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## PERSONNEL POLICIES GOALS

The personnel employed by the ESC are a very important resource for effectively conducting a quality program. The ESC's program functions best when it employs highly qualified personnel, conducts appropriate staff development activities, establishes policies and working conditions which are conducive to high morale and enables each staff member to make the fullest contribution to ESC programs and services.

The goals of the ESC's personnel program will include the following:

1. to develop and implement those strategies and procedures for personnel recruitment, screening and selection which will result in employing the best available candidates: those with the highest capabilities, strongest commitment to quality education and greatest probability of effectively implementing the educational program;
2. to develop a general assignment strategy which makes the greatest contribution to the educational program, and to use it as the primary basis for determining staff assignments;
3. to provide positive programs of staff development designed to contribute both to improvement of the educational program and to each staff member's career development aspirations;
4. to provide for a genuine team approach to education, including staff involvement in planning, decision making and evaluation;
5. to develop and use for personnel evaluation positive processes which contribute to the improvement of staff capabilities and assist in making employment decisions and
6. to encourage all employees to be cognizant of their roles in instilling ethical principles and democratic ideals.

[Adoption date: January 7, 2003]

LEGAL REF.: ORC 3313.602

## EQUAL OPPORTUNITY EMPLOYMENT

The Board guarantees fair treatment of applicants and employees in all categories of employment and in all aspects of personnel administration regardless of race, color, sex, religion, national origin, economic status, citizenship status, age or disability.

In order to achieve the goal, the Board directs the Superintendent to continually evaluate employment practices to ensure that equal opportunities are available to everyone in the operations of the ESC. It shall also be the duty of the Superintendent to conduct a job analysis to include the following:

to study continually all existing job descriptions, required job qualifications, characteristics of employees filling said positions, and salary guides for any discrimination, inadvertent or otherwise, that might exist.

The Superintendent may be assisted in these duties by the Board attorney.

The Superintendent shall report to the Board on progress made in the affirmative action program for employment/contract practices.

[Adoption date: January 7, 2003]

LEGAL REFS.: Civil Rights Act, Title VI; 42 USC 2000d  
Executive Order 11246, as amended by Executive Order 11375  
Equal Employment Opportunity Act, Title VII; 42 USC 2000e et seq  
Education Amendments of 1972, Title IX; 20 USC 1681  
Rehabilitation Act; 29 USC 794  
Age Discrimination in Employment Act; 29 USC 623  
Immigration Reform and Control Act; 8 USC 1324a et seq.  
Americans with Disabilities Act; 42 USC 12101 et seq.  
ORC 4112.02

CROSS REFS.: AC, Nondiscrimination  
ACA, Nondiscrimination on the Basis of Sex  
ACAA, Sexual Harassment  
ACB, Nondiscrimination on the Basis of Disability

## STAFF INVOLVEMENT IN DECISION MAKING

The ESC involves the efforts of many people and functions best when all personnel are informed of the major activities and concerns.

There should be an exchange of ideas and pertinent information among all elements of a school district. Problems and unfavorable attitudes develop when employees are denied information essential for the performance of their respective assignments or when they feel that their ideas and concerns are not heard. Morale is enhanced when employees are assured that their voices are heard by those in positions of administrative authority.

A pattern of decision making and problem solving close to the task also contributes to efficiency and high morale.

While all employees have the opportunity to bring their ideas or grievances to the Board, they are expected to proceed through the recognized administrative channels. Final authority for all decisions rests with the Board.

[Adoption date: January 7, 2003]

LEGAL REF.: OAC 3301-35-03

CROSS REFS.: BCE, Board Committees  
BF, Board Policy Development and Adoption  
CCB, Staff Relations and Lines of Authority  
CE, Administrative Councils, Cabinets and Committees  
DBD, Budget Planning  
GCD, Certified Staff Hiring  
GDD, Classified Staff Hiring  
IF, Curriculum Development

## STAFF CONFLICT OF INTEREST

Employees shall not engage in, nor have a financial interest in, any activity which conflicts with their duties and responsibilities in the ESC.

Employees shall not engage in work of any type in which information concerning a customer, client or employer originates from any information available to them through ESC sources.

Employees shall not sell textbooks, instructional supplies, equipment, reference books or any other products to the ESC. They shall not furnish the names of students or parents to anyone selling these materials.

In order that there is no conflict of interest in the supervision and evaluation of employees, at no time shall any administrator responsible for the supervision and/or evaluation of an employee be directly related to that employee.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 2921.42  
3313.811  
3319.21  
3329.10  
4117.20

CROSS REFS.: GBL, Personnel Records  
JO, Student Records  
KBA, Public's Right to Know

## STAFF CONDUCT

All staff members have a responsibility to make themselves familiar with, and to abide by, the laws of the state of Ohio and the negotiated agreement, the policies of the Board and the administrative regulations designed to implement them.

The Board expects staff members to conduct themselves in a manner which not only reflects credit to the ESC, but also presents a model worthy of emulation by students.

All staff members are expected to carry out their assigned responsibilities. Essential to the success of ongoing operations and the instructional program are the following specific responsibilities which are required of all personnel:

1. faithfulness and promptness in attendance at work;
2. support and enforcement of policies of the Board and regulations of the administration;
3. diligence in submitting required reports promptly at the times specified;
4. care and protection of ESC property and
5. concern and attention toward their own and the ESC's legal responsibility for the safety and welfare of students, including the need to ensure that students are under supervision at all times.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 124.34  
3319.081; 3319.16; 3319.31; 3319.36

## BOARD-STAFF COMMUNICATIONS

The Board wishes to maintain open channels of communication with the staff. The basic line of communication is through the Superintendent.

### Staff Communications to the Board

All communications to the Board or any of its subcommittees from staff members is submitted through the Superintendent. Staff members are also reminded that Board meetings are public meetings and that they provide an excellent opportunity to observe, firsthand, the Board's deliberations.

### Board Communications to Staff

All official communications, policies and directives of staff interest and concern will be communicated to staff members through the Superintendent. The Superintendent develops appropriate methods to keep staff members fully informed of the Board's problems, concerns and actions.

[Adoption date: January 7, 2003]

LEGAL REF.: ORC 3313.20

CROSS REFS.: GBM, Staff Complaints and Grievances

## STAFF HEALTH AND SAFETY

Through its overall safety program and various policies pertaining to school personnel, the Board attempts to ensure the safety of employees during their working hours and assist them in the maintenance of good health.

All employees are expected to observe commonly recognized practices which promote the health and safety of school personnel.

The Board may require an individual examination of an employee whenever, in its judgment, it is necessary to protect the health and safety of students or other employees. Whenever the Board requires an employee to submit to a physical examination other than those required by law, the Board assumes the cost of the examination. All health examinations required of employees are made by one of the physicians approved for this purpose by the Board.

### Workers' Compensation

In case of injury while pursuing duties in keeping with the employee's contract, the employee may be eligible for payment of medical expenses under the Workers' Compensation Act of Ohio.

Any employee who is injured while at work should immediately report such injury to their supervisor and request the necessary forms to make application for payment under this act.

The injured employee may be requested to undergo chemical testing, as established by law and administrative regulation, in order to prove that the injury was not proximately caused by the employee being intoxicated or under the influence of a controlled substance not prescribed by a physician. The results of, or the employee's refusal to submit to, any of the requested chemical tests may affect the employee's eligibility to receive workers' compensation benefits.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 3313.643; 3313.71; 3313.711

3327.10

4113.23

4123.01 et seq.

4123.54

Asbestos School Hazard Abatement Act; 20 USC 4011 et seq.

Asbestos Hazard Emergency Response Act; 15 USC 2641 et seq.

Comprehensive Environmental Response, Compensation and Liability Act;  
42 USC 9601 et seq.



CROSS REFS.: EB, Safety Program  
EBBC, Bloodborne Pathogens  
EBD, Crisis Management  
GBP, Drug-Free Workplace  
GBQ, Criminal Record Check  
GCBC, Certified Staff Fringe Benefits  
GDBC, Classified Staff Fringe Benefits



## STAFF HEALTH AND SAFETY

### Workers' Compensation Benefits Eligibility – Chemical Testing

Under Ohio's Workers' Compensation Law, every employee who is injured in the course of employment is entitled to benefits, if necessary, to compensate him/her for lost work time, payment for medical, nursing and hospital services, medicines and funeral expenses, unless the injury was proximately caused by the employee being intoxicated or under the influence of a controlled substance not prescribed by a physician.

### Testing Procedures

An injury is deemed to have been proximately caused by the employee being intoxicated or under the influence of a controlled substance not prescribed by a physician if any of the following apply.

1. Within eight hours of the injury, the employee's blood alcohol level tests equal to or greater than .10%\*.
2. Within eight hours of the injury, the employee's breath alcohol level tests equal to or greater than .10g/210L\*.
3. Within eight hours of the injury, the employee's urine alcohol level tests equal to or greater than .14g/100 ml\*.
4. Within 32 hours of the injury, the employee tests above both the following levels established for an enzyme multiplied immunoassay technique screening test (EMIT) and above the following levels established for a gas chromatography/mass spectrometry test, or in the alternative, above the levels established for a gas chromatography/mass spectrometry test (GC/MS) alone as follows, for substances not prescribed by a physician:
  - A. for amphetamines, 1000ng/ml of urine for the EMIT test and 500 ng/ml of urine for the GC/MS test;
  - B. for cannabinoids, 50 ng/ml of urine for the EMIT test and 15 ng/ml of urine for the GC/MS test;
  - C. for cocaine, including crack cocaine, 300 ng/ml of urine for the EMIT test and 150 ng/ml of urine for the GC/MS test;
  - D. for opiates, 2000 ng/ml of urine for the EMIT test and 2000 ng/ml of urine for the GC/MS test and

- B. for phencyclidine, 25 ng/ml of urine for the EMIT test and 25 ng/ml of urine for the GC/MS test.

5. The employee, through a chemical test administered within 32 hours of the injury, is determined to have barbiturates, benzodiazepines, methadone or propoxyphene in the employee's system that tests above levels established by laboratories certified by the U.S. Department of Health and Human Services.
6. The employee refuses to submit to a requested chemical test.

#### Legal Protections

All testing will be conducted by a qualified, federally certified testing laboratory selected by the Board, and any positive test result will be confirmed by a medical review officer.

#### Confidentiality

All test results will remain confidential as between the employee, the Board and the Bureau of Workers' Compensation.

\*This represents the minimum testing level used to establish intoxication under current State law prohibiting the operation of a motor vehicle while intoxicated, otherwise known as the State "OMVI" law.

(Approval date: January 7, 2003)



**HIV/AIDS**  
(Human Immunodeficiency Virus/  
Acquired Immune Deficiency Syndrome)

General Principles

The Board recognizes that the human immunodeficiency virus (HIV) and the condition of acquired immune deficiency syndrome (AIDS), which is caused by the HIV infection, are significant medical, legal, educational and social issues. The Board desires to protect the rights of all students and employees and does not discriminate against students and employees who are HIV-infected. The Board works cooperatively with state and local health organizations in assessing the needs of HIV-infected students or staff and keeping updated on current educational information to be included in the ESC's educational plan.

Current medical information available indicates that HIV cannot be transmitted from one individual to another by casual contact, i.e., the type of contact that occurs in the school setting, such as shaking hands, sharing an office or a classroom, coughing, sneezing or the use of drinking fountains. Students who are infected with HIV are entitled to all rights, privileges and services accorded to other students. Decisions about any changes in the educational program of an HIV-infected student shall be made on a case-by-case basis, relying on the best available scientific evidence and medical advice.

There shall be no discrimination against employees who are HIV-infected. The ESC provides equal opportunities for employment, retention and advancement for all staff members. Employees who are unable to perform their duties due to an illness, such as those related to HIV, shall retain eligibility for all benefits that are provided for other employees with long-term diseases or disabling conditions, utilizing the information/rights in any negotiated agreements or Board policies as appropriate. Changes in employment status or location due to HIV complications are made on a case-by-case basis.

Evaluating Students and Staff Who Are Infected with HIV

The Superintendent is the designee regarding all HIV incidences. When an individual is found to be infected with HIV, the Superintendent shall attempt to ascertain, in consultation with the infected individual, whether he/she has a secondary infection such as tuberculosis that constitutes a recognized risk of transmission in the school setting. This is a medical question that can only be determined by the infected person's physician. The Superintendent shall also attempt to determine ways that the ESC may help anticipate and meet the needs of the student or staff member infected with HIV.

If there is no secondary infection that constitutes a medically recognized risk of transmission in the school setting, the Superintendent shall not alter the education program or job assignment of the infected person. The Superintendent shall periodically review the case with the infected person (and the parent(s) of the student) and with the medical advisors described above.



If there is a secondary infection that constitutes a medically recognized risk of transmission in the school setting, the Superintendent shall consult with the physician, public health official and the infected person (and the parent(s) of the student). If necessary, they will develop an individually tailored plan for the student or staff member. Additional persons may be consulted, if this is essential for gaining additional information, with the consent of the infected staff member or the student's parent(s). The Superintendent should consult with the school attorney to make sure that any official action is consistent with State and Federal laws. When the Superintendent makes a decision about the case, there shall be a fair and confidential process for appealing the decision.

If an individually tailored plan is necessary, it shall have a minimal impact on either education or employment. It must be medically, legally, educationally and ethically sound. The Superintendent periodically reviews individual cases and oversees implementation of the plan in accordance with local, State and Federal laws.

### Confidentiality

Information regarding a student or staff member infected with HIV is classified, by law, as confidential. Those individuals who have access to the proceedings, discussions or documents must treat such information as confidential. Only with the written consent of the staff member or the student's parent(s) shall other school personnel, individuals and agencies be informed of the situation/condition. All information pertaining to the case shall be kept by the Superintendent in a locked file; access to this file is granted only to those people who have the written consent of the infected staff member or the infected student's parent(s).

### HIV Education Program

The Board directs the administration to develop an educational plan to inform employees about HIV-related issues and safety. In developing such programs, it is expected that information from sources such as the National Centers for Disease Control, the Ohio Department of Health and the Ohio Department of Education is utilized.

The educational program should ensure that, at a minimum, students and staff are informed in a consistent manner about:

1. the nature of HIV infection, including how it is and is not transmitted according to current scientific evidence;
2. ESC guidelines related to students and employees with diseases such as HIV infection;
3. resources within the ESC and the surrounding community for obtaining additional information or assistance and
4. procedures to prevent the spread of all communicable diseases at school.



[Adoption date: January 7, 2003]

LEGAL REFS.: Family and Medical Leave Act; 29 USC 2611 et seq.  
ORC 3313.67; 3313.68; 3313.71  
3319.13; 3319.141; 3319.321  
3701.13; 3701.14  
3707.06; 3707.08; 3707.20; 3707.21; 3707.26  
3709.20; 3709.21  
OAC 3301-35-02

CROSS REFS.: AC, Nondiscrimination  
ACB, Nondiscrimination on the Basis of Disability  
EBBC, Bloodborne Pathogens  
GBA, Equal Opportunity Employment  
GBE, Staff Health and Safety  
GBL, Personnel Records  
JB, Equal Educational Opportunities  
JO, Student Records  
Staff and Student Handbooks



## STAFF PARTICIPATION IN POLITICAL ACTIVITIES

Employees have the same fundamental civic responsibilities and privileges as other citizens. Among these are campaigning for an elective public office and holding an elective or appointive public office.

The terms and conditions under which the employee may continue employment as he/she seeks or holds such office is determined by the Board and law.

Employees are not permitted to use ESC time, moneys, facilities, equipment or supplies to campaign nor are the employees to actively campaign while on duty.

[Adoption date: January 7, 2003]

LEGAL REFS.: Intergovernmental Personnel Act; 42 USC 4701 et seq.  
ORC 124.57  
3315.07

## STAFF PARTICIPATION IN POLITICAL ACTIVITIES

The Board recognizes and encourages the right of its employees, as citizens, to engage in political activity; however, the Board also recognizes that ESC property and time, paid for by all the people, should not be used for political purposes.

The Board adopts the following guidelines for those staff members who intend to engage in political activities.

1. No employees shall engage in political activities upon property under the jurisdiction of the Board.
2. Political circulars or petitions may not be posted or distributed in the ESC.
3. The collection of and/or the solicitation for campaign funds or campaign workers is prohibited, on ESC property.
4. In connection with campaigning, no employee will use ESC time, moneys, facilities, equipment or supplies nor will the employee discuss the campaign with personnel during the working day.

Board employees who hold an elective or appointive office are not entitled to time off from their school duties for reasons incidental to such office, except as such time may qualify under the leave policies of the Board. Employees who absent themselves from assigned duties without permission may be deemed insubordinate and penalized accordingly.

Violations of any of the foregoing rules shall, at the discretion of the Board, constitute cause for reprimand, penalty or dismissal.

(Approval date: January 7, 2003)

## STAFF GIFTS AND SOLICITATIONS

### Gifts

The Board authorizes the expenditure of public funds to purchase meals, refreshments and favors for employees and Board members in the completion of their responsibilities. The Board believes that such expenditures are necessary, on occasion, to further a public purpose in the general operation of the ESC. Such public purpose includes, but may not be limited to, employee development activities, employee recognition activities and certain routine meetings that may be enhanced by such amenities.

Such expenditures shall be consistent with the Board's purchasing policy and within the appropriation limits established by the Board.

Presentation of gifts to and the arrangement of social affairs for, employees leaving the system are governed by the following.

1. Employees may volunteer for, a small social committee to plan social affairs such as teas and luncheons.
2. Any gifts to be presented to departing employees by their respective groups are at the discretion of the group involved.

### Travel Vendor Compensation

Any compensation paid by a private travel vendor to an ESC official or employee, after the official or employee has participated in selecting the vendor to provide a field trip, is considered "public money" and must be returned to the ESC.

All travel arrangements must be in compliance with ESC field trip regulations and approved by the Superintendent or his/her designee.

Employees may not engage in the sale of products to the schools, even if the proceeds of such sales are intended for charitable or civic purposes. No staff member is to collect any money or distribute any fund-raising literature without the expressed approval of the Superintendent.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 117.10  
3313.81; 3313.811  
3315.15  
3329.10



## SMOKING ON CENTER PREMISES BY STAFF MEMBERS

The Board recognizes that smoking presents a health hazard which can have serious consequences both for the smoker and the nonsmoker and is, therefore, of concern to the Board.

For purposes of this policy, “smoking” shall mean all uses of tobacco, including cigar, cigarette and pipe.

In order to protect the staff and public who choose not to smoke from an environment noxious to them, and because the Board cannot, even by indirection, condone the use of tobacco, the Board prohibits smoking by staff members while they are performing their duties.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 3313.20; 3313.47  
3791.031

Goals 2000: Educate America Act; 20 USC Section 6081-6084

CROSS REF.: KGC, Smoking on Center Property

## PERSONNEL RECORDS

The Superintendent develops and implements a comprehensive and efficient system of personnel records. The Superintendent is designated as the employee directly responsible for the personnel records system. The following guidelines govern such records.

1. Personnel files contain records and information relative to compensation, payroll deductions, evaluations and such information as may be required by the state or federal government or considered pertinent by the Superintendent. Anonymous material or material from an unidentified source are not placed in a staff member's file.
2. A personnel file for each employee is accurately maintained in the ESC office in accordance with administrative regulations incorporating the requirements set forth under the Ohio Privacy Act for the protection of employees. Employees will be notified whenever personal information concerning them is placed in their file.
3. State law requires that all public records be promptly prepared and made available for inspection to any member of the general public at all reasonable times during regular business hours. Upon request, the person directly responsible for the personnel records is required to make copies available at cost, within a reasonable period of time.
4. The public has access to all records in the personnel file with the following exceptions:
  - A. medical records;
  - B. records pertaining to adoption, probation or parole proceedings;
  - C. trial preparation records;
  - D. confidential law enforcement investigatory records;
  - E. social security number and
  - F. records of which the release is prohibited by State or Federal law.
5. Each employee has the right, upon written request, to review the contents of his/her own personnel file. If a document is not disclosed to the employee because it is determined by a physician, psychiatrist or psychologist to be likely to have an adverse effect upon the employee, the document will be released to the designated medical authority. Requests are made to the Superintendent and scheduled for a time convenient for the parties involved.
6. Employees may make written objections to any information contained in the file. Any written objection must be signed by the staff member and becomes part of the employee's personnel file after the appeal procedure outlined in the Ohio Revised Code. The appeal procedure permits any employee who disputes the accuracy, relevance, timeliness or completeness of information maintained in his/her file to compel the ESC to investigate the current status of the information.

7. Personnel records should be reviewed only within the confines of the Superintendent's office or the Board's office.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 9.01; 9.35  
149.41; 149.43  
1347.01 et seq.  
3317.061  
4113.23  
OAC 3301-35-03(A)(10)

CROSS REF.: KBA, Public's Right to Know



## PERSONNEL RECORDS

1. There is established and maintained one official personnel file on all staff members. This file is maintained in the Fairfield County Educational Service Center.
2. If the Fairfield County Governing Board receives a request to view a personnel file, the Fairfield County Governing Board shall attempt to contact the staff member about the request and shall attempt to secure the name, address, and phone number of the person making the request and of his/her attorney. The staff member shall be given a reasonable opportunity to be present when the file is opened or to arrange for a representative to be present. However, the Fairfield County Governing Board shall not be precluded from following applicable law regarding the release of "public information".
3. Any change in employee-related status shall be made part of this record (change of residence, marital status, degrees, hours of credit, etc.). Each staff member may submit letter(s) of merit which may be placed in his/her personnel file.
4. All correspondence placed in the file must be signed by the staff member. This indicates only that the staff member has seen the material and does not indicate agreement or disagreement with the content. In the event the staff member refuses to initial the materials, the administrator shall note the refusal on the document and place the item in the file. Such material shall be part of the official file.
5. The staff member may write a statement on the material to be filed and in all cases shall have the opportunity to reply to such material in a written statement to be attached to the copy. Any material to be filed will be marked "personnel file."
6. Each staff member may request, in writing, to review the contents of his/her personnel file. Viewings shall be arranged at a time mutually agreeable to the staff member and the Fairfield County ESC Superintendent/designee. The review shall be made in the presence of the Fairfield County ESC Superintendent/designee. The staff member shall have the right to be accompanied by a representative when reviewing his/her file.

If and when a staff member and the Fairfield County ESC Superintendent or his/her designee agree that certain material in the staff member's official file is irrelevant, inappropriate, or false, such material shall be removed from the file or corrected.

7. Anonymous materials shall not be placed in a staff member's file nor be made a matter of record.

(Approval date: January 7, 2003)

## STAFF COMPLAINTS AND GRIEVANCES

It is the policy of the Board to develop and practice reasonable and effective means of resolving difficulties that may arise among employees, to reduce potential areas of grievances, and to establish and maintain recognized two-way channels of communication between certified employees.

The Board intends, in this grievance policy, to expedite the process for all parties concerned. The policy, therefore, has as its goal the following.

1. The policy is designed to secure proper and equitable solutions to grievances at the lowest appropriate level and to facilitate an orderly succession of procedures within which solutions may be pursued.

For the purposes of this policy, the terms used herein shall be the following listed definitions.

1. Grievance - A grievance is an alleged violation of State laws or regulations; the policies, rules or regulations of the Board, or written administrative procedures.
2. Problem - A problem is a complaint relating to the conditions or circumstances under which an employee works.
3. Conferee - A conferee is a fellow employee, department head, supervisor, administrator or legal counsel.
4. Grievant - A grievant is a single certified or classified employee of the ESC.
5. A day - A day is any day that the ESC administrative offices are open for business.

Alleged grievances should be discussed in private, informal conferences with the grievant's immediate supervisor or administrator and without conferees. At least two such private meetings should take place between the parties before the grievance is invoked.

The time limits provided for in this policy may be extended by mutual written agreement of the parties. Any decision not appealed within the limits from one level to the next level in the grievance policy shall be considered settled on the basis of the last decision and not subject to further appeal.

### Level One

1. Within 10 days after the occurrence of the act or omission giving rise to the grievance, the grievant must present his/her grievance in writing to the administrator with immediate administrative responsibilities for the position to which the complainant is assigned.

This statement shall be a clear, concise statement of the grievance, the circumstances on which the grievance is based, the person(s) involved, the decision rendered at the private conference, and the remedy sought.

1 of 2

2. Within 10 days of receiving the written grievance, the administrator shall communicate his/her decision to the employee in writing.

#### Level Two

1. Within 10 days after receiving the decision of the administrator in Level One, the grievant may appeal the decision of Level One to the Superintendent. If the immediate supervisor was the Superintendent, then Level Three will be the next step and Level Two will be eliminated. The appeal shall be in writing and shall be accompanied by a copy of the decision of Level One.
2. Within 10 days after the delivery of the appeal, the Superintendent shall investigate the grievance, giving all persons who participated in Level One a reasonable opportunity to be heard.
3. Within 10 days after delivery of the appeal, the Superintendent shall submit his/her decision in writing, together with supporting reasons, to the grievant and other administrators involved.

#### Level Three

1. Within 10 days after receiving the decision of the Superintendent, the grievant may appeal the decision in writing to the Board.
2. The Board shall schedule the matter for a hearing at an executive session to be held at the next meeting following receipt of the appeal. The grievant shall be present at the hearing.
3. Within 10 days following the hearing, the Board will submit its decision in writing, together with supporting reasons, to the grievant. A copy shall be furnished to the administrators involved and the Superintendent. The decision of the Board is final.

[Adoption date: January 7, 2003]



## DRUG-FREE WORKPLACE

The Superintendent shall notify employees that this policy exists and offer employees an opportunity to review the policy and discuss it, if desired.

### Testing/Screening Procedures

Drug or alcohol testing/screening may be required when one of the following conditions exists:

1. When there is probable cause to suspect that illegal drug or alcohol use has occurred at the workplace, or if there is probable cause to suspect that illegal drug or alcohol use is impairing an employee's ability to perform his/her responsibilities, drug or alcohol testing may be required. Such tests are directed by the Superintendent or his/her designee. Such tests may be required of the Superintendent or Treasurer at the direction of the Board.
2. An employee may be required to undergo such testing immediately when the Superintendent or his/her designee determines that there are objective indications of impairment of behavior, demeanor, speech, appearance, breath, or job performance. The objective indicators constitute probable cause that the employee may be impaired by drugs or alcohol while at a work site.
3. When an employee is involved in a work-related accident for which drug or alcohol impairment may reasonably have been a contributing factor, drug testing may be required.

For the purposes of this policy, drug and alcohol tests include blood, urine, breath or other chemical tests performed by physicians and/or professional testing laboratories.

When the Superintendent directs such tests, they are at the expense of the ESC; any further in-depth or long-term assessments are the responsibility of the employee, except that which health insurance may provide.

The results of the tests are treated confidentially; employees may receive a copy of the results.

Any employee who refuses to cooperate fully and in a timely manner with the requirement to undergo drug or alcohol testing shall be considered insubordinate and subject to disciplinary action.

### Use of Test Results

1. If a test reveals, or if an employee acknowledges that there is, a work-related drug or alcohol problem, the employee shall be given an opportunity to challenge or explain his/her particular situation.



2. Such employees are subject to disciplinary action, including required counseling, suspension, or termination. Such disciplinary action shall include due process proceedings, such as a statement of the charges against the employee and an opportunity to respond to the charges. The Superintendent is responsible for coordinating any due process proceedings/hearings.
3. Employees who are not terminated as a result of a drug or alcohol violation will be given a reasonable opportunity to participate in a program of counseling or treatment as a part of their disciplinary action. Such programs shall be at the employee's expense, except that which health insurance may provide. Counseling may be in conjunction with other disciplinary action.
4. Any program of treatment shall be approved by the Superintendent or his/her designee.
5. A second violation will result in termination of employment with the ESC.
6. As a condition of employment, each employee shall notify his/her supervisor of any conviction involving a criminal drug statute not later than five days after such conviction. Failure to notify will result in termination of the employee's contract.

[Adoption date: January 7, 2003]



## CRIMINAL RECORD CHECK

To more adequately safeguard the students and staff of our schools, the Fairfield County ESC Governing Board shall require that a criminal background investigation be completed on all new employees of the ESC and on all new substitute teachers certified by the Fairfield County ESC Office to work in the local school districts of this county.

This records investigation shall be completed for all new substitute teachers prior to them being certified to work in our schools.

This records investigation shall be completed for new employees of the Fairfield County ESC prior to employment action. If, due to time constraints, it is not possible to complete the records investigation prior to employment action, a contract will be issued contingent upon the results of the criminal records investigation.

Conviction of any felony, or any misdemeanor which would be a felony on the second offense, shall cause the contract with the employee to be null and void. Further, conviction of any sex offense, any offense of violence, any theft offense, or any drug abuse offense may cause the contract with the employee to be null and void.

Conviction of any of the above offenses shall be cause for the ESC Superintendent not to certify a substitute teacher to work in the Fairfield County Schools.

If a person has been certified to substitute in the Fairfield County Schools or has been employed by the Fairfield County ESC and is later convicted of any felony, any misdemeanor that would be a felony on the second offense, any sex offense, any offense of violence, any theft offense, or any drug abuse offense, such conviction may result in disqualification from, or termination of, employment. No person shall be employed or shall continue to be employed who, by virtue of his/her criminal records, is a danger to pupils or staff or is an inappropriate role model for students.

The ESC Superintendent shall include a section on the application forms for substitute teachers and for employees in which applicants must list convictions for offenses as outlined in this policy. Falsification of any information on an employment application shall result in disqualification from or termination of employment.

The cost of the criminal records investigation for persons recommended for employment by the Fairfield County Governing Board shall be paid by the Board.

The cost of the criminal records investigation for potential substitute teachers shall be paid by the applicant in the form of a money order payable to the Treasurer, state of Ohio.

Any criminal records investigation of persons other than substitute teachers and employees of the Fairfield County Board shall be at the discretion and under the jurisdiction of the local school districts within the Fairfield County ESC.

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Volunteers

Current and prospective volunteers who have or will have unsupervised access to children on a regular basis may, at any time, be subject to a criminal record check (BCII).

Any and all information obtained by the Board or persons under this policy is confidential and shall not be released or disseminated. Any applicant not hired because of information received from the record check shall be assured that all records pertaining to such information are destroyed.

[Adoption date: January 7, 2003]



## FAMILY AND MEDICAL LEAVE

The ESC provides leave to eligible employees consistent with the Family and Medical Leave Act (FMLA). Eligible employees are entitled to up to 12 work weeks of unpaid family and medical leave in a 12-month period beginning with the date the first day of family and medical leave is taken and ending 364 days later. The ESC will continue to pay the employer's share of the employee's health benefits during the leave. In addition, the ESC will restore the employee to the same or a similar position after the termination of the leave in accordance with its policy.

In complying with the FMLA, the ESC adheres to the requirements of applicable Federal and State laws.

Additional information is contained in the regulations which follow this policy.

[Adoption date: January 7, 2003]

LEGAL REFS.: Family and Medical Leave Act; 29 USC 2611 et seq.  
ORC 124.38  
3313.20;  
3319.08; 3319.09; 3319.13; 3319.131; 3319.141

CROSS REFS.: GCBD, Certified Staff Leaves and Absences  
GDBD, Classified Staff Leaves and Absences

## FAMILY AND MEDICAL LEAVE

An employee who has worked for the ESC for at least 12 months is eligible for 12 work weeks of FMLA leave during a 12-month period beginning with the date the first day of family and medical leave is taken and ending 364 days later provided the employee worked at least 1,250 hours in the 12 months preceding the beginning of the leave.

### Types of Leave

An eligible employee may take FMLA leave for:

1. the birth and first-year care of a child;
2. the adoption or foster placement of a child;
3. the serious illness of an employee's spouse, parent or child or
4. the employee's own serious health condition that keeps the employee from performing the essential functions of his/her job.

An employee may elect, or the employer may require an employee, to use accrued paid vacation, personal or sick leave for purposes of a family leave. If paid or unpaid leave is designated as family and medical leave, the leave will count as part of the employee's 12-week entitlement. An employer cannot compel an employee to use accrued medical/sick leave in any situation for which the leave could not normally be used.

### Spouses Employed by the ESC

If a husband and wife eligible for leave are employed by the ESC, their combined amount of leave for birth, adoption, foster care placement and parental illness may be limited to 12 weeks. When family and medical leave is needed to care for a seriously ill child of parents employed by the ESC, each employee is entitled to use the 12 weeks of family and medical leave. An employee may not take FMLA leave to care for a parent-in-law.

### Intermittent and Reduced Leave

Intermittent leave is leave taken in separate blocks of time due to a single illness or injury.

Reduced leave is a leave schedule that reduces the employee's usual number of hours per work week or hours per workday.

Intermittent or reduced leave is available only for the employee's own serious health condition or to care for a seriously ill spouse, child or parent. Such leave may not be used for the birth or adoption/placement of a child.

The employee who wishes to use intermittent or reduced leave must have the prior approval of the employer. Although the employer and employee may agree to an intermittent or reduced leave plan, the employee who uses family leave is not automatically entitled to use such leave on an intermittent or reduced leave schedule.

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The employer may provide such leave for medical purposes, but the employer may transfer the employee to a position which is equivalent in pay and benefits, but more suitable for intermittent periods of leave. The employee must furnish the employer with the expected dates of the planned medical treatment and the duration of the treatment in advance of the leave. The employer must authorize such leave in writing.

### Benefits

The employer maintains the employee's health coverage under the group health insurance plan during the period of FMLA leave. The employee should make arrangements with the Treasurer to pay the employee's share of health insurance (e.g., family coverage) prior to the beginning of the FMLA leave.

The employee will not lose any other employment benefit accrued prior to the date on which leave began but is not entitled to accrue seniority or employment benefits during the leave period. Employment benefits could include group life insurance, sick leave, annual leave, educational benefits and pensions.

### Notice

When the FMLA leave is foreseeable, the employee must notify the Superintendent of his/her request for leave at least 30 days prior to the date when the leave is to begin. If the leave is not foreseeable, the employee must give notice as early as is practical. When the employee requests medical leave, the employee must make reasonable attempts to scheduled treatment so as not to disrupt the ESC's operations.

The employer may deny the leave if the employee does not meet the notice requirements.

### Certification

The employer may require the employee to provide certification from a health care provider containing specific information required under the law if he/she requests a medical leave (i.e., leave based on a serious health condition of the employee's spouse, parent or child or the for the employee's own serious health condition.

). If there is a question concerning the validity of such certification, a second and, if necessary, a third opinion can be required, both at the expense of the ESC.

Upon the employee's return to work, the ESC requires that the employee present a fitness statement from the employee's health care provider certifying that the employee is able to return to work.

### Restoration

When the employee returns from leave, the employer will restore the employee to the same or an equivalent position with equivalent benefits, pay, terms and conditions of employment in accordance with its policy.

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Under certain circumstances, the employer may deny restoration to a key employee. The employer complies with the notice requirements of the FMLA in denying restoration. A key employee is one who is among the highest paid 10 percent of the employees and whose absence would cause the ESC to experience a substantial and grievous economic injury.

### Instructional Employees

Special leave rules apply to instructional employees. Instructional employees are those employees whose principal function is to teach and instruct students in a small group, or in an individual setting. This term includes teachers and special education assistants such as signers for the hearing impaired. It does not include teacher assistants or aides who do not have as their principal job actual teaching or instructing, nor does it include auxiliary personnel such as counselors, psychologists or curriculum specialists. It also does not include cafeteria workers, maintenance workers or bus drivers.

Limitations apply to instructional employees who take intermittent or reduced leave. If the leave requested is:

1. to care for a family member or for the employee's own serious health condition;
2. foreseeable based on planned medical treatment and
3. such that the employee would be on leave for more than 20 percent of the total number of working days over the period the leave would extend.

The employer then may require the employee to choose either to:

1. take the leave for a period or periods of a particular duration, not greater than the planned treatment or
2. transfer temporarily to an available alternative position for which the employee is qualified, which has equivalent pay and benefits, and which better accommodates recurring periods of leave than does the employee's regular position.

Limitations also apply to instructional employees who take leave near the end of a semester. When an instructional employee begins leave more than five weeks before the end of a semester, the employer may require the employee to continue taking leave until the end of the semester if:

1. the leave will last at least three weeks and
2. the employee would return to work during the three-week period before the end of the semester.

When an instructional employee begins leave for a purpose other than the employee's own serious health condition during the five-week period before the end of the semester, the employer may require the employee to continue taking leave until the end of the semester if:

1. the leave will last more than two weeks and
2. the employee would return to work during the two-week period before the end of the semester.

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When an instructional employee begins leave for a purpose other than the employee's own serious health condition during the three-week period before the end of a semester and the leave lasts more than five working days, the employer may require the employee to continue taking leave until the end of the semester.

Failure to Return

The employer is entitled to recover health care premiums paid during the leave if the employee fails to return from leave. Recovery cannot occur if the employee fails to return because of the continuation, recurrence or onset of a serious health condition or due to circumstances beyond the control of the employee.

(Approval date: January 7, 2003)



## CERTIFIED STAFF POSITIONS

All certified staff positions are created only with the approval of the Board. It is the Board's intent to maintain a sufficient number of positions to accomplish its goals and objectives.

Before any new position is established, the Superintendent presents for the Board's approval a job description for the position.

Although a position may remain temporarily vacant or the number of persons holding the same type of position may be reduced in the event of staff reductions, only the Board may abolish a position which it has created.

The Superintendent keeps all job descriptions current and presents recommended changes to the Board for approval.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 3319.02; 3319.03; 3319.09; 3319.10; 3319.22  
4117.01  
OAC 3301-35-01; 3301-35-03

CERTIFIED STAFF CONTRACTS AND COMPENSATION PLANS  
(Teachers)

The Board believes that a fair teacher compensation plan, which includes an adequate base salary, increments and employee benefits, is necessary to attract and hold highly qualified men and women to provide the quality educational program it desires in its schools.

As required by law, notice of annual salary is given to each certified/licensed employee by July 1.

Teacher Contracts

Written contracts of employment shall be issued to all certified teaching personnel. Contracts are by and between the staff member and the Board.

The basic types of contracts are as follows:

1. Limited Contract

A limited contract of one to five years in length is given to a teacher new to the ESC.

2. Extended Limited Contract

An extended limited contract of one or two years in length is given to a teacher who is eligible for consideration for a continuing contract.

3. Continuing Contract

When a teacher employed under a limited contract is issued a teaching certificate of a higher grade (professional or permanent) or a five-year license and has taught three of the last five years in the ESC, he/she is eligible for consideration for a continuing contract at the expiration of his/her limited contract.

A teacher who has obtained continuing contract status elsewhere in Ohio becomes eligible for a continuing contract upon employment but must be considered for tenure after two years' service in the ESC.

A teacher who meets all legal qualifications for a continuing contract, but who is not recommended by the Superintendent and approved by the Board for a continuing contract, is offered an extended limited contract or is nonrenewed. The teacher must be notified of the Board's action to not re-employ, in writing by the Treasurer, on or before April 30.

The Superintendent may recommend re-employment of such teacher if continuing service status has not been attained in another district, under an extended limited contract not to exceed two years, with the reasons directed at professional improvement of the teacher. This option is available only after the Board first rejects the Superintendent's recommendation for tenure. The Superintendent may not recommend an extended limited contract as an initial recommendation.

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Written notification of the Superintendent's recommendation as well as the Board's action to issue a one- or two-year extended limited contract must be received by the teacher on or before April 30 of the year in which his/her contract expires. If the teacher accepts the extended limited contract, a subsequent contract, if granted, must be a continuing contract.

4. Supplemental Contracts

Supplemental contracts are entered into with each teacher who performs assigned supplemental duties for which compensation is authorized. Such contracts are issued for one year and are separate from teaching contracts. Elimination or creation of assignments for extra duties are made at the discretion of the Superintendent, subject to approval by the Board.

The Superintendent's recommendation is considered in all contracts pertaining to certified/licensed individuals.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 3313.53  
3317.13; 3317.14  
3319.07; 3319.08; 3319.09; 3319.10; 3319.11; 3319.111; 3319.12;  
3319.22; 3319.24; 3319.25; 3319.26

CROSS REF.: GCB, all subcodes



CERTIFIED STAFF CONTRACTS AND COMPENSATION PLANS  
(Administrators)

Fair compensation plans are necessary in order to attract and hold highly qualified administrators to provide and manage a quality educational program.

The Board may establish a salary schedule for its administrators, with the exception that the salary of the Superintendent is usually determined by the employee contract. Notice of annual salary is given to each administrator by July 1.

All administrators shall be issued written limited contracts. The contract specifies the administrative position and duties, the salary and other compensation to be paid for performance of such duties, the number of days to be worked, as per Board policy.

The term of the administrator's contract will not exceed three years, except that an individual who has been employed as an administrator for three years or more shall be entitled to receive a contract of not fewer than two nor more than five years. The Superintendent may recommend employment of an individual who has served as an administrator in the ESC for three years or more under a one-year administrative contract once during such individual's administrative career in the ESC.

An administrator who has earned teacher tenure in the ESC retains such status while serving as administrator. Any administrator who previously obtained teacher tenure in another district achieves teacher tenure in the ESC after re-employment with two or more years' experience as an administrator in the ESC.

The Superintendent's recommendation is considered in all contract renewals. All administrators are evaluated annually. In the year an administrator's contract does not expire, the evaluation is completed by July 31 and a copy is given to the administrator. In the year an administrator's contract does expire, two evaluations are completed: one preliminary and one final. The preliminary evaluation is conducted at least 60 days prior to March 31 and prior to any Board action on the employee's contract.

The final evaluation includes the Superintendent's intended recommendation for the contract of the employee. A written copy of the final evaluation must be provided to the employee at least five days prior to the Board's action to renew or nonrenew the employee's contract. If the Board fails to take action on the expiring contract, then the administrator is renewed. If the administrator has been in the ESC for two years or less, he/she will receive a one-year contract. If the administrator has been in the ESC three years or more, he/she will receive a two-year contract.

Before March 31, any administrator whose contract expires at the end of the school year is notified by the Board of the date on which the contract expires and of the individual's right to request a meeting with the Board in executive session to discuss the reasons for considering

renewal or nonrenewal of his/her contract. Also prior to March 31 of the year in which the contract of employment expires, any administrator whom the Board intends to nonrenew receives written notification of the Board's intent not to re-employ.

The Board may request a one-year temporary educator license valid for employing a superintendent or any other administrator, conforming with State law.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 3319.01; 3319.02; 3319.11; 3319.12; 3319.225  
4117.01  
OAC 3301-35-03(A)(8)



CERTIFIED STAFF CONTRACTS AND COMPENSATION PLANS  
(Administrators)

The Board may request the State Board of Education to issue a one-year temporary educator license valid for employing a superintendent or any other administrator as specified by the Board.

The State Board of Education may issue the temporary educator license if the Board has determined that the individual:

1. is of good moral character and
2. holds at least a baccalaureate degree from an accredited institution of higher education in a field related to finance or administration or has five years of recent work experience in education, management or administration.

A one-year temporary educator license is valid only in this ESC. The State Board of Education may renew the license annually upon request of the Board.

(Approval date: January 7, 2003)

## CERTIFIED STAFF SALARY SCHEDULES

The Board adopts a salary schedule for its regular teaching personnel and places each teacher on the salary schedule in accordance with training and experience.

Placement on the salary schedule is in accordance with regulations developed by the administration and approved by the Board and the placement is in compliance with the Board-approved salary schedule.

Retired administrators, who are subsequently employed by the Board or its designee, are granted credit on the salary schedule as determined by the Board on a case-by-case basis.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 3317.13; 3317.14  
3319.12

## CERTIFIED STAFF FRINGE BENEFITS

In addition to basic salary, benefits are recognized by the Board as an integral part of the total compensation plan for staff members. The benefits extended to staff members are designed to promote their present and future economic security.

### Eligible Employees

All regularly contracted or salaried employees who are employed for at least .50 FTE (full time equivalency) will be eligible for insurance benefits unless coverage is provided by another agency by contractual agreement. Temporary or as-needed employees will not be eligible for insurance benefits. FTE is defined as 185 days. All employees who are contracted for 185 days or more will receive the maximum ESC Governing Board contribution to each individual premium. Those employed for less than 185 days, but more than .50 of 185 days, will receive premium contributions on a prorated basis equal to the percentage of time employed multiplied by the maximum benefit.

Re-hired retirees are not eligible for any insurances through the Fairfield County ESC that are offered through their retirement system.

All Governing Board members are eligible for insurance benefits at their own expense.

[Adoption date: January 7, 2003]

Revised: August 2, 2005

LEGAL REFS.: ORC 9.83; 9.90  
3313.20—3313.203; 3313.38  
3319.141  
3917.04  
Chapter 4117  
4123.01  
Chapter 4141

CROSS REF.: EI, Insurance Management

CERTIFIED STAFF FRINGE BENEFITS/CLASSIFIED STAFF FRINGE BENEFITS

Employee Insurance Benefits Policy

The Fairfield County Educational Service Center will implement a program to provide such benefits will be at the discretion of the Fairfield County Educational Service Center Governing Board. The determination of the carrier(s) to provide such benefits will be at the discretion of the Board. Determination of the amount of Fairfield County ESC Governing Board paid premiums for provided benefits will be at the discretion of the Fairfield County ESC Governing Board.

Insurance coverages will include:

1. Hospitalization and Major Medical

Each eligible employee will be afforded the opportunity to elect to be included in the group health program with either single or family coverage. Coverage will be provided by a suitable carrier of the Fairfield County ESC Governing Board's choice.

If a husband and wife are both eligible employees, the Fairfield County ESC Governing Board will contribute the sum of the adopted Fairfield County ESC Governing Board amount for a family plan, plus an additional amount equal to the lesser of the Fairfield County ESC Governing Board's share of a single plan or the employee's share of a family plan.

2. Life Insurance

The Fairfield County ESC Governing Board will pay the full amount of the premium for group term life insurance for all eligible employees. Coverage amount is at the discretion of the Fairfield County ESC Governing Board.

3. Dental Insurance

Dental insurance will be provided at the Fairfield County ESC Governing Board's cost to eligible employees, as per the guidelines for eligible employees.

4. Vision Insurance

Vision Insurance will be provided at the Fairfield County ESC Governing Board's cost to eligible employees as per the guidelines for eligible employees.

(Approval date: January 7, 2003)



## CERTIFIED STAFF LEAVES AND ABSENCES

A leave of absence is a period of extended absence from duty by a staff member for which written request has been made and formal approval has been granted by the Board. The Board provides a plan for considering leaves and absences for its staff members in accordance with State and Federal laws and Board policies.

Compensation, if any, during leaves of absence depends upon the type of leave. Deductions are made in salaries for absence in accordance with regulations developed by the administration and approved by the Board.

Depending on the type of leave and when the group insurance policy permits, an employee may continue to participate in Board-approved insurance programs, provided that the employee pays the entire premium for these benefits, unless the Board agrees to other arrangements.

A staff member terminates his/her affiliation with the Board if, at the expiration of the specified period of leave, he/she declines the position that is offered to him/her. Assuming his/her contract has not expired during a leave of absence, an employee holds the same contract status upon returning to duty as was held on the date on which the leave began.

[Adoption date: January 7, 2003]

LEGAL REFS.: Family and Medical Leave Act; 29 USC 2611 et seq.  
ORC 124.38  
3313.20; 3313.202; 3313.211  
3319.08; 3319.081; 3319.09; 3319.13; 3319.131; 3319.14; 3319.141;  
3319.143; 3319.16

CROSS REF.: GBR, Family and Medical Leave

CERTIFIED STAFF LEAVES AND ABSENCES/  
CLASSIFIED STAFF LEAVES AND ABSENCES

Personal/Emergency Leave Policy

The Fairfield County Educational Service Center Governing Board believes that there are situations which arise where an employee needs to be off work for a legitimate reason but that reason may not fall into the realm of sick leave. Because of this belief, the Fairfield County ESC Governing Board has established this personal/emergency leave policy.

Personal/Emergency leave is not designed to be "extra days of vacation" but is to be used primarily for business matters or other circumstances that cannot be scheduled outside of the school day or handled by making alternate arrangements. Reasons for planned personal/emergency leave need not be given if requests are submitted in accordance with item #2. If the requests are in accordance with #3, reasons shall be given.

It is the employee's responsibility to ensure that all professional obligations are covered or accounted for on any day that he/she takes a personal emergency leave day.

1. Each full-time employee of the Fairfield County ESC shall be entitled to personal/emergency leave not to exceed three days for each year, July 1 through June 30. Less than full-time employees and employees hired after the beginning of the contract year shall be entitled to personal leave prorated to the time actually worked based on the rate of .25 personal days per month. As needed, hourly employees are not eligible for personal days.
2. All requests for personal/emergency leave must be in writing and in the hands of the Superintendent or an administrative employee designated by him/her, at least 48 hours before the time requested for such leave (except for emergency personal leave as defined in #3 below).
3. The Superintendent may orally grant emergency personal leave for accidents, road conditions or transportation problems, death of a relative or friend, or home problems such as utility malfunctions, fires, etc. In emergency situations, the absence form shall be filled out after the employee returns to work. The reason for the emergency leave, and any arrangements needed to cover work-related obligations for the time of the emergency leave, shall be communicated to the Superintendent at the time of the request.
4. Personal/Emergency leave will not be cumulative. However, any unused personal/emergency leave days will be converted to sick leave days at the end of each contract year, with the maximum number of sick days not to exceed the maximum accumulated sick days allowed by Board policy.

5. Personal/Emergency leave days shall not be charged against sick leave earned.
6. Personal/Emergency leave days may be used as sick days only when all accumulated sick leave days have been exhausted.
7. Classroom personnel may not use a personal leave day the day before or the day after a scheduled holiday break.
8. The Superintendent of the Fairfield County ESC, or an administrative employee designated by him/her, shall be the final authority in the granting of personal/emergency leave.

### Sick Leave Policy

1. There shall be 15 days of sick leave per school year for each employee of the Fairfield County Educational Service Center Governing Board. Employees who render part-time, seasonal, intermittent, per diem, or hourly service shall be entitled to sick leave for the time actually worked at the same rate as that granted to full-time employees. The basis for determining the number of days of sick leave shall be 1.25 days per month for 12 months. The sick leave shall be cumulative to a maximum set by Board action (200 days).

At any time an employee has no accumulated sick leave and has need of such, five days will be advanced to that employee. Sick leave which is advanced will be charged to any subsequent accumulation.

If a person is employed during the school year, he/she shall be credited with days of sick leave in proportion to the fractional part of his/her term which remains at the rate of 1.25 days per month.

2. Proof of illness or of absence for other reasons must be established with the Fairfield County ESC Superintendent.

Each absence must be explained on a form provided.

Each employee absent more than five consecutive days may be required to furnish a satisfactory written, signed statement listing the name and address of the attending physician and the dates when he/she was consulted to justify the use of sick leave. This is to be interpreted to also include absence as a result of personal illness or injury in the immediate family, and filing of such absence report by an employee shall be a certification by him/her that the facts and statements contained in said report are true and correct. Falsification of a statement is grounds for suspension or termination of employment under the Ohio Revised Code.

3. An employee may use a part or all of the accumulated leave before 200 days. After any period of acceptable absence as described in this sick leave plan, the leave can again be built up to the maximum of 200 days by regular attendance. Employees, upon approval of the responsible administrative officer of the Fairfield County ESC, may use sick leave for pregnancy, injury, exposure to contagious disease which could be communicated to others, and for absence due to illness, injury, or death in the employee's immediate family. Immediate family shall be interpreted to include parents, brothers, sisters, children, grandchildren, grandparents, spouse, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law or anyone living in the same household.
4. An employee planning to request a leave of absence because of disability resulting from illness, injury or pregnancy shall make his/her request in writing, accompanied with a statement from his/her doctor indicating the nature and expected duration of the disability. This request should be made as early as possible. For the purpose of this provision, disability resulting from illness, injury or pregnancy is the period during which the employee is not physically and/or emotionally capable to perform all the duties and functions of his/her position. This beginning date of disability and the termination of disability shall be established by written statement of the employee's doctor. Verification of continuing disability may be required by the Fairfield County ESC Superintendent, upon written notice to the employee.
5. An employee who transfers from a public agency to the Fairfield County ESC shall be credited with the unused balance of his/her accumulation up to 200 days, provided that such reemployment takes place within 10 years of the date of the last termination from public service.
6. Any employee who uses all his/her accumulated sick leave may substitute unused personal, emergency, or other form of leave provided for under the Ohio Revised Code.
7. According to the Ohio Revised Code, the Fairfield County ESC Governing Board shall continue to carry, on payroll records, all school employees whose sick leave has been exhausted, or who are on disability leave of absence, or who are on an approved leave of absence, for the purpose of group term life, hospitalization, surgical and major medical insurance coverage. The Board may pay all or part of such coverage except when employees are on an approved leave of absence or on a disability leave of absence for a period exceeding two years.
8. Any employee absent from work in excess of the number of sick leave or other authorized leave days accumulated by the employee shall receive a salary deduction calculated by dividing the number of days in the employee's duty year into the gross annual salary, thus arriving at the per day deduction.

Leave of Absence Policy

Upon written request to the Fairfield County Educational Service Center Superintendent, the Fairfield County Educational Service Center Governing Board may grant a leave of absence for educational, professional, personal, or other purposes, and shall grant such leaves where illness or other disability is the reason for the request. All leaves of absence will be without pay.

Leaves of absence for any purpose, other than military service, may be granted for not more than two years. If the leave commences during the office calendar year, the normal duration of the leave will be until the end of the same office year. In unusual circumstances, the leave may be extended to the maximum of two full years.

The Fairfield County ESC Governing Board cannot guarantee the return of the employee to the assignment held prior to the leave; however, efforts will be made to return the employee to a comparable position.

If a leave expires at the end of the fiscal year, an employee on leave of absence shall notify the Fairfield County ESC Superintendent by May 1 as to their intent to return, or if the leave expires at any other time, the employee shall notify the Fairfield County ESC Superintendent at least 30 days prior to the expiration as to their intent to return.

Upon the return of an employee from leave, the employment of any person hired to fill the position of the employee on leave will be terminated without further action by the Fairfield County ESC Governing Board. The expected term of employment of all such substitute employees will be clearly identified in written documentation provided to the substitute, with a clear statement that with the return of the regular employee, the substitute's employment will end.

An employee returning from a leave of absence shall be placed on the same pay step that he/she left on the existing pay scale. Employees returning from leave granted for illness or disability may be required to submit evidence of ability to perform the normal duties of employment.

(Approval date: January 7, 2003)

Revised: July 2, 2007 Sick Leave Policy

## CERTIFIED STAFF VACATIONS AND HOLIDAYS

### Vacations

Administrative personnel employed on an 11 and 12-month basis receive vacations during the contract year.

The Superintendent gives final approval of vacation schedules for the administrative staff. It is his/her responsibility to see that vacations are scheduled so that the least interference with the operation of the schools results. A written request for vacation is submitted to the Superintendent for approval.

### Holidays

The school calendar, as adopted by the Board, establishes the ESC recess periods and holidays for all administrators employed on a school-year basis.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 2113.04  
3313.20; 3313.63  
3319.02

CERTIFIED STAFF VACATIONS AND HOLIDAYS/  
CLASSIFIED STAFF VACATIONS AND HOLIDAYS

Vacation

1. It is the belief of the Fairfield County Educational Service Center Governing Board that vacation is an important factor in assisting full-time employees to perform their assigned duties. Vacation gives the full-time employee the opportunity to renew themselves, and thus, do a better job.

The Fairfield County ESC Governing Board, therefore, urges employees to use their accumulated vacation time each year, if at all possible.

Vacation days will be earned in accordance with this policy.

2. Vacation days as described in this policy are days that an employee is entitled to be away from work and are in addition to the regular nonwork days or holidays as established by the Fairfield County ESC Governing Board.

Experience for calculating the number of vacation days due to an employee will be based on the recognized accumulated experience as follows:

Number of years employed by any chartered school district in the state of Ohio, or employed by the state or other political subdivision.

3. Twelve-month full-time employees will earn vacation days as follows:
  - A. Ten workdays of paid vacation shall be accumulated each contract year for the first five years of recognized accumulated employment.
  - B. Fifteen workdays of paid vacation shall be accumulated for each contract year for the sixth through the 10<sup>th</sup> year of recognized accumulated employment.
  - C. Twenty workdays of paid vacation shall be accumulated for each contract year after the 10<sup>th</sup> year.
4. Eleven-month, full-time employees will earn vacation days in accordance with their recognized accumulated experience.

For the purpose of calculating years of experience under this section (section 4), only experience under an 11 or more month contract will be used in determining years of service. Such service must have been with the state or another political subdivision and must have immediately preceded service to this governing board.

- A. Ten workdays of paid vacation shall be accumulated each contract year for the first 10 years of recognized accumulated employment.
- B. Fifteen workdays of paid vacation shall be accumulated for each contract year for the 11<sup>th</sup> through the 20<sup>th</sup> year of recognized accumulated employment.
- C. Twenty workdays of paid vacation shall be accumulated for each contract year after the 20<sup>th</sup> year.

5. Accumulation and Carryover Provisions

An employee may accumulate up to a maximum of 150 percent, or 1 1/2 times the number of vacation days that he/she is eligible for during his/her current contract year.

Any unused vacation days will be carried over from one year to the next within the above 150 percent restriction.

Any vacation days earned in excess of the maximum permitted accumulation will be forfeited.

6. Payment for Unused Vacation Time at Separation of Employment

A. Certified Employees

No payment shall be made to any certified staff member for accumulated but unused vacation days at the point of separation of employment from the Fairfield County ESC. Any accumulated but unused vacation days due to an employee at the time of separation shall be forfeited.

B. Classified Employees

In accordance with ORC, full-time, non-certified employees shall be paid for accrued but unused vacation leave accumulated during the last two years of employment immediately preceding separation, plus any prorated days earned during the contract year in which separation takes place.

7. Use of Vacation Time

- A. Any employee may use earned vacation time with approval in advance by the Fairfield County ESC Superintendent.
- B. The Fairfield County ESC Superintendent and Fairfield County ESC Treasurer may use earned vacation time at their discretion.

8. Payment of Accrued and Unused Vacation Time upon the Death of an Employee

Payments of accrued, unused vacation time upon the death of an employee under contract to the Fairfield County ESC Governing Board will be as follows:

A. Certified Employees

Upon the death of any certified employee, any accrued and unused vacation leave accumulated during the current contract year in which the death takes place shall be paid to the surviving spouse or other family member in accordance with the law.

B. Classified Employees

Upon the death of a classified employee, any accrued and unused vacation leave accumulated for the two years immediately preceding the employee's death, plus any prorated days earned during the contract year in which the death takes place, must be paid to the surviving spouse or other family member in accordance with the law.

(Approval date: January 7, 2003)

Revised: August 2, 2005

## CERTIFIED STAFF RECRUITING/POSTING OF CERTIFIED STAFF VACANCIES

Because the quality of the staff hired by the Board is the major component of an effective, productive educational program, the Board and the administration of the ESC make efforts to attract and retain qualified personnel.

The Board expects the Superintendent, with the assistance of the administrative staff, to determine the personnel needs of the ESC and the individual schools and to recruit the best qualified candidates to recommend for employment.

Recruitment procedures include posting all openings so that the talents and potential of individuals already employed by the school system are not overlooked. Any current employee may apply for any position for which he/she has certification and meets other stated requirements. All candidates shall be considered on the basis of their merits, qualifications and the needs of the ESC.

The appropriate building administrator is expected to be involved in recruiting and interviewing. The Superintendent's recommendation reflects, although not necessarily concurs with, that administrator's appraisal of the candidate's qualifications.

[Adoption date: January 7, 2003]

LEGAL REF.: OAC 3301-35-03

CROSS REFS.: AC, Nondiscrimination  
ACA, Nondiscrimination on the Basis of Sex  
ACB, Nondiscrimination on the Basis of Disability  
GBA, Equal Opportunity Employment

## POSTING OF CERTIFIED STAFF VACANCIES

1. Teachers interested in changing positions within the county should notify the ESC Superintendent of their desire in writing. This request should include the following:
  - A. name, address and phone number of teacher
  - B. building and school district where presently employed
  - C. grade or subjects appearing on certificate
  - D. district or districts desiring to teach in
  - E. reasons for seeking transfer
2. The local superintendents involved should be contacted by the ESC Superintendent regarding the request for transfer when and if such a move seems likely.
3. There should be a mutual agreement among all parties involved before a transfer is approved.
4. Certified personnel within the county should be given consideration for vacancies before going outside the county.
5. If the services of a teacher, who has not indicated a desire to change positions, is desired by a local superintendent, the ESC Superintendent and present local superintendent should be contacted before overtures for a transfer are made to the teacher. The above action may also be initiated by the county superintendent.
6. All requests for transfer should be made at the earliest possible date.

(Approval date: January 7, 2003)

## CERTIFIED STAFF HIRING

The Superintendent determines the ESC's personnel needs and recommends to the Board suitable candidates for employment. Through recruiting and evaluation procedures, the Superintendent recruits and recommends to the Board the employment and retention of personnel.

It is the duty of the Superintendent to see that persons nominated for employment in the schools meet all certification/licensure requirements and the requirements of the Board for the type of position for which the nomination is made.

The following guidelines are used in the selection of personnel.

1. There is no unlawful discrimination in the hiring process.
2. The quality of instruction is enhanced by a staff with widely varied backgrounds, educational preparation and previous experience. Concerted efforts are made to maintain a variation in the staff.
3. Interviewing and selection procedures ensure that the administrator who is directly responsible for the work of a staff member has an opportunity to aid in the selection process. The final recommendation to the Board is made by the Superintendent.
4. No candidate is hired without an interview and a criminal record check.
5. All candidates are considered on the basis of their merits, qualifications and the needs of the ESC. In each instance, the Superintendent and others having a role in the selection process seek to recommend the best qualified applicant for the job.

While the Board may accept or reject a nomination, an appointment is valid only if made with the recommendation of the Superintendent. In the case of a rejection, it is the duty of the Superintendent to make another nomination.

### Employment of Retired Administrators

The Board recognizes that recruiting and retaining highly qualified administrative personnel has become increasingly difficult in Ohio's competitive marketplace. Therefore the Board will, under appropriate circumstances, offer to enter into administrative employment agreements with qualified retired administrators whenever practical and when such action appears to be in the best interests of the ESC. Retired administrators may be employed as administrators on a part-time or full-time basis.

For purposes of this policy, a "retired administrator" is an individual who has retired pursuant to STRS or SERS rules and regulations.

A qualified and licensed administrator/supervisor who has retired from public school service and who is receiving retirement benefits from the State Teachers Retirement System or State Employees Retirement System may be hired as an administrator/supervisor at the Fairfield County Educational Service Center under the following conditions:

- a. Per Ohio Revised Code Sections 3307.353 and 3309.345, when administrators and supervisors retire and seek to be rehired by the school district into the same position, a public notice will be given 60 days prior to the date re-employment is to begin. This notice must state that the administrator/supervisor will be retiring and is seeking employment in the district. The notice will include the time, date and location of a public meeting, which will take place 15 to 30 days prior to employment.
- b. Retired administrators and supervisors seeking initial employment with the school district are not subject to the public notices and subsequent deadlines.
- c. The retired administrator/supervisor shall be given full credit for each year of service as a regular public school administrator up to a total of ten (10) years. The retired administrator/supervisor will be advanced on (1) year on the administrative salary schedule upon the completion of each year of service as a retired administrator/supervisor.
- d. The retired administrator/supervisor shall, as a condition of employment and by contract in a form approved by the Board, agree to each of the following provisions governing the terms of employment and shall agree to waive all rights to other or different terms or conditions of employment as otherwise provided by law:
  1. The retired administrator/supervisor shall be employed under a contract that is good for a maximum of one year and shall have no right to a multi-year employment contract,
  2. The employment contract extended to the retired administrator/supervisor automatically expires at the end of the one-year contract, and no formal notice of non-renewal by the Board shall be required,
  3. The retired administrator/supervisor shall not be eligible for and shall waive any claim to employment under a continuing contract as a teacher.
  4. The retired administrator/supervisor will be eligible for Board-paid health/medical insurance only if she/he is not eligible for coverage under a public or private retirement system. She/he will be eligible for other insurances offered by the Board, which are not available through his/her public or private retirement system. A retired administrator/supervisor who is not eligible for Board-paid insurance may purchase such insurance by payment of the full cost of such insurance. He/she will be eligible for other benefits as listed in Board Policy GCB and GCBE.

5. The retired administrator/supervisor shall not be eligible to participate in any retirement incentive plans that may be offered to district administrators and shall not be eligible for severance pay upon leaving employment.

[Adoption date: January 7, 2003]

Revised: May 3, 2005

LEGAL REFS.: Fair Credit Reporting Act; 15 USC 1681 et seq.

ORC 3307.353; 3309.345

3313.53

3319.02; 3319.07; 3319.11; 3319.21; 3319.22-3319.31; 3319.39

3323.06

OAC 3301-35-03(A)

CROSS REFS.: AC, Nondiscrimination

ACA, Nondiscrimination on the Basis of Sex

ACB, Nondiscrimination on the Basis of Disability

GBA, Equal Opportunity Employment

GBQ, Criminal Record Check

## PART-TIME AND SUBSTITUTE CERTIFIED STAFF EMPLOYMENT

All certified personnel serving as substitute teachers or in part-time positions are recommended by the ESC Superintendent for appointment by the Board. The rates of pay for such employment are recommended by the Superintendent and established by the Board.

The employment of substitute teachers is centralized for the ESC in the office of the ESC Superintendent. Candidates selected are recommended to the Board for placement on the list of approved substitutes. Assigned supervisor assumes responsibility for the scheduling of substitutes from the approved list as needed.

Assigned supervisor develops regulations for substitute teachers to guide them in the performance of their duties. The regulations are approved by the Superintendent.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 3317.13  
3319.08; 3319.10; 3319.13

CROSS REF.: GBQ, Criminal Record Check

## CERTIFIED STAFF TIME SCHEDULES/CLASSIFIED STAFF TIME SCHEDULES

### Staff Working Hours/Calendar Policy

The Fairfield County Educational Service Center Governing Board believes that the established hours of operation for the ESC and our employees should be such that they meet the needs of our constituents, the students, teachers, administrators and parents of our schools. We further believe that as a public body we need to have accountability with our constituents. To assist in meeting these ends, we are establishing the listed hours of operation. While establishing these parameters, we realize that the administration must have the flexibility to modify these hours when needed.

1. The ESC will have normal operating hours of 8:00 a.m. until 4:00 p.m.
2. All certified employees, except those assigned to classroom units, shall adhere to a normal workday of seven hours of work and up to one hour for lunch. Certified employees assigned to classroom units shall adhere to the hours of operation as established by the building to which they are assigned.
3. Classified employees employed in the Fairfield County ESC office shall adhere to a normal workday of 8:00 a.m. until 4:00 p.m. This day shall consist of seven hours of work and up to one hour for lunch. Classified employees assigned to classroom units shall adhere to the hours of operation as established for the unit to which they are assigned.
4. Variances from the established schedule must be approved by the Fairfield County ESC Superintendent or his/her designee in advance.

Employees who wish to vary their schedule on a regular basis (e.g., 7:00 a.m. to 3:00 p.m. daily or for an extended number of days) shall submit a request in writing along with the reason(s) for the request. Such request will be granted only if the alternate schedule will not have an adverse effect on the employee's job requirements. Such requests must be resubmitted each year if they are to continue from one year to the next.

5. The Fairfield County ESC Superintendent may vary the work schedule during the summer, during periods when the schools are closed or when need warrants it. Any such alternative work schedules shall equal the normal number of hours of work per day or week as indicated above.
6. Lunch for office employees shall not exceed 60 minutes in length per day. If lunch does exceed 60 minutes during a given day, the employee shall adjust his/her schedule to make up the excess time.

7. All classroom employees will adhere to their building calendar, and all office employees will adhere to the Fairfield County ESC Governing Board-adopted calendar.

[Adoption date: January 7, 2003]

## CERTIFIED STAFF DEVELOPMENT OPPORTUNITIES

### Staff Development Policy

The Fairfield County ESC Board of Education shall, within its financial means, provide opportunities for county office staff members to develop and improve their skills beyond that which may be attained through their assigned duties. Such opportunities include the following:

1. Leaves of absence for study.
2. Visits to other school districts to observe programs in action.
3. Local, area, and state meetings of professional organizations.
4. Various workshops and conferences designed to improve or develop skills and/or understandings in the area of education.
5. National conferences or conventions designed to improve or develop skills and/or understandings in the area of education.
6. Contingent upon the availability of funds, there shall be a limit annually for each staff member to use in attending approved professional meetings. An additional sum for out-of-state meetings may be used if approved, but attendance at out-of-state meetings will be on an every three year basis.
7. The ESC Superintendent has the authority, when he/she considers the meeting to be of sufficient importance, to request representation from the staff to attend a meeting.
8. Expenditures of the meeting shall be itemized, such as registration, travel, meals and room costs. Room costs must be accompanied by receipts. This statement, along with the report of activities, should be presented to the Treasurer within one week after the professional leave.

The Superintendent or his/her designee shall be responsible for approving expenditures for staff development activities within the limits of the appropriation.

Requests for attendance at conferences which involve 1) conferences out of state; 2) multiple overnight lodging; 3) expenses exceeding \$300 shall be presented to the County Board of Education by the Superintendent for final approval.

[Adoption date: January 7, 2003]

## CERTIFIED STAFF DEVELOPMENT OPPORTUNITIES

### Tuition Reimbursement Policy

The Fairfield County Educational Service Center Governing Board believes that it is vital that its employees continue to improve their knowledge and skills through continual education.

To assist employees in upgrading job-related knowledge and skills, the Fairfield County ESC Governing Board will reimburse employees for a maximum per contract year of four semester hours or six quarter hours. The reimbursement shall be at a rate of \$30 per quarter hour or \$45 per semester hour of undergraduate credit and \$45 per quarter hour or \$60 per semester hour of graduate credit.

Temporary, substitute, as-needed or summer employees shall not be entitled to receive tuition reimbursement.

The employee must have the "Request for Tuition Reimbursement" form approved by the Superintendent and obtain a purchase order before enrollment in the course. Grade slips indicating credit received must be submitted to the Treasurer after the course is completed. A grade of "C" or higher must be obtained for reimbursement to be granted. In courses that do not carry a letter grade, passing or credit must be obtained for reimbursement.

In the event an employee attends a workshop for which there is a fee, and college credits are offered as a part of the workshop at an additional fee (tuition charge), the employee may elect to either have the ESC reimburse the workshop fee (approved amount per year) or request tuition reimbursement for the tuition charge. The ESC will not reimburse both the workshop fee and tuition fee.

When a Fairfield County ESC employee resigns, or when a Fairfield County ESC employee is notified that he/she will not be re-employed, or when an employee's contract is terminated by the Fairfield County ESC Governing Board, he/she shall not be eligible to receive payment for tuition reimbursement for any courses taken during that quarter or semester in which the resignation, nonrenewal or termination is effective.

The Fairfield County ESC Superintendent will determine whether the course is job related. If the course is determined to be job related, the Fairfield County ESC Superintendent shall approve the request for tuition reimbursement. If the course is determined not to be job related, the Fairfield County ESC Superintendent will not approve the request for tuition reimbursement.

If an employee does not agree with the decision of the Fairfield County ESC Superintendent concerning a course being job related or not, he/she may appeal to the Fairfield County ESC Governing Board. The decision of the Fairfield County ESC Governing Board is final.



## Professional Leave

The following procedures and regulations shall be observed in administering the Fairfield County Educational Service Center Governing Board policy on staff Development.

### 1. Criteria for Attendance at Professional Meetings

- A. Will the Fairfield County Schools benefit?
- B. Is the meeting or conference appropriate for the person making the request?
- C. How much time would be lost from work?
- D. Are funds available in the appropriation?
- E. How many persons are requesting attendance at this meeting or conference?
- F. How many meetings or conferences has this person attended?
- G. Can suitable arrangements be made for the employee's school responsibilities?
- H. If out of state, how long has it been since the person making the request has attended an out-of-state or national meeting?

### 2. Conferences

Employees desiring to attend a conference shall complete the form "Request for Permission to Attend Professional Meetings or Conferences and Reimbursement for Such" and submit it to the Fairfield County ESC Superintendent or his/her designee at least two weeks prior to the conference. The Fairfield County ESC Superintendent or his/her designee may reject the request, approve the request or conditionally approve the request. The Fairfield County ESC Superintendent shall use the guidelines in item #1 in considering the request.

Requests which require Board approval must be submitted no later than the last Fairfield County ESC Governing Board meeting which occurs immediately prior to the requested conference or meeting.

Reimbursement for expenses to conferences shall be calculated as follows:

#### A. Transportation:

Actual cost of the ticket for airline coach class or other public transportation shall be covered. Travel by private automobile shall be reimbursable at the mileage rate established by the Fairfield County ESC Governing Board. If an employee is

able to choose between several modes of transportation, the least expensive method shall be used after considering such factors as time, lodging, meals and safety. If significant additional costs are incurred because of the employee's preference, such additional costs must be paid by the employee.

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B. Meals

Meals which fall at times outside of the conference time line, such as breakfast or dinner while traveling to or from a conference, are generally the expense of the employee. Exceptions to this are when the required travel time would be in excess of two hours before or after the normal workday (8:00 a.m. - 4:00 p.m.) of the Fairfield County ESC. Lunch cost will not be reimbursed for meetings lasting one day or less, unless the lunch cost is part of the registration fee.

All meals that are not part of the registration fee are reimbursable only with an accompanying receipt using the Fairfield County ESC Governing Board-adopted allowances. Banquets or luncheon meals that are part of the conference program will be paid by the Fairfield County ESC Governing Board.

C. Lodging

Generally, lodging for attendance at meetings will only be paid by the Fairfield County ESC Governing Board for meetings which are held at locations that are at least 75 or more miles away from Lancaster. The Fairfield County ESC Superintendent may, at his/her discretion, approve the payment of lodging for meetings that are less than 75 miles away, if circumstances warrant it.

The Fairfield County ESC Governing Board will pay for the cost of the single room rates.

D. Registration

The registration fee for approved conferences is paid by the Fairfield County ESC Governing Board.

E. Expenses must be itemized for such costs as parking, meals, tolls, local transportation, etc., and submitted with receipts to the Fairfield County ESC Treasurer upon the employee's return. Tips and alcohol are not reimbursable.

F. Fairfield County ESC Governing Board reimbursement will only be for actual expenses of the Fairfield County ESC Governing Board employees.

G. Professional Meeting Purchase Order Administration Guidelines apply to this policy.

3. Travel Regulations Policy

Staff personnel who official duties require travel shall be reimbursed according to the following regulations:

- A. The Board-approved rate of travel shall remain in effect until such time as modified by the Fairfield County Educational Service Center Governing Board.

- B. Travel expenses are limited to miles traveled between office and school and between school and school.
  - C. Travel expenses shall also include miles traveled on official business within the county or districts served or to official meetings outside the county.
  - D. Travel reimbursement shall be on a monthly basis according to those miles traveled as reported on the travel form provided by the Fairfield County ESC Governing Board and presented to the Fairfield County ESC Treasurer for payment by the last day of the month.
3. Other
- A. Workshops, seminars, classes, conferences, etc., required for certification, or purely for personal gain, shall be the responsibility of the individual.
  - B. A listing of conferences and persons who attended shall be made available to staff members. Any staff member wishing specific information about a particular conference may contact the person or persons who attended a particular conference and request information about that conference and/or topic. Staff members are also encouraged to share information at staff meetings when appropriate.

(Approval date: January 7, 2003)



## SUPERVISION OF CERTIFIED STAFF

The Fairfield County ESC provides professional supervision services to local systems and other systems and/or agencies on a contract basis and serves as a supervisory liaison agency for the state.

The Board employs specialists and other personnel necessary for the improvement of instructional operations of the local school system.

[Adoption date: January 7, 2003]

EVALUATION OF CERTIFIED STAFF  
(Teachers)

Certified Personnel Housed in ESC Office

Educational Service Center personnel undergo annual appraisal in accordance with procedures established by the Superintendent.

Personnel in Cooperative Programs

Personnel in cooperative, federal, fiscal agency projects or local districts undergo annual appraisal in accordance with procedures established by the Superintendent.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC Chapter 4117  
3319.01; 3319.11; 3319.111; 3319.16; 3319.161  
OAC 3301-35-03(A)(8)

EVALUATION OF CERTIFIED STAFF  
(Administrators Both Certified and Classified)

The Superintendent institutes and maintains a comprehensive program for the evaluation of administrative personnel. Administrative personnel are all persons issued contracts in accordance with the Ohio Revised Code, including the following: assistant superintendents, principals, assistant principals and all other personnel required to maintain certificates/licenses in order to be employed as pupil-personnel workers and educational administrative specialists (provided that such person spends less than 50% of his/her time teaching or working with students) and any other employee whose duties enable him/her to be considered either a "supervisor" or "management-level employee" excluded from all of the employee bargaining units. In addition, evaluations should assist administrators in developing their professional abilities in order to increase the effectiveness of ESC management.

The purpose of administrator evaluations is to assess the performance of administrators, to provide information upon which to base employment and personnel decisions and to comply with the requirements of State law. All administrators are evaluated annually. In the year an administrator's contract does not expire, the evaluation is completed by the end of the contract year, and a copy is given to the administrator. In the year an administrator's contract does expire, two evaluations are completed, one preliminary and one final. The preliminary evaluation is conducted at least 60 days prior to March 31 and prior to any Board action on the employee's contract. Evaluations are considered by the Board in determining whether to re-employ administrators.

The final evaluation includes the Superintendent's intended recommendation for the contract of the employee. A written copy of the final evaluation must be provided to the employee at least five days prior to the Board's action to renew or nonrenew the employee's contract. The employee may request a meeting with the Board prior to any Board action on his/her contract. The employee may have a representative of his/her choice at the meeting.

The evaluation measures the administrator's effectiveness in performing the duties included in his/her written job description and the specific objectives and plans developed in consultation with the Superintendent. The evaluations are conducted annually by the Superintendent/designee.

Evaluation criteria for each position are in written form and are made available to the administrator. The results of the evaluations are kept in personnel records maintained in the central office. The evaluated administrator has the right to attach a memorandum to the written evaluation. Evaluation documents, as well as information relating thereto, are accessible to each evaluatee and/or his/her representative.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 3319.02; 3319.16; 3319.17; 3319.171; 3319.22  
OAC 3301-35-03(A)(8)

CROSS REF.: GBL, Personnel Records

EVALUATION OF CERTIFIED STAFF  
(Administrators Both Certified and Classified)

To assist administrators in the development of their professional abilities, to provide information for employment decisions and to comply with mandates of State law, the following procedures are employed by the Superintendent/designee in evaluating administrative personnel.

1. An initial meeting is held by the Superintendent prior to the school year with the administrators to discuss specific measurable objectives and plans for their achievement. A statement of these objectives and plans is submitted by each administrator to the Superintendent/designee at a time specified. These objectives and plans are written and maintained in each administrator's personnel file.
2. The evaluator employs the evaluation criteria which are designed to measure the administrator's effectiveness in performing the duties set forth in his/her written job description. All administrators will be evaluated prior to the end of their contract year. The evaluator will also assess the administrator's progress in meeting plans and objectives set for that school year. Areas of outstanding, satisfactory and poor performance will be noted. The Superintendent will meet with each administrator to discuss the written evaluation. The evaluatee is given a copy of the evaluation and has an opportunity to discuss it with the evaluator at this second meeting.
3. An ongoing dialogue concerning the administrator's objectives will continue and the evaluator and evaluatee will meet as needed or requested.
4. For those employees whose contracts are expiring at the end of the current school year, two evaluations must be completed. A preliminary evaluation must be received by the employee at least 60 days prior to any Board action on the employee's contract. A final evaluation must include the Superintendent's intended recommendation for the contract of the employee. A written copy of the final evaluation must be provided to the employee at least five days prior to the Board's action to renew or nonrenew the employee's contract.
5. The employee may request a meeting with the Board prior to any Board action on his/her contract. The employee may have a representative of his/her choice at the meeting.
6. Administrators are automatically re-employed if they are not evaluated according to State law or provided a meeting, if requested, to discuss their renewal or nonrenewal.
7. All evaluation criteria, procedures and written job descriptions are reviewed annually by the Superintendent/designee and revised as necessary.

(Approval date: January 7, 2003)

## REDUCTION IN CERTIFIED STAFF WORK FORCE

The Board may reduce the number of teachers upon the return to duty of regular teachers after leaves of absence, suspension of schools, territorial changes affecting the ESC or reduction in the total number of students the Board is required to provide with service or reduction in the total level of service the Board is required to provide under all interdistrict contracts as a result of the termination or nonrenewal of one or more of these contracts.

The Board may reduce the number of administrators upon the return to duty of administrators after leaves of absence, suspension of schools, territorial changes affecting the ESC, financial reasons or reduction in the total number of students the Board is required to provide with service or reduction in the total level of service the Board is required to provide under all interdistrict contracts as a result of the termination or nonrenewal of one or more of these contracts.

Reduction in force may occur if a local district becomes a city district.

[Adoption date: January 7, 2003]

LEGAL REF.: ORC 3319.17

## REDUCTION IN CERTIFIED STAFF WORK FORCE

When the Board determines that it is necessary to reduce the number of certified staff positions, the following procedures shall apply.

1. To the extent possible, the number of staff members affected by a reduction in force will be minimized by not employing replacements for staff members who retire, resign or whose contracts are not renewed for reasons other than reduction in force.
2. Reductions needed beyond those resulting from attrition are made by suspending or nonrenewing contracts. Those contracts to be suspended are chosen as follows.
  - A. All staff members are placed on seniority lists. Seniority is defined as the length of continuous service in the ESC. Seniority is not interrupted by authorized leaves of absence.
  - B. Reductions shall be made with preference being given first to staff members with continuing contracts and secondly to seniority.
  - C. If two or more staff members have the same length of continuous service, seniority will be determined by:
    - 1) the date of the Board meeting at which the staff member was hired;
    - 2) next, by the date on which the staff member signed his/her initial contract in the ESC (in the event two or more staff members were hired on the same date) and
    - 3) then, the date on which the staff member submitted the first completed job application within the two-year period preceding the effective date of the staff member's first contract with the Board, if the date is known.

If a tie remains after steps 1, 2 and 3, the Superintendent decides which contract is suspended.

3. The names of staff members whose contracts are suspended in a reduction-in-force action are placed on a recall list for up to 12 months from the date of the reduction. Staff members on the recall list have the following rights.
  - A. No new staff members will be employed by the Board while there are staff members on the recall list who are certified/licensed to fill the vacancy.
  - B. Staff members on the recall list are recalled in order of seniority for vacancies in areas for which they are certified/licensed.



- C. If a vacancy occurs, the Board will send an announcement via certified mail to the first known address of all staff members on the recall list who are qualified according to these provisions. It is the staff member's responsibility to keep the Board informed of his/her current address. All staff members are required to respond in writing to the ESC office within seven calendar days. The most senior of those responding is offered the vacant position. Any staff member who fails to accept the position within seven calendar days forfeits all recall rights.
  
- D. A staff member on the recall list, upon acceptance of the notification to resume active employment status, returns to active employment status with the same seniority, accumulation of sick leave and salary schedule placement as he/she held at the time of layoff. A staff member on the recall list who is unemployed and does not otherwise have group insurance coverage available may continue to participate for up to 18 months in those benefits which are provided to staff members in active employment, provided that the staff member pays 102% for such benefits.

(Approval date: January 7, 2003)



## RESIGNATION OF CERTIFIED STAFF MEMBERS

Any certified staff member who has a contract effective for the next school year is permitted to resign prior to July 10, preceding that year. After that time, the consent of the Board must be given before a staff member may resign his/her position. A teacher or administrator who resigns after July 10 is subject to certification sanctions imposed by the State Board of Education. Resignations are submitted to the Superintendent for presentation to the Board.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 3319.02; 3319.15

### CERTIFIED STAFF SEVERANCE PAY

All employees covered by the Revised Code, state of Ohio, who present evidence of disability or service retirement from the State Teachers Retirement System or the School Employees Retirement System, shall at the time of disability or service retirement be eligible for severance pay for unused, accrued sick leave according to the following provisions:

1. To be eligible, the employee must retire from active service with the Fairfield County Educational Service Center. Retirement is defined as either disability or service retirement.
2. The employee must have a minimum of 10 years of service in education in the state of Ohio.
3. To be eligible for severance pay, the employee must apply in writing, using the form "Application for Payment of Severance Pay," no later than 60 days after the last paid date of service with the Fairfield County ESC.
4. The application for severance pay must be accompanied by an appropriate document from the retirement system indicating the number of years of retirement credit allowed by that system.
5. Contributions to the retirement systems for severance pay will not be made by either the Board or the employee.
6. Severance pay will be paid in one installment, made within 60 days after the employee has complied with the procedures listed in number 14 of this policy.
7. Payment shall be made only upon disability or service retirement and is not authorized in the event of death of the employee prior to other approval of the application for retirement by the appropriate retirement system.
8. In the event of death of an employee who has had his/her application for retirement approved by the appropriate retirement system and who has filed the appropriate application for severance pay with the Treasurer, payment will be made to the legal heir(s).
9. Payment shall be subject to all legal deductions.
10. Payment of severance pay for unused accrued sick leave shall eliminate all accrued but unused sick leave of the employee.
11. Severance pay shall be one-fourth (1/4) of the employee's accrued but unused sick leave credit or shall not exceed a maximum of 40 days.

12. Payment shall be based upon the employee's daily base rate of pay at the time of retirement. This rate will be calculated by dividing the employee's annual salary by the number of contract days.

13. This policy does not offer retroactive benefits to employees who have retired prior to its effective date.
14. Procedures:
  - A. Complete the form " Application for Payment of Severance Pay."
  - B. Submit the above completed form, along with a letter of resignation confirming intent to retire, to the Treasurer.
  - C. Complete the appropriate forms for retirement obtained from the appropriate retirement system.
  - D. When obtained, submit verification of approval for retirement by the appropriate state retirement system.
  - E. Upon receipt of all required forms and verifications, the Treasurer will present the request for payment of severance pay to the Fairfield County ESC Governing Board.
  - F. The payment will be made within 60 days after items 14-A through 140-E have been completed.

[Adoption date: January 7, 2003]



## SUSPENSION AND TERMINATION OF CERTIFIED STAFF MEMBERS

### Suspension

The Board may suspend a certified staff member pending final action to terminate his/her contract if, in its judgment, the character of the charges warrants such action.

### Termination

The contract of a certified staff member may be terminated for gross inefficiency or immorality, for willful and persistent violations of reasonable regulations of the Board or for other good and just cause. Before terminating any contract, the Board furnishes the certified staff member a written notice signed by the Treasurer of its intention to consider termination of his/her contract and specification of the grounds for such consideration. The Board informs the certified staff member of his/her right to request a hearing by the Board or by an independent referee. At such a hearing, both parties may be represented by counsel and present and cross-examine witnesses. A stenographic record of the proceedings is made. After the hearing, the Board makes its determination by majority vote. Any order of termination of a contract states the grounds for termination.

If the suspension or termination is based in whole or in part on the results of a consumer report (as that term is used in the Fair Credit Reporting Act), the Board furnishes the certified staff member with pre-adverse action and adverse action notices required by the Fair Credit Reporting Act.

Teachers may only be suspended or terminated under the terms of the collective bargaining agreement and/or State law.

[Adoption date: January 7, 2003]

LEGAL REFS.: Fair Credit Reporting Act; 15 USC 1681 et seq.  
ORC 124.36  
3319.02; 3319.11; 3319.16; 3319.161; 3319.17

CROSS REF.: GBQ, Criminal Record Check

## CLASSIFIED STAFF POSITIONS

All classified staff positions are created only with the approval of the Board. It is the Board's intent to maintain a sufficient number of positions to accomplish its goals and objectives.

Before any new position is established, the Superintendent presents for the Board's approval a job description for the position.

Although positions may remain temporarily vacant, or the number of persons holding the same type of position may be reduced in the event of required staff reduction, only the Board abolishes a position which it has created.

The Superintendent keeps all job descriptions current and presents recommended changes to the Board for approval.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 124.11; 124.18; 124.34  
3319.081  
OAC 3301-35-03

## CLASSIFIED STAFF CONTRACTS AND COMPENSATION PLANS

### Contracts

All newly hired, regular classified staff employees, including regular hourly rate and per diem employees, enter into written contracts for their employment, which are for a period of not more than one year. If such employees are rehired at the end of their first contracts, their subsequent contracts are for periods of two years.

After the expiration of the two-year contract, if the contract of an employee is renewed, the employee receives a continuing contract. The salary provided in the contract may be increased but not reduced unless such reduction is a part of a uniform plan affecting the classified staff employees of the entire ESC.

### Compensation Plans

In determining and developing salary schedules for classified staff other than administrators, the Board considers the responsibilities of the position, the qualifications needed, past experience of the individual and years of service credit.

Salaries for classified staff are reviewed and established by the Board upon the recommendation of the Superintendent.

In compliance with State law, employees are notified in writing by July 1 of their salary for the following school year.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC Chapter 124  
3317.12  
3319.081-3319.083; 3319.088

CROSS REF.: GDB, all subcodes (relating to compensation)

## CLASSIFIED STAFF SALARY SCHEDULES

The Board develops salary schedules which:

1. adequately provide for the retention of those classified staff employees who are rendering satisfactory and efficient service in the school system and
2. provide employees with a financial projection by indicating the salary which may be provided by a salary schedule.

Such schedules take into account the qualifications required, the responsibilities of the position and work experience. Initial placement on the schedule may take into consideration the employee's previous experience.

An employee must serve two-thirds of his/her particular work year in order to qualify for the yearly increment on a salary schedule.

In compliance with law, employees are notified in writing by July 1 of their salaries for the ensuing year.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 3317.12  
3319.081; 3319.082; 3319.083; 3319.088

## CLASSIFIED STAFF FRINGE BENEFITS

In addition to basic salary, benefits are recognized by the Board as an integral part of the total compensation plan for staff members. The benefits extended to eligible classified staff employees are designed to promote their present and future economic security.

### Eligible Employees

All regularly contracted or salaried employees who are employed for at least .50 FTE (full time equivalency) will be eligible for insurance benefits unless coverage is provided by another agency by contractual agreement. Temporary or as-needed employees will not be eligible for insurance benefits. FTE is defined as 185 days. All employees who are contracted for 185 days or more will receive the maximum Governing Board contribution to each individual premium. Those employed for less than 185 days, but more than .50 of 185 days, will receive premium contributions on a prorated basis equal to the percentage of time employed multiplied by the maximum benefit.

Re-hired retirees are not eligible for any insurances through the Fairfield County ESC that are offered through their retirement system.

All Governing Board members are eligible for insurance benefits at their own expense.

[Adoption date: January 7, 2003]

Revised: August 2, 2005

LEGAL REFS.: ORC 9.83; 9.90  
3313.20-3313.211  
3319.084-3319.087; 3319.141; 3319.142  
3917.04  
4123.01  
4141.29; 4141.291

CROSS REF.: EI, Insurance Management

CLASSIFIED STAFF FRINGE BENEFITS/CERTIFIED STAFF FRINGE BENEFITS

The Fairfield County Educational Service Center will implement a program to provide such benefits will be at the discretion of the Fairfield County Educational Service Center Governing Board. The determination of the carrier(s) to provide such benefits will be at the discretion of the Board. Determination of the amount of Fairfield County ESC Governing Board paid premiums for provided benefits will be at the discretion of the Fairfield County ESC Governing Board.

Insurance coverages will include:

1. Hospitalization and Major Medical

Each eligible employee will be afforded the opportunity to elect to be included in the group health program with either single or family coverage. Coverage will be provided by a suitable carrier of the Fairfield County ESC Governing Board's choice.

If a husband and wife are both eligible employees, the Fairfield County ESC Governing Board will contribute the sum of the adopted Fairfield County ESC Governing Board amount for a family plan, plus an additional amount equal to the lesser of the Fairfield County ESC Governing Board's share of a single plan or the employee's share of a family plan.

2. Life Insurance

The Fairfield County ESC Governing Board will pay the full amount of the premium for group term life insurance for all eligible employees. Coverage amount is at the discretion of the Fairfield County ESC Governing Board.

3. Dental Insurance

Dental insurance will be provided at the Fairfield County ESC Governing Board's cost to eligible employees, as per the guidelines for eligible employees.

4. Vision Insurance

Vision insurance will be provided at the Fairfield County ESC Governing Board's cost to eligible employees, as per the guidelines for eligible employees.

(Approval date: January 7, 2003)

## CLASSIFIED STAFF LEAVES AND ABSENCES

Leaves and absences granted to the classified staff are for the purposes of helping them maintain their physical health, taking care of family and other personal emergencies and discharging important and necessary obligations.

All requests for long-term leaves of absence are submitted by the Superintendent, together with his/her recommendations, to the Board for its action.

[Adoption date: January 7, 2003]

LEGAL REFS.: Family and Medical Leave Act; 29 USC 2611 et seq.  
ORC 124.38-124.39  
3313.20; 3313.211  
3319.13; 3319.141; 3319.143

CROSS REF.: GBR, Family and Medical Leave

CLASSIFIED STAFF LEAVES AND ABSENCES/  
CERTIFIED STAFF LEAVES AND ABSENCES

Personal/Emergency Leave Policy

The Fairfield County Educational Service Center Governing Board believes that there are situations which arise where an employee needs to be off work for a legitimate reason but that reason may not fall into the realm of sick leave. Because of this belief, the Fairfield County ESC Governing Board has established this personal/emergency leave policy.

Personal/Emergency leave is not designed to be "extra days of vacation" but is to be used primarily for business matters or other circumstances that cannot be scheduled outside of the school day or handled by making alternate arrangements. Reasons for planned personal/emergency leave need not be given if requests are submitted in accordance with item #2. If the requests are in accordance with #3, reasons shall be given.

It is the employee's responsibility to ensure that all professional obligations are covered or accounted for on any day that he/she takes a personal emergency leave day.

1. Each full-time employee of the Fairfield County ESC shall be entitled to personal/emergency leave not to exceed three days for each year, July 1 through June 30. Less than full-time employees and employees hired after the beginning of the contract year shall be entitled to personal leave prorated to the time actually worked based on the rate of .25 personal days per month. As needed, hourly employees are not eligible for personal days.
2. All requests for personal/emergency leave must be in writing and in the hands of the Superintendent or an administrative employee designated by him/her, at least 48 hours before the time requested for such leave (except for emergency personal leave as defined in #3 below).
3. The Superintendent may orally grant emergency personal leave for accidents, road conditions or transportation problems, death of a relative or friend, or home problems such as utility malfunctions, fires, etc. In emergency situations, the absence form shall be filled out after the employee returns to work. The reason for the emergency leave, and any arrangements needed to cover work-related obligations for the time of the emergency leave, shall be communicated to the Superintendent at the time of the request.
4. Personal/Emergency leave will not be cumulative. However, any unused personal/emergency leave days will be converted to sick leave days at the end of each contract year, with the maximum number of sick days not to exceed the maximum accumulated sick days allowed by Board policy.

5. Personal/Emergency leave days shall not be charged against sick leave earned.
6. Personal/Emergency leave days may be used as sick days only when all accumulated sick leave days have been exhausted.
7. Classroom personnel may not use a personal leave day the day before or the day after a scheduled holiday break.
8. The Superintendent of the Fairfield County ESC, or an administrative employee designated by him/her, shall be the final authority in the granting of personal/emergency leave.

### Sick Leave Policy

1. There shall be 15 days of sick leave per school year for each employee of the Fairfield County Educational Service Center Governing Board. Employees who render part-time, seasonal, intermittent, per diem, or hourly service shall be entitled to sick leave for the time actually worked at the same rate as that granted to full-time employees. The basis for determining the number of days of sick leave shall be 1.25 days per month for 12 months. The sick leave shall be cumulative to a maximum set by Board action (200 days).

At any time an employee has no accumulated sick leave and has need of such, five days will be advanced to that employee. Sick leave which is advanced will be charged to any subsequent accumulation.

If a person is employed during the school year, he/she shall be credited with days of sick leave in proportion to the fractional part of his/her term which remains at the rate of 1.25 days per month.

2. Proof of illness or of absence for other reasons must be established with the Fairfield County ESC Superintendent.

Each absence must be explained on a form provided.

Each employee absent more than five consecutive days may be required to furnish a satisfactory written, signed statement listing the name and address of the attending physician and the dates when he/she was consulted to justify the use of sick leave. This is to be interpreted to also include absence as a result of personal illness or injury in the immediate family, and filing of such absence report by an employee shall be a certification by him/her that the facts and statements contained in said report are true and correct. Falsification of a statement is grounds for suspension or termination of employment under the Ohio Revised Code.

3. An employee may use a part or all of the accumulated leave before 200 days. After any period of acceptable absence as described in this sick leave plan, the leave can again be built up to the maximum of 200 days by regular attendance. Employees, upon approval of the responsible administrative officer of the Fairfield County ESC, may use sick leave for pregnancy, injury, exposure to contagious disease which could be communicated to others, and for absence due to illness, injury, or death in the employee's immediate family. Immediate family shall be interpreted to include parents, brothers, sisters, children, grandchildren, grandparents, spouse, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law or anyone living in the same household.
4. An employee planning to request a leave of absence because of disability resulting from illness, injury or pregnancy shall make his/her request in writing, accompanied with a statement from his/her doctor indicating the nature and expected duration of the disability. This request should be made as early as possible. For the purpose of this provision, disability resulting from illness, injury or pregnancy is the period during which the employee is not physically and/or emotionally capable to perform all the duties and functions of his/her position. This beginning date of disability and the termination of disability shall be established by written statement of the employee's doctor. Verification of continuing disability may be required by the Fairfield County ESC Superintendent, upon written notice to the employee.
5. An employee who transfers from a public agency to the Fairfield County ESC shall be credited with the unused balance of his/her accumulation up to 200 days, provided that such reemployment takes place within 10 years of the date of the last termination from public service.
6. Any employee who uses all his/her accumulated sick leave may substitute unused personal, emergency, or other form of leave provided for under the Ohio Revised Code.
7. According to the Ohio Revised Code, the Fairfield County ESC Governing Board shall continue to carry, on payroll records, all school employees whose sick leave has been exhausted, or who are on disability leave of absence, or who are on an approved leave of absence, for the purpose of group term life, hospitalization, surgical and major medical insurance coverage. The Board may pay all or part of such coverage except when employees are on an approved leave of absence or on a disability leave of absence for a period exceeding two years.
8. Any employee absent from work in excess of the number of sick leave or other authorized leave days accumulated by the employee shall receive a salary deduction calculated by dividing the number of days in the employee's duty year into the gross annual salary, thus arriving at the per day deduction.

Leave of Absence Policy

Upon written request to the Fairfield County Educational Service Center Superintendent, the Fairfield County Educational Service Center Governing Board may grant a leave of absence for educational, professional, personal, or other purposes, and shall grant such leaves where illness or other disability is the reason for the request. All leaves of absence will be without pay.

Leaves of absence for any purpose, other than military service, may be granted for not more than two years. If the leave commences during the office calendar year, the normal duration of the leave will be until the end of the same office year. In unusual circumstances, the leave may be extended to the maximum of two full years.

The Fairfield County ESC Governing Board cannot guarantee the return of the employee to the assignment held prior to the leave; however, efforts will be made to return the employee to a comparable position.

If a leave expires at the end of the fiscal year, an employee on leave of absence shall notify the Fairfield County ESC Superintendent by May 1 as to their intent to return, or if the leave expires at any other time, the employee shall notify the Fairfield County ESC Superintendent at least 30 days prior to the expiration as to their intent to return.

Upon the return of an employee from leave, the employment of any person hired to fill the position of the employee on leave will be terminated without further action by the Fairfield County ESC Governing Board. The expected term of employment of all such substitute employees will be clearly identified in written documentation provided to the substitute, with a clear statement that with the return of the regular employee, the substitute's employment will end.

An employee returning from a leave of absence shall be placed on the same pay step that he/she left on the existing pay scale. Employees returning from leave granted for illness or disability may be required to submit evidence of ability to perform the normal duties of employment.

(Approval date: January 7, 2003)

Revised: July 2, 2007 Sick Leave Policy

## CLASSIFIED STAFF VACATIONS AND HOLIDAYS

### Vacations

Certain classified staff personnel employed on a 11 or 12 month basis receive vacation during the contract year.

The Superintendent gives final approval of vacation schedules for the classified staff. It is his/her responsibility to see that vacations are scheduled so that the least interference with the operation of the schools results. A written request for vacation is submitted to the Superintendent for approval.

### Holidays

The school calendar, as adopted by the Board, establishes the ESC recess periods and holidays for all classified staff employed on a school-year basis.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 1.14  
3319.084; 3319.086; 3319.087

CLASSIFIED STAFF VACATIONS AND HOLIDAYS/  
CERTIFIED STAFF VACATIONS AND HOLIDAYS

Vacation

1. It is the belief of the Fairfield County Educational Service Center Governing Board that vacation is an important factor in assisting full-time employees to perform their assigned duties. Vacation gives the full-time employee the opportunity to renew themselves, and thus, do a better job.

The Fairfield County ESC Governing Board, therefore, urges employees to use their accumulated vacation time each year, if at all possible.

Vacation days will be earned in accordance with this policy.

2. Vacation days as described in this policy are days that an employee is entitled to be away from work and are in addition to the regular nonwork days or holidays as established by the Fairfield County ESC Governing Board.

Experience for calculating the number of vacation days due to an employee will be based on the recognized accumulated experience as follows:

Number of years employed by any chartered school district in the state of Ohio, or employed by the state or other political subdivision.

3. Twelve-month full-time employees will earn vacation days as follows:
  - A. Ten workdays of paid vacation shall be accumulated each contract year for the first five years of recognized accumulated employment.
  - B. Fifteen workdays of paid vacation shall be accumulated for each contract year for the sixth through the 10<sup>th</sup> year of recognized accumulated employment.
  - C. Twenty workdays of paid vacation shall be accumulated for each contract year after the 10<sup>th</sup> year.
4. Eleven-month, full-time employees will earn vacation days in accordance with their recognized accumulated experience.

For the purpose of calculating years of experience under this section (section 4), only experience under an 11 or more month contract will be used in determining years of service. Such service must have been with the state or another political subdivision and must have immediately preceded service to this governing board

- A. Ten workdays of paid vacation shall be accumulated each contract year for the first 10 years of recognized accumulated employment.
- B. Fifteen workdays of paid vacation shall be accumulated for each contract year for the 11<sup>th</sup> through the 20<sup>th</sup> year of recognized accumulated employment.
- C. Twenty workdays of paid vacation shall be accumulated for each contract year after the 20<sup>th</sup> year.

5. Accumulation and Carryover Provisions

An employee may accumulate up to a maximum of 150 percent, or 1 1/2 times the number of vacation days that he/she is eligible for during his/her current contract year.

Any unused vacation days will be carried over from one year to the next within the above 150 percent restriction.

Any vacation days earned in excess of the maximum permitted accumulation will be forfeited.

6. Payment for Unused Vacation Time at Separation of Employment

A. Certified Employees

No payment shall be made to any certified staff member for accumulated but unused vacation days at the point of separation of employment from the Fairfield County ESC. Any accumulated but unused vacation days due to an employee at the time of separation shall be forfeited.

B. Classified Employees

In accordance with ORC, full-time, non-certified employees shall be paid for accrued but unused vacation leave accumulated during the last two years of employment immediately preceding separation, plus any prorated days earned during the contract year in which separation takes place.

7. Use of Vacation Time

- A. Any employee may use earned vacation time with approval in advance by the Fairfield County ESC Superintendent.
- B. The Fairfield County ESC Superintendent and Fairfield County ESC Treasurer may use earned vacation time at their discretion.

8. Payment of Accrued and Unused Vacation Time upon the Death of an Employee

Payments of accrued, unused vacation time upon the death of an employee under contract to the Fairfield County ESC Governing Board will be as follows:

A. Certified Employees

Upon the death of any certified employee, any accrued and unused vacation leave accumulated during the current contract year in which the death takes place shall be paid to the surviving spouse or other family member in accordance with the law.

B. Classified Employees

Upon the death of a classified employee, any accrued and unused vacation leave accumulated for the two years immediately preceding the employee's death, plus any prorated days earned during the contract year in which the death takes place, must be paid to the surviving spouse or other family member in accordance with the law.

(Approval date: January 7, 2003)

Revised: August 2, 2005

## CLASSIFIED STAFF RECRUITING/POSTING OF VACANCIES

The recruitment and selection of suitable candidates for positions is the responsibility of the Superintendent, who confers with principals and other supervisors before making a selection. An employee may apply for any vacancy for which he/she is qualified.

All appointments to the classified staff are made by the Superintendent, subject to confirmation by the Board. In making these appointments, the Superintendent carefully observes all pertinent laws as well as any regulations which may be approved from time to time by the Board.

The Board fixes conditions of employment as well as wages, hours and other benefits for classified staff members upon the recommendation of the Superintendent or as determined by the negotiated agreement.

[Adoption date: January 7, 2003]

LEGAL REFS.: Fair Credit Reporting Act; 15 USC 1681 et seq.  
ORC Chapter 124  
3319.04; 3319.081 et seq.  
3327.10  
4141.29  
OAC 3301-35-03(A)

CROSS REFS.: AC, Nondiscrimination  
GBA, Equal Opportunity Employment  
GBQ, Criminal Record Check  
GCC, Certified Staff Recruiting

## CLASSIFIED STAFF HIRING

The Board shall approve the employment, fix the compensation and establish the term of employment for each person employed by this ESC. Such approval shall be given only to those candidates for employment recommended by the Superintendent. When any recommended candidate has been rejected by the Board, the Superintendent shall make an alternate recommendation.

The Board staff will process all applications for employment in the manner specified hereinafter.

Relatives of Board members may be employed by the Board, provided the member of the Board involved does not participate in any way in the discussion or vote.

Any employee's misstatement of fact, material to qualifications for employment or the determination of salary, shall be considered by this Board to constitute grounds for dismissal.

The employment of classified employees prior to approval by the Board is authorized when their employment is required to maintain continuity of services in the ESC. Retroactive employment shall be recommended to the Board at the next meeting.

The administration may administer such screening tests as may bear upon the candidate's ability to perform the tasks for which he/she is being considered.

The administration shall seek such recommendations from former employers and others as may be of assistance in assessing the candidate's qualifications. Such records shall be retained confidentially and for official use only.

All candidates shall be recruited specifically for the position of intent, with equal opportunity given to all in compliance with all State and Federal laws.

1. Newly hired regular employees shall be given not more than a one-year limited contract. Such contract shall be written to expire on the succeeding July 31.
2. If the employee is re-employed, the limited contract shall be for a period of two years.
3. At the termination of the two-year contract, if such contract is renewed, the employee shall be employed on a continuing contract.

[Adoption date: January 7, 2003]

CROSS REFS.: AC, Nondiscrimination/Harassment  
GBA, Equal Opportunity Employment

GBQ, Criminal Record Check

PART-TIME, TEMPORARY AND SUBSTITUTE CLASSIFIED STAFF EMPLOYMENT

The names of potential substitute personnel and the positions in which they may substitute shall be maintained in the office of the Superintendent.

Relatives of Board members may be employed by the Board, provided the member of the Board involved does not participate in any way in the discussion or vote.

The initial employment of substitute employees prior to approval by the Board is authorized when their employment is required to maintain continuity of services in the ESC. Retroactive employment shall be recommended to the Board at the next meeting.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 124.27  
3319.081; 3319.141

## CLASSIFIED STAFF ORIENTATION

Administrators of the ESC are responsible for the orientation of new classified staff personnel so that they may clearly understand:

1. the responsibilities of the position to which they have been assigned;
2. the person or persons to whom they are directly responsible;
3. the objectives of the department to which they are assigned and
4. how to acquire professional and technical assistance when needed.

[Adoption date: January 7, 2003]

CLASSIFIED STAFF ASSIGNMENTS AND TRANSFERS

Responsibility for the assignment and transfer of classified employees shall be vested in the Superintendent.

The Superintendent provides for a system of voluntary transfers.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 124.32  
OAC 3301-35-03(A)

## CLASSIFIED STAFF TIME SCHEDULES

### Staff Working Hours/Calendar Policy

The Fairfield County Educational Service Center Governing Board believes that the established hours of operation for the Fairfield County Educational Service Center and our employees should be such that they meet the needs of our constituents, the students, teachers, administrators and parents of our schools. We further believe that as a public body we need to have accountability with our constituents. To assist in meeting these ends, we are establishing the listed hours of operation. While establishing these parameters, we realize that the administration must have the flexibility to modify these hours when needed.

1. The Fairfield County ESC will have normal operating hours of 8:00 a.m. until 4:00 p.m.
2. All certified employees, except those assigned to classroom units, shall adhere to a normal workday of seven hours of work and up to one hour for lunch. Certified employees assigned to classroom units shall adhere to the hours of operation as established by the building to which they are assigned.
3. Classified employees employed in the Fairfield County ESC office shall adhere to a normal workday of 8:00 a.m. until 4:00 p.m. This day shall consist of seven hours of work and up to one hour for lunch. Classified employees assigned to classroom units shall adhere to the hours of operation as established for the unit to which they are assigned.
4. Variances from the established schedule must be approved by the Fairfield County ESC Superintendent or his/her designee in advance.

Employees who wish to vary their schedule on a regular basis (e.g., 7:00 a.m. to 3:00 p.m. daily or for an extended number of days) shall submit a request in writing along with the reason(s) for the request. Such request will be granted only if the alternate schedule will not have an adverse effect on the employee's job requirements. Such requests must be resubmitted each year if they are to continue from one year to the next.

5. The Fairfield County ESC Superintendent may vary the work schedule during the summer, during periods when the schools are closed or when need warrants it. Any such alternative work schedules shall equal the normal number of hours of work per day or week as indicated above.
6. Lunch for office employees shall not exceed 60 minutes in length per day. If lunch does exceed 60 minutes during a given day, the employee shall adjust his/her schedule to make up the excess time.

7. All classroom employees will adhere to their building calendar, and all office employees will adhere to the Fairfield County ESC Governing Board-adopted calendar.

[Adoption date: January 7, 2003]

## CLASSIFIED STAFF EXTRA DUTY

### Compensatory Time

Time that is to be worked and accrued as compensatory time is to be approved by the Superintendent at least 48 hours in advance of the time to be worked, except in an emergency situation.

Accumulation of compensatory time will be limited to 240 hours. Compensatory time will be accumulated at time-and-a-half. Employees will not be paid for unused compensatory time upon separation of employment.

Compensatory time may be accrued when an employee must work more than their contractual work week for any given week; 35 hours in the case of a full-time employee. Time for which an employee is compensated for sick, vacation and/or personal leave, but does not actually work, will not be computed as "hours worked" for purposes of determining eligibility for compensatory time off.

If an employee chooses to work on a scheduled non-workday, as per the office calendar, compensatory time may be earned following preapproval, regardless of the number of hours worked in that week.

[Adoption date: January 7, 2003]

## CLASSIFIED STAFF DEVELOPMENT OPPORTUNITIES

Classified staff training and development is essential to the efficient and economical operation of the schools.

All classified staff employees are encouraged to grow in job skills and to take additional training which improves their skills on the job. Supervisors assist in the training of classified staff assigned to their respective buildings.

The Superintendent may grant absences to attend meetings, conventions, conferences or workshops of local, state or national associations which serve to advance the welfare of the ESC through the upgrading and strengthening of the support service.

[Adoption date: January 7, 2003]

LEGAL REF.: OAC 3301-35-03

## CLASSIFIED STAFF DEVELOPMENT OPPORTUNITIES

### Tuition Reimbursement Policy

The Fairfield County Educational Service Center Governing Board believes that it is vital that its employees continue to improve their knowledge and skills through continual education.

To assist employees in upgrading job-related knowledge and skills, the Fairfield County ESC Governing Board will reimburse employees for a maximum per contract year of four semester hours or six quarter hours. The reimbursement shall be at a rate of \$30 per quarter hour or \$45 per semester hour of undergraduate credit and \$45 per quarter hour or \$60 per semester hour of graduate credit.

Temporary, substitute, as-needed or summer employees shall not be entitled to receive tuition reimbursement.

The employee must have the "Request for Tuition Reimbursement" form approved by the Superintendent and obtain a purchase order before enrollment in the course. Grade slips indicating credit received must be submitted to the Treasurer after the course is completed. A grade of "C" or higher must be obtained for reimbursement to be granted. In courses that do not carry a letter grade, passing or credit must be obtained for reimbursement.

In the event an employee attends a workshop for which there is a fee, and college credits are offered as a part of the workshop at an additional fee (tuition charge), the employee may elect to either have the ESC reimburse the workshop fee (approved amount per year) or request tuition reimbursement for the tuition charge. The ESC will not reimburse both the workshop fee and tuition fee.

When a Fairfield County ESC employee resigns, or when a Fairfield County ESC employee is notified that he/she will not be re-employed, or when an employee's contract is terminated by the Fairfield County ESC Governing Board, he/she shall not be eligible to receive payment for tuition reimbursement for any courses taken during that quarter or semester in which the resignation, nonrenewal or termination is effective.

The Fairfield County ESC Superintendent will determine whether the course is job related. If the course is determined to be job related, the Fairfield County ESC Superintendent shall approve the request for tuition reimbursement. If the course is determined not to be job related, the Fairfield County ESC Superintendent will not approve the request for tuition reimbursement.

If an employee does not agree with the decision of the Fairfield County ESC Superintendent concerning a course being job related or not, he/she may appeal to the Fairfield County ESC Governing Board. The decision of the Fairfield County ESC Governing Board is final.



Professional Leave

The following procedures and regulations shall be observed in administering the Fairfield County Educational Service Center Governing Board policy on staff Development.

1. Criteria for Attendance at Professional Meetings

- A. Will the Fairfield County Schools benefit?
- B. Is the meeting or conference appropriate for the person making the request?
- C. How much time would be lost from work?
- D. Are funds available in the appropriation?
- E. How many persons are requesting attendance at this meeting or conference?
- F. How many meetings or conferences has this person attended?
- G. Can suitable arrangements be made for the employee's school responsibilities?
- H. If out of state, how long has it been since the person making the request has attended an out-of-state or national meeting?

2. Conferences

Employees desiring to attend a conference shall complete the form "Request for Permission to Attend Professional Meetings or Conferences and Reimbursement for Such" and submit it to the Fairfield County ESC Superintendent or his/her designee at least two weeks prior to the conference. The Fairfield County ESC Superintendent or his/her designee may reject the request, approve the request or conditionally approve the request. The Fairfield County ESC Superintendent shall use the guidelines in item #1 in considering the request.

Requests which require Board approval must be submitted no later than the last Fairfield County ESC Governing Board meeting which occurs immediately prior to the requested conference or meeting.

Reimbursement for expenses to conferences shall be calculated as follows:

A. Transportation:

Actual cost of the ticket for airline coach class or other public transportation shall be covered. Travel by private automobile shall be reimbursable at the mileage rate established by the Fairfield County ESC Governing Board. If an employee is

able to choose between several modes of transportation, the least expensive method shall be used after considering such factors as time, lodging, meals and safety. If significant additional costs are incurred because of the employee's preference, such additional costs must be paid by the employee.

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B. Meals

Meals which fall at times outside of the conference time line, such as breakfast or dinner while traveling to or from a conference, are generally the expense of the employee. Exceptions to this are when the required travel time would be in excess of two hours before or after the normal workday (8:00 a.m. - 4:00 p.m.) of the Fairfield County ESC. Lunch cost will not be reimbursed for meetings lasting one day or less, unless the lunch cost is part of the registration fee.

All meals that are not part of the registration fee are reimbursable only with an accompanying receipt using the Fairfield County ESC Governing Board-adopted allowances. Banquets or luncheon meals that are part of the conference program will be paid by the Fairfield County ESC Governing Board.

C. Lodging

Generally, lodging for attendance at meetings will only be paid by the Fairfield County ESC Governing Board for meetings which are held at locations that are at least 75 or more miles away from Lancaster. The Fairfield County ESC Superintendent may, at his/her discretion, approve the payment of lodging for meetings that are less than 75 miles away, if circumstances warrant it.

The Fairfield County ESC Governing Board will pay for the cost of the single room rates.

D. Registration

The registration fee for approved conferences is paid by the Fairfield County ESC Governing Board.

E. Expenses must be itemized for such costs as parking, meals, tolls, local transportation, etc., and submitted with receipts to the Fairfield County ESC Treasurer upon the employee's return. Tips and alcohol are not reimbursable.

F. Fairfield County ESC Governing Board reimbursement will only be for actual expenses of the Fairfield County ESC Governing Board employees.

G. Professional Meeting Purchase Order Administration Guidelines apply to this policy.

3. Travel Regulations Policy

Staff personnel who official duties require travel shall be reimbursed according to the following regulations:

- A. The Board-approved rate of travel shall remain in effect until such time as modified by the Fairfield County Educational Service Center Governing Board.

- B. Travel expenses are limited to miles traveled between office and school and between school and school.
  - C. Travel expenses shall also include miles traveled on official business within the county or districts served or to official meetings outside the county.
  - D. Travel reimbursement shall be on a monthly basis according to those miles traveled as reported on the travel form provided by the Fairfield County ESC Governing Board and presented to the Fairfield County ESC Treasurer for payment by the last day of the month.
3. Other
- A. Workshops, seminars, classes, conferences, etc., required for certification, or purely for personal gain, shall be the responsibility of the individual.
  - B. A listing of conferences and persons who attended shall be made available to staff members. Any staff member wishing specific information about a particular conference may contact the person or persons who attended a particular conference and request information about that conference and/or topic. Staff members are also encouraged to share information at staff meetings when appropriate.

(Approval date: January 7, 2003)



## EVALUATION OF CLASSIFIED STAFF

The Board recognizes the importance of implementing a program of classified employee evaluations for the purpose of promoting individual job performance and improving services to students, local districts and the public.

The goals of the Board's evaluation plan for classified personnel are to identify and remediate weaknesses that prevent an employee from achieving the goals of assigned duties.

The structure of the evaluation plan shall provide a procedure for identifying and commending effective performance and counseling and assisting employees where improvement is desired.

The Superintendent shall prepare regulations for the conduct of employee evaluations, which shall include the following information.

1. The setting of specific job objectives by the evaluator and evaluatee in mutual agreement.
2. The identification of constraints hindering achievement of the employee's objectives as determined by the evaluator and evaluatee in mutual agreement.
3. The conducting of evaluations will be done annually.
4. A method of making records that ensures are based on observable and verifiable facts, note is taken of an employee's strengths as well as weaknesses, the same recording system will be used for all employees similarly situated, and all materials will be held confidential.
5. The provisions for remediating unsatisfactory performance by recommending how improvement can be effected and scheduling follow-up conferences to assess change.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC Chapter 124  
Chapter 4117  
3319.081  
OAC 3301-35-03(A)(8)

CLASSIFIED STAFF TERMINATION OF EMPLOYEES/RESIGNATION

An employment contract may be suspended or terminated for violation of the policies of the Board or for the reasons set forth in law upon a majority vote of the Board.

An employee under contract may resign by filing a written resignation with the Treasurer or the Superintendent at least 30 days prior to the effective date of resignation. Normally, any employee who desires to take another position may be released by the Board.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 2921.42; 2921.43  
3319.081

## CLASSIFIED STAFF SEVERANCE PAY

All employees covered by the Revised Code, state of Ohio, who present evidence of disability or service retirement from the State Teachers Retirement System or the School Employees Retirement System, shall at the time of disability or service retirement be eligible for severance pay for unused, accrued sick leave according to the following provisions:

1. To be eligible, the employee must retire from active service with the Fairfield County Educational Service Center. Retirement is defined as either disability or service retirement.
2. The employee must have minimum of 10 years of service in education in the state of Ohio.
3. To be eligible for severance pay, the employee must apply in writing, using the form "Application for Payment of Severance Pay," no later than 60 days after the last paid date of service with the Fairfield County ESC.
4. The application for severance pay must be accompanied by an appropriate document from the retirement system indicating the number of years of retirement credit allowed by that system.
5. Contributions to the retirement systems for severance pay will not be made by either the Board or the employee.
6. Severance pay will be paid in one installment, made within 60 days after the employee has complied with the procedures listed in number 14 of this policy.
7. Payment shall be made only upon disability or service retirement and is not authorized in the event of death of the employee prior to other approval of the application for retirement by the appropriate retirement system.
8. In the event of death of an employee who has had his/her application for retirement approved by the appropriate retirement system and who has filed the appropriate application for severance pay with the Treasurer, payment will be made to the legal heir(s).
9. Payment shall be subject to all legal deductions.
10. Payment of severance pay for unused accrued sick leave shall eliminate all accrued but unused sick leave of the employee.
11. Severance pay shall be one-fourth (1/4) of the employee's accrued but unused sick leave credit or shall not exceed a maximum of 40 days.



12. Payment shall be based upon the employee's daily base rate of pay at the time of retirement. This rate will be calculated by dividing the employee's annual salary by the number of contract days.
13. This policy does not offer retroactive benefits to employees who have retired prior to its effective date.
14. Procedures
  - A. Complete the form "Application for Payment of Severance Pay"
  - B. Submit the above completed form, along with a letter of resignation confirming intent to retire, to the Treasurer.
  - C. Complete the appropriate forms for retirement obtained from the appropriate retirement system.
  - D. When obtained, submit verification of approval for retirement by the appropriate state retirement system.
  - E. Upon receipt of all required forms and verifications, the Treasurer will present the request for payment of severance pay to the Fairfield County ESC Governing Board.
  - F. The payment will be made within 60 days after items 14-A through 14-E have been completed.

(Adoption date: January 7, 2003)



## SUSPENSION, DEMOTION AND TERMINATION OF CLASSIFIED STAFF MEMBERS

The employment of classified staff members may be terminated for violation of written policies and regulations as set forth by the Board or for incompetency, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, sexual battery, certain ethics violations, conflict of interest or any other acts of misfeasance, malfeasance or nonfeasance.

The Board may also suspend an employee for a definite period of time or demote, with or without pay, an employee for these same reasons.

The action of the Board to terminate the contract of any employee or to suspend or demote him/her is done in compliance with all statutory and constitutionally mandated procedures, including the opportunity for a hearing prior to the termination and if a hearing is required, prior to the suspension or demotion.

[Adoption date: January 7, 2003]

LEGAL REFS.: Fair Credit Reporting Act; 15 USC 1681 et seq.  
ORC 124.32; 124.33; 124.34; 124.36  
3319.04; 3319.081; 3319.083

CROSS REF.: GBQ, Criminal Record Check