



**Colonial Heights
Public Schools
Employee Handbook
2020-2021**

Colonial Heights Public School Board
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Colonial Heights, Virginia 23834
Phone: (804) 524-3400
Fax: (804) 526-4524

www.colonialhts.net

SCHOOL BOARD MEMBERS

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Chair

J. Chris Kollman, III
Vice-Chair

Krishan Agrawal
Board Member

Keith Kapinskis
Board Member

Lia Tremblay
Board Member

Stephanie Kern
Clerk of the Board
512 Boulevard
Colonial Heights, VA 23834
Office: 526-0811, ext. 10

Colonial Heights Public Schools-School Administration Offices Staff

Dr. William D. Sroufe
Superintendent of Schools

Dr. Cynthia C. Williams
Assistant Superintendent of Instruction

Troy E. Hedblom, CPA, CFE
Assistant Superintendent for Business Services

James "Jake" Reynolds
Director of Data and Assessment

Christy L. George
Director of Support Services

Erin L. Ford
Director of Technology and Learning

Maria T. Yench
Director of Finance and Budget

Cayce A. Kump
Director of Human Resources

Dr. Joseph A. Douglas
Instructional Specialist

Ellen Burnett
Instructional Specialist/Math Coach

Dr. Candy P. Llewellyn
Instructional Specialist/Reading Coach

Stephanie A. Kern
Clerk of the Board

Melissa K. Lynch
Sr. Accounting & Budget Specialist

Rebecca L. Millirons
Payroll & Benefits Specialist

Melissa Kapinskis
Business Services Specialist/Accounts Payable

Wendy W. Reyes
Personnel Specialist

Charity E. Burnett
Secretary

**School Buildings, Principals, and
Directors/Coordinators**

Lakeview Elementary School

401 Taswell Avenue
Colonial Heights, VA 23834
Patrick Neuman, Principal
Francine White, Assistant Principal
Tracie Jones, Secretary
Gr K-5 (804) 524-3435

Colonial Heights Middle School

500 Conduit Road
Colonial Heights, VA 23834
D. Burke George, Principal
Amanda Pelter, Assistant Principal
Amy Stewart, Virtual Assistant Principal
Lora Brewer, Secretary
Gr 6-8 (804) 524-3420

North Elementary School

3201 Dale Avenue
Colonial Heights, VA 23834
Travis Ridley, Principal
Francine White, Assistant Principal
Kristi Dixon, Secretary
Gr K-5 (804) 524-3430

Colonial Heights High School

3600 Conduit Road
Colonial Heights, VA 23834
Kristin Janssen, Principal
James Burnett, Assistant Principal
Clestelle Green, Secretary
Grade 9-12 (804) 524-3405

Tussing Elementary School

5501 Conduit Road
Colonial Heights, VA 23834
Remus James, Principal
Tanya Elliott, Assistant Principal
Allison Krupp, Secretary
Gr K-5 (804) 524-3440

Colonial Heights High School

Technical Center
3451 Conduit Road
Colonial Heights, VA 23834
John Thomas, Jr., Assistant Principal
Debby Williams, Secretary
(804) 524-3405

Office of Support Services

3451 Conduit Road
Colonial Heights, VA 23834
Christy George, Director
Janet Martin, Secretary
(804) 524-3445

Maintenance Department

2600 Woodlawn Ave.
Colonial Heights, VA 23834
Kenneth Harrell, Director
Missy Bushman, Secretary
(804) 524-3448

Food Service Office

3451 Conduit Road
Colonial Heights, VA 23834
Aaron Robertson, Director
Tiffany Brooks, Administrator
(804) 524-3453

Transportation

3451 Conduit Road
Colonial Heights, VA 23834
Jon P. DiGiacomo, Director
Kathy Alexander, Secretary
(804) 704-7648

School Calendar 2020-2021

JULY 2020

1-2 Independence Day Holiday

AUGUST 2020

10-21 1 Flex Day – 10-month personnel (8AM-3PM)

24-28 New Teacher Orientation (8AM-3PM)

31 Professional Development (8AM-3PM)

SEPTEMBER 2020

3 Open House – Elementary Gr. 1-5 (3PM-6PM)

3 6th Grade Orientation (1PM-3PM)

3 Open House – Middle School Gr. 7-8 (3PM-6PM)

3 9th Grade Orientation (10AM)

3 Open House – High School Gr. 10-12 (3PM-6PM)

4 Kindergarten Orientation (10AM)

7 Labor Day Holiday

8 First Day of School

OCTOBER 2020

8 Interim Report Day (HS, MS, ES)

9 Student Virtual Learning Day/Professional Development Day

12 Parent Teacher Conferences – High School (4-7 PM)

15 Parent Teacher Conferences – Middle School (4-7 PM)

NOVEMBER 2020

3 Student Virtual Learning Day/Professional Development Day

6 End of First Nine Weeks

16 Report Card Distribution Day

19 Parent Teacher Conferences—Elementary Schools (4-7PM)

25-27 Thanksgiving Holiday

DECEMBER 2020

9 Half Day Student Holiday/Professional Development Day

10 Interim Report Day (HS, MS, ES)

18 Half Day Students/Staff Holiday

21-31 Winter Holiday

JANUARY 2021

1 Winter Holiday

4 School Reopens

18 Martin Luther King Day Holiday

26-28 Secondary Exams

28 End of Second Nine Weeks

29 Student Holiday/Professional Development Day

School Calendar 2020-2021

FEBRUARY 2021

1	Student Holiday/Teacher Work Day
8	Report Card Distribution Day
22	Student Virtual Learning Day/Professional Development Day

MARCH 2021

4	Interim Day (HS, MS, ES)
8	Parent Teacher Conferences – High School (4-7 PM)
11	Parent Teacher Conferences –Middle School (4-7 PM)
18	Parent Teacher Conferences – Elementary Schools (4-7PM)
26	Student Virtual Learning Day/Professional Development Day

APRIL 2021

2	End of Third Nine Weeks
5-9	Spring Break
19	Report Card Distribution Day

MAY 2021

13	Interim Report Day (HS, MS, ES)
31	Memorial Day Holiday

JUNE 2021

15-17	Secondary Exams
17	Last Day of School – Half Day Students
17	End of Fourth Nine Weeks
17	Graduation
18	Teacher Work Day

This calendar exceeds the required 990 instructional hours required by Law 22.1-98. Unless an extreme amount of time is missed due to school closing, time missed will not be rescheduled. The last day of school (June 17) will be a half day for all students. Graduation is June 17.

Questions, contact

Please call or schedule an appointment if you have questions!!

Cayce Kump/Director of Human Resources

Cayce_Kump@colonialhts.net 524-3400, Ext 18

❖ Licensure and Renewal	❖ Recruitment and Selection	❖ Adding Endorsements	❖ Contract Issues and Questions
❖ General Personnel Information/Questions		❖ Scheduling to Review Employee Files	

Wendy Reyes/Personnel Specialist

Wendy_Reyes@colonialhts.net 524-3400, Ext 22

❖ Leave (Sick, Personal Business, Annual)	❖ Family Medical Leave (FMLA)	❖ Volunteers
❖ Sick Leave Bank	❖ Worker's Compensation	❖ Frontline (formerly AESOP)

Rebecca "Becky" Millirons/Payroll and Benefits Specialist

Rebecca_Millirons@colonialhts.net 524-3400, Ext 16

❖ Payroll Information/Questions	❖ Health Insurance	❖ Virginia Retirement System
❖ Tax Sheltered Annuities (TSA), 403 B	❖ Direct Deposit and Changing Tax Withholding	

Melissa Kapinskis/Business Services Specialist

Melissa_Kapinskis@colonialhts.net 524-3400, Ext 15

❖ Reimbursement for Travel or Supplies	❖ Credit Card Usage for School Division	❖ Invoices, Billing
❖ Vendor Questions	❖ Purchase Order Questions or Change Orders	

Charity Burnett/Secretary

Charity_Burnett@colonialhts.net 524-3400, Ext 11

❖ Professional Development (courses and conferences)	❖ Field Trip Requests
❖ Tuition Assistance Requests	

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GENERAL INFORMATION

EMPLOYEE HANDBOOK

The administration will update, publish, and make available to all employees a personnel handbook annually. The explanations contained in this booklet are intended to provide information relating to the school system, including benefits. Most information provided is in summary form only. The policies set forth in this employee handbook are merely guidelines for the employee and are provided for informational purposes only. The employer is in no way bound, contractually or otherwise, to the rules, policies and procedures contained herein and reserve the right to deviate from these guidelines without notice. This employee handbook in whole or in part does not create a written employment contract and does not modify the at-will nature of your employment or guarantee continued employment. Administrators or their designee are responsible for collecting and sending in to Human Resources all employee signature pages.

CLOSINGS AND DELAYS

CLOSING CODES

Code 1 - School will close for students. All full-time personnel report to work at the regular time.

Code 2 - Schools will close for students and staff except Administrators, 12-month Secretaries, business offices, and 12-month teachers who shall report on time. Custodial and maintenance personnel call 524-3448 for instruction.

Code 3 - Schools will close for students and employees, except custodial and maintenance personnel who should call 524-3448 for instructions.

DELAYED OPENING

In the case of delayed openings, all staff should report on the late schedule except for certain administrative, custodial, maintenance, and clerical personnel who are needed to prepare the schools for opening. Those individuals include the Superintendent, Assistant Superintendent, school principals, assistant principals, custodians, cafeteria staff and clerical staff in the central office and schools who hold twelve-month notices of employment. These individuals should report to their posts on their normal schedule or as soon thereafter as conditions will permit.

Everyone should use common sense as to whether he/she can safely get to work. Personal leave time can be used if conditions are unsafe for travel. Employees should contact their immediate supervisor if a delay in arrival is anticipated.

EMERGENCY CLOSING PROCEDURES

Extreme weather conditions can cause emergency school closings. The decision to close schools or delay opening is based on reports from weather bureau officials, local and state police, and other authorities. As soon as the decision is made, staff will be notified via our Emergency Telephone Messaging Service. In addition, the local radio and television stations are notified of closings and delayed openings. Generally, stations will broadcast the announcement during the very early morning hours.

(See Inclement Weather Practices)

CONDITIONS OF EMPLOYMENT

CHILD PROTECTIVE SERVICES

Each new employee will have a background check done by the Virginia Department of Social Services through the Child Protective Services division. The School Board will pay the required fee. The report cannot be disseminated to any other agency.

FINGERPRINTING

By law, a Federal Bureau of Investigation (FBI) criminal history record check/ fingerprinting is a condition of employment for employees hired as of July 1, 2000. Failure to meet this requirement will result in non-employment. The School Board will pay the required fee. Fingerprints are kept on file permanently. The report cannot be disseminated to any other agency.

Two reports for fingerprinting are received; one from the Virginia State Police and the other from the Federal Bureau of Investigation (FBI).

TUBERCULOSIS SCREENING

All Virginia public school employees are required to be screened and if needed, tested prior to employment. (Virginia Code/title22.1/chapter15/section22.1-300). There is no state requirement for ongoing periodic screening or testing. According to statute, an RN can sign the Report of Tuberculosis Screening for school employees.

EMPLOYEE EVALUATIONS

EVALUATION PROCESS OF CLASSIFIED PERSONNEL

The evaluation process for paraprofessionals, maintenance and custodial employees, bus drivers and food service employees is designed primarily to assist in the improvement of job performance and to assist classified employees to overcome identified weaknesses and to assist in the retention of employees who have demonstrated performance which is satisfactory or above. Each employee should be evaluated on an annual basis by the immediate supervisor.

(See School Board Policy GDN-R2)

EVALUATION PROCESS OF PROFESSIONAL & SUPPORT STAFF

Every employee of the Colonial Heights School Board will be evaluated on a regular basis at least as frequently as required by law.

The Superintendent assures that cooperatively developed procedure for professional staff and support staff evaluations are implemented throughout the division and included in the division's policy manual. The results of the evaluation are in writing, dated and signed by the evaluator and the person being evaluated. All evaluations will be complete and/or stored electronically in Frontline Professional Growth System.

The primary purposes of evaluation are:

- To optimize student learning and growth;
- To contribute to successful achievement of goals & objectives of division’s educational plan;
- To improve the quality of instruction by ensuring accountability for classroom performance and teacher effectiveness;
- To provide a basis for leadership improvement through productive performance appraisal and professional growth;
- To implement a performance evaluation system that promotes a positive working environment and continuous communication between the employee and the evaluator that promotes continuous professional growth, leadership effectiveness, improvement of overall job performance and improved student outcomes; and
- To promote self-growth, instructional effectiveness, and improvement of overall professional performance.

The procedures will be consistent with the performance objectives included in the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers and the Guidelines for Uniform Performance Standards and Evaluation Criteria for Principals. Evaluations shall include student academic progress as a significant component and an overall summative rating. Teacher evaluations include regular observation and evidence that instruction is aligned with the school’s curriculum. Evaluations include identification of areas of individual strengths and weaknesses and recommendations for professional development.

Any teacher whose evaluation indicates deficiencies in managing student conduct may be required to attend professional development activities designed to improve classroom management and discipline skills. If a teacher’s performance evaluation during the probationary period is not satisfactory, the School Board shall not reemploy the teacher.

(See School Board Policy GCN and GDN)

EMPLOYEE LEAVE

All employees’ leaves and absences shall be subject to the school division’s policies and regulations. The Superintendent shall provide for the interpretation and application of the school division’s policies and regulations regarding leaves and absences.

ANNUAL LEAVE

Annual leave for vacation or other personal reasons for all twelve (12) month full-time salaried employees of the Colonial Heights School Board shall be earned according to the following schedule:

Continuous Years of Service in a 12-month position	Annual Leave Earned per Month
First 5 years	1 day
Over 5 years up to 10 years	1 ¼ days
Over 10 years	1 ½ days

Annual leave must be earned before it can be taken. Earnings and use of annual leave will be recorded for each employee on the last work day of each calendar month by a designated member of the Superintendent’s staff. Annual leave cannot be taken in less than ½ day increments.

Annual leave earned by an eligible employee may be accumulated to the following year if it is not used, but not beyond that year. All employees terminating employment will receive a lump sum payment for earned, accumulated, unused annual leave days up to a maximum of 15 days.

(See School Board Regulation GCBD-R1)

CAROL MUNSCHE MEMORIAL SICK LEAVE BANK

The Colonial Heights School System offers to its employees a Sick Leave Bank which will provide income for those school employees who have become temporarily incapacitated by an extended, catastrophic medical problem, but are not eligible for Worker’s Compensation or retirement benefits. Incapacitated is defined as unable to carry out duties of the present position. The Sick Leave Bank may only be used for the employee’s own personal illness. Only full time VRS Legacy employees are eligible to participate.

In order to be eligible to participate in the Sick Leave Bank, an individual must be a full-time employee of the Colonial Heights School System, have completed one (1) full year of employment and have an earned sick leave balance of at least 10 days as of September 1. Employees meeting the specified requirements will be eligible to join the Bank on October 1 of each year.

Participation in the Sick Leave Bank is voluntary. Participation does not guarantee approval of a request to withdraw from the Bank. In order to participate in the Bank, each Legacy employee will be required to contribute one (1) day of accumulated sick leave to the Bank upon entry. Sick leave contributions to the Bank are irrevocable and cannot be returned if the employee cancels his participation in the plan.

Each October 1, participating employees may be required to contribute one (1) day. The Assistant Superintendent for Business Services will determine the need for future contributions. He is empowered to suspend the contribution requirements of current participants when Bank days exceed two hundred percent (200%) of the number of participating employees. He is empowered to require a special assessment of one (1) day from each participating employee if the Bank balance falls below fifty percent (50%) of the number of participating employees.

(See School Board Regulation GCBD-R2 for eligibility of benefits.)

COBRA

A federal law enacted in 1986, the Consolidated Omnibus Budget Reconciliation Act (COBRA) requires most employers sponsoring group health plans to offer employees and their families the opportunity for a temporary extension of health coverage (called “continuation coverage”) in certain instances where coverage under the plan would otherwise end. This notice is intended to inform you of the rights and obligations under the continuation coverage provisions of the law.

Qualifying Event	Qualified Beneficiaries	Maximum Period of Continuation Coverage
Termination (for reasons other than gross conduct)	Employee Spouse Dependent Child	18 Months
Reduction in hours of Employment	Employee Spouse Dependent Child	18 Months
Employee Enrollment in Medicare	Spouse Dependent Child	36 Months

Divorce or Legal Separation	Spouse Dependent Child	36 Months
Death of Employee	Spouse Dependent Child	36 Months
Loss of "dependent child" status	Dependent Child	36 Months

Under law, the employee or a family member has the responsibility to inform the Payroll and/or Personnel Specialist of a divorce, legal separation, or a child losing dependent status under our health insurance within 60 days of the qualifying event. You will in turn be notified that you have the right to choose continuation coverage and you have at least 60 days from the date to elect continuation coverage.

If you do not choose continuation coverage, your group health insurance coverage will end. If you choose continuation coverage, the Colonial Heights School System is required to give you the coverage which, as of the time coverage is being provided, is identical to the coverage provided under the plan to similar employees or family members. COBRA continuation coverage is a temporary continuation of coverage.

When the qualifying event is the end of employment or reduction of the employee's hours of employment, COBRA continuation coverage lasts for up to 18 months. There are two ways in which this 18-month period of COBRA continuation coverage can be extended.

Disability extension of 18-month period continuation coverage

If you or anyone in your family covered under the Plan is determined by the Social Security Administration to be disabled at any time during the first 60 days of COBRA continuation coverage and the disability continues during the rest of the 18-month period of continuation coverage, if you notify the Plan Administrator in a timely fashion, you and your entire family can receive up to an additional 11 months of COBRA continuation coverage, for a maximum of 29 months. You must make sure the Colonial Heights Public Schools system is notified of the Social Security Administration's determination within 60 days of the date of determination and before the end of the 18-month period of COBRA continuation coverage.

Second qualifying event extension of 18-month period of continuation coverage

If your family experiences another qualifying event while receiving COBRA continuation coverage, the spouse and dependent children in your family can get additional months of COBRA continuation coverage, up to a maximum of 36 months. This extension is available to the spouse and dependent children if the former employee dies, enrolls in Medicare (Part A, Part B, or both), or gets divorced or legally separated. The extension is also available to a dependent child when that child stops being eligible under the Plan as a dependent child. In all of these cases, you must make sure that the Plan Administrator is notified of the second qualifying event within 60 days of the second qualifying event.

The Uniformed Services Employment and Reemployment Act (USERRA), the federal military leave law, has its own insurance continuation provisions for employees who are absent from work due to military leave. The USERRA extends the insurance continuation period for employees on military leave from 18 months to 24 months.

The law also provides that your continuation coverage may be cut short for any of the following four reasons:

1. Colonial Heights Public Schools no longer provides group health coverage to any of its employees;
2. the premium for your continuation coverage is not paid on time;
3. you and/or dependents become covered under another group health plan; or

4. you and/or dependents become eligible for Medicare.

Generally, each qualifying beneficiary may be required to pay the entire cost of continuation coverage. The amount a qualified beneficiary may be required to pay may not exceed 102 percent of the cost to the group health plan (including both employer and employee contributions) for coverage of a similarly situated plan continuation coverage due to a disability, 150 percent). The first payment for continuation coverage must be made within 45 days after the date of your election to accept continuation coverage.

FAMILY AND MEDICAL LEAVE

Eligible Employees: To be eligible for leave under this policy the employee must have at least twelve (12) months of service with the Colonial Heights school division and have worked at least 1250 hours according to the Fair Labor Standards Act U.S.C. § 201 et seq., in the twelve (12) months preceding the commencement of the leave. Full-time teachers are deemed to meet the 1250 hour test.

Except as hereinafter provided, any eligible employee is entitled to a total of twelve (12 weeks) (60 days) of unpaid leave during a rolling 12-month period measured backward from the date an employee uses an FMLA leave for one or more of the following:

1. The birth and care of a newborn child;
2. The adoption or foster placement of a child;
3. To care for an employee's spouse, parent, or child with a serious health condition;
4. Because of a serious health condition that makes the employee unable to perform the essential functions of the employee's job; and
5. Because of any qualifying exigency as defined in Department of Labor regulations, arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces.

(See School Board Policy GCBE)

LEAVE OF ABSENCE

Employees not eligible to apply for Family and Medical Leave may apply for a leave of absence from their position for a specific period of time. This includes any leave without pay due to exhaustion of employees earned leave.

Employees who have worked for the school division longer than 12 months and have worked at least 1250 hours and have exhausted Family and Medical Leave and exhausted accumulated leave and are in good standing with the school division may request up to one year of Leave Without Pay for a debilitating or life-threatening illness or injury of the employee or employee's spouse, child, or parent.

(See School Board Policy GCBEA)

MILITARY LEAVE

All employees of Colonial Heights School Board who are members of the state or federal military reserves are entitled to leaves of absence from their duties on all days during which they are engaged in federally funded military duty, including training duty, or when called forth by the Governor. Military leave will also be granted in cases of state and national emergencies. All employees on military leave will receive up to 15 days paid leave per federal fiscal year in accordance with law.

Application for military leave shall be made in advance, immediately upon receipt by the employee of official notice to report from the appropriate military authorities. A copy of the official orders must accompany the application for leave, which must be approved by the appropriate official and the Superintendent. When possible, military leave for employees on a less-than-twelve-month contract shall be arranged during non-duty periods.

(See School Board policy GCBD, GCBD-R1 and GCBEB for further details)

PART-TIME EMPLOYMENT LEAVE

Contracted part-time transportation employees and regularly scheduled part-time food service and transportation employees may earn sick leave at the rate of one-half day per month, for a total of five (5) days per contract year; sick leave may be accumulated from year to year. Contracted part-time transportation employees and regularly scheduled part-time food service and transportation employees may earn two (2) personal business days per contract year. This personal leave shall be cumulative to three (3) days. However, unused personal leave in excess of three (3) days will be transferred to unused sick leave at the beginning of the next contract year.

The Superintendent also has the authority to grant sick and personal leave (on a pro-rata basis) to Part-time VRS classified professional employees that are contracted for an approved permanent position. This earned sick leave will be granted for the current school year only and will not accrue or be paid if unused. This provision does not apply to substitute or seasonal employment.

Sick Leave Payout Calculation:

Unused sick leave earned with Colonial Heights Public Schools will be paid to part-time contracted transportation and regularly scheduled part time food service and transportation employees upon retirement from the Colonial Heights Public School. Payment will be computed as follows:

- 0 - 150 days - \$25/day
- 151 - 350 days - \$30/day

In order for employees to be eligible for sick leave payout, they must retire from Colonial Heights Public Schools with 10 years of service and reached age 55, or with 5 years of service and reached age 65 or approved for disability retirement benefits from Social Security.

(See School Board Policy and Regulation GCBA-R2)

PERSONAL LEAVE FULL-TIME EMPLOYMENT

A maximum of three (3) days per contract year for personal leave will be earned on the first day of the contract year. One day of personal leave may be taken in minimum increments of one hour, provided no substitute is needed and is approved by supervisor. Other days may be taken in one-half day increments. Personal leave shall be limited to five (5) days in any given contract year. However, unused personal leave in excess of the five days balance will be transferred to accumulated sick leave on the first day of the contract term for returning employees.

Leave on in-service days or immediately before or after a holiday or vacation may be requested, for reason, from the Superintendent of schools after approval of the employee's immediate supervisor.

(See School Board Regulation GCBD-R1)

SICK LEAVE FULL-TIME EMPLOYMENT

Provisions of the sick leave plan shall be as follows:

Employee Type	Earned per Contract Term	Maximum Days Accumulate
10 Month Legacy Employee*	Maximum of 10 days	Accumulate Without Limit
11 Month Legacy Employee*	Maximum of 11 days	Accumulate Without Limit
12 Month Legacy Employee*	Maximum of 12 days	Accumulate Without Limit
10 Month Hybrid Employee**	Maximum of 10 days	90 Days
11 Month Hybrid Employee**	Maximum of 11 days	90 Days
12 Month Hybrid Employee**	Maximum of 12 days	90 Days

*Legacy Employee is an individual who qualifies under the VRS Plan 1 or Plan 2 Retirement Plan

**Hybrid Employee is an individual who qualifies under the VRS Hybrid Retirement Plan

1. After 100 days of sick leave has been accumulated (Legacy Employees) as of June 30th of each year, leave will accrue at the rate of one and one-half days per month for the next contract term.
2. Employees who do not begin work at the start of the school year and those who do not complete the full year shall earn sick leave at the rate of one per month or major fraction thereof.
3. Employees shall anticipate sick leave earnings for the current contract year. Should the recipient of advanced sick leave terminate employment prior to earning the amount of sick leave used, the advanced days will be deducted from their salary.
4. An employee cannot claim any portion of earned leave unless he/she has actually reported for duty in accordance with the terms of his contract. However, if an employee is unable, because of accident or illness, to begin work, the employee may use accumulated leave as of June 30 of the immediately preceding school year.
5. Such leave may be taken in hourly, one-half day or full day increments. Hourly increments are accumulated and reported in one-half day or full-day increments. If a substitute employee is required due to the absence, sick leave must be taken in one-half or full-day increments. Sick leave may not be transferred or donated to another employee.
6. The school system shall have the authority to require reasonable proof of illness when it deems necessary. A doctor’s certificate may be required for absences exceeding two (2) consecutive days or if a pattern of frequent and possibly abusive use of sick leave has developed by an employee.
7. Sick leave shall be allowed for personal illness, including quarantine, injury, pregnancy, temporary physical or mental incapacity, or illness or death in the immediate family requiring the attendance of the employee for not more than five (5) days in any one case. Accumulated sick leave may be accessed to care for an employee’s spouse, parent, or child with a catastrophic or life-threatening health condition qualifying under the Family Medical Leave Act. In the case of maternity, accumulated leave may be accessed for a period of up to 12 weeks to run concurrently with the VACORP Hybrid Disability Plan when applicable.
8. The School Board accepts the transfer of accumulated sick leave for professional, instructional, administrative and supervisory positions. The sick leave transfer will be limited to 90 days for VRS Hybrid employees.
9. Unused sick leave will be paid to employees upon retirement from the School System. The maximum payout is \$10,000. To be eligible, an employee must have completed a minimum of five (5) years uninterrupted service including the year of retirement in a sick leave earning position. Payment will be computed as follows:

0 - 150 days	\$25/day
151 - 350 days	\$30/day
More than 350 days	\$35/day

(See School Board Regulation GCBD-R1)

PERSONNEL RECRUITMENT AND RETENTION

INSTRUCTIONAL AND ADMINISTRATIVE STAFF EMPLOYMENT

Upon recommendation of the Superintendent, the Board will approve the employment of all instructional and administrative personnel. Contracts will be issued in compliance with state laws and regulations and will be binding and can be broken only by mutual consent.

The State Board of Education or the Colonial Heights School Board shall, by regulation, prescribe the requirements for certification of teachers and other school personnel. No teacher shall be regularly employed by a School Board or paid from public funds unless such teacher holds a license or provisional license issued by the State Board of Education. Requirements for classroom teachers, special educators, vocational educators, guidance counselors, reading specialists, school psychologists, visiting teachers/social workers, etc., are stated in the Licensure Regulations for School Personnel (8 VAC 20-23).

It is the responsibility of the teacher to keep his/her license in force. All licenses except the Provisional License are renewable. Renewal is based on the completion of 180 professional development points every five years. All new professional staff members are required to meet the State Technology Standards for Instructional Personnel (8 VAC 20-25-30) by April 15 of the current school year.

Effective July 1, 2018 the Virginia Department of Education, in response to House Bill 1125 and Senate Bill 349 of the 2018 Virginia General Assembly is issuing 10-year renewable licenses. Teachers who have been issued a 10-year renewable license will be required to complete 360 professional development points for renewal. All statutory renewal requirements are as follows:

- Child Abuse and Neglect Recognition and Intervention
- Dyslexia Awareness Training
- CPR Training

Once a contract is signed for a school year, a release will not be granted until a suitable replacement can be found. After your contract is signed, you must obtain written permission to interview outside of the school division.

(See [VA Department of Education Licensure page](#))

POSITION RECLASSIFICATION

Whenever a position is reclassified, meaning changed from one level to another, the position will be advertised, unless the change in level is less. In such cases, the Superintendent has the latitude to fill the position without advertising.

PROBATIONARY PERIOD FOR INSTRUCTIONAL PERSONNEL

Teachers who are beginning their teaching careers in Colonial Heights will serve a minimum of three years of probation before they are eligible to be recommended for a continuing contract. Teachers who have attained a continuing contract in another school division in the Commonwealth of Virginia need not serve another probationary period unless such probationary period, not to exceed two years, is made a part of the contract of employment. If a teacher separates from service and returns to teaching service in Virginia public

schools by the beginning of the third year, the person shall be required to begin a new probationary period, not to exceed two years, if made part of the contract.

In order to achieve continuing contract status, every teacher must successfully complete training in instructional strategies and techniques for intervention for or remediation of students who fail or are at risk of failing the Standards of Learning assessments. Colonial Heights School Board provides said training at no cost to teachers it employs. If such training is not offered in a timely manner, no teacher will be denied continuing contract status for failure to obtain such training.

(See School Board Policy GCG)

STAFF ASSIGNMENTS AND TRANSFERS

1. Upon recommendation of the Superintendent, the Colonial Heights School Board shall place all employees within the various schools and facilities located in the school division. The Superintendent shall have the authority to assign such employees to their respective positions with the school or facility wherein they have been placed by the School Board.
2. The Superintendent may also reassign any such employee for that school year to any school or facility within such division, provided no change or reassignment during a school year shall affect the salary of such employee for that school year. No one will be employed in or reassigned to a situation where a family member is directly responsible for that employee's supervision.
3. Principals and other supervisory personnel may submit recommendations to the Superintendent for the appointment, assignment, promotion, transfer, or dismissal of all personnel assigned to his/her supervision.
4. Instructional staff seeking a transfer of assignment to another location must make a request in writing to the Superintendent or his/her designee, with copies to the current supervisor not later than April 1 of that calendar year. A change of assignment within an immediate work station is the responsibility of the immediate supervisor.
5. Support staff shall be assigned to positions for which their qualifications meet the needs of the school division's operations. Support staff personnel may request a transfer for a position within their area of competence and for which they are qualified. Support staff personnel may be transferred to positions for which their qualifications best meet the needs of the school division.

(See School Board Policy GCI, GCI-R and GDI)

STAFF DEVELOPMENT

The Colonial Heights School Board provides a program of high-quality professional development in the use and documentation of performance standards and evaluation, as part of the license renewal process, in educational technology, for proficiency increase in instructional leadership and management and to educate School Board employees about bullying and the need to create a bully-free environment.

In addition, the board provides teachers and principals with high-quality professional development programs in instructional content, the preparation of tests and other assessment measures, methods for assessing the progress of individual students, instruction and remediation techniques, interpreting test data for instructional purposes, technology applications to implement the Standards of Learning, and effective classroom management.

All instructional personnel are required to participate each year in professional development programs. The board will annually review its professional development program for quality, effectiveness, participation by instructional personnel, and relevancy to the instructional needs of teachers and the academic achievement needs of the students in the school division.

(See School Board Policy GCL)

SUBSTITUTES

A substitute teacher is one who is employed as a substitute for a contracted teacher for a temporary period of time during the contracted teacher's absence, or one who is hired to fill a teacher vacancy for a period of time for no longer than 90 days unless otherwise approved by the Superintendent. A substitute teacher shall:

1. Be at least 18 years old
2. Hold a high school diploma or GED
3. Have a minimum of 60 hours towards a degree (this does not have to be in education) which must be proven by a transcript or copy of the degree or a teacher's license
4. Have three (3) references on file
5. Meet with a representative of the Human Resources office to complete employment paperwork and review the Substitute Teacher Handbook and sign the acknowledgment

Substitutes are provided with a Substitute Handbook annually.

(See School Board Policy GCE)

SUPPORT PERSONNEL EMPLOYMENT

Support staff personnel are those employees who need not hold a license issued by state education authorities in order to obtain their positions. This category includes, but is not limited to, non-licensed administrative, clerical, maintenance, transportation, food service, and paraprofessional positions.

Full-time support personnel receive a contract annually. If the Board or the employee wishes to terminate employment, two (2) weeks' notice must be given by either party.

VACANCIES

Information on job openings within the Colonial Heights Public Schools can be obtained by reviewing our website at: www.colonialhts.net or the website at: www.teachers-teachers.com.

POLICIES

CHILD ABUSE AND NEGLECT REPORTING

Every employee of Colonial Heights School Board who has reason to suspect that a child is abused or neglected or abandoned, shall immediately report the matter to:

- the local department of social services where the child resides or where the abuse or neglect is believed to have occurred;
- the Virginia Department of Social Services' toll-free child abuse and neglect hotline at 800-552-7096; or
- the person in charge of the school or department, or his designee, who shall make the report immediately to the local or state agency. The person making the report to the local or state agency must notify the person making the initial report when the report of suspected abuse or neglect is

made to the local or state agency, and of the name of the individual receiving the report, and must forward any communication resulting from the report, including any information about any actions taken regarding the report, to the person who made the initial report.

Any person required to report cases of suspected child abuse or neglect are immune from civil or criminal liability or administrative penalty or sanction on account of such reports unless such person has acted in bad faith or with malicious purpose.

(See School Board policies GAE/JHG)

COMMUNICABLE DISEASE

The School Board, in compliance with state law, shall exclude from school attendance and school related functions or work in the school setting any person with an infectious or communicable disease.

(See School Board policies JHCC, JHCCA and JHCCA-R)

CONFLICT OF INTEREST

The State and Local Government Conflict of Interests Act (the Act), applies to public school employees and officials. The Act creates uniform standards of conduct for all public employees and officials. The Act also defines and prohibits inappropriate conflicts of interest and requires disclosure of economic interests in some circumstances. The Act prohibits school employees from having a “personal interest,” as that term is defined by the Act, in certain contracts and transactions that involve the division and from engaging in other specified conduct related to the schools. The prohibited personal interest also may be that of the school employee’s immediate family (a spouse or any other person who resides in the same household as the employee and who is a dependent of the employee).

Under the Act, an employee may be considered to have a prohibited conflict arising from:

- a personal interest in a contract;
- a personal interest in a transaction;
- business opportunities tied to official acts;
- misuse of confidential information; or
- receipt or solicitation of certain gifts.

Examples of prohibited conduct include:

- Soliciting or accepting money or other thing of value for services performed within the scope of the employee’s official duties, other than his or her regular compensation, expenses or other remuneration
- Offering or accepting money, or anything else of value, for or in consideration of obtaining employment, appointment, or promotion of any person in the school division
- Offering or accepting any money or anything else of value for or in consideration of the use of his public position to obtain a contract for any person or business with the school division
- Using for his or her own economic benefit, or anyone else's, confidential information gained by reason of his or her office, and which is not available to the public
- Accepting any money, loan, gift, favor, service or business or professional opportunity that reasonably tends to influence him or her in the performance of his or her official duties
- Accepting any business or professional opportunity when he or she knows that there is a reasonable likelihood that the opportunity is being afforded him or her to influence his or her conduct in the performance of official duties

- Accepting a gift from a person who has interests that may be substantially affected by the performance of the School Board member's or employee's official duties under circumstances where the timing and nature of the gift would cause a reasonable person to question the Board member's or employee's impartiality in the matter affecting the donor
 - Accepting gifts from sources on a basis so frequent as to raise an appearance of the use of his or her public office or employment for private gain
 - Using his or her public position to retaliate or threaten to retaliate against any person for expressing views on matters of public concern or for exercising any right that is otherwise protected by law, provided, however that this prohibition shall not restrict the authority of any public employer to govern conduct of its employees, and to take disciplinary action, in accordance with applicable law.
- (School Board policies BBFA, GAH & [State & Local Government Conflict of Interests Act](#))*

DRUG-FREE WORKPLACE

The Colonial Heights Public School Board is committed to maintaining a Drug-Free Workplace. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance by any employee on school property, at any school activity, or on any school-sponsored trip is prohibited. A controlled substance means any narcotic drug, hallucinogenic drug, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in the "Drug Control Act" in the Code of Virginia. Also prohibited is the illegal use of alcohol, narcotics, hallucinogens, depressants, stimulants and marijuana.

It is a condition of employment that each employee will not engage in such prohibited conduct and will notify the Colonial Heights School Board of any criminal drug or alcohol conviction for a violation occurring on school property, at any school activity, or on any school-sponsored trip no later than five (5) days after such conviction. The Superintendent and School Board will take appropriate personnel action up to and including dismissal of any employee found in violation of this provision. If discipline imposed is other than termination, the employee shall also satisfactorily participate in a drug abuse assistance or rehabilitation program.

(See School Board Policies GBEA and GBEA-R-see appendix for full policy)

EQUAL EMPLOYMENT OPPORTUNITY/NON-DISCRIMINATION

The Colonial Heights School Board is an equal opportunity employer, committed to non-discrimination in recruitment, selection, hiring, pay, promotion, retention or other personnel actions affecting employees or candidates for employment. Therefore, discrimination in employment against any person on the basis of race, color, religion, national origin, ancestry, political affiliation, sex, gender, gender identity, age, marital status, genetic information or disability is prohibited. Personnel decisions shall be based on merit and the ability to perform the essential functions of the job, with or without reasonable accommodation. The School Board has designated the Cayce Kump, Director of Human Resources, 512 Boulevard, Colonial Heights, Virginia 23834, (804)524-3400 ext. 18, Cayce_Kump@colonialhts.net, as the Compliance Officer responsible for identifying, preventing and remedying prohibited harassment. Complaints of harassment can also be made to the Alternate Compliance Officer, Troy Hedblom, Assistant Superintendent of Business Services, 512 Boulevard, Colonial Heights, Virginia 23834, (804)524-3400, extension 20, Troy_Hedblom@colonialhts.net

(See School Board Policy GB and AC)

FIREARMS AND DANGEROUS WEAPONS

The Colonial Heights School Board is committed to maintaining a safe and secure working and learning environment. Staff is prohibited from possessing or using any firearm or weapon in any school building, on school property, in any school vehicle or at any school-sponsored activity without the authorization of the Superintendent or his designee.

The Superintendent and School Board will take appropriate personnel action up to and including dismissal of any employee found in violation of this provision. All illegal conduct shall be reported in accordance with state law.

(See School Board Policies GBEB and JFCD)

FRAUD DETECTION AND PREVENTION PROCEDURES

Management is responsible for the detection and prevention of fraud, misappropriations and other fiscal irregularities. The use of one's occupation for personal enrichment through the deliberate misuse or misapplication of the organization's resources or assets is prohibited.

Staff creating, submitting or causing to be submitted expenditure reimbursements, mileage reimbursements, time sheets, requisitions or other records must ensure that the record, expenditure or reimbursement request is accurate, supported by appropriate documentation and is for approved school division business. The use of a Division credit card is solely for School Division expenses and must be supported by timely and appropriate receipts and approval signatures. No personal expenditures can be charged to the Division's account. The Division credit cards are conspicuously labeled and marked to prevent unintentional personal use. The terms misappropriation and other fiscal irregularities refer to, but are not limited to:

- Any dishonest or fraudulent act
- Misappropriation of funds, supplies, or other assets
- Impropriety in the handling or reporting of money
- Misuse of Division credit cards
- Disclosing confidential and proprietary information to outside parties
- Accepting or seeking anything of material value from contractors, vendors, or persons providing services/materials to the Division
- Destruction, removal, or inappropriate use of records, furniture, fixtures, and equipment
- Any similar or related irregularity

Any irregularity that is detected or suspected must be reported immediately to the Director of Finance & Budget, who coordinates all investigations, both internal and external. Violations of this policy may lead to disciplinary action including termination and criminal prosecution.

GRIEVANCE PROCEDURE

The Colonial Heights School Board honors the procedures for adjusting grievances as prescribed by the Board of Education of the Commonwealth of Virginia and amended by that body from time to time. Grievances should be initiated within 15 business days following either the event giving rise to the grievance, or within 15 business days following the time when the employee knew or reasonably should have known of its occurrence. Grievances must be initiated in writing and describe the event or action complained of, the date of the event or action, a concise description of the basis for the claim and the relief requested on the form

provided by the School Board. The term grievance does not include a dispute relating to the establishment and revision of wages or salaries, position classifications or general benefits; suspension; the establishment or contents of personnel policies, procedures, rules and regulations; failure to promote; or discharge, layoff, or suspension from duties because of decrease in enrollment, decrease in enrollment in a particular subject, abolition of a particular subject, budget cuts or insufficient funding; hiring, transfer, assignment, and retention of employees within the school division; suspension from duties; or the methods, means, and personnel by which the school division's operations are to be carried on.

(See School Board Policies GBM, GBM-BOE, and GBMA)

HARASSMENT

The Colonial Heights School Board is committed to maintaining an educational environment and workplace that is free from harassment. In accordance with law, the Board prohibits harassment against students, employees, or others on the basis of sex, sexual orientation, gender, gender identity, race, color, national origin, disability, religion, ancestry, age, marital status, pregnancy, childbirth or related medical conditions, status as a veteran, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity.

The School Division shall promptly investigate all complaints of harassment, written or verbal, promptly take appropriate action to stop any harassment and take appropriate action against any student or school personnel who violates this policy and take any other action reasonably calculated to end and prevent further harassment of school personnel or students.

The School Board has designated Cayce Kump, Director of Human Resources, 512 Boulevard, Colonial Heights, Virginia 23834, (804)524-3400, extension 18, Cayce_Kump@Colonialhts.net as the Compliance Officer responsible for identifying, preventing and remedying prohibited harassment. Complaints of harassment can also be made to the Troy Hedblom, Alternate Compliance Officer, Assistant Superintendent of Business Services, 512 Boulevard, Colonial Heights, Virginia 23834, (804)524-3400, extension 20, Troy_Hedblom@colonialhts.net.

(See School Board Policies GBA/JFHA and GBA/JFHA-R)

HIPAA PRIVACY INFORMATION

Colonial Heights School may have access to certain limited medical information related to your employment and to absences for medical reasons. In addition, we receive medical claims information from our health insurance provider that is NOT identifiable by employee. The Department of Health and Human Services has established a "Privacy Rule" to help insure that personal health information is protected for privacy. We are required by law to maintain the privacy of your personal health information. We will secure and protect your personal health information in accordance with HIPAA guidelines.

IDENTITY THEFT IN THE WORKPLACE

The Colonial Heights Schools has an anti-theft program in the workplace to protect personal information. "Identity theft" occurs when one individual misappropriates another's identifying information and uses that information for criminal or fraudulent purposes. The majority of identity theft cases involve some type of financial crime. There are also more subtle forms of identity theft, such as using another person's driver's license, social security or employee identification number to pass background checks, get health insurance, gain security clearance or employment authorization, etc.

The Federal Trade Commission has published a guide for *“Protecting Personal Information, A Guide for Business.”* It basically addresses five key principles:

	Take Stock. Know what personal information you have in your files and on your computers. Evaluate the necessity of maintaining the data in your files.
	Scale Down. If you don’t need the information, don’t collect the information. Keep only what you need for the file, try to avoid duplications.
	Lock It. Protect the information that you keep. Follow the guidelines as established in the Computer Usage Agreement in regards to password protection and data security. Keep all confidential information out of the sight and locked.
	Pitch It. Properly dispose of what you no longer need. Get in the practice of shredding documents, not disposing of them in wastebaskets. Each location maintains a locked shred bin.
	Plan Ahead. Create a plan to respond to security incidents. Notify your supervisor immediately if personal information is compromised.

Above all else in the general workplace, social security numbers cause the most problems and must be protected. When reviewing, filing, sorting, and copying documents, please make sure they are kept private and out of view to the general public. A good rule of thumb is to treat this sensitive material as if it were cash -- you would not leave it sitting out.

Student email addresses should not be given to any outside vendors, non-CHPS staff, other entities, etc., without permission of the Student Data Privacy Officer, Mrs. Julie Bowles. Any student data must be evaluated to determine if the data is protected by the Family Educational Rights and Privacy Act (FERPA).

POLICY CHANGES

The Policy manual of Colonial Heights Public Schools is accessible by the website at: www.colonialhts.net or by calling the School Administration Offices at (804) 524-3400. The Policy Manual is maintained at the School Administration Office by the Clerk of the Board.

PROFESSIONAL ETHICS AND CONDUCT

School personnel will carry out their duties in a manner that demonstrates confidence from parent, student, peer, and community stakeholders. Colonial Heights School personnel should be knowledgeable of their job functions, cognizant of their responsibilities, and appropriate with students, parents, and co-workers at all times. In the end, school personnel serve as role models for students in the School Division.

An effective educational program requires that all school employees will conduct themselves in a professional and ethical manner so as to promote the best interests of Colonial Heights Schools. These standards include, but are not limited to the following:

- The preservation of fair and courteous professional relationships with students, parents, staff members, and others
- The sustainment of professional efficiency and knowledge growth, including licensure requirements and credentials
- The transaction of all official business with the properly designated authorities of the school system
- The appearance of professional dress and grooming
- The performance of all assigned responsibilities with an emphasis in submitting required reports and completing projects within a specified timeframe

- The expectation of professionalism regarding regular attendance/promptness to work
- The protection and proper use of all school properties, equipment, and materials
- The continuation of a collegial partnership between the community and the school system
- The awareness of student welfare as the primary concern of the school system and an affirmation that students are supervised at all times
- The assurance of testing fidelity by not knowingly engaging in any conduct or speech breaches
- The declaration of all or partial testing instructions or procedures will be followed at all times
- The guarantee that any test monitor will refrain from providing assistance to students who lack qualifying documentation
- The suppression of utilizing school contacts and privileges to promote partisan politics, or self-propaganda, including using undue pressure on school officials for appointment or promotion
- The restraint to direct concerns and criticisms of peers, departments, and schools to an appropriate administrator, rather than outside sources
- The protection of the constitutional and/or civil rights of each student, parent/legal guardian, or colleague
- The expectation of professional relationships with students at all times, both inside and outside of school (This includes any action or conduct communicated or performed in person, in writing, or electronically through such means as a telephone, cell phone, computer, personal data assistant, or other telecommunication device, including text messaging, instant messaging and social networking)
- The preservation of personally identifiable information regarding students or their families that has been obtained in the course of professional service; unless, disclosure is required or permitted by law, or is necessary for the personal safety of the student or others

SOCIAL MEDIA GUIDELINES

As with in-person communications, employees' conduct on social media and social networking websites, such as Facebook, MySpace, Twitter, YouTube, Instagram, and other similar forums, must comply with all School Board policies, regulations, and procedures. While the School Board does not prohibit employees' personal use of social media, employees may not use social media for official school business or on School Board-owned equipment; unless, its use is work-related, authorized by a supervisor, and consistent with the Acceptable Computer System Use Policy and Regulation (GAB/IIBEA and GAB/IIBEA-R) and any other relevant Colonial Heights School Board policy, regulation, and procedure.

Personal communications with students over social media are discouraged and considered outside of official school business. School-related communications on social media between Colonial Heights School Board employees and students must be transparent, accessible to parents, and professional in content and tone. As with in-person communications, school board employees must avoid appearances of impropriety and refrain from inappropriate electronic communications with students. Relevant factors in determining whether an electronic communication is inappropriate include, but are not limited to:

- The subject, content, purpose, authorization, timing and frequency of the communication
- Whether there is an attempt to conceal the communication from supervisors and/or parents
- Whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship
- Whether the communication is sexually explicit

- Whether the communication involves promoting illegal activity, including the use of controlled substances

Because School Board employees have the unique responsibility within the community to serve as role models for students, employees should consider the following guidelines when using social media for personal use:

- Integrity and professionalism are the most important traits: avoid writing or posting anything that would compromise one's ability to do his or her job
- Assume that professional life and personal life will merge online regardless of the care in separating them
- Set the security so that only "friends" can view the profile and information, and be careful about those added as a "friend." Even if privacy tools are used, assume that everything written, exchanged, or received on a social media site is public
- Do not accept a student as a "friend" on social media; unless, the account is specifically related to the curriculum or school-sanctioned activities
- Do not post personally identifiable information about students
- Be cautious and selective about the social networking groups joined to be sure that public association is appropriate
- When something is posted online, that information often becomes part of the public domain and may be accessible even after removal. Accordingly, if in doubt about the appropriateness of postings, ask whether the postings reflect positively on professional reputations & the division

Moreover, content that negatively reflects professional reputations should be avoided. Examples of inappropriate content includes, but is not limited to posting photos, videos, information, and/or comments that:

- Display defamatory, pornographic, proprietary, harassing, libelous, or work hostility
- Condone drug-related activities, including but not limited to images promoting use of marijuana and drug paraphernalia
- Exhibit inappropriate or offensive language, including threats of violence and derogatory or discriminatory comments
- Depict or encourage unacceptable, violent, or illegal activities such as bullying, assault, harassment, discrimination, fighting, vandalism, academic dishonesty, etc.

All school employees shall be held responsible for familiarizing themselves with Colonial Heights School Board policies, state law, federal law and program guidelines. Higher standards in Colonial Heights School Board policies supersede minimum standards in the law or other regulations.

(See School Board Policy GBCB)

SEXUAL HARASSMENT

It is the policy of the Colonial Heights School Board to maintain a working and learning environment for all its employees and students which provides for fair and equitable treatment, including freedom from sexual harassment. It is prohibited for any employee or student, male or female, to harass another employee or student by making unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication, which may include the use of cell phones or the internet, of a sexual nature, when (1) submission to such conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining

employment or education, (2) submission to or rejection of such conduct or communication is used as a factor in decisions affecting that individuals employment or education, or (3) such conduct or communication substantially or unreasonably interferes with an individual's employment or education, or creates an intimidating, hostile or offensive employment or educational environment.

Any employee who believes that he/she has been subjected to sexual harassment should report in person, by mail, by telephone or by electronic mail, the alleged act immediately to the contact listed as the Title IX Coordinator or by means that result in the Title IX Coordinator receiving the person's verbal or written report. If the complaint is against the supervisor/principal or the Title IX compliance officer, the complaint shall be filed with the Superintendent. The written complaint should state in detail the basis for the complaint, the names of the persons involved, and the dates of any specific incidents. A thorough confidential investigation of all reported incidents to determine the nature and extent of any alleged sexual harassment will be undertaken immediately. The question of whether a particular action or incident is prohibited behavior requires a determination based on all the available facts in the matter. A written report shall be filed at the conclusion of any investigation of sexual harassment regardless of the outcome of that investigation.

Any administrator, teacher or employee who is found, after appropriate investigation, to have engaged in sexual harassment of another employee or student will be subject to disciplinary action appropriate to the offense, from a warning up to discharge. Any act of retaliation against individuals filing a sexual harassment complaint or testifying, assisting or participating in the handling of a complaint is prohibited. Retaliators will be subject to discipline up to discharge.

The School Board has designated the Cayce Kump, Director of Human Resources, 512 Boulevard, Colonial Heights, Virginia 23834, (804) 524-3400 extension 18, Cayce_Kump@colonialhts.net, as the Compliance Officer responsible for identifying, investigating, preventing and remedying prohibited harassment. Complaints of harassment can also be made to the Alternate Compliance Officer, Troy Hedblom, the Assistant Superintendent of Business Services, 512 Boulevard, Colonial Heights, Virginia 23834, (804) 524-3400, extension 20, Troy_Hedblom@colonialhts.net.

(See School Board Policies GBA/JFHA and GBA/JFHA-R)

TOBACCO FREE WORKPLACE

The possession, use or distribution of any tobacco product or nicotine vapor by staff, students, and visitors is prohibited on a school bus, on school property or at an on-site or off-site school-sponsored activity.

Tobacco product means any product made of tobacco and includes cigarettes, cigars, smokeless tobacco, pipe tobacco, bidis, and wrappings. Nicotine vapor product means any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means that can be used to produce vapor from nicotine in a solution or other form.

(See School Board Policies GBEC/JFCH/KGC)

SALARIES AND BENEFITS

DISABILITY PROGRAM FOR VRS HYBRID EMPLOYEES

Employees under the Hybrid Retirement Plan are enrolled in the VACORP Disability Program. The disability program provides some income protection if a hybrid employee cannot work because of physical disease, mental disorder, injury or pregnancy. Benefits of the plan include short-term and long-term disability coverage for total and partial disabilities, transitional rehabilitation plans, and advocacy services to assist in applying for Social Security Disability Insurance. For more information on the Disability program, please refer to the [VACORP Hybrid Disability Handbook](#).

DUTY-FREE LUNCH PERIODS

Principals in each school will make every reasonable effort to develop cooperatively with the teachers a plan to provide lunch periods without supervisory duties.

EMPLOYEE ASSISTANCE PROGRAM

Colonial Heights Public Schools offers an Employee Assistance Program (EAP) through Anthem. This will be available to all full and part time employees AND their families regardless if they take our health insurance. This benefit is at no cost to the employees. Please call 1-800-865-1044 or visit AnthemEAP.com for more information.

EMPLOYEE RECOGNITION-TEACHER OF THE YEAR

Each school nominates a teacher to represent their school as the Teacher of the Year. The nominations are then submitted to a committee, which selects the Colonial Heights Teacher of the Year. This nominee is then submitted to the state level to hopefully be the Virginia Teacher of the Year.

GROUP LIFE INSURANCE

The Board of Trustees of the Virginia Retirement System, under a contract with a private insurance company, provides a contribution plan of group life and accidental death and dismemberment insurance to all full time employees. As a fringe benefit, the insurance premium is paid by the Colonial Heights School Board.

HEALTH INSURANCE

At the present time Anthem is the provider for all eligible employees as a fringe benefit by the Colonial Heights School Board. Further information is available through the Payroll Office. All forms must be completed and sent to the School Administration Offices by the specified date as set forth upon employment. When an individual leaves the Colonial Heights School System they may keep this coverage as defined under COBRA. The premiums must be submitted to the Payroll Office at the School Administration Offices.

Anthem defines an ineligible employee as one who has not returned to a work schedule that meets the division's or Anthem's minimum hourly requirements, whichever is higher, after six months due to illness or injury, or for 12 weeks due to leave of absence or temporary layoff. These rules apply even if the employee is covered by long-term disability coverage or workers' compensation coverage. These rules apply even if the employee has compensatory time. An employee who falls under these scenarios, must COBRA health insurance coverage.

Upon retirement, any full-time employee and the employee's spouse who are enrolled in a health insurance plan offered by the School Board, may remain in the group health insurance plan, at rates approved by the School Board for retirees, until eligible for Medicare. A retiree is not eligible to elect our group health plan at a later date if they are not covered at the time of retirement and/or drop coverage at any time after retirement.

For retirees with at least 15 years of Virginia Retirement System (VRS) service credit, the School Board offers a Colonial Heights School Board Health Insurance Credit. The Health Insurance Credit shall be \$4.50 per year of earned VRS service up to a maximum of \$135.00 per month. To be eligible for this credit, the retiree must have been a Colonial Heights School Board employee for at least five consecutive years immediately preceding retirement and must retire on or before July 1, 2021. Employees retiring after July 1, 2021, shall not be eligible to receive the Colonial Heights School Board Health Insurance Credit. Employees who retire on or before July 1, 2021 and are receiving the Colonial Heights School Board Health Insurance Credit shall continue to receive the credit until their eligibility for the credit terminates pursuant to this Policy. This health insurance credit is at the sole discretion of the School Board and will be reviewed annually for renewal.

Once a retiree who is on the group health plan AND receiving the Colonial Heights School Board Health Insurance Credit becomes eligible for Medicare, the employee may be enrolled only in the Anthem Blue Cross Blue Shield Medicare Supplement Policy offered by the School Board. Neither a retiree nor the retiree's spouse is eligible to remain in the group health insurance plan past the age at which the retiree or the spouse is eligible for Medicare. These conditions apply only to retirees.

Note, however, that an active employee who is Medicare eligible may continue in the group health insurance plan regardless of the employee's age. In addition, the active employee's Medicare eligible spouse may also continue in the group plan regardless of the spouse's age, as long as the employee is enrolled in the plan.

HEALTH INSURANCE COVERAGE-EXTENDED LEAVE

If the employee is out on paid time off benefits, the board will continue to pay its approved share of the premium. An employee on such approved leave can remain on the division group health plan for six months but will be responsible for paying the entire cost of the health insurance premium after exhausting paid time off benefits. Additionally, once extended leave has exceeded six months the employee will be sent a COBRA notification and will be responsible for paying the entire share of the health insurance premium after accrued leave is exhausted.

HOLIDAYS

All full-time employees of the Colonial Heights School Board are granted holidays in accordance with the adopted school calendar. *(Please refer to school calendar)*

HOW EMPLOYEES WHO WORK LESS THAN 12 MONTHS ARE PAID

The annual contract with "professional personnel" notifies the employee that Colonial Heights school division requires him or her to be paid over 12 months regardless of the fact that he or she will actually work over a shorter time period.

(See School Board Regulation GBC, GBC-E2)

OVERTIME

For budgetary reasons, the Colonial Heights School Board discourages overtime work by non-exempt employees. A non-exempt employee will not work over their contracted hours without the express approval of the employee's supervisor. Principals and supervisors monitor employees work, ensure that overtime provisions of this policy and the Fair Labor Standards Act are followed and 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 contracted hours. In lieu of overtime compensation, employees may receive compensatory time off at a rate of one hour for each hour of overtime worked over and above their normal workweek and one and one half (1.5) hours for each hour of overtime worked over 40 hours in a workweek.

(See School Board Policies GAA, GCBD-R5, GCBD-R5-E1 and GCBD-R5-E2)

RETIREMENT

The Colonial Heights School Board is a member of the Virginia Retirement System (VRS) inclusive of all full-time employees. Employee retirement benefits shall be governed by the rules and regulations established by the Virginia Retirement System. All employees participate in Social Security retirement benefits.

([Virginia Retirement System](#))

SALARIES

It is the goal of the Colonial Heights School Board to establish and maintain an internally and externally equitable compensation system within budgetary and other constraints that allow Colonial Heights Public Schools to attract, motivate, and retain *highly qualified teachers* and above average employees at all levels of service.

Teachers employed by the Colonial Heights Public Schools will be placed on an appropriate pay scale and step with consideration given to full time contractual experience in an accredited public school for related experience and internal alignment of existing school division personnel. Any placement of a teacher above Step (10) of the salary scale must be approved in advance by the Superintendent. Personnel other than teachers may be placed on the mid-range of the respective salary scales based upon related full-time experience. The Superintendent has the authority to grant additional credit for experience to acquire the most qualified and best suited candidate for all positions with approval and ratification by the Board. Once hired and placed on a salary scale, full-time employees will progress one step for each year of full-time experience unless steps are not authorized by the School Board for a particular school year.

The School Board will pay an additional salary supplement (amount to be set annually) to professional instructional and administrative staff who have earned 20 semester hours of graduate credit toward a master's degree, advanced graduate certificate, or doctoral degree. These 20 semester hours must be in a degree program. Official transcripts along with Form GCBA-E verifying completion of coursework should be completed and returned to the Human Resource Department by August 31 for 10-month employees, July 31 for 11-month employees, and June 30 for 12-month employees.

(See School Board Policy GCBA-R1)

TRAVEL PAY

Employees required to use their personal car for approved school travel will be reimbursed for the actual number of miles traveled at the rate of .405 cents per mile. Travel between residence and established work location is excluded.

VOLUNTARY DEDUCTIONS

There are several voluntary deduction programs, including cancer insurance premiums, annuities, health insurance premiums, membership dues (CHEA, NEA, etc.), life insurance premiums, short-term disability insurance, and various other, that have been adopted by the Colonial Heights School Board. Payroll deductions for these programs may be made, provided individuals participating do so voluntarily and submit individually signed authorizations for such deductions. Contact the Payroll Specialist for further information.

WORKER'S COMPENSATION

Workers Compensation coverage is with Virginia Association of Counties Group Self Insurance Risk Pool or VACorp. The following procedure should be followed when an injury is reported by an employee:

1. After an employee receives initial medical attention, the employee, their supervisor or the supervisor's designee call Company Nurse to report the injury within 24 hours of the injury. Company Nurse can be reached at 1-888-770-0925.
2. The caller provides a search code of V146. Company Nurse gathers information over the phone and helps injured worker access appropriate medical treatment.
3. If any prescriptions are required, the employee shall contact the Workman's Compensation designee for a prescription card.
4. The employee is not to use any other insurance coverage as this will only complicate the claims process or result in denial of payment.
5. If you receive any bills, please forward them to the Workman's Compensation designee immediately.

School Safety-Employees are the primary source for promoting safety and security, preventing, minimizing losses, and reporting unsafe practices and situations. Awareness is the key component for a successful safety program.

- Signs, warning posters, notices and safety guidelines should be obeyed.
- A stepstool or ladder must be used when looking for, retrieving, or returning any item(s) that are higher than the employee's outstretched arm length. Never use a chair, desk or unsanctioned non-climbing device to gain access to elevated areas.
- Walkways (defined as, but not limited to: halls, corridors, stairs, stairwells, doorways, sidewalks, passageways, etc.) must be clear. Storage of any kind is prohibited in these areas.
- Hand rails must be used when entering and exiting a school bus and at any other location where hand rails exist.
- Occupants of any vehicle being used for school division business will use the seat belts, if vehicle is so equipped.
- Electrical cords must be bundled together, removed from walkways, and fastened under desks.
- Proper attire (particularly footwear) must be worn for current conditions.

Failure to comply with the above stated safety policies can result in denial of Workman's compensation. Injuries, unsafe conditions and unsafe practices should be reported immediately to the administration. All incidents should be investigated and corrected as soon as possible.

STAFF SCHEDULES

ABSENTEEISM AND TARDINESS

The division expects all employees to assume diligent responsibility for their attendance and promptness. Recognizing, however, that illness and injuries may occur, the division has established sick leave. An employee who needs to be absent for medical reasons should notify his or her principal, department administrator, or other designated supervisor as soon in advance as possible so that arrangements can be made to cover his/her position.

It is important that all employees report to work on time. Excessive tardiness has a detrimental impact on the accomplishment of the division's goals and objectives. Accordingly, principals, department administrators, and other supervisors are requested to closely monitor prompt reporting to work. Absenteeism or tardiness that is unexcused or excessive in the judgment of Colonial Heights Public Schools is grounds for disciplinary action, up to and including dismissal.

(See School Board Regulation GCBD-R4)

WORK DAYS FOR STAFF

Principal and Assistant Principal Regular Workday

Principals and Assistant Principals shall be in their building and/or pursuing their duties each official work day and shall remain as long after the teachers leave as their duties require. It shall also be understood that additional time may be required of Principals and Assistant Principals to ensure the orderly and efficient operation of their school.

Teacher Regular Workday

Teachers shall report for duty each morning before their assigned duties as required by School Board policy. Each teacher shall be on duty at least for the specified hours as assigned unless assigned duties, scheduled meetings, or extenuating circumstances require an earlier or later departure. While it is anticipated that the employee shall be at the school for the minimum time specified per day as set forth in the official calendar requiring teachers to report for duty, subject to calendar changes approved by the School Board, the employee shall be required to do so by the principal, Superintendent, or School Board. Reduction in time requirements will be made at the discretion of the Superintendent or School Board.

Office of Support Services

Professional employees of this office are to work seven (7) hours per day for the specified number of days as stated in the employee's contract. Positions included in this area are: Director of Support Services, Support Services Specialist, School Psychologist, School Diagnostician, Occupational Therapist, Attendance Officer, School Nurse, and School Social Worker.

School Administration Offices Personnel

Personnel assigned to the School Board Administration Offices are to work seven (7) hours per day for the specified number of days as stated in the employee's contract. Positions included in this area are: Superintendent of Schools, Assistant Superintendent for Instructional Services, Assistant Superintendent for Business Services, Director of Data & Assessment, Director of Technology and Learning, Instructional Specialist, Instructional Specialist/Reading Coach, Instructional Specialist/Math Coach, Director of Finance and Budget and Human Resource Director.

Paraprofessional I, II, and III

Paraprofessionals are to work the same hours and days as the teachers of the schools to which they are assigned.

Paraprofessional IV

Paraprofessional is assigned to the high school seven (7) hours per day for 220 or 240 work days or as established by employment contract.

Network Administrator/Technology Field Technician and Support Specialist Network Administrator, Technology Field Technician and Technology Support Specialist are assigned to the technical center, as his/her base, seven (7) hours per day for twelve months/240 days.

Instructional Technology Integration Specialist (Secondary and Elementary) Instruction Technology Integration Specialist is assigned to work the same hours and days as teachers (220 days).

Secretaries/Bookkeepers/School Administrative Office Personnel

Secretaries/Bookkeepers are assigned to their schools/offices seven (7) hours per day. Business Service personnel are assigned to the School Board Administration Offices seven (7) hours per day. Ten (10) month employees work 200 days, eleven (11) month employees work 220 days, and twelve (12) month employees are contracted for 240 days.

Maintenance Personnel

Maintenance personnel are contracted for eight (8) hours per day for 240 days.

School Bus Drivers Workday

School Bus Drivers shall observe directions issued by the Transportation Director for meeting schedules for regular school days, delayed opening and early closing of school days, and for training and in-service activity.

School Food Service Staff

Full-time Food Service employees are assigned to their schools seven (7) or eight (8) hours per day and are contracted for one hundred eighty-six (186) days. Part-time Food Service employees are assigned to their schools between three (3) to six (6) hours per day. The Food Service Director shall publish the daily work schedule; assign duties, and any other work, training, or in-service activity.

TEACHER/ADMINISTRATOR LICENSURE

COURSES FOR RENEWAL CREDIT

Courses taken for recertification by a teacher must be approved by the teacher's advisor, the building principal or site supervisor. This requirement is established to ensure that teachers enroll in classes in their academic teaching area or classes required to improve a deficient area.

LICENSURE RENEWAL

It is the employee's responsibility to maintain a valid license. Instructional and professional licenses for renewal are sent to the Virginia Department of Education via the Human Resources Department. It is the employee's responsibility to provide the necessary information and documentation to include the certificates for the statutory requirements for renewal. The School Board will pay for the licensure renewal fee for all current employees. Any license renewals received after May 31 will not be paid by the School Board. All requirements for license renewal **must** be completed and filed with the Virginia Department of Education prior to July 1 for the individual to be employable. Please reference the

Licensure Renewal Manual published by the Department of Education. Click the link below for access to the Virginia Licensure Renewal Manual.

(See [VA Department of Education Licensure page](#))

TECHNOLOGY AND THE COMPUTER SYSTEM

ACCEPTABLE COMPUTER SYSTEM USE

The School Board provides a computer system, including the Internet, to promote educational excellence by facilitating resource sharing, innovation and communication. The term computer system includes, but is not limited to, hardware, software, data, communication lines and devices, terminals, display devices, printers, CD, DVD and other media devices, tape or flash drives, storage devices, servers, mainframe and personal computers, tablets, laptops, telephones, cameras, projectors, multimedia devices, workstations, the internet, and other electronic services and internal or external networks. This includes any device that may be connected to or used to connect to the school division's network or electronically stored division material.

All use of the Division's computer system must be (1) in support of education and/or research, or (2) for legitimate school business. Use of the computer system is a privilege, not a right. Inappropriate use may result in cancellation of those privileges, disciplinary action, and/or legal action. Any communication or material generated using the computer system, including electronic mail, social media posts, instant or text messages, tweets, and files, including communications and materials deleted from a user's account, may be monitored, read, and/or archived by division staff.

This policy applies to all users of the division's computer system. By using or accessing the computer system, the user agrees to abide by this policy. The Superintendent is responsible for establishing Technology Use Guidelines, containing the appropriate uses, ethics and protocols for use of the computer system. It is the user's responsibility to know and follow this policy and the Technology Use Guidelines.

The guidelines include:

- 1) a prohibition against use by division employees and students of the division's computer equipment and electronic communications services for sending, receiving, viewing or downloading illegal material via the Internet;
- 2) provisions, including the selection and operation of a technology protection measure for the division's computers to filter or block harmful or inappropriate Internet content through such computers, that seek to prevent access to
 - a) Child pornography as set Va. Code § 18.2-374.1:1 or as defined in 18 U.S.C. § 2256;
 - b) Obscenity as defined by Va. Code § 18.2-372 or 18 U.S.C. § 1460; and
 - c) Material that the school division deems to be harmful to juveniles as defined in Va. Code § 18.2-390, material that is harmful to minors as defined in 47 U.S.C. § 254(h)(7)(G), and material that is otherwise inappropriate for minors;
- 3) provisions establishing that the technology protection measure is enforced during any use of the Division's computers;
- 4) provisions establishing that all usage of the computer system may be monitored;
- 5) provisions designed to educate students and employees about appropriate online behavior, including interacting with students and other individuals on social networking websites and in chat rooms and cyber-bullying awareness and response;

- 6) provisions designed to prevent unauthorized online access by minors, including "hacking" and other unlawful online activities;
- 7) provisions requiring every user to protect the security of information necessary to access the computer system, such as usernames and passwords, and prohibiting the sharing of passwords;
- 8) provisions prohibiting the unauthorized disclosure, use, and dissemination of photographs and/or personal information of or regarding minors; and
- 9) a component of Internet safety for students that is integrated in the division's instructional program.

Use of the School Division's computer system shall be consistent with the educational or instructional mission or administrative function of the Division as well as the varied instructional needs, learning styles, abilities and developmental levels of students. The Division's computer system is not a public forum. Users of the division's computer system have no expectation of privacy for use of the division's resources and electronic devices including non-division owned devices while connected to division networks or computer resources. Software and/or services may not be installed or downloaded on the division's computer system without the prior approval of the Superintendent or Superintendent's designee.

The failure of any user to follow the terms of the Agreement, this policy or the Technology Use Guidelines may result in loss of computer system privileges, disciplinary action, and/or appropriate legal action.

The School Board is not responsible for any information that may be lost, damaged or unavailable when using the computer system or for any information retrieved via the Internet. Furthermore, the School Board will not be responsible for any unauthorized charges or fees resulting from access to the computer system.

(File GAB/IIBEA)

ACCESS TO EMPLOYEE SOCIAL MEDIA ACCOUNTS

The Colonial Heights School Board does not require current or prospective employees to disclose the username or password to the employee's personal social media accounts or to add an employee, supervisor or administrator to the list of contacts associated with the employee's personal social media account. If the School Board or a School Board employee inadvertently receives an employee's username and password to, or other login information associated with, the employee's personal social media account through the use of an electronic device provided to the employee by the School Board or a program that monitors the School Board's network, the Board will not be liable for having the information but will not use the information to gain access to the employee's social media account. This policy does not prohibit the School Board and its agents from viewing information about a current or prospective employee that is publicly available. This policy does not prohibit the School Board from requesting an employee to disclose the employee's username and password for the purpose of accessing a personal social media account if the employee's social media account activity is reasonably believed to be relevant to a formal investigation or related proceeding by the Board of allegations of an employee's violation of federal, state or local laws or regulations or of the Board's written policies. If the Board exercises its rights under this paragraph, the employee's username and password will only be used for the purpose of the formal investigation or a related proceeding.

(See School Board Policy GAD)

TECHNOLOGY USE GUIDELINES

All use of the Colonial Heights School Division's computers system shall be consistent with the School Board's goal of promoting educational excellence by facilitating resource sharing, innovation, and

communication. The term computer system includes, but is not limited to, hardware, software, data, communication lines and devices, display devices, printers, CD, DVD or other media devices, tape or flash drives, storage devices, servers, the Internet, and other electronic services and any other internal or external network. This includes any device that may be connected to or used to connect to the school division's network or electronically stored division material.

Computer System Use – Terms and Conditions:

1. Acceptable Use. Access to the Division's computer system shall be (1) for the purpose of education or research and be consistent with the educational objectives of the Division or (2) for legitimate school business.

2. Privilege. The use of the Division's computer system is a privilege, not a right.

3. Unacceptable Use. Each user is responsible for his or her actions on the computer system. Prohibited conduct includes but is not limited to:

- Using the network for any illegal or unauthorized activity, including violation of copyright or contracts, or transmitting any material in violation of any federal, state or local law
- Sending, receiving, viewing or downloading illegal material via the computer system
- Using any Internet proxy or other unauthorized method to circumvent the Internet content filtering system
- Unauthorized downloading of software
- Using the computer system for private financial or commercial purposes
- Wastefully using resources, such as file space
- Gaining unauthorized access to resources or entities.
- Failing to follow school division regulations related to the security of the computer system, and user accounts and passwords
- Failing to safeguard confidential data that one has access to through the computer system, or allowing unauthorized persons to access confidential data, or data they are not permitted to access.
- Posting material created by another without his or her consent
- Submitting, posting, publishing, or displaying any obscene, profane, threatening, illegal, or other inappropriate material
- Using the computer system while access privileges are suspended or revoked.
- Vandalizing the computer system, including destroying data by creating or spreading viruses or by other means
- Taking apart the computer system without authorization to do so
- Making unauthorized changes to the computer system
- Using unauthorized computing or electronic devices on school property
- Installing unauthorized software applications or programs on the computer system
- Intimidating, harassing, bullying, or coercing others
- Threatening illegal or immoral acts

4. Network Etiquette. Each user is expected to abide by generally accepted rules of etiquette, including the following:

- Be polite
- Users shall not forge, intercept or interfere with electronic mail messages.
- Use appropriate language. The use of obscene, lewd, profane lascivious, threatening or disrespectful language is prohibited.

- Users shall not post personal information other than directory information as defined in Policy JO Student Records about themselves or others.
- Users shall respect the computer system's resource limits.
- Users shall not post chain letters or download large files.
- Users shall not use the computer system to disrupt others.
- Users shall not modify or delete data owned by others.

5. Liability. The School Board makes no warranties for the computer system it provides. The School Board shall not be responsible for any damages to the user from use of the computer system, including loss of data, non-delivery or missed delivery of information, or service interruptions. The School Division is not responsible for the accuracy or quality of information obtained through the computer system. The user agrees to indemnify the School Board for any losses, costs or damages incurred by the School Board relating to or arising out of any violation of these procedures.

6. Security. Computer system security is a high priority for the school division. If any user identifies a security problem, the user shall notify the building principal or system administrator immediately. All users shall keep their passwords confidential and shall follow computer virus protection procedures. Users shall follow school division regulations related to computer system accounts and passwords. Users will not access, or attempt to access any computer system or data that they are not authorized to access. Users will safeguard confidential data, to ensure that it does not fall into the wrong hands. Users will not connect a personally owned (non-Colonial Heights Schools) computer or other electronic device to our network without authorization.

7. Vandalism. Intentional destruction or interference with any part of the computer system through creating or downloading computer viruses or by any other means is prohibited.

8. Charges. The School Division assumes no responsibility for any unauthorized charges or fees as a result of using the computer system, including telephone or long-distance charges.

9. Electronic Mail. The School Division's electronic mail system is owned and controlled by the School Division. The School Division may provide electronic mail to aid students and staff in fulfilling their duties and as an education tool. Electronic mail is not private. Students' electronic mail will be monitored. The electronic mail of staff may be monitored and accessed by the School Division. Unauthorized access to an electronic mail account by any student or employee is prohibited. Users shall be held personally liable for the content of any electronic message they create. Downloading any file attached to an electronic message is prohibited unless the user is certain of that message's authenticity and the nature of the file.

10. Electronic Correspondence. Any CHPS employee who communicates through electronic media with one or more current CHPS students for educational purposes or as a CHPS employee shall not include in his communication any language or symbols of a religious, political, social, or other nature that are improper to use in a non-electronic forum. This includes the avoidance of inappropriate or illegal postscripts and footnotes at the end of electronic communications.

11. Enforcement. Software will be installed on the division's computers having Internet access to filter or block Internet access through such computers to child pornography and obscenity. The online activities of users may also be monitored manually. **Any violation of these regulations shall result in loss of computer**

system privileges and may also result in appropriate disciplinary action, as determined by School Board policy, or legal action.

(File GAB-R/IIBEA-R)

APPENDIX: DISTRIBUTION OF REQUIRED POLICIES

GBEA -UNLAWFUL MANUFACTURE, DISTRIBUTION, DISPENSING, POSSESSION OR USE OF A CONTROLLED SUBSTANCE OR ALCOHOL

The Colonial Heights City School Board is committed to maintaining a drug and alcohol- free workplace.

Prohibited Conduct

Employees may not unlawfully manufacture, distribute, dispense, possess or use a controlled substance or alcohol on school property, at any school activity, or on any school- sponsored trip. It is a condition of employment that each employee of the Colonial Heights School Board will not engage in such prohibited conduct and will notify the Colonial Heights School Board of any criminal drug or alcohol conviction for a violation occurring on school property, at any school activity, or on any school-sponsored trip no later than 5 days after such conviction. An employee who is convicted of criminal drug or alcohol activity for a violation occurring on school property, at any school activity, or on any school-sponsored trip will be subject to appropriate discipline, up to and including termination. In addition, if the discipline imposed is other than termination, the employee shall also satisfactorily participate in a drug abuse assistance or rehabilitation program.

Reasonable Suspicion

Employees shall submit to drug and alcohol testing when, in the opinion of the employee's supervisor, there is a reasonable suspicion that the employee is using, is under the influence of, or has present in his or her body, illegal drugs or alcohol. Reasonable suspicion is a suspicion based on objective facts that an employee is using, or under the influence of, alcohol or illegal drugs.

By way of example, and without limitation, any of the following conditions or circumstances, alone or in combination, may create reasonable suspicion: unexplained inability to perform normal job functions; slurred speech; the smell of alcohol or drugs on the breath or body; any unusual lack of physical coordination or loss of equilibrium; unexplained hyperactivity, depression, or withdrawal; unexplained inability to think or reason at normal levels; bizarre behavior or thinking; unexplained change in affect or mood; unexplained shortness of temper; violent or unexplained response to daily problems; involvement in an avoidable accident that caused, or had the potential to cause, personal injury or property damage; or information that an employee is using alcohol or illegal drugs in violation of school board policy, when obtained from a reliable person with personal knowledge of facts that support the allegation. Employees refusing to submit to alcohol or drug testing in such cases shall be subject to disciplinary action, including termination of employment.

Any employee that has reasonable suspicion to believe that another employee is in violation of this policy shall report this immediately to his supervisor. Upon receiving the report of an alleged violation of this policy, supervisors and administrators are to report the allegation to the Superintendent or his designee.

Legitimate Use of Drugs

Any employee who conclusively establishes by competent medical evidence that a positive drug test result was caused by the presence of a prescription drug which the employee was taking in accordance with a valid prescription, or as the result of the use of a non- prescription drug which the employee was taking properly for a bona fide medical purpose, shall not be deemed to have violated this policy because of failing a test for that drug.

If the use of prescription drugs adversely affects an employee's job performance or is detrimental to the public trust or safety of other employees or students, the employee shall be placed on leave during the period that the employee's performance is affected by the substance.

Discipline

The Superintendent and School Board will take appropriate personnel action up to and including dismissal from employment of any employee found to have engaged in prohibited conduct listed above. Any such personnel action other than dismissal shall include the employee's satisfactory participation in a drug abuse assistance or rehabilitation program.

Distribution of Policy

All employees shall be given a copy of this policy.

Drug-Free Awareness Program

The Colonial Heights School Board shall establish a drug-free awareness program to inform its employees about the dangers of drug abuse in the workplace, the Board's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for violations of laws and policies regarding drug abuse.

GBEA-R - NOTICE TO EMPLOYEES – DRUG FREE WORKPLACE REGULATION

UNLAWFUL MANUFACTURE, DISTRIBUTION, DISPENSING, POSSESSION OR USE OF A CONTROLLED SUBSTANCE

The Colonial Heights City School Board is committed to maintaining a Drug Free workplace.

A. Definitions as used in this regulation:

“Controlled Substance” means any narcotic drug, hallucinogenic drug, amphetamines, barbiturates, marijuana, anabolic steroids or any other controlled substance as defined in the “Drug Control Act”, Chapter 34 of Title 54.1 of the Code of Virginia and as defined in Schedules I through V of 21 U.S.C. § 812, or drug paraphernalia as defined in Va. Code § 18.2-265.1.

“Conviction” means a finding of guilt by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

“School Property” means any site for the performance of school related work by the employee. That includes any school building and all school premises, any school- owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; and any other place which is the location of any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school division.

B. Alcohol and Drugs on School Property or Any School Workplace

The illegal use, possession of, or usage of alcohol, narcotics, hallucinogens, depressants, stimulants, marijuana or other controlled substance by any School Board employee on School Board property or any school workplace is prohibited. The violation of this regulation shall result in suspension or termination of employment.

C. Alcohol and Drugs off School Board Property

The use of alcohol, narcotics, hallucinogens, depressants, stimulants, and marijuana or other controlled substance off School Board property which affects an employee's ability to perform his or her duties, or which generates publicity or circumstances which adversely affect the school division or its employees, shall result in discipline, including possible suspension or termination.

D. Drug-Free Employee Assistance and Awareness

The School Board recognizes that alcohol and drug dependencies are illnesses and major community health problems. Early recognition and treatment of alcohol and drug abuse are essential to successful rehabilitation. Employees voluntarily seeking assistance for a substance abuse problem through a medical source will not be disciplined as a result of their disclosure of prior drug or alcohol use provided that he successfully adheres to requirements of and completes the treatment program and does not thereafter violates this regulation. The request for treatment and the treatment program will be handled in confidence. The Superintendent or his designee shall establish a continuing program of required in-service instruction on the nature of drugs and their proper use and on the effects of drug use on the mental, physical, social, economic and legal status of the individual employee.

E. Notification of Convictions

Any employee who is convicted of any drug-related criminal offense shall notify the Superintendent, or the Superintendent's designee, within five calendar days of the conviction. Employees who violate any aspect of this policy may be subject to disciplinary action up to and including termination. At its discretion, the school division may require employees who violate this policy to successfully complete a drug abuse assistance or rehabilitation program as a condition of continued employment.

F. Special Requirement

Employees are required to sign a form acknowledging that the employee is aware of the regulation and its requirements (GBEA-F). The forms will be maintained in the human resource office.

GAA: STAFF TIME SCHEDULES

Work Schedules

The workday for full-time licensed and professional staff is a minimum of *six hours and forty-five minutes* and continues until professional responsibilities to the student and school division are completed. Administrative meetings, curriculum development, pupil supervision, assigned duties, parent conferences, group or individual planning and extra-curricular activities may require hours beyond the stated minimum. Elementary school classroom teachers are provided at least an average of thirty minutes per day during the students' school week as planning time. Each full-time middle and secondary classroom teacher is provided one planning period per day, or the equivalent, as defined by the Board of Education, unencumbered of any teaching or supervisory duties. If a middle or secondary school classroom teacher teaches more than the standard load of students or class periods per week, as defined by the Board of Education, an appropriate contractual arrangement and compensation is provided. Work schedules for other employees are defined by the Superintendent or Superintendent's designee, consistent with the Fair Labor Standards Act and the provisions of this policy.

The Fair Labor Standards Act (FLSA) establishes minimum wage, overtime pay, recordkeeping and child labor standards affecting full-time and part-time workers in the private sector and in federal, state and local governments.

The Fair Labor Standards Act applies to all employees not determined to be professional, managerial or executive by definition outlined within the statute. Employee groups not covered by the FLSA are referred to as “exempt” employees, meaning they are exempt from the statute requirements. Some employee groups are identified as “exempt” by name in the statute. For example, teachers are specifically identified as an employee group not covered by FLSA. Other professional, managerial and executive level positions are identified by comparing aspects of their work to the “test” outlined in the FLSA regulations.

For the most part, exempt employees are teachers and administrators, social workers, psychologists, speech therapists and other professional personnel and are exempt from the law.

All employees not meeting the criteria for exemption are covered by the Fair Labor Standards Act and are referred to as “non-exempt” employees. In a school division the non- exempt employees include clerical personnel, instructional assistants, school bus drivers, trades, custodial, food service employees, as well as other non-supervisory support personnel, such as certain finance positions and computer technician positions.

Workweek Defined

For purposes of compliance with the Fair Labor Standards Act, the workweek for employees of Colonial Heights School Board is 12:00 a.m. Saturday until 11:59 p.m. Friday. The FLSA requires that all non-exempt employees keep a time sheet. The time sheet is a log of hours actually worked each day during a 7-day week. Many school employees are not normally scheduled for a full 40 hours per week; nonetheless, a single time sheet must be kept by each non-exempt employee showing all hours worked at all assignments. Time worked beyond the normal hours per week is compensated at the regular rate of pay for the hours worked up to 40 or more may be given as compensatory leave at straight time. Beyond 40 hours worked, the employee is eligible for compensatory leave or overtime pay at time and one-half.

Copies of the time sheets must be kept in a file at the work site and are subject to inspection by the Wage and Hour Division of the Department of Labor. It is important to remember that the law requires payment at 1½ rate only when the hours worked exceeds 40. If the employee uses paid leave time (sick, annual, compensatory or personal) during the workweek, those hours do not count toward 40. Accurate and complete time sheets of actual hours worked during the work week must be signed by each employee and their principal and/or immediate supervisor and submitted to the payroll specialist

For example: A maintenance worker takes two days of paid sick leave on Tuesday and Wednesday of the workweek. Because the project cannot be finished within the normal week, the workers are called in to work on Saturday for six hours. The worker will be paid at the normal hourly rate for the work performed on Saturday (or earn hour-for-hour overtime leave). The other workers, who did not use any paid leave time during the regular week are entitled to either 1½ times the regular rate of pay (or earn an hour-and-a-half for each hour worked) on Saturday.

Overtime and Compensatory Time

Working hours for all employees not classified as exempt under the Fair Labor Standards Act conform to federal and state regulations. Compliance with the Fair Labor Standards Act requires (although an employer may pay employees using methods other than an hourly wage – such as payment by the day or mile for a bus driver) that an hourly rate must be computed to ensure compliance with the statute. Most school employees are paid an annual salary; nonetheless, an hourly rate must be established for all non-exempt employees

The Superintendent ensures that job positions are classified as exempt or non-exempt and that employees are made aware of such classifications. Supervisors make every effort to avoid circumstances which require non-exempt employees to work more than their contracted hours each week. For budgetary reasons, the Colonial Heights School Board discourages overtime work by non-exempt employees. A non-exempt employee will not work over their contracted hours without the express approval of the employee's supervisor. All overtime work must be either approved in the department's annual budget or expressly approved in writing by the Superintendent or Superintendent's designee (GCBD-R5-E1). Principals and supervisors monitor employees work, ensure that overtime provisions of this policy and the Fair Labor Standards Act are followed and 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 contracted hours. The Director of Finance reviews appropriate budget lines to monitor overtime and part-time compensation.

In lieu of overtime compensation, non-exempt employees may receive compensatory time off at a rate of one hour for each hour of overtime worked over and above their normal workweek and one and one half (1.5) hours for each hour of overtime worked over 40 hours in a workweek, if such compensatory time. See GCBD-R5 and GCBD-R5-E2.

- 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 75 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 will 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 the employee's last three years of employment, or
- 2) the final regular rate received by the employee.

Non-exempt employees whose workweek is less than 40 hours are paid at the regular rate of pay for time worked up to 40 hours. Such employees are provided overtime pay or compensatory time as provided above for working more than 40 hours in a workweek.

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.

PROHIBITION AGAINST HARASSMENT AND RETALIATION

I. Policy Statement

The Colonial Heights School Board is committed to maintaining an educational environment and workplace that is free from harassment. In accordance with law, the Board prohibits harassment against students, employees, or others on the basis of sex, sexual orientation, gender, gender identity, race, color, national origin, disability, religion, ancestry, age, marital status, pregnancy, childbirth or related medical conditions, status as a veteran, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists, hereinafter referred to as protected group status, at school or any school sponsored activity.

It is a violation of this policy for any student or school personnel to harass a student or school personnel based on protected group status at school or any school sponsored activity. Further, it is a violation of this policy for any school personnel to tolerate harassment based on a student's or employee's protected group status at school or any school sponsored activity, by students, school personnel or third parties participating in, observing or otherwise engaged in school sponsored activities.

For the purpose of this policy, school personnel includes school board members, school employees, agents, volunteers, contractors or other persons subject to the supervision and control of the School Division.

The school division

- promptly investigates all complaints, written or verbal, of harassment based on protected group status at school or any school sponsored activity;
- promptly takes appropriate action to stop any harassment;
- takes appropriate action against any student or school personnel who violates this policy; and
- takes any other action reasonably calculated to end and prevent further harassment of school personnel or students.

II. Definitions

The Compliance Officer is the person designated by the School Board to receive complaints of harassment referred by the Title IX Coordinator and oversee investigation of those complaints as described below.

"Consent" is clear, unambiguous, and voluntary agreement between the participants to engage in specific sexual activity.

Prohibited Conduct

Harassment Based on Sex.

Harassment based on sex consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication, which may include use of cell phones or the internet, of a sexual nature when:

- submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment or education; or
- submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
- that conduct or communication substantially or unreasonably interferes with an individual's employment or education, or creates an intimidating, hostile or offensive employment or

educational environment (i.e. the conduct is sufficiently serious to limit a student's or employee's ability to participate in or benefit from the educational program or work environment).

Examples of conduct which may constitute harassment based on sex if it meets the immediately preceding definition include:

- unwelcome sexual physical contact
- unwelcome ongoing or repeated sexual flirtation or propositions, or remarks
- sexual slurs, leering, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions
- graphic comments about an individual's body
- sexual jokes, notes, stories, drawings, gestures or pictures
- spreading sexual rumors
- touching an individual's body or clothes in a sexual way
- displaying sexual objects, pictures, cartoons or posters
- impeding or blocking movement in a sexually intimidating manner
- sexual violence
- display of written materials, pictures, or electronic images
- unwelcome acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex stereotyping

"Sexual harassment prohibited by Title IX" means conduct on the basis of sex that satisfies one or more of the following:

- an employee of the School Board conditioning the provision of an aid, benefit, or service of the School Board on an individual's participation in unwelcome sexual conduct;
- unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the School Board's education program or activity; or
- "sexual assault" as defined in 20 U.S.C. § 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. § 12291(a)(10), "domestic violence" as defined in 34 U.S.C. § 12291(a)(8), or "stalking" as defined in 34 U.S.C. § 12291(a)(30).

Harassment Based on Race, National Origin, Disability or Religion

Harassment based on race, national origin, disability or religion consists of physical or verbal conduct, which may include use of cell phones or the internet, relating to an individual's race, national origin, disability or religion when the conduct:

- creates an intimidating, hostile or offensive working or educational environment; or
- substantially or unreasonably interferes with an individual's work or education; or
- otherwise is sufficiently serious to limit an individual's employment opportunities or to limit a student's ability to participate in or benefit from the education program.

Examples of conduct which may constitute harassment based on race, national origin, disability or religions if it meets the immediately preceding definition include:

- graffiti containing racially offensive language.
- name calling, jokes or rumors.
- physical acts of aggression against a person or his property because of that person's race, national origin, disability or religion.
- hostile acts which are based on another's race, national origin, religion or disability.
- written or graphic material which is posted or circulated and which intimidates or threatens individuals based on their race, national origin, disability or religion.

Additional Prohibited Behavior

Behavior that is not unlawful may nevertheless be unacceptable for the educational environment or the workplace. Demeaning or otherwise harmful actions are prohibited, particularly if directed at personal characteristics including socioeconomic level regardless of whether the personal characteristic is protected by law.

"Title IX" means 20 U.S.C. §§ 1681-1688 and the implementing regulations.

"Title IX Coordinator" means the person designated by the School Board to coordinate its efforts to comply with its responsibilities under this policy and Title IX. The Title IX Coordinator may be contacted at the Human Resource offices (804) 524-3400, ext. 18.

III. Complaint Procedures

1. Report

Any student or school personnel who believes he or she has been the victim of harassment prohibited by law or by this policy by a student, school personnel or a third party should report the alleged harassment to the Compliance Officer, the Title IX Coordinator, or to any school personnel. The alleged harassment should be reported as soon as possible, and the report generally should be made within fifteen (15) school days of the occurrence. Further, any student who has knowledge of conduct which may constitute prohibited harassment should report such conduct to the Compliance Officer, the Title IX Coordinator, or to any school personnel. Any school personnel who have noticed that a student or other school personnel may have been a victim of prohibited harassment shall immediately report the alleged harassment to the Compliance Officer or the Title IX Coordinator. Any complaint that involves the Title IX Coordinator should be reported to the superintendent.

The reporting party should use the form, Report of Harassment, GBA-F/JFHA-F, to make complaints of harassment. However, oral reports and other written reports are also accepted.

The complaint, and identity of the person allegedly harassed and alleged harasser, will be disclosed only to the extent necessary to fully investigate the complaint and only when such disclosure is required or permitted by law. Additionally, a person allegedly harassed who wishes to remain anonymous shall be advised that such confidentiality may limit the School Division's ability to fully respond to the complaint.

After receiving a complaint, the Title IX Coordinator makes an initial determination whether the allegations may be sexual harassment prohibited by Title IX. If they may be, the Title IX Grievance Process below is followed. If they cannot be sexual harassment prohibited by Title IX, then the complaint is referred to the Compliance Officer who follows the procedures below.

The Title IX Coordinator also determines whether the alleged harassment may also constitute criminal conduct and ensures that law enforcement officials are notified if necessary.

If the alleged harassment may also constitute child abuse, then it must be reported to the Department of Social Services in accordance with Policy GAE Child Abuse and Neglect Reporting.

2. Investigation by Compliance Officer

1. Generally

The Compliance Officer

- receives complaints of harassment referred by the Title IX Coordinator;
- conducts or oversees the investigation of any alleged harassment referred by the Title IX Coordinator;

- assesses the training needs of the school division in connection with complaints referred by the Title IX Coordinator;
- arranges necessary training; and
- ensures that any harassment investigation is conducted by an impartial investigator who is trained in the requirements of equal employment/education opportunity and has the authority to protect the alleged victim and others during the investigation.

2. Compliance Officer Formal Procedure

Upon receiving a referral of a complaint of alleged prohibited harassment from the Title IX Coordinator, the Compliance Officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division. The investigation shall be completed as soon as practicable, which generally should be not later than 14 school days after referral of the complaint to the Compliance Officer. Upon receiving the complaint, the Compliance Officer shall acknowledge receipt of the complaint by giving written notice that the complaint has been received to both the person complaining of harassment and the person accused of harassment. Also upon receiving the complaint, the Compliance Officer shall determine whether interim measures should be taken pending the outcome of the investigation. Such interim measures may include, but are not limited to, separating the alleged harasser and the person allegedly harassed. If the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the person allegedly harassed and the alleged harasser shall be notified of the reason for the extended investigation and of the date by which the investigation will be concluded.

The investigation may consist of personal interviews with the person allegedly harassed, the alleged harasser, and any others who may have knowledge of the alleged harassment or the circumstances giving rise to the complaint. The investigation will consider witnesses and evidence from both the alleged harasser and the person allegedly harassed. The investigation may also consist of the inspection of any other documents or information deemed relevant by the investigator. The school division shall take necessary steps to protect the person allegedly harassed and others pending the completion of the investigation.

In determining whether alleged conduct constitutes a violation of this policy, the division shall consider, at a minimum: (1) the surrounding circumstances; (2) the nature of the behavior; (3) past incidents or past or continuing patterns of behavior; (4) the relationship between the parties; (5) how often the conduct occurred; (6) the identity of the alleged perpetrator in relation to the alleged victim (i.e. whether the alleged perpetrator was in a position of power over the alleged victim); (7) the location of the alleged harassment; (8) the ages of the parties and (9) the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all of the facts and circumstances revealed after a complete and thorough investigation.

The Compliance Officer shall issue a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any.

All employees shall cooperate with any investigation of alleged harassment conducted under this policy or by an appropriate state or federal agency.

3. Action by Superintendent

Within 5 school days of receiving the Compliance Officer's report, the superintendent or superintendent's designee shall issue a decision regarding whether this policy was violated. This decision must be provided in writing to the person allegedly harassed and the alleged harasser. If the superintendent or superintendent's designee determines that it is more likely than not that prohibited harassment occurred, the Colonial Heights School Division shall take prompt, appropriate action to address and remedy the violation as well as prevent any

recurrence. Such action may include discipline up to and including expulsion or discharge. Whether or not the superintendent or designee determines that prohibited harassment occurred, the superintendent or designee may determine that school-wide or division-wide training be conducted or that the person allegedly harassed receives counseling.

4. Appeal

If the superintendent or superintendent's designee determines that no prohibited harassment occurred, the employee or student who was allegedly subjected to harassment may appeal this finding to the School Board within 5 school days of receiving the decision. Notice of appeal must be filed with the superintendent who shall forward the record to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may ask for oral or written argument from the aggrieved party, the superintendent and any other individual the School Board deems relevant. Written notice of the School board's decision will be given to both the alleged harasser and the person allegedly harassed.

If the superintendent or superintendent's designee determines that prohibited harassment occurred and discipline is imposed, the disciplined person may appeal the disciplinary sanction in the same manner as any other such sanction would be appealed.

Employees may choose to pursue their complaints under this policy through the relevant employee grievance procedure instead of the complaint procedure in this policy.

A. Compliance Officer Informal Procedure

If the person allegedly harassed and the person accused of harassment agree, the person allegedly harassed's principal or principal's designee or supervisor may arrange for them to resolve the complaint informally with the help of a counselor, teacher, or administrator.

If the person allegedly harassed and the person accused of harassment agree to resolve the complaint informally, they shall each be informed that they have the right to abandon the informal procedure at any time in favor of the initiation of the Compliance Officer Formal Procedures set forth herein. The principal or principal's designee or supervisor shall notify the person allegedly harassed and the person accused of harassment in writing when the complaint has been resolved. The written notice shall state whether prohibited harassment occurred.

A. Sexual Harassment Prohibited by Title IX

Definitions

"Actual knowledge" means notice of sexual harassment prohibited by Title IX or allegations of sexual harassment prohibited by Title IX to the Title IX Coordinator or any official of the school division who has authority to institute corrective measures or to any employee of an elementary or secondary school.

"Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment prohibited by Title IX.

"Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment prohibited by Title IX against a respondent and requesting that the allegation be investigated. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail. When the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party. The

allegations in a formal complaint must be investigated. In response to a formal complaint, the Title IX Grievance Process below is followed.

“Program or activity” includes locations, events or circumstances over which the School Board exercises substantial control over both the respondent and the context in which the sexual harassment occurs.

“Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment prohibited by Title IX.

“Supportive measures” means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the School Board’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security or monitoring of parts of campus, and other similar measures. Any supportive measures provided to the complainant or respondent are maintained as confidential, to the extent that maintaining such confidentiality does not impair the ability to provide supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

Title IX Grievance Process

Generally

Any person may report sex discrimination prohibited by Title IX, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. The reporting party may use the form, Report of Harassment, GBA-F/JFHA-F, to make a complaint. Such a report may be made at any time, including non-business hours, by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator.

Complainants and respondents are treated equitably by offering supportive measures to a complainant and by following this grievance process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent.

The Title IX Coordinator promptly contacts the complainant to discuss the availability of supportive measures, consider the complainant’s wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain the process for filing a formal complaint.

Applicants for admission and employment, students, parents or legal guardians, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the School Board are notified

- of the name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator; and
- that the School Board does not discriminate on the basis of sex in its education program or activity and that it is required by Title IX not to discriminate in such a manner. The notification states that the requirement not to discriminate extends to admission and employment and that inquiries about the application of Title IX may be referred to the Title IX Coordinator, the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

The School Board prominently displays the contact information for the Title IX Coordinator and this policy on its website and in each handbook or catalog it makes available to persons listed above who are entitled to notifications.

Nothing herein precludes a respondent from being removed from the School Board's education program or activity on an emergency basis, provided that an individualized safety and risk analysis determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and that the respondent is provided with notice and an opportunity to challenge the decision immediately following the removal.

Nothing herein precludes a non-student employee respondent from being placed on administrative leave during the pendency of a grievance process

This grievance process treats complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following this process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. Remedies are designed to restore or preserve equal access to the School Board's education program or activity.

The respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

All relevant evidence is evaluated objectively, including both inculpatory and exculpatory evidence. Credibility determinations are not based on a person's status as a complainant, respondent, or witness.

Any Title IX Coordinator, investigator, decision-maker, or any person who facilitates an informal resolution process may not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process receives training on the definition of sexual harassment prohibited by Title IX, the scope of the School Board's education program or activity, how to conduct an investigation and grievance process including appeals, and informal resolution processes, and how to serve impartially, including by avoiding prejudice of the facts at issue, conflicts of interest, and bias. Decision-makers receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant. Investigators receive training on issues of relevance in order to create investigative reports that fairly summarize relevant evidence.

A finding of responsibility may result in disciplinary action up to and including expulsion for students or dismissal of employees.

A clear and convincing evidence standard shall be used to determine whether a respondent is responsible.

This grievance process does not allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege unless the person holding such privilege has waived the privilege.

Notice of allegations

On receipt of a formal complaint, the Title IX coordinator gives the following written notice to the parties who are known:

- notice of the grievance process, including any informal resolution process, and
- notice of the allegations of sexual harassment potentially constituting sexual harassment prohibited by Title IX, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment prohibited by Title IX, and the date and location of the alleged incident, if known.

The written notice

- includes a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- informs the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence; and
- informs the parties of any provisions in the School Board's code of conduct or the superintendent's Standards of Student Conduct that prohibit knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the investigator decides to investigate allegations about the complainant or respondent that are not included in the notice previously provided, notice of the additional allegations is provided to the parties whose identities are known.

Dismissal of formal complaints

A formal complaint or any allegations therein must be dismissed if the conduct alleged in the complaint

- would not constitute sexual harassment prohibited by Title IX even if proved,
- did not occur in the School Board's education program or activity, or
- did not occur against a person in the United States.

Such a dismissal does not preclude action under another provision of the School Board's code of conduct or the superintendent's Standards of Student Conduct.

A formal complaint or any allegations therein may be dismissed if at any time during the investigation:

- a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- the respondent is no longer enrolled or employed by the School Board; or
- specific circumstances prevent the School Board from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Investigation of formal complaint

When investigating a formal complaint and throughout the grievance process, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the School Board and not on the parties provided that a party's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party are not accessed, considered, disclosed or otherwise used without the voluntary, written consent of the party's parent, or the party if the party is an adult.

The parties have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

The ability of the parties to discuss the allegations under investigation or to gather and present relevant evidence is not restricted.

The parties have the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. The choice or presence of advisor for either the complainant or respondent is not limited in any meeting or grievance proceeding.

Any party whose participation is invited or expected is provided written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings with sufficient time for the party to prepare to participate.

The investigator provides both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence which will not be relied upon in reaching a determination regarding responsibility and inculpatory or exculpatory evidence, whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to the completion of the investigative report, the investigator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report.

The investigator creates an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the time a determination regarding responsibility is made, sends to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

After the investigator has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision-maker must afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the question any decision to exclude a question as not relevant.

Determination regarding responsibility

The decision-maker, who cannot be the same person as the Title IX Coordinator or the investigator, must issue a written determination regarding responsibility.

The written determination must include:

- identification of the allegations potentially constituting sexual harassment prohibited by Title IX;
- a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
- findings of fact supporting the determination;
- conclusions regarding the application of the School Board's code of conduct or the superintendent's Standard of Student Conduct to the facts;
- a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the School Board imposes on the respondent, and whether remedies designed to restore or preserve equal access to the School Board's education program or activity will be provided to the complainant; and
- the procedures and permissible bases for the complainant and respondent to appeal.

The decision-maker must provide the written determination regarding responsibility to the parties simultaneously.

The determination regarding responsibility becomes final on the date that the parties are provided with the written determination of the result, unless appealed.

The Title IX Coordinator is responsible for effective implementation of any remedies.

Appeals

Either party may appeal from a determination regarding responsibility or from a dismissal of a formal complaint or any allegations therein, on the following bases:

- procedural irregularity that affected the outcome of the matter;
- new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- the Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

Notification of appeal must be given in writing to the Title IX Coordinator.

As to all appeals, the Title IX Coordinator

- notifies the other party in writing when an appeal is filed and implements appeal procedures equally for both parties;
- ensures that the decision-maker for the appeal is not the same person as the decision-maker that reached the determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator; and
- ensures that the decision-maker for the appeal complies with the standards set forth in Title IX and this policy.

The appeal decision-maker

- gives both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- reviews the evidence gathered by the investigator, the investigator's report, and the decision-maker's written decision;
- issues a written decision describing the result of the appeal and the rationale for the result; and
- provides the written decision simultaneously to both parties and the Title IX Coordinator.

Timelines

The investigative report will be provided to the parties within 35 days from the date the formal complaint is filed.

A decision will be issued within 10 working days from the date the investigative report is submitted to the decision-maker.

Either party may appeal within 5 working days from the date the written determination regarding responsibility is given to the parties.

Any appeal will be resolved within 15 calendar days from the filing of the appeal.

If the parties agree to an informal resolution process, these deadlines are tolled from the time one party requests an informal resolution process until either the time the other party responds, if that party does not agree to the informal resolution process, or until either party withdraws from the informal resolution process.

Temporary delays of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action are permitted. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; disciplinary processes required by law or School Board policy; or the need for language assistance or accommodation of disabilities.

Informal Resolution Process

At any time during the formal complaint process and prior to reaching a determination regarding responsibility, the parties may participate in an informal resolution process, such as mediation, that

does not involve a full investigation and determination of responsibility. When one party requests an informal resolution process, the other party must respond to the request within 3 days. The informal resolution process must be completed within 10 days of the agreement to participate in the process.

The informal resolution process may be facilitated by a trained educational professional, consultant, or other individual selected by the Title IX Coordinator under the following conditions:

- the parties are provided a written notice disclosing the allegations, the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations; provided, however that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process, resume the grievance process with respect to the formal complaint, and be informed of any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- the parties, voluntarily and in writing, consent to the informal resolution process; and
- the informal resolution process cannot be used to resolve allegations that an employee sexually harassed a student.

If the matter is resolved to the satisfaction of the parties, the facilitator shall document the nature of the complaint and the resolution, have both parties sign the documentation and receive a copy, and forward it to the Title IX Coordinator. If the matter is not resolved, the formal complaint process is resumed.

Parties cannot be required to participate in an informal resolution process.

An informal resolution process is not offered unless a formal complaint is filed.

Recordkeeping

The School Board will maintain for a period of seven years records of:

- each investigation of allegations of sexual harassment prohibited by Title IX including any determination regarding responsibility and any audio or audiovisual recording or transcript, if any, required under the Title IX regulations, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to School Board's education program or activity;
- any appeal and the result therefrom;
- any informal resolution and the result therefrom; and
- all materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. These materials will also be made available on the School Board's website.

For each response required under 34 C.F.R. § 106.44, the School Board must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment prohibited by Title IX. In each instance, the School Board will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to its education program or activity. If the School Board does not provide a complainant with supportive measures, then it will document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

IV. **Retaliation**

Retaliation against students or school personnel who report harassment or participate in any related proceedings is prohibited. The School Division shall take appropriate action against students or school personnel who retaliate against any student or school personnel who reports alleged harassment or participates in related proceedings. The Title IX Coordinator will inform persons who make complaints, who are the subject of complaints, and who participate in investigations, of how to report any subsequent problems.

V. **Right to Alternative Complaint Procedure**

Nothing in this policy shall deny the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited harassment including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law.

VI. **Prevention and Notice of Policy**

Training to prevent harassment prohibited by law or by this policy is included in employee and student orientations as well as employee in-service training.

This policy is (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel, (2) included in the student and employee handbooks; and (3) sent to parents of all students within 30 calendar days of the start of school. Further, all students, and their parents/guardians, and employees are notified annually of the names and contact information of the Compliance Officers.

VI. **False Charges**

Students or school personnel who knowingly make false charges of harassment shall be subject to disciplinary action as well as any civil or criminal legal proceedings.

Legal

[20 U.S.C. §§ 1681-1688](#)

[29 U.S.C. § 794](#)

[42 U.S.C. §§ 2000d-2000d-7](#)

[42 U.S.C. §§ 2000e-2000e-17](#)

[42 U.S.C § 2000ff-1](#)

[34 C.F.R. 106.9](#)

[Code of Virginia, 1950 as amended, §§ 2.2-3900, 2.2-3901, 2.2-3902.](#)

[Code of Virginia, 1950 as amended, §§ 22.1-295.2](#)

Cross References

[AC - Nondiscrimination](#)

[AD - Educational Philosophy](#)

[GAB / IIBEA - Acceptable Computer System Use](#)

[GAE - Child Abuse and Neglect Reporting](#)

[GB - Equal Employment Opportunity/Nondiscrimination](#)

[GBA/JFHA-F - Report of Harassment](#)

[GBM - Professional Staff Grievances](#)

[GBMA - Classified Employees' Grievance Procedure](#)

[GCPD - Professional Staff Discipline](#)

[JB - Equal Educational Opportunities/Nondiscrimination](#)

[JFC - Student Conduct](#)

[KKA - Service Animals in Public Schools](#)

EQUAL EMPLOYMENT OPPORTUNITY/NONDISCRIMINATION

I. Policy Statement

The Colonial Heights School Board is an equal opportunity employer, committed to non-discrimination in recruitment, selection, hiring, pay, promotion, retention or other personnel actions affecting employees or candidates for employment. Therefore, discrimination in employment against any person on the basis of race, color, creed, religion, national origin, ancestry, political affiliation, sex, sexual orientation, gender, gender identity, age, pregnancy, childbirth or related medical conditions, marital status, status as a veteran, genetic information or disability is prohibited. Personnel decisions are based on merit and the ability to perform the essential functions of the job, with or without reasonable accommodation.

The Colonial Heights School Board provides facilities, programs and activities that are accessible, usable and available to qualified persons with disabilities. Further, the Colonial Heights School Board shall not discriminate against qualified persons with disabilities in the provision of health, welfare and other social services.

The statement, "Colonial Heights School Board is an equal opportunity employer" is placed on all employment application forms.

II. Notice of Policy/Prevention

This policy is: (1) posted in prominent areas of each school division building, (2) included in employee handbooks and (3) provided to any employee or candidate for employment upon request. Training to prevent prohibited discrimination is included in employee in-service training.

III. Complaint Procedure

A. File Report

Any person who believes he has not received equal employment opportunities should report the alleged discrimination to one of the compliance officers designated in this policy. The alleged discrimination should be reported as soon as possible, and the report generally should be made within (15) school days of the occurrence. Any employee who has knowledge of conduct which may constitute prohibited discrimination shall immediately report such conduct to one of the compliance officers designated in this policy.

The reporting party should use the form, Report of Discrimination, GB-F, to make complaints of discrimination. However, oral reports and other written reports will also be accepted. The complaint must be filed with one of the compliance officers designated in this policy. Any complaint that involves the compliance officer shall be reported to the superintendent.

The complaint and the identity of the complainant and the person or persons allegedly responsible for the discrimination will be disclosed only to the extent necessary to fully investigate the complaint and only when such disclosure is required or permitted by law. A complainant who wishes to remain anonymous will be advised that anonymity may limit the school division's ability to fully respond to the complaint.

B. Investigation

Upon receipt of a report of alleged discrimination, the compliance officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division. The investigation shall be completed as soon as practicable, which generally should be not later than 14 school days after receipt of the report by the compliance officer. Upon receiving the complaint, the compliance officer will acknowledge receipt of the complaint by giving written notice that the complaint has been received to both the complainant and the Superintendent. If the compliance officer determines that more than 14 school days will be required to investigate the complaint, the complainant and the Superintendent will be notified of the reason for the extended investigation and the date by which the investigation will be concluded.

The investigation may consist of personal interviews with the complainant, the person(s)

alleged to have violated the policy and any others who may have knowledge of the alleged discrimination or the circumstances giving rise to the complaint. The investigation will consider witnesses and evidence from both the complainant and the person(s) responsible for the alleged discrimination. The investigation may also include the inspection of any documents or information deemed relevant by the investigator. The school division shall take necessary steps to protect the complainant and others pending the investigation.

Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all of the facts and circumstances revealed by a complete and thorough investigation.

The compliance officer shall issue a written report to the superintendent upon completion of the investigation. If the complaint alleges the superintendent has violated this policy, then the report shall be sent to the school board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any.

All employees shall cooperate with any investigation of alleged discrimination conducted under this policy or by an appropriate state or federal agency.

C. Action by Superintendent

Within 5 school days of receiving the compliance officer's report, the superintendent or superintendent's designee shall issue a written decision regarding (1) whether this policy was violated and (2) what action if any should be taken.

If the complaint alleges that the superintendent has violated this policy, the School Board's standing Equal Employment Opportunity/Nondiscrimination Committee shall make the decision and determine what action should be taken. If the School Board does not have such a standing committee, at its next scheduled meeting it shall appoint a committee consisting of three of its members to handle the matter. The committee shall issue a written decision within 14 calendar days of the time the School Board receives the compliance officer's report or the time a committee is appointed, if there is no standing committee.

The written decision shall state (1) whether this policy was violated and (2) what action, if any, should be taken. The written decision must be mailed to or personally delivered to the complainant within five calendar days of the issuance of the decision. If the superintendent, superintendent's designee or committee concludes that prohibited discrimination occurred, the Colonial Heights School Division shall take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including dismissal.

D. Appeal

If the superintendent, superintendent's designee or committee determines that no prohibited discrimination occurred, the person who was allegedly subjected to discrimination may appeal this finding to the School Board within 5 school days of receiving the decision. Notice of appeal must be filed with the superintendent, or with a member of the committee which issued the written decision, who shall forward the record to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may ask for oral or written argument from the aggrieved party and the superintendent, superintendent's designee or the committee, whichever issued the written decision, and any other individual the School Board deems relevant. Written notice of the School Board's decision will be given to the complainant.

Employees may choose to pursue their complaints arising under this policy through the relevant employee grievance procedure instead of the complaint procedure in this policy.

E. Compliance Officer and Alternate Compliance Officer

The Colonial Heights School Board has designated Director of Human Resources, 3451 Conduit Road, Colonial Heights, Virginia 23834, (804)524-3400 as the Compliance Officer

responsible for identifying, investigating, preventing and remedying prohibited discrimination. Complaints of discrimination may also be made to the Alternate Compliance Officer, Assistant Superintendent of Business Services, 512 Boulevard, Colonial Heights, VA 23834, , (804)524-3400 ext. 18.

The Compliance Officer

- receives reports or complaints of discrimination;
- conducts or oversees the investigation of any alleged discrimination;
- assesses the training needs of the school division in connection with this policy;
- arranges necessary training to achieve compliance with this policy; and
- ensures that any discrimination investigation is conducted by an impartial investigator who is trained in the requirements of equal employment opportunity, and has the authority to protect the alleged victim and others during the investigation.

IV. **Retaliation**

Retaliation against employees who report discrimination or participate in the related proceedings is prohibited. The school division takes appropriate action against any employee who retaliates against another employee or candidate for employment who reports alleged discrimination or participates in related proceedings. The Compliance Officer informs persons who make complaints, who are the subject of complaints, and who participate in investigations of how to report any subsequent problems.

V. **Right to Alternative Complaint Procedure**

Nothing in this policy denies the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited discrimination including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law.

VI. **Prevention and Notice of Policy**

Training to prevent discrimination is included in employee orientations and in-service training.

This policy is (1) displayed in prominent areas of each division building in a location accessible to school personnel, and (2) included in employee handbooks. All employees are notified annually of the names and contact information of the Compliance Officers.

VII. **False Charges**

Employees who knowingly make false charges of discrimination are subject to disciplinary action.

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

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

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

Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

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

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

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

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

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

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

Employee Responsibilities

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

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

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

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

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA

covered employers to post the text of this notice. Regulation 29 C.F.R. § 825.300(a) may require additional disclosures.



For additional information:
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627
WWW.WAGEHOUR.DOL.GOV

U.S. Department of Labor | Wage and Hour Division



WHD Publication 1420 - Revised February 2013

**COLONIAL HEIGHTS SCHOOLS
EMPLOYEE HANDBOOK
2020-2021**

I hereby acknowledge receipt and have read an electronic copy of the 2020-2021 Colonial Heights Schools Employee Handbook. I understand that the policies and procedures set forth in the handbook are for informational purposes only and that the employer, in its sole discretion, may deviate from those provisions without warning whenever the employer deems such deviation to be appropriate. I acknowledge my responsibility to faithfully follow the policies and procedures of the Colonial Heights Public School System in all respects.

As a condition of my employment with Colonial Heights Public Schools, I certify the following:

1. I am aware of the school division's policy and regulation pertaining to an alcohol and drug free workplace. I understand that I may be dismissed for any violation of this regulation, even if it is a first offense.

2. I agree to notify the Superintendent or designee if I am convicted by a federal, state, or local court of an illegal drug-related offense. I will inform the Superintendent or designee within five days of the date of such conviction. I understand that I may be dismissed for any such conviction.

Employee Signature _____

Employee Name _____
(Please Print)

Date _____

Please return this signed sheet to your building administrator.