

V. Employees

5.11 Equal Opportunity - Employment

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to be an equal opportunity employer.

A. Discrimination against an otherwise qualified individual with a disability or any individual by reason of race, color, religion, sex, age, or national origin is prohibited.

B. The Superintendent shall institute systems and procedures intended to ensure equal opportunity in employment for all qualified persons.

LEGAL REF.:

A.R.S.

13-904

41-1461

41-1463

41-1465

Last Revision Date: June 25, 2022

5.12 Equal Opportunity - Complaints

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Definitions: “Concerns and Complaints” are defined as expressions of dissatisfaction by an employee(s) regarding conditions or circumstances that do not allege a misinterpretation or violation of a Governing Board policy or procedure and are therefore not covered by the District's formal grievance procedure.

Policy Objectives: It is the intent of the Board that the procedure for addressing employee concerns and complaints is to settle matters fairly, confidentially (to the extent permitted by law), quickly, and at the lowest organizational level possible.

A. The Superintendent shall develop a procedure for personnel to present written concerns and complaints, and for achieving resolution of concerns and complaints. When the Superintendent must determine the resolution of a concern or complaint, the Superintendent's decision shall be final.

B. Effective communication between District employees, the administrative staff, the Superintendent and the Board is essential for proper operation of the schools. Therefore, the District shall establish a grievance procedure for employees as the prescribed means of resolving grievances at the earliest date and the lowest possible administrative level.

1. Such procedure shall provide that the Board may review any grievance that cannot be resolved at the administrative level.
2. The Superintendent also may request that the Board review a grievance. In such cases, the decision of the Governing Board is final.

LEGAL REF.:

A.R.S.

38-532

Last Revision Date: June 25, 2022

5.21 Employment - Priorities

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to employ staff dedicated to the academic achievement of students.

A. The Board recognizes that dynamic and efficient staff members dedicated to education are necessary to maintain a constantly improving educational program. The Board is interested in its personnel as individuals, and it recognizes its responsibility for promoting the general welfare of the staff members.

B. Personnel policies adopted by the Governing Board are to serve as guidelines for the efficient and successful functioning of the District.

C. The policies are framed and intended to be interpreted within the context of applicable laws and regulations. Changes in the laws and agency rules, as well as in the needs, conditions, purposes, and objectives of the District may result in revisions, deletions, and additions to the policies. Therefore, to the extent permitted or required by law, District personnel policies may be modified, amended, or repealed at any time as the Board determines to be in the best interest of the District. No person shall be deemed to have a vested right to continuing employment or benefits associated with District employment except as may be required by law and provided in the respective employee's written contract or employment agreement.

D. Wherever inconsistencies of interpretation arise, the law and regulations prevail.

E. The Superintendent shall outline and assign the duties of the staff in a job description.

F. The Superintendent will establish systems and procedures necessary to achieve the following personnel priorities:

1. Recruiting, selecting, and employing the best-qualified personnel to staff the school system.
2. An employee appraisal program that will contribute to the continuous improvement of staff performance.
3. Professional development and in-service training programs for employees that will improve their rates of performance and retention.
4. Deployment of the available personnel to ensure that they are utilized as effectively as possible within budgetary constraints.
5. Foster human relationships necessary to obtain maximum staff performance and satisfaction.
6. A staff compensation program sufficient to attract and retain qualified employees within the fiscal limitations of the District.
7. Equal opportunity for persons to seek, obtain, and hold employment regardless of race, color, religion, disability, national origin, sex, age, or socioeconomic status.

LEGAL REF.:

A.R.S.

15-341

15-342

15-502

15-503

15-546

Last Revision Date: June 25, 2022

5.22 Employment - Staff Positions

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to create staff positions only with the approval of the board through the budget process, with the objective of creating enough positions to accomplish the District's goals and objectives.

A. Before recommending the establishment of any new position, the Superintendent shall establish a job description for the position that specifies the qualifications, the performance responsibilities, and the method by which the performance of such responsibilities will be evaluated. The establishment of any new position will require Governing Board approval.

1. The Superintendent will provide prior year staffing count, by position, by building and budget staffing count, by position, by building.
2. Staff positions budgeted, but not filled, will be reported to the Board no less than 2 months after the start of the school year.

B. The District shall maintain a comprehensive and up-to-date set of job descriptions of all positions in the school system.

C. Where a mistake is due to a clerical error by District staff or to a mutual mistake by the parties:

1. If an employee has received more money than the employee is entitled for work performed, the employee shall at the District's option, 1) immediately repay any amount erroneously paid to the employee or 2) allow the District to reduce future payments to the employee to make up for any amount erroneously paid.
2. This remedy shall be in addition to any other remedy to which the District is entitled under policy or law.

LEGAL REF.:

A.R.S.

15-501

15-502

15-503

Last Revision Date: June 25, 2022

5.23 Employment - Contracts and Compensation

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that District salaries will be differentiated in relationship to duties and responsibilities and individual contracts will be offered to each member of staff.

A. The Superintendent shall provide recommendations on salaries and fringe benefits to the Board each year.

B. The Board will annually establish the salaries and benefits for all employees within the budgetary constraints of the District unless otherwise agreed upon.

C. Every fiscal year, each District employee will be provided a total compensation statement that is broken down by category of benefit or payment and that includes, for that employee, at least all of the following:

1. Base salary and any additional pay.
2. Medical benefits and the value of any employer-paid portions of insurance plan premiums.
3. Retirement benefit plans, including social security.
4. Legally required benefits.
5. Any paid leave.
6. Any other payment made to or on behalf of the employee.
7. Any other benefit provided to the employee.

D. Where a mistake is due to a clerical error by District staff or to a mutual mistake by the parties:

1. If an employee has received more money than the employee is entitled for work performed, the employee shall at the District's option, 1) immediately repay any amount erroneously paid to the employee or 2) allow the District to reduce future payments to the employee to make up for any amount erroneously paid.
2. This remedy shall be in addition to any other remedy to which the District is entitled under policy or law.

E. Pay for substitute teaching will be established by the Board.

F. The Superintendent shall recommend to the Board an extra-duty pay schedule each year for its review and action.

G. The Board will review staff fringe benefits each year during the budget process and may modify the benefits to meet the best interest of the District.

LEGAL REF.:

A.R.S.

15-187

15-341

15-502

15-503

15-544

15-941

15-952

15-977

Last Revision Date: June 25, 2022

5.24 Employment - Professional Staff Hiring

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to hire the best and most qualified personnel.

A. Anti-Discrimination Notice: It is illegal to discriminate against any individual (other than an alien not authorized to work in the U.S.) in hiring, discharging, or recruiting or referring for a fee because of that individual's national origin or citizenship status. It is illegal to discriminate against work eligible individuals. Employers cannot specify which documents(s) they will accept from an employee. The refusal to hire an individual because of a future expiration date may also constitute illegal discrimination.

B. Effective January 1, 2008, Arizona schools must use the federal governments Basic Pilot Program to verify the employment authorization of all newly hired employees.

C. The Department of Homeland Security's (DHS U.S. Citizenship and Immigration Services Bureau (USCIS and the Social Security Administration (SSA)) are jointly conducting E-Verify, formerly known as the Basic Pilot. E-Verify involves verification checks of the SSA and the DHS databases, using an automated system to verify the employment authorization of all newly hired employees.

D. There are four (4) types of access to E-Verify: As an employer, as a designated agent for the employers, as a multi-location corporate administrator, or through a web service.

1. An employer's participation in E-Verify is voluntary and is currently free to employers.
2. To participate, an employer must register online and accept the electronic Memorandum of Understanding (MOU) that sets forth the responsibilities of the SSA, USCIS, and the employer.

E. The Immigration Reform and Control Act of 1986 (IRCA) requires that all new employees, both regular and casual, establish their eligibility for employment in the United States. This federal law applies to U.S. citizens as well as to foreign nationals. An employment Eligibility Verification (Form I-9) must be completed with three (3) business days of the employee's hire date. Employees who do not provide the necessary documentation within three (3) business days must be discharged.

F. The district may not employ either of the following in a position that requires a valid fingerprint clearance card:

1. A certificated person whose certificate has been suspended, surrendered or revoked, unless the State Board of Education has subsequently reinstated the person's certificate.
2. A noncertificated person who has been prohibited from employment at a school district or charter school by the State Board of Education pursuant A.R.S. 15-505.

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

H. Before employment, schools or school districts shall verify the certification and fingerprint status of applicants who apply for school or school district positions that require certification.

I. Should the need arise to employ a teacher who meets the requirements for a conditional certificate before an applicant has obtained the appropriate valid fingerprint clearance card, the District may assist in obtaining the conditional certificate, and employ the teacher, by meeting all of the following conditions:

1. The District verifies in writing on a form provided by the Arizona Department of Education (ADE) the necessity for hiring and placing the applicant into service before a fingerprinting check is completed.
2. The District obtains from the Department of Public Safety state-wide criminal records check on the applicant. Subsequent criminal records checks must be completed every one hundred twenty (120) days until a permanent certificate is received.
3. The District searches the criminal records of all local jurisdictions outside Arizona where the applicant has lived in the previous five (5) years.
4. The District obtains references from the applicant's current employer and two (2) most recent previous employers, except that for applicants who have been employed for at least five (5) years by the most recent employer or most recent two (2) employers, only references from that employer are required.
5. The District provides general supervision of the applicant until permanent certification is issued by ADE.

J. The acceptance of the contract must be indicated with fifteen (15) business days from the date of the teacher's receipt of the written contract or the offer of a contract is revoked.

K. Receipt is considered to have occurred when the written contract is:

1. personally delivered,
2. placed in a school-provided mailbox, including electronic mail, or
3. sent as an electronic contract or
4. two (2) days after being placed in a United States Postal Service mail box.

L. The employee accepts the contract by signing the contract and returning it to the Board or by making a written instrument which accepts the terms of the contract and delivering it to the Board.

1. If the written instrument includes terms in addition to the terms of the contract offered by the Board, the teacher fails to accept the contract.

LEGAL REF.:

A.R.S.
13-3716
15-153
15-502

LEGAL REF.:

15-503

15-505

15-512

15-536

15-538.01

15-539

15-550

23-211

23-212

23-1361

38-201

38-231

38-232

38-766.01

41-1750

41-1756

Last Revision Date: June 25, 2022

5.25 Employment - Personnel Records

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to maintain complete and current official personnel files for each District employee and to release to the public contents of the personnel file to the extent that disclosure is compelled as a public record.

- A. The Superintendent will maintain a complete and current official personnel file for each District employee which shall include, but not be limited to:
1. **Official Transcripts:** Professional employees are required to supply the District office with current and complete official transcripts of all college credits.
 2. **Current Certification:** It is the duty and responsibility of each certificated employee to keep their certification current.
 3. **Derogatory Information:** Employees will be advised of, and will be permitted to review and comment on, all information of a derogatory nature prior to placement in their respective personnel files. The employee may prepare a written reply to such information, and such reply, if any, will be appended to the information in the file.
 4. **Disciplinary Records:** Records reasonably necessary or appropriate to maintain an accurate knowledge of disciplinary actions regarding staff members and the staff member's responses will be maintained. Disciplinary action records shall be open to inspection and copying unless such inspection and disclosure of records or information in the records is contrary to law.
- B. The Superintendent will ensure procedures exist to maintain confidentiality and access of personnel files, including, but not limited to:
1. Subfiles may be created within a personnel file as are appropriate to ensure confidentiality of those files made confidential by law and efficient use of the file.
 2. Access to personnel files will be limited to authorized District officials and employees authorized to handle personnel files.
 3. Individual Board members may only inspect confidential staff files when specifically authorized by the Board, as evidenced by action of a quorum of the Board in a legal meeting properly noticed.
 4. Employees may review their own files by making written requests to the Human Relations Department.
 5. Materials obtained prior to an employee's employment, such as confidential recommendations or interview notes, will not be available for review by the employee.
 6. Teacher evaluations are confidential, do not constitute a public record, and shall not be released or shown to any person except for the explicit purposes set out in A.R.S. §15-537.
 7. The Superintendent shall release to the public contents of the personnel file to the extent that disclosure is compelled as a public record.

C. Unless otherwise specifically provided by law, a school district shall not:

1. Use an individual's social security number on forms of identification.
2. Transmit to another individual material that contains both the individual's social security number and the individual's financial institution account number. This does not preclude the transmission of documents of enrollment, amendment, termination, or contracting for financial services nor does it preclude transmitting documents confirming the accuracy of the numbers previously submitted.

D. The Superintendent shall prepare procedures to implement this policy and A.R.S.§44-1373 which restricts use of personal identifying information.

LEGAL REF.:

A.R.S.

15-302

15-502

15-537

23-926

23-1361

23-1362

38-233

39-121 et seq.

41-1482

Last Revision Date: June 25, 2022

5.26 Employment – Certificated Employee Requirements

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that certificated staff meet mandatory requirements outlined in this policy.

A. Certificated staff are personnel who must possess a certificate as a condition of employment and who, as a condition of their certification are required to have a valid fingerprint clearance card pursuant to A.R.S. §15-1330.

1. Certificated employees shall submit a notarized affidavit consistent with requirements of A.R.S. §15-1330 (referencing A.R.S. §41-1758.03).

B. Certificated employees shall certify on the prescribed notarized forms whether they are awaiting trial on or have ever been convicted of or admitted in open court or pursuant to a plea agreement committing any of the following criminal offenses in Arizona or similar offenses in any other jurisdiction, including a charge or conviction that has been vacated, set aside or expunged:

1. Sexual abuse of a minor.
2. Incest.
3. First- or second-degree murder.
4. Kidnapping.
5. Arson.
6. Sexual assault.
7. Sexual exploitation of a minor.
8. Felony offenses involving contributing to the delinquency of a minor.
9. Commercial sexual exploitation of a minor.
10. Felony offenses involving sale, distribution, or transportation of, offer to sell, transport, or distribute, or conspiracy to sell, transport, or distribute marijuana or dangerous or narcotic drugs.
11. Felony offenses involving the possession or use of marijuana, dangerous drugs, or narcotic drugs.
12. Misdemeanor offenses involving the possession or use of marijuana or dangerous drugs.
13. Burglary in the first degree.
14. Burglary in the second or third degree.
15. Aggravated or armed robbery.
16. Robbery.
17. A dangerous crime against children as defined in A.R.S. 13-604.01.
18. Child abuse.
19. Sexual conduct with a minor.
20. Molestation of a child.
21. Manslaughter.
22. Aggravated assault.
23. Assault.
24. Exploitation of minors involving drug offenses.

C. A person who makes a false statement, representation, or certification in any application for employment with the School District is guilty of a class 3 misdemeanor.

D. The Superintendent shall develop procedures in accordance with this policy.

LEGAL REF.:

A.R.S.

13-705

15-183

15-503

15-512

15-534

15-782.02

15-1330

15-1881

23-1361

41-1750

41-1758.07

Last Revision Date: June 25, 2022

5.27 Employment - Oath of Office

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that every District take the statutory oath of office.

A. Every school employee shall take and subscribe to the oath prescribed for public officers pursuant to A.R.S. 38-231. The person taking the oath shall file a copy of the acknowledged oath in the District office.

1. The Superintendent shall keep such copy on file as long as the employee remains employed by the District and for a period of five (5) years after termination of employment with the District.

LEGAL REF.:

A.R.S.

38-231

Last Revision Date: June 25, 2022

5.31 Conduct - General

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that all employees of the District conduct themselves in a manner consistent with effective and orderly education and to protect students and District property.

A. No employee shall, by action or inaction, interfere with or disrupt any District activity or encourage any such disruption.

B. No employee, other than one who has obtained authorization from the Superintendent, shall carry or possess a weapon on school grounds.

C. All employees shall at all times attempt to maintain order, abide by the policies, rules, and mandates of the District, and carry out all applicable orders issued by the Superintendent.

D. Potential consequences to employees of the District who violate these rules may include, but are not limited to:

1. Removal from school grounds.
2. Both civil and criminal sanctions, which may include, but are not limited to, criminal proceedings under Title 13, Chapter 29, Arizona Revised Statutes.
3. Warning.
4. Reprimand.
5. Suspension.
6. Dismissal.
7. Having consideration given to any such violations in the determination of or establishment of any pay or salary in later contracts or employment, if any.

E. Staff members are to report any suspected crime against a person or property that is a serious offense, involves a deadly weapon or dangerous instrument or that could pose a threat of death or serious injury and any conduct that poses a threat of death or serious physical injury to employees, students or others on school property.

1. All such reports shall be documented and communicated to the Superintendent who shall not fail to report such incidents to local law enforcement.
2. Conduct that is considered to be bullying, harassment or intimidation shall be addressed according to Policy 10.66 as required in A.R.S. 15-341(A)(36).

F. The Superintendent is to notify the parent or guardian of each student who is involved in a suspected crime or any conduct that is described above, subject to the requirements of federal law.

G. The District may post a link to the policy and procedures manual with a reference to the appropriate policies and procedures.

H. A person who violates the reporting requirements may be disciplined for violating the policies of the Board pursuant to A.R.S. 15-341 and notwithstanding A.R.S. 15-341, may be subject to dismissal. Each Board shall prescribe and enforce policies and procedures that require the Superintendent to maintain a record on any person who is disciplined pursuant to this policy and, on request, shall make that record available to any public school, school district governing board or charter school governing body that is considering hiring that person.

I. A person who is employed by the District or is an applicant for employment with the District, who is arrested for or charged with any non-appealable offense listed in section 41-1758.03, subsection B and who does not immediately report the arrest or charge to the person's supervisor or potential employer is guilty of unprofessional conduct and the person shall be immediately dismissed from employment with the School District or immediately excluded from potential employment with the School District. A person dismissed from employment for failure to report being arrested for or charged with a non-appealable offense has no right to appeal under the provisions of A.R.S. 15-539, subsection G. Prior to an action to terminate for failure to report, an employee will be given the opportunity to provide a written explanation of circumstances or events which they believe mitigate the failure to report.

J. Any administrator, teacher, or other school employee entrusted with the care and supervision of a minor may use reasonable and appropriate physical force upon the minor to the extent reasonably necessary and appropriate to maintain order and safety. Similar physical force will be appropriate in self-defense, in the defense of other students and school personnel, and to prevent or terminate the commission of theft or criminal damage to the property of the District or the property of persons lawfully on the premises of the District.

K. The threat or use of physical force is not justified as a response to verbal provocation alone, nor when the degree of physical force used is disproportionate to the circumstances or exceeds that necessary to avoid injury to oneself or to others or to preserve property at risk.

LEGAL REF.:

- A.R.S.
- 13-2911
- 13-3102
- 13-3111
- 13-3411
- 15-153
- 15-341
- 15-342
- 15-507
- 15-509
- 15-511

LEGAL REF.:

15-512

15-514

15-539

15-550

38-531

38-532

41-770

41-1758.03

A.A.C.

R7-2-205

Last Revision Date: June 25, 2022

5.32 Conduct - Ethics

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to maintain high standards for all staff that may reasonably apply to all staff members.

A. Employees acknowledge that the schools belong to the public they serve for the purpose of providing educational opportunities to all. Every employee assumes responsibility for providing leadership in the school and community. This responsibility requires the employee to maintain standards of exemplary conduct. It must be recognized that the employee's actions will be viewed and appraised by the community, associates, and students. To these ends, the Board adopts the following statements of standards:

1. The school employee:
 - a. Makes the academic achievement of students the fundamental value of all decision making and actions.
 - b. Maintains just, courteous, and proper relationships with students, parents, staff members, and others.
 - c. Strives for the maintenance of efficiency and knowledge of developments in the employee's field of work.
 - d. Fulfills job responsibilities with honesty and integrity.
 - e. Supports the principle of due process and protects the civil and human rights of all individuals.
 - f. Obeys local, state, and national laws and does not knowingly join or support organizations that advocate, directly or indirectly, the overthrow of the government.
 - g. Implements the Board's policies and administrative rules and regulations.
 - h. Refrains from using school contacts and privileges to promote partisan politics, sectarian religious views, or selfish propaganda of any kind.
 - i. Pursues appropriate measures to correct any laws, policies, or regulations that are not consistent with sound educational goals.
 - j. Avoids using position for personal gain through political, social, religious, economic, or other influence.
 - k. Maintains the standards and seeks to improve the effectiveness of the profession through research and continuing professional development.
 - l. Stresses the proper use and protection of all school properties, equipment, and materials.
 - m. Honors all contracts until fulfillment or release.

B. In the performance of duties, employees shall keep in confidence such information as they may secure unless disclosure serves District purposes or is required by law.

LEGAL REF.:

A.A.C.

R7-2-205

Last Revision Date: June 25, 2022

5.33 Conduct - Conflict of Interest

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Definitions: "Refrain from participating in any manner" means more than just refraining from making a final decision. It means participating in any way in the process leading up to a decision. An employee with a conflict of interest must not make recommendations, give advice, or otherwise communicate in any manner with anyone involved in the decision-making process.

"Make known" means the filing of a paper which is signed by a public officer or employee and which fully discloses a substantial interest or the filing of a copy of the official minutes of a public agency which fully discloses a substantial interest. The filing shall be in the special file established pursuant to §38-509. The Superintendent shall establish procedures for filing of the paperwork.

"Relative" means the spouse, child, child's child, parent, grandparent, brother or sister of the whole or half blood and their spouses and the parent, brother, sister or child of a spouse.

"Gift or benefit" means a payment, distribution, expenditure, advance, deposit or donation of monies, any intangible personal property or any kind of tangible personal or real property. "Gift or benefit" does not include food or beverage or expenses or sponsorships relating to a special event or function to which individuals are invited.

Policy Objectives: It is the intent of the Board to maintain high standards for all staff that may reasonably apply to all staff members.

A. No person employed by the District may be directly supervised by a relative (spouse, child, child's child, parent, grandparent, brother or sister of the whole or half blood and their spouses and the parent, brother, sister or child of a spouse).

1. This policy will apply for summer or part-time work as well as for full-time employment.

B. A dependent of a Board member (a person more than half of whose support is obtained from a Board member) cannot be hired in the District except by consent of the Board.

C. The spouse of a Board member cannot be employed by the District.

D. Any employee who has, or whose relative (A.R.S. 38-502) has, a substantial interest in any decision of the District shall make known this interest in the official records of the District, and shall refrain from participating in any manner as an employee in such a decision.

E. No employee of the District will accept a gift or benefit from any person, group, or entity doing, or desiring to do, business with the District.

F. The District is required to follow the school district procurement rules for all purchases of goods or services from District employees regardless of dollar amount. The District may acquire equipment, material, supplies, or services from its employees only under an award or contract let after public competitive bidding [A.R.S. 38-503; A.G.O. 106-002]. The requirement applies to any purchase using District monies, including extracurricular activities fees, tax credit contributions, and monies held in trust by the District such as student activities monies, when a District employee acts as the vendor. Oral and written quotations do not satisfy the public competitive bidding requirements.

G. The Board may require annual employee training to ensure District conflict of interest policies are communicated to employees and acknowledged as received and understood. Each employee shall complete and sign the conflict of interest form, 7.3.F.1, as determined by the District.

H. The District will investigate allegations of inadequate disclosure of substantial interests and/or inappropriate participation when a substantial interest may exist.

LEGAL REF.:

A.R.S.

15-323

15-421

15-502

38-481

38-501 et seq.

38-502

38-503

38-509

A.G.O.

183-111

103-005

106-002

Attorney General Arizona Agency Handbook, Appendix 8.1,
Conflict of Interest Disclosure Memorandum

Last Revision Date: June 25, 2022

5.34 Conduct - With Students

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that all employees of the District conduct themselves in a manner consistent with effective and orderly education and to protect students and District property.

A. No employee shall, by action or inaction, interfere with or disrupt any District activity or encourage any such disruption.

B. Employees are expected to exercise general supervision over the conduct of students, not only while in the classroom, but also before and after school and during recess. At all times teachers and other staff members will accord students the dignity and respect that they deserve, and avoid embarrassing any student unnecessarily.

C. Students are expected to regard all school employees as individuals who are employed to provide direct or indirect contributions to learning. While students are to have considerable latitude in making choices for themselves, they shall be required to respect the rights of all school employees and other students, and interference with those rights will not be tolerated.

D. Students shall not have the right to interfere with the efforts of instructional staff members to coordinate or assist in learning, to disseminate information for purposes of learning, or to otherwise implement a learning program. Nor shall a student have the right to interfere with the motivation to learn or the learning activities and efforts of other students. No student shall have the right to interfere with or disrupt any employee's work activities.

E. All personnel employed by the District are expected to relate to students of the District in a manner that maintains social and moral patterns of behavior consistent with community standards and acceptable professional conduct.

F. Relationships between staff members and students that include "dating," "courtship," or "romantic involvement" are prohibited. These behaviors deviate from ethical or professional standards and shall be deemed unacceptable and contrary to the expectations of District governance.

G. Staff/student relationships shall reflect mutual respect between staff members and students and shall support the dignity of the entire profession and educational process.

H. Violations of the above shall be considered serious and may result in severe disciplinary action.

LEGAL REF.:

A.R.S.

15-321

15-341

15-514

Last Revision Date: June 25, 2022

5.35 Conduct – Gifts

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that employees not regularly receive gifts, offer gifts or solicit gifts.

- A. Students, parents, and other patrons of the District shall be discouraged from the routine presentation of gifts to employees.
- B. Gifts to students by staff members shall be discouraged. Simple remembrances on certain occasions to all students in a class or section shall not be regarded as a violation of this policy.
- C. District staff shall not influence parents or students to purchase books or other merchandise, except for materials approved by the District for use in the classroom.
- D. Staff-member solicitation(s) of other employees and/or students for any profit, nonprofit, or charitable groups, institutions, or organizations must have the approval of the District in advance.
- E. No other solicitations shall be made by or of staff during official duty time.

LEGAL REF.:

A.R.S.

15-321

Last Revision Date: June 25, 2022

5.36 Conduct – Drug Free Workplace

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that any employee who violates this policy in any manner is subject to discipline, which may include, but is not limited to, dismissal.

A. No employee shall violate the law or District policy in the manufacture, distribution, dispensing, possession, or use, on or in the workplace, of alcohol or any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or any other controlled substance, as defined in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation at 21 C.F.R. 1308.11 through 1308.15.

B. Workplace includes any school building or any school premises and any school-owned vehicle or any other school-approved vehicle used to transport staff members or students to and from school or school activities or on school business. Off school property, the workplace includes any school-sponsored or school-approved activity, event, or function where students or staff members are under the jurisdiction of the District. In addition, the workplace shall include all property owned, leased, or used by the District for any educational or District business purpose.

C. Any employee who has been convicted under any criminal drug statute for a violation occurring in the workplace, as defined above, shall notify the supervisor within five (5) days thereof that such conviction has occurred.

D. As a condition of employment, each employee shall abide by the terms of the District policy respecting a drug-free workplace.

LEGAL REF.:

A.R.S.

13-2911

13-3401 et seq.

15-341

41 U.S.C. 702, Drug-free workplace requirements for Federal grant recipients.

21 C.F.R. 1308.11 et seq.

34 C.F.R. Part 85

Last Revision Date: June 25, 2022

5.37 Conduct - Non-Medical Use/Abuse of Drugs/Alcohol

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that non-medical possession, use or abuse of drugs and/or alcohol is forbidden on school property or at school sponsored activities away from school property. Any employee who violates this policy in any manner is subject to discipline, which may include, but is not limited to, dismissal.

A. Employees determined to be in possession of, using, or abusing drugs or using alcohol shall be reported immediately to the principal or other person in charge. The Human Relations Department shall be notified immediately.

B. The Superintendent shall conduct an investigation in consultation with legal counsel as necessary.

1. If the investigation shows sufficient evidence to suggest that the employee was involved with distribution or otherwise in violation of the law, law enforcement authorities shall be notified.
2. If the results of the investigation show that the employee's actions endangered the health and/or safety of students or other employees, the District shall take disciplinary action or recommend disciplinary action to the Board in accordance with existing policies and statutes. If the results of the investigation suggest that the employee be provided options under the provisions of this policy, the District shall direct the immediate supervisor of the employee.

C. For the purpose of this policy, pursuant to Arizona Revised Statutes (A.R.S.) §36-2801, a qualified medical marijuana cardholder means:

1. A qualifying patient,
2. A designated caregiver, or
3. A nonprofit medical marijuana dispensary agent

Who has an identification card issued by the Arizona Department of Health Services related to the medical use of marijuana to treat or alleviate an individual's debilitating medical condition or symptoms associated with the debilitating medical condition.

D. Unless the District would lose a monetary or licensing related benefit under federal law or regulations, the District may not discriminate against a person in hiring, termination or imposing any term or condition of employment or otherwise penalize a person solely:

1. on the basis of the person's status as a medical marijuana cardholder, or
2. for a positive test for marijuana components or metabolites,
 - a. unless the person used, possessed or was impaired by marijuana on the premises of the place of employment or during the hours of employment.

E. The District shall not be penalized or denied any benefit under state law for employing a registered qualifying patient or a registered designated caregiver. [A.R.S. §36-2811].

F. Subject to A.R.S. §36-2802, no person is authorized to engage in:

1. undertaking any task under the influence of marijuana that would constitute negligence or professional malpractice,
2. possessing or engaging in the medical use of marijuana
 - a. on a school bus,
 - b. on the grounds of any preschool, elementary school or secondary school,
3. smoking marijuana,
 - a. on any form of public transportation, or
 - b. in any public place
4. using marijuana in any manner not authorized by Chapter 28.1 of Arizona Revised Statutes Title 36.

5. operating, navigating or being in actual physical control of any motor vehicle, aircraft or motorboat while under the influence of marijuana,

- a. except that a registered qualifying patient shall not be considered to be under the influence of marijuana solely because of the presence of metabolites or components of marijuana that appear in insufficient concentration to cause impairment.

G. While performing any duty in the capacity of District employee, an employee may be disciplined, up to and including suspension or termination for ingesting marijuana in the workplace or working under the influence of marijuana.

H. Wherever inconsistencies of interpretation arise, the law and regulations prevail.

I. When District officials have a reasonable belief an employee may be under the influence, in possession of or distributing marijuana in a manner not authorized by the medical marijuana statutes law enforcement authorities will be informed.

LEGAL REF.:

A.R.S.

13-2911

13-3401 et seq.

15-321

15-341

41 U.S.C. 702, Drug-free workplace requirements for Federal grant recipients.

34 C.F.R. Part 85

Last Revision Date: June 25, 2022

5.38 Conduct - Smoking

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that, other than for demonstration purposes of educational value, the possession or use of tobacco products, tobacco substitutes, e-cigarettes, other chemical inhalation devices or vapor products is prohibited.

A. The possession or use of tobacco products, tobacco substitutes, electronic cigarettes, other chemical inhalation devices, or vapor products is prohibited in the following locations:

1. School grounds
2. School buildings
3. School parking lots
4. School playing fields
5. School buses and other District vehicles
6. Off-campus school-sponsored events

B. Under the provisions of A.R.S. 36-798.03, a person who violates the prohibition is guilty of committing a petty offense.

C. The prohibitions do not apply to an adult when possession or use of the tobacco products are for demonstration purposes as a necessary instructional component of a tobacco prevention or cessation program that is:

1. Approved by the school
2. Established in accord with Arizona Revised Statute 15-712

LEGAL REF.:

A.R.S.

13-3622

15-341

15-712

36-798.03

20 U.S.C. 6083

Last Revision Date: June 25, 2022

5.39 Conduct - Reprisals

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Definitions: “Unlawful Reprisal” means an action taken by a governing board that results in:

- Disciplinary action.
- Transfer or reassignment.
- Suspension, demotion, or dismissal.
- An unfavorable performance evaluation.
- Other significant changes in duties or responsibility that are inconsistent with the employee's salary or employment classification.

Policy Objectives: It is the intent of the Board to prohibit District employees from taking reprisals against another employee for a disclosure of a matter of public concern, provide that concern meets certain criteria, per statute.

A. It is a prohibited personnel practice for any District employee, who has control over personnel actions, to take reprisals against another employee for a disclosure of a matter of public concern, by that other employee, to a public body when the employee believes there has been:

1. A violation of law.
2. Mismanagement, a gross waste of monies, or an abuse of authority.

B. An employee, or former employee, who believes that an adverse personnel action taken is the result of such person's disclosure of information under A.R.S. 38-532, shall make a complaint to the Board. The Board shall make a determination pursuant to the rules under A.R.S. 41-785.

C. A Board member or school district employee who has control over personnel decisions shall not take unlawful reprisal against an employee for good-faith reports about professional staff personnel engaged in conduct involving minors that is reportable under A.R.S. 13-3620 (Reporting Child Abuse).

D. Effective communication between District employees, the administrative staff, the Superintendent and the Board is essential for proper operation of the schools. Therefore, the District shall establish a grievance procedure for employees as the prescribed means of resolving grievances at the earliest date and the lowest possible administrative level.

1. Such procedure shall provide that the Board may review any grievance that cannot be resolved at the administrative level.
2. The Superintendent also may request that the Board review a grievance. In such cases, the decision of the Governing Board is final.

LEGAL REF.:

A.R.S.
15-514
23-425
38-532
41-785
38-532

Last Revision Date: June 25, 2022

5.41 Discipline – Suspensions and Terminations

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that employees be disciplined for any conduct that is in violation of policy, law or is inappropriate.

A. Employees may be disciplined for any conduct that, in the judgment of the District, is inappropriate.

B. Minor disciplinary action includes, without limitation thereto, verbal or written reprimands, suspension with pay, or suspension without pay for a period of five (5) days or less.

C. The employment of an employee may be suspended without pay for a period of more than five (5) days by action of the Superintendent for any conduct by the employee that, in the judgment of the Superintendent, is inappropriate.

D. The employment of an employee may be terminated by action of the Board.

E. The Superintendent will develop procedures in accordance with this policy.

LEGAL REF.:

A.R.S.

13-2911

15-153

15-341

15-502

41-770

Last Revision Date: June 25, 2022

5.51 Activities - Political

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to recognize the right of its employees, as citizens, to engage in political activity. However, school time, personnel, equipment, supplies, materials, buildings, or other resources may not be used to influence the outcomes of elections.

A. A staff member, a person acting on behalf of the District or a person who aids another person acting on behalf of the District shall be guided by the following:

1. No employee shall engage in political activities upon property under the jurisdiction of the Board.
 - a. Employees in their individual capacities may exercise their political liberties on property leased from the school for that purpose.
2. The prohibition on the use of public resources to influence the outcome of bond, budget override and other tax-related elections includes the use of School District-focused promotional expenditures that occur after an election is called and through Election Day. This prohibition does not include routine District communications which are messages or advertisements that are germane to the functions of the District and that maintain the frequency, scope and distribution consistent with past practices or are necessary for public safety.
3. Campaigning and other election activities must be done in off-duty hours, when not working in an official capacity or representing the District, and without the participation of District employees or students acting in the capacity of District or school representatives.
4. Invitations to participate in election activities on a given campus, except when extended by groups leasing or using school facilities, shall be permitted only when such invitations are extended to all candidates for the office.
 - a. The rental use of District property by a private person or entity that may lawfully attempt to influence the outcome of an election is permitted if it does not occur at the same time and place as a related District-sponsored forum or debate.
5. Political circulars or petitions may not be posted or distributed in school.
6. The collection of campaign funds and/or the solicitation of campaign workers are prohibited on school property.
7. Students may not be given written materials to influence the outcome of an election or to advocate support for or opposition to pending or proposed legislation.
8. Students may not be involved in writing, addressing, or distribution of material intended to influence the outcome of an election or to advocate support for or opposition to pending or proposed legislation.

B. Employees of the District may not use the authority of their position to influence the vote or political activities of any subordinate employee.

C. District employees who hold elective or appointive office are not entitled to time off from their school duties for reasons incident to such offices, except as such time may qualify under the leave policies of the Board.

D. The discussion and study of politics and political issues, when such discussion and study are appropriate to classroom studies, are not precluded under the provisions of this policy.

E. District employees shall be permitted time as provided in statute, if required, to vote in the primary or general election.

F. The District may distribute informational reports on a proposed budget override election as provided in A.R.S. 15-481 and on a proposed bond election as provided in A.R.S. 15-491, if those informational reports present factual information in a neutral manner, except for those arguments allowed under A.R.S. 15-841.

G. Nothing in this policy shall preclude the District from producing and distributing impartial information on elections other than District budget override elections or reporting on official actions of the Governing Board.

H. The District shall not make expenditures for literature associated with a campaign conducted by or for a District official.

LEGAL REF.:

A.R.S.

15-481

15-491

15-511

15-903

16-402

A.G.O.

115-002

Last Revision Date: June 25, 2022

5.52 Activities – Overtime

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that the typical workweek for classified staff will not exceed forty (40) hours per week.

A. There may be occasions when it is necessary to require employees to work beyond previously established work hours. For such situations, the Board authorizes overtime payments and compensatory time off at the discretion of the superintendent or designee in accordance with the federal Fair Labor Standard Act (FLSA) guidelines.

B. Individual employee work schedules will be based on the position held by the respective employee and on District needs as identified during the employment process.

C. A workweek is a regular recurring period of one hundred sixty-eight (168) hours in the form of seven (7) consecutive twenty-four (24) hour periods. For the purpose of calculating regular and overtime hours in accordance with wage and hour requirements, the District's designated workweek shall begin Saturday at 12:00 a.m. and conclude Friday at 11:59 p.m.

D. The Superintendent shall develop procedures in accordance with this policy.

LEGAL REF.:

A.R.S.

23-391

Arizona Constitution, Article 18, Section 1

29 U.S.C. 207, Fair Labor Standards Act

29 C.F.R. 516 et seq., Fair Labor Standards Act

Last Revision Date: June 25, 2022

5.53 Activities – Performance Evaluations

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that regular performance evaluations be completed on every employee.

- A. All employees shall be evaluated by the appropriate supervisor or administrator.
- B. A written evaluation of effectiveness of each employee shall be completed not later than ninety (90) days after the first day of work.
- C. A second first-year evaluation will be not later than May 1.
- D. At least once each year thereafter, an evaluation will be conducted. The evaluation will be used to increase job proficiency and for recommending continued employment.
- E. The Superintendent shall develop procedures in accordance with this policy.

LEGAL REF.:

A.R.S.

15-341

15-1326

Last Revision Date: June 25, 2022

5.54 Activities – Support Staff Resignations

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that support staff resignations are compliant with Arizona Revised Statutes.

A. Support staff employees voluntarily terminating their service with the District are expected to give advance notice of not less than ten (10) working days.

This notice should be submitted to the supervisor in writing and should specify both the last day of work and the reason for terminating.

B. Authorized unused vacation will be paid to employees with the last paycheck.

LEGAL REF.:

A.R.S.

23-352

23-353

Last Revision Date: June 25, 2022

5.55 Activities – Training

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that employees shall not engage in training that presents any form of blame or judgment on the basis of race, ethnicity, or sex.

A. The District shall not require an employee to engage in and shall not use public monies for training, orientation or therapy that presents any form of blame or judgment on the basis of race, ethnicity, or sex. This does not preclude any training on sexual harassment or lessons on recognizing and reporting abuse as defined in ARS 15-717.02.

B. For each violation of A.R.S.15-717.02, including subsequent or continued violations, a court may impose a civil penalty not to exceed five thousand dollars (\$5,000) per school district, charter school or state agency where the violation occurs.

LEGAL REF.:

A.R.S.

41-1494

Last Revision Date: June 25, 2022

5.56 Activities - Tutoring

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that employees not tutor their own students and rent district facilities, when appropriate.

A. Employees are not permitted to provide tutoring for pay to any students who attend or are registered in any of the staff member's own classes except in connection with a District sponsored program.

B. District facilities are not to be used for private tutoring or classes for which students pay a fee to employees unless a rental contract has been entered into with the District.

LEGAL REF.:

A.G.O.

R97-023

Last Revision Date: June 25, 2022

5.57 Activities – Professional Staff Resignations

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that professional staff resignations are compliant with Arizona Revised Statutes.

A. All resignations or requests to be released from contract shall be presented in writing to the Board for approval.

B. A release from an uncompleted contract may be granted contingent upon the availability of a well-qualified, certificated teacher as a replacement. Fines may be assessed.

C. A teacher who resigns contrary to this policy shall be deemed to have committed an unprofessional act and shall be subject to the penalty as provided under Arizona statutes and State Board of Education regulations.

LEGAL REF.:

A.R.S.

15-545

23-353

A.A.C.

R7-2-205

Last Revision Date: June 25, 2022

5.61 Health - Wellness

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that employees take responsibility for their own health and wellness. In so doing, staff models a positive image to students and the community.

A. It shall be a condition of employment that, unless exempted, all employees, including substitutes, shall present proof of immunity to rubeola (measles) prior to reporting for work.

1. Evidence of immunity to measles shall consist of:

a. A record of immunization against measles with a live virus vaccine given on or after the first birthday or a statement, signed by a licensed physician or a state or local health officer that affirms serologic evidence of having had measles.

b. Anyone born prior to January 1, 1957 shall be considered to be immune to measles. (Rubeola)

B. Similarly, unless exempted, all employees, including substitutes, shall present proof of immunity to rubella (German measles) prior to reporting for work.

1. Evidence of immunity to rubella shall consist of:

a. A record of immunization against rubella given on or after the first birthday or a statement, signed by a licensed physician or a state or local health officer that affirms serologic evidence of having had rubella.

C. Exempted employees include those with medical contraindications for receiving vaccines and those who refuse immunization for religious reasons.

D. Non-immune employees, including those who utilize the exemption, shall, in the event of an outbreak of either disease, be put on leave without pay, or they may use accumulated sick leave during the period they are excluded from work due to the outbreak. If a staff member does not have any earned sick leave, a salary deduction of one (1) contract day will be made for each day of authorized leave used.

LEGAL REF.:

A.R.S.

36-624

A.A.C.

R9-6-347

R9-6-360

R9-6-704

A.G.O.

188-037

Last Revision Date: June 25, 2022

5.62 Health – Infectious Diseases

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to take reasonable and lawful measures to protect students and staff members from the transmission of communicable diseases. The Superintendent shall develop procedures as are necessary to implement this policy in a manner consistent with state and federal laws.

A. A staff member who has a communicable disease shall be excluded from school only if the staff member presents a direct threat to the health or safety of others in the school workplace.

1. The outbreak control measures and other directives of the Department of Health Services (DHS) and local health agencies shall be acted upon as the best medical knowledge and judgments with regard to the exclusion of a staff member who has a communicable disease that is addressed by DHS regulations. The communicable diseases specifically addressed by DHS regulations are listed at A.A.C. R9-6-203 et seq.

B. A staff member who has a chronic communicable disease, such as tuberculosis or HIV/AIDS, shall not be excluded unless a significant risk is presented, to the health and safety of others, which cannot be eliminated by reasonable accommodation.

1. The Superintendent shall consult with legal counsel and health professionals, as necessary, to ensure that exclusion of a staff member with a chronic communicable disease will not violate the staff member's rights under the Americans with Disabilities Act or Section 504 of the Rehabilitation Act.

C. The school nurse or other person designated by the Superintendent must reassess a staff member who is excluded from school because of a communicable disease before the staff member returns to work.

1) The Superintendent may require a physician's written medical release as a condition for the staff member's return to work.

D. The District shall report by telephone to its local health agency each diagnosed and suspected case of a communicable disease.

E. If an outbreak of a communicable disease occurs in a school setting, the Superintendent or the school nurse shall promptly inform staff members who are known to have special vulnerability to infection. The District does not assume any duty to notify an employee of health risks caused by the presence of a communicable disease in the school setting unless the at-risk employee has notified the District of the conditions when notification is needed.

F. The District shall make reasonable efforts to maintain the confidentiality of staff members' medical conditions. All medical information relating to employees is confidential. The identity

of a staff member who has a communicable disease and/or the nature of the communicable disease may be disclosed only to:

- Staff members who must have such information to carry out their duties under this policy;
or
- Staff members or students (or their parents/guardians) who must have such information to protect themselves from direct threat to their health or safety.

G. Inquiries or concerns by staff members or others regarding communicable diseases or a staff member who is known or believed to have a communicable disease shall be directed to the Superintendent or the school nurse.

H. The Superintendent shall follow the "Universal Precautions Standard" set forth in District guidelines, 7.13.P.1 - Staff Health and Safety Communicable Diseases, to protect employees who are at risk of being exposed to blood and body fluids in the course of their work.

I. The Superintendent shall follow the guidance of the U.S. Department of Health and Human Services concerning infectious and communicable diseases transmitted through the handling of food, and special precautions required for food services workers.

J. Current medical information indicates that HIV can be transmitted by sexual intercourse with an infected partner, by injection of infected blood products, and by transmission from an infected mother to her child in utero or during the birth process. None of the identified cases of HIV infection in the United States are known to have been transmitted in a school setting or through any other casual person-to-person contact. There is no evidence that HIV is spread by sneezing, coughing, shaking hands, hugging, or sharing toilets, food, water, or utensils. According to best medical knowledge and judgments, the use of the "universal precautions" and other procedures that implement this policy are sufficient to protect staff members and students from transmission of HIV at school.

LEGAL REF.:

A.R.S.

36-621

36-624

A.A.C.

R9-6-203 et seq.

R9-6-355

29 U.S.C. 794 et seq. Rehabilitation Act, (Section 504)

42 U.S.C. 12101 et seq. (Americans with Disabilities Act)

29 C.F.R. 1630.1 et seq. (ADA guidelines)

29 C.F.R. 1910.10 et seq. (OSHA Universal Precautions Standard)

Last Revision Date: June 25, 2022

5.63 Health - Employee Assistance

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that the Superintendent is authorized, for the purposes of employment or retention, to require employees to submit to tests or examinations as a licensed physician deems appropriate.

A. Employees may be required by the Superintendent , for purposes of employment or retention, to submit to such tests or examinations as a licensed physician deems appropriate.

B. When, in the opinion of the immediate supervisor and/or the Superintendent, the employee's physical or emotional condition warrants, the Superintendent may require a complete examination, at District expense, by a licensed physician selected by the District.

C. The Superintendent shall have procedures for complying with the requirements of the Occupational Safety and Health Administration (OSHA), including an exposure-control plan, methods of compliance, work-practice controls, post-exposure evaluation and follow-up and administering vaccine to employees exposed to Hepatitis B virus.

D. All employees who as a result of their employment have had significant exposure to blood borne pathogens (Hepatitis B/Human Immunodeficiency Virus) are required to report the details of the exposure in writing to the District and are required to follow post exposure evaluation and follow-up activities in accordance with Arizona and federal laws. An employee who chooses not to complete these reporting requirements will be at risk of losing any claim to rights.

LEGAL REF.:

A.R.S.

15-505

23-901

23-902

23-906

23-908

23-961

23-962

Last Revision Date: June 25, 2022

5.71 Safety – Personal Security

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that the Superintendent establish procedures that provide for the protection of any employee who is threatened with harm by an individual or group while carrying out assigned duties.

A. The Superintendent shall establish procedures that provide for the protection of any employee who is threatened with harm by an individual or group while carrying out assigned duties.

B. The District shall establish procedures for every student, teacher, and visitor in public schools that shall require the wearing of appropriate protective eye-wear while participating in or when observing vocational, technical, industrial arts, art, or laboratory science activities.

1. The Superintendent shall ensure that the schools and other District work places are equipped with appropriate protective eye-wear.

2. Schools may receive and expend federal, state, and local monies to provide eye protective devices.

C. If required by government authorities, the District shall establish procedures requiring the use of personal protective equipment to ensure personal safety for staff, students, vendors, visitors and volunteers.

LEGAL REF.:

A.R.S.

13-1203

13-1204

13-2911

15-151

15-507

Last Revision Date: June 25, 2022

5.72 Safety - Workers' Compensation

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that all employees shall be covered by workers' compensation insurance for any accident while on assignment, including an accident on school property or while on official business off school property.

A. An employee must report any accident while on assignment, including an accident on school property or while on official business off school property to the supervisor's office immediately, since a report on the time of the accident, persons involved, and how it happened is required.

B. Employees requiring immediate medical assistance shall report to the District's designated medical facility or provider as soon as possible. If the accident occurs outside of Maricopa county, the employee shall report to a medical provider as the District instructs.

C. The Superintendent shall develop procedures in accordance with this policy.

LEGAL REF.:

A.R.S.

15-505

23-901

23-902

23-906

23-908

23-961

23-962

Last Revision Date: June 25, 2022

5.81 Attendance - Approved Leave

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that staff report to duty unless they are on approved leave and unapproved absences are subject to disciplinary action.

A. All staff is expected to report to duty unless they are on an approved leave. There are two types of approved leave, those that are:

1. Paid
2. Unpaid

B. To obtain approval for leave, unpaid or paid, the employee must be eligible.

1. Eligibility for leave is directly related to the employee's F.T.E. (Full Time Equivalency) as well as their job classification e.g. Classified, Certified or Administrative.
2. Employees designated as "substitutes" are not eligible for leave except for earned paid sick time.
3. Eligibility for various forms of leave are:
 - a. Staff Paid Leave (Earned Paid Sick Time - Sick Leave - Discretionary Leave - Reimbursement Plan & Incentive)
 - b. Staff Approved Leaves of Absence and Family Medical Leave - (FMLA)
 - c. Staff Citizenship Leave
 - d. Professional Leave (Conferences, Visitations, and Workshops)
 - e. Support Medical Leave Assistance Program - Staff Voluntary Transfer of Accrued Sick Leave - Sick Leave Bank
 - f. Staff Bereavement Leave
 - g. Staff Vacation and Holidays

C. An employee who is absent from work without prior approval is subject to disciplinary action, as an employee who was unable to obtain prior approval due to unusual circumstances and such approval is denied upon the employee's return.

D. An employee shall be deemed "absent without approved leave" when absent from work because of:

1. A reason that conforms to a policy currently in effect but the maximum days or hours provided for in that policy will be exceeded; or
2. A reason that does not conform to any policy currently in effect; or
3. Failure to report to work without prior notification to the employee's supervisor.

E. In no case shall an employee be compensated for time lost due to being absent without approved leave.

F. If an employee is absent without prior approval for three (3) or more consecutive work days or an equivalent number of hours, that employee will be deemed to have abandoned their employment or any contract relationship with the District and employment may be terminated.

G. The Superintendent shall develop procedures in accordance with this policy.

LEGAL REF.:

A.R.S.
15-341

Last Revision Date: June 25, 2022

5.82 Attendance - Citizenship Leave

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to make it possible for staff to carry out their citizenship responsibilities to the city, county, state or country.

A. The Superintendent shall grant leaves in the following circumstances provided that the employee is eligible:

Jury Duty subject to ARS 21-236

Legal Leave related to an official subpoena

Employees who are required to appear in court in response to an official subpoena will receive full pay during the period of such service. Such service shall not be deducted from earned leave days unless such service results in a conviction that the employee violated an Arizona Statute.

An employee who must appear in any legal proceeding connected with his/her employment with the school district may be absent without loss of pay, if the employee is required by law or the District to attend.

Victim Leave subject to ARS 8-420, 13-4439, 8-386, and/or 13-4405

Military leave subject to ARS 26-168, 38-610, 38 U.S.C 4303

B. When an employee receives notice that requires leave as delineated above, it is the responsibility of the employee to promptly notify the District. The employee must also initiate the procedures established by the District to properly notify, apply for and be approved according to the requirements outlined for each leave area below.

C. The Superintendent shall develop procedures in accordance with this policy.

LEGAL REF.:

A.R.S.

8-386

8-420

13-4405

13-4439

15-502

16-402

21-236

26-168

38-610

A.G.O.

180-177

38 U.S.C. 4301 et seq., Uniformed Services Employment and Reemployment Rights Act

Last Revision Date: June 25, 2022

5.83 Attendance - Vacation and Holidays

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to offer paid vacations and/or holidays as a benefit to eligible employees.

A. Full-time non-instructional, non-administrative employees who work 12 months per fiscal year shall accumulate vacation with pay at the following rates:

1. 1-5 years of service: 1 day per month
2. 6-10 years of service: 1 ¼ days per month
3. 11-15 years of service: 1 ½ days per month
4. 16 years or more of service : 1 ¾ days per month

B. Full-time non-instructional, non-administrative employees who work 12 months per fiscal year may accumulate to 40 days vacation, after which time no more vacation may be earned. As accumulated days of vacation are used and drop below 40 days, an eligible employee may again accumulate vacation.

C. Vacations must be approved by a principal or department head.

D. If an employee relinquishes full-time status, all accrual stops, and the now part-time employee has only the accumulated remaining balance available to be used within the next fiscal year.

E. Full Time Employees Working Less Than 12 Months Per Year shall not accrue vacation days.

F. An employee with unused accrued vacation shall be reimbursed at their hourly rate for their remaining vacation hours upon termination of employment.

G. All full-time employees shall be entitled to paid time off for legal holidays during the school year as announced by the Superintendent, in conformance with Arizona law. Other holidays shall be established in the Board approved school calendar and entitlement to paid time off for those holidays shall be determined by the employees' employment status.

LEGAL REF.:

A.R.S.

1-301

15-502

15-801

38-608

Last Revision Date: June 25, 2022

5.84 Attendance - Conferences

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to provide access to the best resources of professional development, leadership experience, and national collaboration while being fiscally responsible.

A. Employees must provide at least forty (40) days notice prior to meeting or conference dates.

1. With prior approval, expenses associated with authorized employee attendance at meetings and conferences may be eligible for compensation.
2. Employee travel and expense for participation in student field trips and excursions shall be in accordance with District guidelines.

B. The following guides will be used in granting release time and/or travel expense:

1. Value of the meeting or conference
2. Funds available in the appropriate budget
3. Availability of a substitute, if one is necessary.

C. Employee absences for attendance at or participation in professional association activities are not eligible for compensation.

1. Professional association activities for which compensation is not available do not include in-service training in the certificated employee's assigned area of employment.

D. The Superintendent shall develop procedures in accordance with this policy.

LEGAL REF.:

A.R.S.
15-504
38-621

Last Revision Date: June 25, 2022

5.85 Attendance – Medical Leave Assistance

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to provide a measure of relief in situations of non-job-related injuries, seriously incapacitating injury and extended illness and/or injury.

A. The Medical Leave Assistance Program - Sick Bank increases employee morale and may reduce some of the stresses associated with illness and facilitate the employee's recovery, which is in the best interest of the District.

B. The Superintendent shall establish appropriate procedures for the operation of this program.

LEGAL REF.:

A.G.O.

191-027

Last Revision Date: June 25, 2022