800-942-3767 or on-line at <https://www.aesoponline.com>. You will still be responsible for reporting your leave to your liaison.

The Superintendent and/or the HR Director may require a physician’s statement before granting sick leave in excess of five (5) consecutive working days.

Pre-approved Leave: All other types of leave must be pre-approved by your supervisor except in cases of sudden emergency. If you know that you will need to be absent from work it is your responsibility to fill out a Leave Request Pre-Approval form, get it signed by your supervisor and give it to your liaison prior to date of your absence **[Form: “Leave Request Pre-Approval”]**

### **Types of Leave**

For detailed information refer to the Collective Bargaining Agreement.

Medical Leave: In accordance with current State, Oregon Family Leave Act, and Federal law, Family Medical Leave Act, employees can request all or part of the 12-week allowable leave. After leave, the employee is guaranteed to return to the same or similar position. Insurance benefits may continue up to 12 weeks. Such leave is unpaid unless employee uses sick leave, personal leave or vacation leave. **[Form: “Request for Family/Medical Leave”]**

Bereavement Leave: Employees will be allowed up to four (4) days paid leave for each death in the employee's immediate family as defined by the Collective Bargaining Agreement. Additional days for out of state travel may be approved by the Superintendent. If eligible for OFLA, employees may have additional days of bereavement leave that will run concurrently with sick time and paid bereavement days. **[Form: "Leave Request Pre-Approval"]**

Leave of Absence: A one-year leave of absence without pay may be granted to an employee. Additional years may be requested by the employee and may be approved by the District. Employee is given a similar position on return.

Military Leave: Employees who are, or who become members of the military, shall be entitled to military leave in accordance with current State and Federal law.

Personal and Emergency Leave: Employees are provided up to three (3) working days of non-accumulating personal/emergency leave with pay. Except in cases of sudden emergency, such leave shall be scheduled with minimum of one (1) week notice at times mutually agreeable to the employee and the employee's supervisor. The District may deny a leave request for lack of a qualified replacement if one is deemed necessary. **[Form: "Leave Request Pre-Approval"]**

Legal Leave: Employees are granted paid leave for service on a jury or appearance before a court or other judicial body in response to a subpoena. Notify your supervisor and forward a copy of the summons to HR. Since the HDESD pays for your time to serve on a jury or appear in court, any stipend paid to you should be forwarded to the HDESD. If a case is settled and you are released earlier than expected, you must report back to work to finish your normal work day. Legal Leave is not for use of personal court issues. **[Form: "Leave Request Pre-Approval"]**

Sick Leave: At the beginning of employment, a twelve-month employee shall receive 12 days per year. Employees other than twelve-month employees shall receive one sick leave day per month, according to the number of months worked per year. Sick leave is awarded annually and is accumulative. Unused leave is transferable under certain conditions when employee exits from the District. **[Form: "Leave Request Pre-Approval"]**

Sick Time: At the beginning of employment, Sick Time will be front loaded based on their employee category as described in Board policy GCBDD/GDBDD. Sick time is awarded annually and 40 hours of unused sick time may be carried forward from one year to the subsequent year, accruing no more than 80 hours of sick time and using no more than 40 hours of sick time in one year. Sick leave and sick time will run concurrently. **[Form: "Leave Request Pre-Approval"]**

Vacation: Classified (non-licensed) bargaining unit employees earn paid vacation time after one year of employment and will be paid in equal installments during the year. Earned vacation leave for other eligible staff is determined by policy and contract. Licensed bargaining unit employees are not eligible for paid vacation. **[Form: "Leave Request Pre-Approval"]**

### **Licensed Staff Advancement on the Salary Schedule**

To receive credit which counts for advancement on the salary schedule, the licensed staff member must have pre-approval (Professional Growth Request Form) of university graduate level course work that is directly related to the licensed employee's assignment, TSPC endorsement area, program need or your Professional Growth Plan. Approval comes from your immediate program supervisor, Department Director, and the HR Director. Occupational Therapists, Physical Therapists and Speech Language Pathologists who are paid on the Licensed Salary Schedule may use certain non-university coursework or workshops to advance on the salary schedule. Participation hours in an approved activity for the purpose of movement on

the salary schedule will be converted to credit hours on a 10 to 1 basis (10 participation hours equal one (1) credit). To be utilized, credit must be pre-approved, directly related to the licensed employee's assignment with the HDESD, the needs of the program and/or the employee's Professional Growth Plan. Pre-approval will depend on a determination that the workshop or coursework is academically credible and is sufficiently beneficial to the HDESD to warrant credit.

Once the 15 credits necessary for advancement on the salary schedule have been successfully completed, the employee should request that an official transcript(s) be sent to HR and contact HR to request a file review. For credit to apply to movement on the salary schedule, approved coursework must be completed by October 1<sup>st</sup> of that year and proof of successful completion received by HR by November 1<sup>st</sup> of the same calendar year. **[Form: "Professional Growth Request Form"]**

### **Political Activity/Advocacy**

Public employees may not, while on the job during working hours, promote or oppose election petitions, candidates or ballot measures. Additionally, no person (including elected official) may require a public employee at any time to do so. (ORS 260.432) This includes preparing or distributing written material that advocates a political position. A public employee may prepare and distribute impartial written material or make an impartial presentation that discusses election subjects. Employees may at any time, express personal political views.

### **School/Program Closure or Weather Delays and Work Days**

The HDESD is a complex organization whose employees serve in many capacities throughout Central Oregon. In the event of inclement weather, each HDESD program is encouraged to develop specific procedures based on the needs of their program. The information below describes the general "report to work" expectations for employees during inclement weather or emergency conditions. Expectations in a specific program may vary based on need and will be approved by the program supervisor. In any weather or other emergency, the number one consideration is safety.

- A. HDESD employees who work in a program not associated with a component school district including Administrators, Supervisors, Confidential, and Classified Employees with work calendars in excess of 210 days:** These employees are expected to report to work as close to regular report times as possible. If they are unable to report because of safety concerns, they need to report their absence to their liaison. If eligible, they may report the absence as vacation or personal leave or arrange for trade time with their supervisor. If appropriate a make-up day may be scheduled.
- B. HDESD employees who work in a program associated with or in a component school district.** HDESD programs will follow the closure or delay as specified by the district. When closures or delays are necessary within a district, the decision is generally made by shortly after 5:00 a.m. and reported by the local media. If you have a question about a delay or closure in the district in which you work, please listen to your local radio station.

#### **1. Delayed Start to School**

When a "two-hour delayed start" is announced, employees are expected to report to work as close to their regular report time as safely possible. If the program or assignment they normally are responsible for has been changed due to the late start, their immediate administrative supervisor may request them to perform other duties to assist the school or department. In the case of late starts, no employee whose work hours are affected by the delay will receive a salary deduction and the hours will not be rescheduled at a later time. Employees that are unable or choose to not report to work on a delayed start day must report their absence on the absentee report form. If eligible, they may use personal leave to cover the absence.

## 2. School Closure

Licensed employees normally do not report to work on days when the district in which they work closes schools. Those employees who may have arrived at work will be excused from duty. The school day may be rescheduled at the discretion of the Superintendent.

Classified employees who are covered by the collective bargaining agreement and scheduled to work less than 210 days are generally scheduled to work on days that parallel when students and staff are on the job, therefore, they DO NOT report to work on weather closure days and the missed day will be rescheduled with their supervisor. If the employee has already reported to work or failed to receive the closure notice, they normally will be compensated for up to 2 hours.

### **Tuition Reimbursement**

Employees have the opportunity to be reimbursed for seventy-five percent (75%) of the cost of tuition for course work, not to exceed the average rate charged by the institutions that are part of Oregon's state system of higher education. Coursework must be pre-approved at least 10 days before the first class. Approval may be granted on all courses that, in the opinion of the Superintendent, reflect a substantial benefit to the District and fall within the resources budgeted. The District will reimburse an individual for up to nine (9) quarter hours per year. The reimbursement of tuition costs for course work approved prior to its commencement will be paid to the applicant upon evidence of successful completion. Tuition Reimbursement will not be approved for credits earned during working hours on days in which the staff person receives pay. Please contact the HR for further information. Workshop reimbursement may be available as determined by each program. **[Form: "Professional Growth Request"]**

### **Business Mileage Reimbursement**

The nature and scope of an employee's daily and regular work may require travel away from the primary place of work or home office. With a supervisor's approval, the employee may use either a district-owned or district-leased automobile (depending on availability) or their own private automobile for regular ESD business travel.

Mileage will be reimbursed at the rate allowed by the IRS at the time the mileage was incurred. The rate is adjusted periodically by the IRS. The reimbursement rate covers all costs of operating a car including insurance described below; additional operating expenses cannot be claimed.

All persons operating their private vehicles on behalf of the ESD must carry personal liability and property damage insurance at least at the minimum legal level in Oregon as defined by ORS 806.010.

Regular non-taxable mileage reimbursements are not allowed for commuting miles, which are miles from home to work and work to home. Taxable mileage reimbursement is available in certain circumstances. See below.

Submit completed travel and reimbursement forms monthly to your liaison for supervisor approval, and processing by the Business Office. Requests received after the end of the fiscal year (June 30) may be denied.

### **Business Mileage Reimbursement**

Requests for mileage reimbursement must be submitted on a current ESD Regular Business Mileage Reimbursement form, an example is attached on the following pages. Current forms are available on the [ESD website](#).



### **Taxable Business Mileage Reimbursement**

Requests for taxable mileage reimbursement must be submitted on a current ESD Regular Taxable Business Mileage Reimbursement form. Current forms are available on the [ESD website](#).

Mileage is reimbursable on a taxable basis for miles driven from an employee's residence to the first work assignment or from the last work assignment to home when that assignment is not the employee's designated home office. Mileage between an employee's residence and the designated home office is never reimbursable. Reimbursable mileage will be computed from the designated home office or from the employee's residence, whichever is shorter, and will be paid as taxable income.

### **Business Travel Reimbursement**

Regular business travel expenses are those incurred as a regular part of an employee's work assignment and may include mileage, lodging, meals and related expenses. Professional development travel expenses are generally those incurred out of the area and associated with training, workshops, etc. and are not part of an employee's regular work assignment.

Travel expenses beyond mileage are infrequent for most employees. However, when it is required it must be approved by the employee's supervisor in advance to be eligible for reimbursement. Pre-approval and reimbursement requests must be submitted to your liaison, with original receipts where required, on a current ESD Business Travel Expense – Long Form available on the ESD website.

Employees shall use the ESD's existing accounts with vendors or shall ask the Business Office to establish, in advance, credit with vendors instead of using their personal funds for payment of expenditures incurred while on ESD-related travel. Employees may be reimbursed for use of personal funds only when necessary and absent of other options. There are no cash advances for travel.

Transportation options may include a district-owned or district-leased automobile, an employee's private vehicle and/or publicly available transportation (e.g., commercial airline, rental car, bus, subway and taxi).

Procedures for district-owned or district-leased automobiles and privately owned vehicles follow in-district procedures described Business Mileage Reimbursement above.

Approval of mode(s) of transportation will be based on several factors including cost, distance and travel time of trip, accessibility of destination(s), number of destinations and purpose of travel.

### **Lodging**

Lodging expenses shall be pre-paid in advance when possible. Lodging expenses may be reimbursed with receipts, exclusive of taxes, for in-state travel based on the per diem rate for Portland set by the United States General Services Administration ([www.gsa.gov](http://www.gsa.gov)) and the per diem rate set for the location of the hotel/motel for out of state travel. Nightly rates exceeding the limit for in-state lodging or the GSA per diem rate for out of state lodging must be approved in advance to be eligible to reimbursement. Staff making lodging reservations should request the government rate or lowest possible rate.

### **Conferences**

Payment for conference registration and training can be made in advance with a p-card or direct bill purchase order.

## Meals

Meals will be reimbursed on a per diem basis while traveling on conference or overnight for regular business purposes at the following rates:

Breakfast	\$14
Lunch	\$16
Dinner	\$26

For partial day travel (the first and last day), meal per diem will be paid based on the following schedule:

Initial Day of Travel	Breakfast	Lunch	Dinner	TOTAL
Leave home prior to 7:00 am	\$14	\$16	\$26	\$56
Leave home between 7:00 am to 12:00 pm	\$0	\$16	\$26	\$42
Leave home between 12:00 pm and 5:00 pm	\$0	\$0	\$26	\$26
Final Day of Travel	Breakfast	Lunch	Dinner	TOTAL
Return home before 12 pm	\$14	\$0	\$0	\$14
Return home between 12:00 pm and 6:00 pm	\$14	\$16	\$0	\$30
Return home after 6:00 pm	\$14	\$16	\$26	\$56

Employees are not required to submit receipts when meal per diem is provided. Per Diem rates include gratuity. Per Diem is only allowed for meals that are not paid by the ESD elsewhere (e.g., breakfast included in hotel stay, lunch included in conference fee or meeting agenda, etc.).

Meal expenses incurred while travelling out of state may be reimbursed at the district per diem rate noted above, or with supervisor approval, be reimbursed with receipts up to the per diem rate set by the United States General Services Administration ([www.gsa.gov](http://www.gsa.gov)) for the destination location. Meal reimbursements may include the cost of the meal and non-alcoholic beverage and gratuity up to 20%.

Meal expenses with receipts will be reimbursed up to the per diem rate set by the United States General Services Administration for the Portland area. Meal expenses may include the cost of the meal, non-alcoholic beverages, and a gratuity up to 15%. Claims exceeding the daily maximum due to special circumstances must be approved by the supervisor. See form for current meal rates. **[Form: "Conference, Workshop, In-service, Travel Reimbursement Form"]**

## Lodging Expenses

With receipts, lodging expenses will be reimbursed up to the per diem rate set by the US General Services Administration for the Portland area. Lodging expenses exceeding the per diem rate are reimbursable with the supervisor approval. Any amounts exceeding the per diem must be approved by the supervisor. **[Form: "Conference, Workshop, In-service, Travel Reimbursement Form"]**

**Process:** All out-of-district travel reimbursement must be submitted to your supervisor prior to date of trip for approval with estimated expenses completed. Out-of-District Travel Procedures:

1. Prepare the estimated expenses and submit to your liaison.
2. Once the request has been approved, the entire form is returned to you, you must keep it until you've completed your trip. Return it to your liaison with the actual expenses completed.
3. Lodging reimbursement: Submit your receipts and form. Pay rates are on the form.
4. Meal Reimbursement: You will be reimbursed only the allowable amount or expenses per diem rate, meal receipts are required for reimbursement. Meal rates allowed and gratuity amount are on form.
5. A purchase order is required, **[Form: "Conference, Workshop, In-service, Travel Reimbursement"]**

All Travel Reimbursement Request Forms must be used for reimbursement of travel expenses when possible. Requests for reimbursement are to be submitted within a reasonable period of time, 60 days after the trip has been completed. Filing Reimbursement Requests beyond the 60 day time limit may result in the reimbursement payment being taxable as wages to the employee and/or being denied. IRS definition of 60 days IRS Reg. 1.62-2(g)(2)(i) it what was used to define a reasonable period of time.

### **Volunteers**

To protect the safety and welfare of children and staff, the HDESD will conduct a background check for all volunteers and student interns who work directly with children. HDESD volunteers and student interns working with children always work within sight and sound of staff. **[Document/Form: “Volunteer Application Process”]**

### **Safety and Health**

#### **Accident/Incident Reporting**

##### All Injuries (Staff, Students, Visitors)

Anytime there is an injury incident an Incident Reporting Form must be filled out and forwarded to HR. **[Form: “Incident Report”]**

##### All Injuries Requiring Medical Treatment or Time Loss (Staff)

Complete Workers Compensation Claim Form 801 if injury required medical treatment or time loss. The claim form must be **submitted within 24 hours** of treatment. Please take note of the “Notice to Worker” instructions and “Failure to File” notice. Immediately notify HR, your supervisor, or liaison. The onus of filing a claim lies with the employee who has been injured on the job or has a job related injury. **[Form: “Incident Report”] [Form: “Workers Compensation Claim”]**

#### **Emergency Building Reference Guide**

A red-and green-covered booklet, A Quick Reference Guide to Emergencies, is located in all HDESD classrooms and programs. The guide lists specific instructions to follow in the case of emergencies such as fire, intruder, electrical outage, hazardous spill, etc. It is strongly recommended that each employee become familiar with the guide. Note: Each facility conducts drills. For further information, contact your Liaison or Safety Committee Member.

#### **Employee Assistance Plan**

The District offers employee assistance through Reliant Behavioral Health plan that provides up to three confidential counseling service visits per calendar year at no charge to the employee. The plan provides help to the employee and to his/her eligible family members with personal, family and work-related issues. <https://www.myrbh.com/> **[Document: “Employee Assistance Program”]**.

#### **Employee Health and Safety**

It is the desire and intention of the district to provide and maintain a safe work area and safe equipment for employees. The district shall establish and insist upon safe work practices by each employee. It shall be the responsibility of every employee to work toward this goal regardless of the capacity in which he or she may function. It is the employee’s responsibility to assist in providing a safe environment for students and staff. Safety is a matter of individual attention to problems that may exist or arise. Safety requires teamwork and communications to correct unsafe conditions. These basic rules must be observed:

1. Follow instructions and don’t take chances. If you don’t understand the job, ask your supervisor.
2. Report unsafe conditions immediately to your supervisor and your liaison.
3. Use all safety equipment required for the task, and wear the appropriate clothing for the job.

4. If lifting is part of your assignment, bend at the knees. Get help with heavy loads or use mechanical devices provided.
5. Maintain good housekeeping throughout the work area.
6. Office ergonomics when typing are very important.

### **First Aid/CPR**

First aid and CPR training is strongly recommended for those staff working directly with children and is optional for all other High Desert ESD staff. Classes arranged for staff by the HDESD will be at District expense. Please watch for announcements. At minimum, each classroom, site and/or program should have at least one employee (two employees are highly recommended) with a valid First Aid card and a valid CPR card.

### **Security**

The best security practice in all cases is to be aware of your environment and the people around you. Report any suspicious behavior of strangers. Additionally, individuals scheduling meetings after hours will need to make arrangements to keep the building secure while allowing authorized attendees access to the meetings. All employees should lock work spaces and close all windows when leaving for extended periods of time and at the end of the work day. When using any building/office after hours or on weekends, please shake the doors after exiting to ensure that the locks are securely engaged.

### **Sick Leave Bank**

The Sick Leave Bank is a way for HDESD employees to support themselves and one another in times of severe illness or injury which requires extended time away from work. The purpose of this Bank is to provide up to sixty calendar days of sick leave assistance during a 12 month period to those Bank members who experience a major prolonged illness, disability or injury and who have used all personal and sick leave available to them. The Sick Leave Bank is not intended for employee family members or for parental leave. Employees eligible for Long Term Disability (LTD) insurance must file a claim.

HDESD employees who wish to enroll in the Sick Leave Bank contribute through payroll deductions. Classified employees contribute \$84 per year. Licensed, Managers, Supervisors, Confidential and Administrators contribute \$120. The HDESD matches all employee contributions and funds are kept in a separate account. Funds are then used to help members who due to serious illness or injury have exhausted all of their personal, sick or other leave, has signed up for the Sick Leave Bank at open enrollment, and been out of work for ten consecutive working days. Employee will be disqualified if eligible for or receiving Workers Comp benefits, PERS disability benefits, or Social Security disability benefits.

Employees may enroll in the Sick Leave Bank by returning the enrollment form to the Payroll Department, by October 1<sup>st</sup> of each year or the 15<sup>th</sup> of the month following hire. Enrollment forms may be obtained on-line.

**[Document/Form: "Sick Leave Bank & Application Form"]**

### **Universal Infection Precautions**

"If it's wet and it's not yours, don't touch it!"

**Body Fluids:** All body fluids—including blood, wound drainage, urine, vomit, stool, tears, saliva, semen, vaginal secretions, mucus, respiratory secretions, nasal discharge and sputum—without distinction between individuals with a known disease and those without symptoms or diagnosis should be assumed to be infectious for human immunodeficiency virus (HIV), hepatitis virus (HBV), TB, and other blood-borne pathogens.

**Hand Washing:** The single most effective procedure to prevent the spread of communicable diseases.

Gloves: Wear gloves whenever you will be in contact with body fluids, mucus membranes, or non-intact skin. Gloves should be worn if you have an open sore or cut on your hands. Always wash your hands before and after putting on gloves and avoid touching your eyes or mouth.

To remove gloves: a) grasp the cuff of one glove; b) partially strip the glove off by turning it inside out; c) remove the other glove entirely by pulling it off inside out; d) with the free hand finish taking off the original glove without touching any surface that came in contact with fluids.

Toys, Equipment, Etc.: Anything that is used or placed in the mouth should be cleaned between uses and daily with germicidal solution.

Every employee will be expected to take the on line yearly mandatory training. **Training: All annual trainings will be completed through "SAFE SCHOOLS." Employees will be notified through the HDESD email service with the "SAFE SCHOOLS" web-link.**

### **Complaint Procedures and Board Policies**

#### **General Problems and Questions**

Whenever a problem arises or you are in doubt regarding a particular policy or issue, talk with your immediate supervisor, liaison or HR department. This includes questions related to the Business Office such as payroll, benefits, etc.

#### **Staff Complaints**

#### **Board Policy Code: GBM**

The superintendent or designee will develop a complaint procedure which will be available for all employees who believe there is evidence of, and wish to report a violation, misinterpretation or inappropriate application of ESD personnel policies and/or administrative regulations; a mismanagement, gross waste of funds or abuse of authority; or believe there is evidence that the ESD created a substantial and specific danger to public health and safety by its actions. The complaint procedure will provide an orderly process for the consideration and resolution of problems in the application or interpretation of ESD personnel policies.

The complaint procedure will not be used to resolve disputes and disagreements related to the provisions of any collective bargaining agreement, nor will it be used in any instance where a collective bargaining agreement provides a dispute resolution procedure. Disputes concerning an employee's dismissal, contract non-renewal or contract non-extension will not be processed under this procedure.

Reasonable efforts will be made to resolve complaints informally.

#### **Official Complaint Procedure**

##### **Initiating a Complaint: Step One**

A student, patron or employee who wishes to express a complaint should discuss the matter with the ESD employee involved. Complaint should be brought within 10 working days from incident or knowledge thereof.

##### **The Administrator: Step Two**

If the complainant is unable to resolve a problem or concern at step one, then within five working days of the meeting with the employee, the complainant may file a written, signed complaint with the supervising administrator. The supervising administrator shall evaluate the complaint and render a decision within 10 working days after receiving the complaint.

##### **The Superintendent: Step Three**

If Step 2 does not resolve the complaint, within 10 days of the meeting with the supervising administrator, the complainant, if he/she wishes to pursue the action, shall file a signed, written complaint with the superintendent clearly stating the nature of the complaint and a suggested remedy. (A form is available, but

is not required.)

The superintendent shall investigate the complaint, confer with the complainant and the parties involved and prepare a written report of his/her findings and his/her conclusion and provide the written report to the complainant within 10 working days after receiving the written complaint.

#### **The Board: Step Four**

If the complainant is not satisfied with the decision of the Superintendent or designee, a written appeal may be filed with the Board within 10 school days of receipt of the written decision. The Board will review the appeal and make a decision, in writing, to the complainant.

The complaint procedure set out above will not be longer than 90 days from the filing date of the original complaint with the ESD employee involved.

Complaints against an administrator or supervisor may be filed with the superintendent.

Complaints against the superintendent should be referred to the Board chair. The Board chair shall present the complaint to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide what action, if any, is warranted.

Complaints against the Board as a whole or against an individual Board member should be made to the Board chair. The Board chair shall present the complaint to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation the Board shall decide in what action, if any, is warranted.

Complaints against the Board chair may be made directly to the Board vice chair. The Board vice chair shall present the complaint to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide what action, if any, is warranted.

If a complaint alleges a violation of state standards or a violation of other statutory or administrative rule for which the State Superintendent of Public Instruction has appeal responsibilities, and the complaint is not resolved at the Board level, then the ESD will supply the complainant with appropriate information to file a direct appeal to the State Superintendent as outlined in Oregon Administrative Rule (OAR) 581-022-1940. A decision is final for the purposes of an appeal to the State Superintendent of Public Instruction once the Board renders a decision at Step Four or if:

- (a) The district has failed to comply with the procedural time limits in its written complaint process;
- (b) In a multi-step district complaint process, the district fails to render a written decision within 30 days of the submission of the complaint at each step; or
- (c) The district fails to resolve a complaint within 90 days of the initial filing of a written complaint, regardless of the number of steps in the district complaint process.

#### **Sexual Harassment of Staff and Students**

#### **Board Policy Code: GBN/JBA**

The Board is committed to the elimination of sexual harassment in district programs and activities. Sexual harassment is strictly prohibited and shall not be tolerated. This includes sexual harassment of students, or third parties on or immediately adjacent to ESD property, at any ESD sponsored activity or any ESD provided transportation by other students, staff members, Board members or third parties. "Third parties" include, but are not limited to, volunteers, parents, visitors, service contractors or others engaged in district business, such as employees of businesses or organizations participating in cooperative work programs with the district and others not directly subject to district control at interdistrict and intradistrict athletic

competitions or other district events. "District" includes district facilities, district premises and nondistrict property if the student or staff member is at any district-sponsored, district-approved or district-related activity or function, such as field trips or athletic events where students are under the jurisdiction of the district or where the staff member is engaged in district business.

Sexual harassment of students and staff members shall include, but is not limited to, unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal or physical conduct of a sexual nature when:

1. The conduct or communication has the purpose or effect of demanding sexual favors in exchange for benefits;
2. Submission to or rejection of the conduct or communication is used as the basis for educational decisions affecting a student or employment or assignment of staff members;
3. The conduct or communication is so severe, persistent or pervasive that it has the purpose or effect of unreasonably interfering with a student's educational performance or with a staff member's ability to perform their job responsibilities; or creates an intimidating, offensive or hostile educational or working environment. Relevant factors to be considered will include, but not be limited to, did the individual view the environment as hostile; was it reasonable to view the environment as hostile; the nature of the conduct; how often the conduct occurred and how long it continued; age and sex of the complainant; whether the alleged harasser was in a position of power over the student or staff member subjected to the harassment; number of individuals involved; age of the alleged harasser; where the harassment occurred; and other incidents of sexual harassment at the site involving the same or other students, staff members or third parties.

Examples of sexual harassment may include, but not be limited to, physical touching or graffiti of a sexual nature, displaying or distributing of sexually explicit drawings, pictures and written materials, sexual gestures or obscene jokes, touching oneself sexually or talking about one's sexuality in front of others or spreading rumors about or rating other students or others as to appearance, sexual activity or performance.

All complaints about behavior that may violate this policy shall be promptly investigated. Any students or staff members or third parties who has knowledge of conduct in violation of this policy or feels they are a victim of sexual harassment must immediately report his/her concerns to the principal, compliance officer or superintendent, who has overall responsibility for all investigations. Students may also report concerns to a teacher, counselor or school nurse, who will promptly notify the appropriate district official.

Upon receipt of a complaint by a student, student's parents, a staff member or a third party alleging behavior that may violate this policy, the ESD shall provide written notice as required by Oregon Revised Statute (ORS) 342.704(4) to the complainant.

The student and the student's parents, or the staff member or third party who initiated the complaint shall be notified That the investigation has been concluded as to whether a violation of this policy was found to have occurred to the extent allowable under state and federal confidentiality laws.

The initiation of a complaint in good faith about behavior that may violate this policy may not adversely affect the educational assignments or educational environment of a student complainant or any terms or conditions of employment or work environment of the staff member complainant or any terms or conditions of employment or of work or educational environment of a third-party complainant. There shall be no retaliation by the district against any person who, in good faith, reports, files a complaint or otherwise participates in an investigation or inquiry of sexual harassment.

It is the intent of the Board that appropriate corrective action will be taken by the district to stop the sexual harassment, prevent its recurrence and address negative consequences. Students in violation of this policy shall be subject to discipline up to and including expulsion and/or counseling or sexual harassment awareness training, as appropriate. The age and maturity of the student(s) involved and other relevant factors will be considered in determining appropriate action. Staff members in violation of this policy shall be subject to discipline, up to and including dismissal and/or additional sexual harassment awareness training, as appropriate. Other individuals whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the superintendent or the Board.

Additionally, the district may report individuals in violation of this policy to law enforcement officials. Licensed staff, staff registered with the Teacher Standards and Practices Commission (TSPC) and those participating in practicum programs, as specified by Oregon Administrative Rules, shall be reported to TSPC.

The superintendent shall ensure appropriate periodic sexual harassment awareness training or information is provided to all supervisors, staff members and students and that annually, the name and position of district officials responsible for accepting and managing sexual harassment complaints, business phone numbers, addresses or other necessary contact information is readily available. This policy as well as the complaint procedure will be made available upon request to all students, parents of students, staff members and third parties, posted on the ESD website and in student/parent and staff handbooks. The district's policy shall be posted on a sign in all programs. Posted signs shall be by a sign of at least 8 1/2" by 11".

### **Hazing/Harassment/Intimidation/Bullying/Menacing/Complaint Procedures**

The Superintendent's Designee has responsibility for investigations concerning acts of hazing, harassment, intimidation or bullying, menacing, acts of cyberbullying, and incidents of teen dating violence. The investigator(s) shall be a neutral party having had no involvement in the report presented.

All reports will be investigated in accordance with the following procedures:

Step 1 Any reports or information on acts of hazing, harassment, intimidation or bullying, menacing, acts of cyberbullying, or incidents of teen dating violence (e.g., complaints, rumors) shall be presented to the Superintendent's Designee. Reports against the principal shall be filed with the superintendent. Reports against the superintendent shall be filed with the Board chair. All such information will be reduced to writing and will include the specific nature of the offense and corresponding dates.

Step 2 The Superintendent's Designee receiving the report shall promptly investigate. Parents will be notified of the nature of any complaint involving their student. The Superintendent's Designee will arrange such meetings as may be necessary with all concerned parties within [five] working days after receipt of the information or report. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the report will be reduced to writing. The Superintendent's Designee conducting the investigation shall notify the person making the report within [10] working days of receipt of the information or report, and parents as appropriate, in writing when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined.

A copy of the notification letter or the date and details of notification to the person making the report, together with any other documentation related to the incident, including disciplinary action taken or recommended, shall be forwarded to the superintendent.

Step 3 If the person making the report is not satisfied with the decision at Step 2, they may submit a written appeal to the superintendent or designee. Such appeal must be filed within [10] working



days after receipt of the Step 2 decision. The superintendent or designee will arrange such meetings with the person making the report and other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the appeal within [10] working days.

Step 4 If the person making the report is not satisfied with the decision at Step 3, a written appeal may be filed with the Board. Such appeal must be filed within [10] working days after receipt of the Step 3 decision. The Board shall, within [20] working days, conduct a hearing at which time the person making the report shall be given an opportunity to present the complaint. The Board shall provide a written decision to the person making the report within [10] working days following completion of the hearing.

Reports against the superintendent should be referred to the Board chair on behalf of the Board. The Board chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide in open session, within [20] days, what action, if any, is warranted.

Reports against the Board as a whole or against an individual Board member should be made to the Board chair on behalf of the Board. The Board chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within [20] days, in open session what action, if any, is warranted.

Reports against the Board chair may be made directly to the ESD counsel on behalf of the Board. ESD vice chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within [20] days, in open session what action, if any, is warranted.

Timelines may be extended upon written agreement between both parties. This also applies to reports filed against the superintendent or any Board member.

Direct complaints of discriminatory harassment related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 Second Ave., Room 3310, Seattle, WA 98174-1099.

Documentation related to the incident may be maintained as a part of the student's education records. Additionally, a copy of all reported acts of hazing, harassment, intimidation or bullying, menacing, cyberbullying, and incidents of teen dating violence and documentation will be maintained as a confidential file in the ESD office.

### **Drug-Free Workplace**

**Board Policy Code: GBEC**

All staff members are hereby directed to refrain from the unlawful manufacture, possession, dispensation, use or distribution of controlled substances and alcohol on school premises or as part of any of its professional activities.

Violation of this policy shall be considered grounds for disciplinary sanctions up to and including termination of employment and referral to prosecution. For the purpose of this policy, a disciplinary sanction may include the completion of an appropriate intervention, treatment and/or rehabilitation program.

Employees may access drug and alcohol counseling, rehabilitation and re-entry programs by contacting the superintendent or HR. The employee may make a written request to the superintendent to complete a program not approved by the HDESD, but at his or her own expense. The superintendent may deny such a request if, in his/her opinion, the proposed program is not of sufficient quality to meet the intent of this policy.

All employees shall receive a copy of this policy, and periodically shall receive information concerning the problem of drug abuse in the workplace. Compliance with all sections of this policy is mandatory.

As a condition of employment, an employee shall abide by terms of the district's drug-free workplace policy and shall notify the employer of any criminal drug convictions for violations occurring in the workplace no later than five days after such conviction.

Any employee convicted of a criminal drug statute violation occurring in the workplace shall be subject to an appropriate sanction for required satisfactory participation in a drug abuse assistance or rehabilitation program.

The district shall notify the federal granting agency within 10 days after receiving notice of an employee's conviction of any criminal drug statute violation occurring in the workplace.

The district shall make a good faith effort to maintain a drug-free workplace through implementation of this policy.

Biennially, the HDESD shall review contracted counseling, rehabilitation and re-entry programs for effectiveness.

### **Tobacco and Inhalant Devices**

**Board Policy Code: GBK/JFCG/KGC**

The use, distribution or sale of tobacco products or inhalant delivery systems by staff and all others is prohibited on ESD premises in any building or facility, on ESD grounds, including parking lots, in any vehicle owned, leased, rented or chartered by the ESD, school or public charter school and at all ESD-sponsored activities.

For the purpose of this policy, "tobacco products" is defined to include, but not limited to, any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, spit tobacco, also known as smokeless, dip, chew or snuff, in any form. This does not include USFDA-approved tobacco products or other therapy products used for the purpose of cessation.

For the purpose of this policy, "inhalant delivery system" means a device that can be used to deliver nicotine or cannabinoids in the form of a vapor or aerosol to a person inhaling from the device; or a component of a device or a substance in any form sold for the purpose of being vaporized or aerosolized by a device, whether the component or substance is sold or not sold separately. This does not include USFDA-approved tobacco products or other therapy products marked and sold solely for the approved purpose.