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GDPA*	Reduction in Classified Staff Work Force
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GDPCA*	Severance Pay
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* denotes the areas covered by Board policy

PERSONNEL POLICIES GOALS

The personnel employed by the Buckeye Joint Vocational School District are a very important resource for effectively conducting a quality educational program. The District's program will function best when it employs highly qualified personnel, conducts appropriate staff development activities and establishes policies and working conditions that are conducive to high morale and enable each staff member to make the fullest contribution to District programs and services.

The goals of the personnel program include:

1. developing and implementing those strategies and procedures for personnel recruitment, screening and selection which 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. developing a general assignment strategy which makes the greatest contribution to the educational program, and using it as the primary basis for determining staff assignments;
3. providing 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. providing for a genuine team approach to education, including staff involvement in planning, decision making and evaluation;
5. developing and using for personnel evaluation positive processes which contribute to the improvement of staff capabilities and assist in making employment decisions and
6. encouraging all employees to be cognizant of their roles in instilling ethical principles and democratic ideals in all students.

[Adoption date: September 18, 1990]

[Re-adoption date: December 17, 2002]

LEGAL REFS.: ORC 124.11
3313.602
3319.01; 3319.02; 3319.081; 3319.11; 3319.111
Chapter 4117

CROSS REF.: GBB, Staff Involvement in Decision Making (Also ABB)

EQUAL OPPORTUNITY EMPLOYMENT

The Buckeye Joint Vocational School District will provide equal opportunities for employment, retention and advancement of all personnel.

This Board encourages all personnel to assist in the accomplishment of this goal through their personal commitment to the concept of equal opportunity for all people regardless of race, color, national origin, citizenship status, religion, political affiliation, age, economic status, sex or disability.

[Adoption date: September 18, 1990]

[Re-adoption date: July 19, 1994]

[Re-adoption date: December 17, 2002]

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 Buckeye Joint Vocational School District involves the efforts of many people and functions best when all personnel are informed of the District's major activities and concerns.

There should be an exchange of ideas and pertinent information among all elements of a school district. Morale is enhanced when employees are assured that their voices are willingly heard by those in positions of authority.

All employees in this District will have the opportunity to bring their ideas or concerns to the Board of Education. It is expected that they will proceed through the recognized administrative channels; however, final authority for all decisions will rest with the Board.

[Adoption date: September 18, 1990]

[Re-adoption date: December 17, 2002]

LEGAL REF.: OAC 3301-35-03

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

STAFF CONFLICT OF INTEREST

Employees of the Buckeye Joint Vocational Board of Education shall not engage in, nor have a financial interest in, directly or indirectly, any activity that conflicts with their duties and responsibilities in the school system.

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 District sources.

Employees shall not sell textbooks, instructional supplies, equipment, reference books or any other products to the District. 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: September 18, 1990]

[Re-adoption date: December 17, 2002]

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 District, but also presents a model worthy of emulation by students. Staff members are not permitted to bring a deadly weapon or dangerous ordnance into a school safety zone.

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 District property and
5. concern and attention toward their own and the District'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: September 18, 1990]

[Re-adoption date: December 17, 2002]

[Re-adoption date: June 15, 2004]

LEGAL REFS.: Gun-Free Schools Act; 20 USC 8921
ORC 124.34
2923.1212; 2923.122
3319.081; 3319.16; 3319.31; 3319.36

CROSS REFS.: JFC, Student Conduct (Zero Tolerance)
KGB, Public Conduct on District Property

BOARD-STAFF COMMUNICATIONS

The Buckeye Joint Vocational Board of Education wishes to maintain open channels of communication with the staff. The basic line of communication will be through the Superintendent.

Staff Communications to the Board

All communications to the Board or any of its subcommittees from staff members will be submitted through the Superintendent. Staff members are also reminded that Board meetings are public meetings and 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 will develop appropriate methods to keep staff fully informed of the Board's problems, concerns and actions.

Visit to School

Board members must recognize that their presence in the school could be subject to a variety of interpretations by school employees; therefore, if a visit to the school or classroom is being made for other than general interest, Board members will inform the Superintendent. Board members will indicate to the Superintendent the reason(s) for the visit. Official visits by Board members will be carried on only under Board authorization.

[Adoption date: September 18, 1990]

[Re-adoption date: December 17, 2002]

LEGAL REF.: ORC 3313.20

CROSS REF.: KK, Visitors to the Schools

STAFF HEALTH AND SAFETY

Through its overall safety program and various policies pertaining to school personnel, the Buckeye Joint Vocational Board of Education 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 that promote the health and safety of school personnel.

Bus drivers will have an annual examination in accordance with state law. The results of all physical examinations will be filed with the Superintendent.

Employees who are required by state or federal law to have respiratory protection are required to have two physical examinations. The first examination must take place prior to the individual's wearing a respirator. The second examination must take place after the individual's exposure to any hazardous material (within 30 days if it is a one-time exposure, and at least annually if it is ongoing exposure).

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.

Worker's 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 Worker's Compensation Act of Ohio.

Any employee who receives an injury while at work should immediately report this injury to the central office 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: September 18, 1990]

[Re-adoption date: September 18, 2001]

[Re-adoption date: December 17, 2002]

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

GBP, Drug-Free Workplace

GBQ, Criminal Record Check

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

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

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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: December 17, 2002)

STAFF PARTICIPATION IN POLITICAL ACTIVITIES

Employees of the Buckeye Joint Vocational School District 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 will be determined in accordance with law.

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

[Adoption date: September 18, 1990]

[Re-adoption date: December 17, 2002]

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

STAFF-STUDENT RELATIONS

The relationship between the District's staff and students must be one of cooperation, understanding and mutual respect. Staff members have a responsibility to provide an atmosphere conducive to learning and to motivate each student to perform to his/her capacity.

Staff members should strive to secure individual and group discipline, and should be treated with respect by students at all times. By the same token, staff members should extend to students the same respect and courtesy that they, as staff members, have a right to demand.

Although it is desired that staff members have a sincere interest in students as individuals, partiality and the appearance of impropriety must be avoided. Excessive informal and/or social involvement with individual students is prohibited. Such conduct is not compatible with professional ethics and, as such, will not be tolerated.

Staff members are expected to use good judgment in their relationships with students both inside and outside of the school context including, but not limited to, the following guidelines.

1. Staff members shall not make derogatory comments to students regarding the school and/or its staff.
2. The exchange of purchased gifts between staff members and students is discouraged.
3. Staff-sponsored parties at which students are in attendance, unless they are a part of the school's extracurricular program and are properly supervised, are prohibited.
4. Staff members shall not fraternize, written or verbally, with students except on matters that pertain to school-related issues.
5. Staff members shall not associate with students at any time in any situation or activity which could be considered sexually suggestive or involve the presence or use of tobacco, alcohol or drugs.
6. Dating between staff members and students is prohibited.
7. Staff members shall not use insults or sarcasm against students as a method of forcing compliance with requirements or expectations.
8. Staff members shall maintain a reasonable standard of care for the supervision, control and protection of students commensurate with their assigned duties and responsibilities.
9. Staff members shall not send students on personal errands.

10. Staff members shall, pursuant to law and Board policy, immediately report any suspected signs of child abuse or neglect.

11. Staff members shall not attempt to counsel, assess, diagnose or treat a student's personal problem relating to sexual behavior, substance abuse, mental or physical health and/or family relationships but, instead, should refer the student to the appropriate individual or agency for assistance.
12. Staff members shall not disclose information concerning a student, other than directory information, to any person not authorized to receive such information. This includes, but is not limited to, information concerning assessments, ability scores, grades, behavior, mental or physical health and/or family background.

[Adoption date: December 17, 2002]

CROSS REFS.: GBCA, Staff Conflict of Interest
GBCB, Staff Conduct
GBI, Staff Gifts and Solicitations
JHG, Reporting Child Abuse
JL, Student Gifts and Solicitations
JO, Student Records
KBA, Public's Right to Know

CONTRACT REF.: Negotiated Agreement

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 District. 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. A committee is appointed 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 a District 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 District.

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

Solicitations

The Superintendent annually approves all solicitations which are to be permitted in the schools. No organization may solicit funds of staff members in the schools, nor may anyone distribute flyers or other materials related to fund drives through the schools, without the prior approval of the Superintendent.

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/designee.

[Adoption date: December 17, 2002]

LEGAL REFS.: ORC 117.10
3313.81; 3313.811
3315.15
3329.10

CROSS REFS.: IGDG, Student Activities Funds Management
IIICA, Field Trips
JL, Student Gifts and Solicitations

SMOKING ON DISTRICT PROPERTY BY STAFF MEMBERS

The Board is dedicated to providing a healthy, comfortable and productive environment for its staff, students and citizens. Health professionals have determined that smoking poses health hazards not only for the smoker, but for the nonsmoker as well.

Recognizing these health issues and the passage of the newly enacted State law regarding the smoking ban in public places, the Board prohibits smoking while on school property and in all District-owned, leased or contracted buildings, vehicles and equipment owned by the Buckeye Board of Education.

The Board directs the Superintendent to educate all staff members concerning the mandate of this policy, as well as implementing, as appropriate, educational programming concerning smoking and, if needed, resources available to those who wish to discontinue their smoking habit.

A notice to this effect is posted at the entrance to all school buildings.

[Adoption date: December 17, 2002]

[Re-adoption date: January 16, 2007]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.
Goals 2000: Educate America Act; 20 USC 6081 through 6084
ORC 3313.20
3794.01; 3794.02; 3794.03(F); 3794.04; 3794.06
OAC 3301-35-02; 3301-35-05

CROSS REFS.: JFCG, Tobacco Use by Students
KGC, Smoking on District Property

PERSONNEL RECORDS

The Superintendent develops and implements a comprehensive and efficient system of personnel records. The Superintendent is hereby 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 District 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. Ohio 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 District 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.

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[Adoption date: September 18, 1990]
[Re-adoption date: December 17, 2002]

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

CONTRACT REF.: Negotiated Agreement

PERSONNEL RECORDS

Required Information

The following records must be filed with the Treasurer of the Board of Education prior to the first pay check:

1. completed application
2. contract (copy)
3. annual salary notice (copy)
4. current Ohio teaching certificate
5. official college transcripts

Documentation

The purpose of documentation is to make professional performance a matter of record. Documentation will be read and signed by the professional staff member before being entered in the personnel file.

Any documentation which may be considered unfavorable and is intended to become a part of the personnel file must bear the signature of the parties concerned. The professional staff member involved may reply to such documentation in writing. The reply will be attached to the documentation.

A professional staff member shall be notified of the intent of the administration to place in his/her personnel file any material which may be considered critical of his/her conduct, service, character or personality and shall be provided the opportunity to read any such material prior to its being placed in his/her personnel file; such opportunity shall be provided within 30 school days after receipt of such material.

A professional staff member shall acknowledge that he/she has read the material by affixing his/her signature to the copy to be filed. His/Her signature shall not indicate agreement with the content of the material, but indicates only that the material has been read by the professional staff member. He/She shall also have the opportunity to reply to such critical material in a written statement to be attached to the filed copy.

Anonymous letters or materials shall not be placed in a professional staff member's file, nor shall they be made a matter of record. Each professional staff member shall have the right, upon request, to review the contents of his/her own personnel file, with the exception of confidential items, in the presence of a member of the administration.

Material will be removed from the staff member's file by consent of the Superintendent. A staff member shall be entitled to a copy of any material in his/her file except material supplied to the administration, from outside sources, as confidential.

(Approval date: September 18, 1990)

(Re-approval date: December 17, 2002)

DRUG-FREE WORKPLACE ACT
(Employees Engaged in Work on Federal Grants)

No employee of the Buckeye Joint Vocational School District engaged in work or while in the workplace shall unlawfully manufacture, distribute, dispense, possess or use any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance as defined in federal and state law.

"Workplace" is defined to mean the site for the performance of work done in connection with a federal grant. The workplace includes any school building, school property, school-owned vehicles, or school-approved vehicles used to transport students to and from school or school activities; off school property during any school-sponsored or school-related activity, event or function, such as a field trip or athletic event where students are under the jurisdiction of the District where work on a federal grant is performed.

As a condition of employment, each employee who is engaged in performance of a federal grant shall notify his/her supervisor of his/her conviction of any criminal drug statute for a violation occurring in the workplace as defined above, not later than five days after such conviction.

An employee who violates the terms of this policy shall satisfactorily participate in a drug abuse assistance or rehabilitation program approved by the Board. If the employee fails to satisfactorily participate in such program, the employee may be nonrenewed or employment may be suspended or terminated, at the discretion of the Board.

Sanctions against employees, including nonrenewal, suspension and termination shall be in accordance with prescribed District administrative regulations and procedures.

[Adoption date: August 20, 1991]

[Re-adoption date: December 17, 2002]

LEGAL REFS.: Drug-Free Workplace Act of 1988; 41 USC 701 et seq.;
20 USC 3474, 1221e-3(a)(1)
Drug-Free Campus and Schools Act; 20 USC 3224(a)

CONTRACT REF.: Negotiated Agreement

CRIMINAL RECORD CHECK

The Board shall request from the Superintendent of the Bureau of Criminal Identification and Investigation (BCII) criminal record checks of candidates under final consideration for employment or appointment in the District if the candidates are responsible for the care, custody or control of students.

The Board may employ persons responsible for the care, custody or control of students on the condition that the candidate submit to and pass a BCII criminal record check in accordance with the Ohio Revised Code. Applicants are given a separate written statement informing them that the Board may use a criminal record check as part of the initial hiring process and at various times during the employment career. This notice must be on a separate document which only contains this notice. The applicant's written authorization to obtain the criminal record check will be obtained prior to obtaining the criminal record check.

Prior to taking an adverse action against an applicant or employee (such as declining to employ, reassigning an employee, denying a promotion, suspension, nonrenewal or termination) based in whole or in part on a criminal record check, the applicant or employee will be given a written pre-adverse action disclosure statement which will include a copy of the criminal record check and the Federal Trade Commission's notice entitled "A Summary of Your Rights Under the Fair Credit Reporting Act."

After taking an adverse action, the applicant or employee will be given a written adverse action notice which includes the name, address and telephone number of BCII, a statement that BCII did not make the decision to take the adverse action and cannot give specific reasons for it, the individual's right to dispute the accuracy or completeness of any information furnished by BCII and the individual's right to an additional free criminal record check from BCII upon request within 60 days. Any person conditionally hired who fails to pass a BCII criminal background check shall be released from employment.

An applicant for employment may provide a certified copy of a BCII criminal background check to the District in compliance with the Ohio Revised Code. The District may accept this background check in place of its own background check if the date of acceptance by the District is within one year after the date of issuance by the BCII.

For bus driving applicants, a BCII, county or local law enforcement agency records check is required. For currently employed bus drivers, a new report is required every six years.

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.

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[Adoption date: December 16, 1993]
[Re-adoption date: September 18, 2001]
[Re-adoption date: December 17, 2002]

LEGAL REFS.: Fair Credit Reporting Act; 15 USC 1681 et seq.
ORC 109.57; 109.572
2953.32
3319.39
OAC 3301-83-06

CROSS REFS.: GCD, Professional Staff Hiring
GCPD, Suspension and Dismissal of Professional Staff Members
GDD, Classified Staff Hiring
IICC, School Volunteers

FAMILY MEDICAL LEAVE

The Board will provide leave to eligible employees consistent with the Family Medical Leave Act (FMLA). Eligible employees are entitled to up to 12 work weeks of unpaid family and medical in any 12-month period. The District will continue to pay the District's share of the employee's health benefits during the leave. In addition, the District will restore the employee to the same or a similar position after the termination of the leave in accordance with Board policy.

In complying with the FMLA, the District will adhere to the requirements of applicable federal and state laws.

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

[Adoption date: August 21, 1996]

[Re-adoption date: December 17, 2002]

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, Professional Staff Leaves and Absences
GDBD, Classified Staff Leaves and Absences

CONTRACT REF.: Negotiated Agreement

FAMILY MEDICAL LEAVE ACT

Family Medical Leave Absences

An employee who has worked for the District for at least 12 months is eligible for 12 work weeks of FMLA leave during a 12-month period, 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 and
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 District may require an employee, to use accrued paid vacation, personal or sick leave for purposes of a family leave. An employer cannot compel an employee to use accrued medical/sick leave in any situation which the leave could not normally be used.

Spouses Employed by the District

If a husband and wife eligible for leave are employed by the District, their combined amount of leave for birth, adoption, foster care placement and parental illness may be limited to 12 weeks. 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 District. Although the District 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 basis or on a reduced leave schedule.

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

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Benefits

The District will maintain the employee's health coverage under the District's group health insurance plan during the period of FMLA leave. The employee should make arrangements with the District 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 District 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 schedule treatment so as not to disrupt the District's operations.

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

Certification

The District 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. 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 District.

Upon the employee's return to work, the District will require 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 the leave, the District will restore the employee to the same or an equivalent position with equivalent benefits, pay, terms and conditions of employment in accordance with Board policy.

Under certain circumstances, the District may deny restoration to a key employee. The District will comply 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 District 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 an individual setting. This term includes teachers, athletic coaches, driving instructors 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.

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

1. to care for a family member;
2. for the employee's own serious health condition;
3. is foreseeable based on planned medical treatment and
4. 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,

then the District 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 District 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 District 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.

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 will last more than five working days, the District may require the employee to continue taking leave until the end of the semester.

Failure to Return

The District is entitled to recover health care premiums paid during the leave if the employee fails to return from leave; however, 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: August 21, 1996)
(Re-approval date: December 17, 2002)

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PROFESSIONAL STAFF POSITIONS

All professional staff positions will be created only with the approval of the Buckeye Joint Vocational Board of Education. It is the Board's intent to activate a sufficient number of positions to accomplish the District's 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: September 18, 1990]

[Re-adoption date: December 17, 2002]

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

PROFESSIONAL STAFF SALARY SCHEDULES

The Buckeye Joint Vocational Board of Education will adopt a salary schedule for its regular teaching personnel and will place each teacher in the District on the salary schedule in accordance with training and experience.

Placement on the salary schedule will be in accordance with regulations developed by the administration and approved by the Board.

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

[Adoption date: September 18, 1990]

[Re-adoption date: December 17, 2002]

LEGAL REFS.: ORC 3317.13; 3317.14
3319.12

CONTRACT REF.: Negotiated Agreement

PROFESSIONAL STAFF SUPPLEMENTARY PAY PLANS

Teachers' Salary Schedule for Additional and Extended Duties

Upon the recommendation of the Superintendent, additional compensation for additional responsibility shall be determined by the Board of Education and shall be effective on a yearly basis only. Such compensation shall be paid by separate contract over the period for which the employee is employed.

Pay for supplemental assignments is based upon work performed beyond regular duties and beyond the regular workday.

[Adoption date: September 18, 1990]

[Re-adoption date: December 17, 2002]

LEGAL REFS.: ORC 3313.53; 3319.08; 3319.11

CROSS REF.: IGD, Cocurricular Activities

CONTRACT REF.: Negotiated Agreement

PROFESSIONAL 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 law 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.

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: September 18, 2001]

[Re-adoption date: December 17, 2002]

LEGAL REFS.: Family and Medical Leave Act; 29 USC 2611 et seq.

ORC 124.38

3313.20; 3313.211

3319.08; 3319.09; 3319.13; 3319.131; 3319.14; 3319.141; 3319.143

CROSS REF.: GBR, Family and Medical Leave

CONTRACT REF.: Negotiated Agreement

PROFESSIONAL STAFF VACATIONS AND HOLIDAYS

Vacations

Administrative personnel employed on a 12-month basis will receive a vacation during the contract year as specified in their individual contracts.

Upon separation of employment during the course of a school year, an employee shall be entitled to compensation at his/her current rate of pay for accrued and unused vacation leave.

Employees shall not be entitled to carry over accumulated unused vacation leave into a new school year.

Accrued vacation is the total number of eligible days for each employee, divided by the months of his/her contract, times the number of months worked upon to his/her separation date.

Holidays

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

Except as holidays have been declared for the District or vacation days have been scheduled, all professional staff members employed on a 12-month basis (260 workdays per year) will be expected to work during the recess periods of the school year.

[Adoption date: September 18, 1990]

[Re-adoption date: December 17, 2002]

LEGAL REFS.: ORC 3313.20; 3313.63

PROFESSIONAL STAFF RECRUITING

Because the quality of the staff hired by the Buckeye Joint Vocational Board of Education is the major component of an effective, productive educational program, the Board and the administration of the District will make efforts to recruit and retain the most qualified personnel.

The Board expects the Superintendent, with the assistance of the administrative staff, to determine the personnel needs of the District 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 District.

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: September 18, 1990]

[Re-adoption date: December 17, 2002]

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

PROFESSIONAL STAFF HIRING

Through its employment policies, the Buckeye Joint Vocational Board of Education will attempt to attract, secure and retain the highest qualified personnel for all professional positions.

The Superintendent determines the District'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 District. 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 District. 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.

The Board authorizes and directs the Superintendent to develop administrative regulations to implement this policy at the soonest practicable time.

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[Adoption date: September 18, 1990]
[Re-adoption date: December 17, 2002]

LEGAL REFS.: Fair Credit Reporting Act; 15 USC 1681 et seq.
ORC 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 PROFESSIONAL STAFF EMPLOYMENT

Through its employment policies, the Buckeye Joint Vocational Board of Education attempts to attract, secure and retain the highest qualified personnel for part-time and substitute professional staff positions.

Part-time professional staff will be paid commensurate to their training and experience and with consideration to approved state unit funding.

[Adoption date: June 18, 1991]

[Re-adoption date: July 20, 1995]

[Re-adoption date: December 17, 2002]

LEGAL REFS.: ORC 3317.13
3319.08; 3319.10; 3319.13

PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS

The assignment and transfer of teachers shall be the responsibility of the Superintendent. Each teacher will be assigned to a specific area and may be transferred to any other position for which he/she is qualified. Transfers may be requested by administrators, supervisors or teachers. The Superintendent may initiate a transfer whenever he/she believes it is in the best interest of the District.

A transfer may be requested by a staff member; however, a request for transfer does not guarantee that such a transfer will be made. Teachers will be encouraged to discuss transfers or their intention to request transfer with the Director or appropriate supervisor.

Administrators

An administrator cannot be transferred during the life of his/her contract to a position of lesser responsibility unless he/she agrees to such a transfer.

[Adoption date: September 18, 1990]

[Re-adoption date: December 17, 2002]

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

CONTRACT REF.: Negotiated Agreement

PROFESSIONAL STAFF TIME SCHEDULES

Administrators

The nature of the duties and responsibilities of administrators and supervisors requires their hours of work to vary and extend as necessary to fulfill the requirements of their positions. The work year for administrators is established individually through their contracts.

Teachers

Efforts are made by the administration to provide a uniform workday for teachers. The workday for teachers shall be established by the Board.

The work year for teachers is established by the Board's adoption of the school calendar.

[Adoption date: September 18, 1990]

[Re-adoption date: December 17, 2002]

LEGAL REFS.: ORC 3313.48; 3313.481; 3313.483
3319.111
OAC 3301-35-02(B)(11)–(13); 3301-35-03(A)(12)

CROSS REF.: ICA, School Calendar

CONTRACT REF.: Negotiated Agreement

PROFESSIONAL STAFF DEVELOPMENT OPPORTUNITIES

Professional staff members are encouraged to pursue and are provided with opportunities for the development of increased competencies beyond those which they may attain through the performance of their assigned duties and assistance from supervisors.

Opportunities for professional growth in the Buckeye Joint Vocational School District will be provided through such means as the following:

1. planned in-service programs and workshops offered within the school system from time to time;
2. released time for visits to other classrooms and schools and for attendance at conferences, workshops and other professional meetings and
3. leaves of absence for advanced educational training.

The Superintendent has the authority to approve released time for conferences and visitations and reimbursements for expenses, provided that such activities are within budget allocations for that purpose.

[Adoption date: September 18, 1990]

[Re-adoption date: December 17, 2002]

LEGAL REFS.: ORC 3313.20
3315.07
3319.131
OAC 3301-35-03

CROSS REF.: GCBD, Professional Staff Leaves and Absences

CONTRACT REF.: Negotiated Agreement

EVALUATION OF PROFESSIONAL STAFF
(Teachers)

The Buckeye Joint Vocational Board of Education believes that a determination of the efficiency and effectiveness of its teaching staff is a critical factor in the overall operation of the District.

An ongoing evaluation program is implemented to provide a record of service, to provide objective evidence for employment and personnel decisions and to promote the improvement of instruction as a part of the goals of the District.

Procedures used in the evaluation process will be in accordance with the negotiated agreement and state law. Complete and appropriate evaluation records are maintained.

[Adoption date: September 18, 1990]

[Re-adoption date: December 17, 2002]

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

CONTRACT REF.: Negotiated Agreement

EVALUATION OF PROFESSIONAL STAFF
(Administrators Both Professional And Classified)

The Superintendent institutes and maintains a comprehensive program for the evaluation of administrative personnel.

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: September 18, 1990]

[Re-adoption date: August 15, 2000]

[Re-adoption date: December 17, 2002]

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

CROSS REF.: GBL, Personnel Records

Buckeye J.V.S.D., New Philadelphia, Ohio

EVALUATION OF PROFESSIONAL STAFF
(Administrators Both Professional and Classified)

To assist administrators in the development of their professional abilities, to provide information for employment decisions and to comply with mandates of Ohio 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 July. 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/designee 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 the evaluation 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: September 18, 1990)

Buckeye J.V.S.D., New Philadelphia, Ohio

(Re-approval date: August 15, 2000)
(Re-approval date: December 17, 2002)

REDUCTION IN PROFESSIONAL STAFF WORK FORCE

Decreasing enrollment Districtwide or in specific areas, the return to duty of regular teachers from leaves of absence or territorial changes may cause the Buckeye Joint Vocational Board of Education to consider reduction in the number of professional staff positions. In such cases the Superintendent's recommendations will adhere to both the Ohio Revised Code and the negotiated agreement. In all cases the highest priority must be given to providing a quality program of education and sound fiscal management.

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 District, decreased enrollment of students in the District or for financial reasons.

[Adoption date: September 18, 1990]

[Re-adoption date: December 17, 2002]

LEGAL REF.: ORC 3319.17

CONTRACT REF.: Negotiated Agreement

RESIGNATION OF PROFESSIONAL STAFF MEMBERS

A teacher who has a contract covering the ensuing school year will be permitted to resign prior to July 10, preceding that year. After that time, the consent of the Buckeye Joint Vocational Board of Education must be given before a staff member may resign his/her position. Similarly, a staff member may not resign during a school year unless the Board consents. Resignations will be submitted to the Superintendent for presentation to the Board.

[Adoption date: September 18, 1990]

[Re-adoption date: December 17, 2002]

LEGAL REFS.: ORC 3319.02; 3319.15

SEVERANCE PAY

At the time of retirement, a severance amount calculated by a prescribed formula upon the employee's unused sick leave and daily rate of pay at the time of retirement will be granted to employees in accordance with state law or the negotiated agreement.

Administrators who have retired under the rules of the State Teachers Retirement System are not eligible for severance pay based upon a subsequent retirement.

[Adoption date: September 18, 1990]

[Re-adoption date: December 17, 2002]

LEGAL REFS.: ORC 9.90
124.39

CONTRACT REF.: Negotiated Agreement

SUSPENSION AND DISMISSAL OF PROFESSIONAL STAFF MEMBERS

Suspension

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

Dismissal

The contract of a teacher may be terminated for gross inefficiency or immorality; for willful and persistent violations of reasonable regulations of the Buckeye Joint Vocational Board of Education or for other good and just cause. Before terminating any contract the Board will furnish the teacher a written notice signed by the Treasurer of its intention to consider termination of his/her contract, specification of the grounds for such consideration and inform him/her of his/her right to request a hearing by the Board or 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 will be made. After the hearing, the Board will make its determination by majority vote. Any order of termination of a contract will state 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 professional 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 collected bargaining agreement and/or state law.

[Adoption date: September 18, 1990]

[Re-adoption date: December 17, 2002]

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

CONTRACT REF.: Negotiated Agreement

NONSCHOOL EMPLOYMENT BY PROFESSIONAL STAFF MEMBERS

No employee shall accept outside employment that is in conflict with the objectives and policies of the District, or which will interfere with the duties for which the employee is paid by the Board.

[Adoption date: September 18, 1990]

[Re-adoption date: December 17, 2002]

TUTORING FOR PAY

No teacher may tutor for pay a student who is a member of his/her class. Tutorial assistance to students is considered a normal responsibility of the teacher, except in extenuating circumstances.

A teacher may tutor other students on school premises for pay only in accordance with the following conditions:

1. Tutoring is to be done after the regular school day, unless special exceptions are approved by the Superintendent.
2. Tutoring in the school must have the approval of the Director and must be in accordance with District requirements and guidelines for community use of school facilities.
3. When tutoring on school premises is approved, it must be performed for no more than the hourly rate of pay received by home instructors employed by the Buckeye Joint Vocational Board of Education.

[Adoption date: September 18, 1990]

[Re-adoption date: December 17, 2002]

CLASSIFIED STAFF POSITIONS

Education is a cooperative enterprise in which all employees of the District must participate intelligently and effectively for the benefit of the students. This District employs classified staff in positions that function to support the educational program. All such positions are established initially by the Buckeye Joint Vocational Board of Education. For each new position, the Superintendent develops a job description for approval by the Board.

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: September 18, 1990]

[Re-adoption date: December 17, 2002]

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 will enter into written contracts for their employment, which will be for a period of not more than one year. If such employees are rehired at the end of one year, their subsequent contract will be for a period 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 District.

Compensation Plans

In determining and developing salary schedules for classified staff other than administrators, the Buckeye Joint Vocational Board of Education will take into account the responsibilities of the position, the qualifications needed, past experience of the individual and years of service to the District.

The individual salaries for classified staff reporting directly to the Superintendent are reviewed and established annually by the Board upon the recommendation of the Superintendent. Salary schedules for all other classified staff are established by the Board upon the recommendation of the Superintendent.

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

[Adoption date: September 18, 1990]

[Re-adoption date: December 17, 2002]

LEGAL REFS.: ORC Chapter 124
3317.12
3319.081–083; 3319.088

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

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: December 17, 2002]

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

CONTRACT REF.: Negotiated Agreement

CLASSIFIED STAFF VACATIONS AND HOLIDAYS

Vacation

Each full-time, classified member of the staff of the Buckeye Career Center shall be entitled to an annual vacation with pay based on his/her length of service with the District.

In order to receive one year of experience for vacation purposes, the new employee must have been under contract as a classified employee in this District or another political subdivision and must have served in such capacity for 120 days in any given school year. A school year is defined from July 1 – June 30, of any given year. All 12-month classified employees will accrue their eligible vacation days on their anniversary date. Accrued vacation days will be posted on employees' paychecks in September of each year.

<u>Length of Service</u>	<u>Vacation</u>
1 – 10 years	10 days
11 – 17 years	15 days
18 or more years	20 days

Vacation schedules shall be approved by the Superintendent. Unused vacation time may not be forwarded to succeeding years. (R.C. 3319.084).

Vacation Pay

Upon separation of employment during the course of a school year, an employee shall be entitled to compensation at his/her current rate of pay for accrued and unused vacation leave.

Employees shall not be entitled to carry over accumulated unused vacation leave into a new school year.

Accrued vacation is the total number of eligible days for each employee, divided by the months of his/her contract, times the number of months worked upon to his/her separation date.

Holidays

The following holidays shall be granted with pay to classified employees:

Nine-month employees: New Year's Day, Martin Luther King Jr. Day, President's Day, Good Friday, Memorial Day, Labor Day, Thanksgiving Day and following Friday, Christmas Day and one additional day.

Twelve-month employees: New Year's Day, Martin Luther King Jr. Day, President's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and following Friday, Christmas Day and one additional day.

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[Adoption date: September 18, 1990]
[Re-adoption date: July 18, 1995]
[Re-adoption date: December 15, 1998]
[Re-adoption date: December 17, 2002]

LEGAL REFS.: ORC 1.14
121.161
3319.084; 3319.086; 3319.087

CONTRACT REF.: Negotiated Agreement

CLASSIFIED STAFF RECRUITING/POSTING OF VACANCIES/HIRING

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

Appointments to the classified staff will be made by the Superintendent, subject to confirmation by the Board of Education. In making these appointments, the Superintendent will carefully observe all pertinent laws as well as any regulations that may be approved from time to time by the Board.

Conditions of employment for classified staff members as well as wages, hours and other items of this nature will be fixed by the Board upon the recommendation of the Superintendent or be determined by the negotiated agreement.

[Adoption date: September 18, 1990]

[Re-adoption date: December 17, 2002]

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, Professional Staff Recruiting

PART-TIME, TEMPORARY AND SUBSTITUTE CLASSIFIED STAFF EMPLOYMENT

Part-time, temporary and substitute classified staff are employed as necessary for the efficient operation of the District.

The District maintains lists of persons qualified to serve in various support positions so that substitutes and temporary help may be obtained as needed. The Board approves such persons for substitute and temporary employment on the recommendation of the Superintendent.

Part-time, temporary and substitute classified staff employees are paid in accordance with hourly rates established by the Board. Substitute and temporary employees are entitled to sick leave at the rate established by law. Regularly employed, part-time employees are entitled to sick leave on a prorated basis, based on a full-time schedule. Other privileges and benefits may be provided to regularly employed part-time employees.

[Adoption date: December 17, 2002]

LEGAL REFS.: ORC 124.27
3319.081; 3319.141

CLASSIFIED STAFF ORIENTATION

Administrators of the District 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: December 17, 2002]

CLASSIFIED STAFF ASSIGNMENTS AND TRANSFERS

The assignment and transfer of all classified staff will be the responsibility of the Superintendent; however, promotional transfers will be made only by the Buckeye Joint Vocational Board of Education upon the recommendation of the Superintendent. A request for transfer may be made in writing to the Superintendent.

Assignments to Nonpublic Schools

Persons employed by the District and assigned to nonpublic schools will be considered employees of the District in all respects.

Such persons fulfill and meet all regulations as are required for any other classified staff employees in the District. An employee may be re-assigned to serve in any location, either in the public schools or nonpublic schools, as long as the person is qualified to perform such duties.

[Adoption date: September 18, 1990]

[Re-adoption date: December 17, 2002]

LEGAL REFS.: Fair Credit Reporting Act; 15 USC 1681 et seq.
ORC 124.32
3319.01
OAC 3301-35-03(A)

CROSS REF.: GBQ, Criminal Record Check

CLASSIFIED STAFF EXTRA DUTY

The Board recognizes that it may be necessary for classified staff employees to work more than 40 hours during a given work week. The negotiated agreement establishes overtime provisions.

[Adoption date: December 17, 2002]

LEGAL REFS.: Fair Labor Standards Act; 29 USC 201 et seq.
ORC 124.18
3319.086

CROSS REFS.: GCBB, Professional Staff Supplemental Contracts
KG, Community Use of School Facilities (Equal Access)

CONTRACT REF.: Negotiated Agreement

EVALUATION OF CLASSIFIED STAFF

The Superintendent will provide for competent supervision of each employee. Such supervision shall be designed to instruct the employee in his/her duties and responsibilities for his/her job, to improve the employee's competence in his/her position, to cooperatively appraise the performance of each employee and to otherwise promote the welfare of the employee and the Buckeye Joint Vocational School.

It is the responsibility of the Board to employ a supervisory staff to adequately assist the central administration in carrying out this program of supervision.

Appraisals shall be made at least once annually for classified staff personnel.

[Adoption date: September 18, 1990]

[Re-adoption date: December 17, 2002]

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

CONTRACT REF.: Negotiated Agreement

CLASSIFIED STAFF TERMINATION OF EMPLOYMENT

Any classified staff employee may terminate his/her contract of employment 30 days subsequent to the filing of a written notice of such termination with the Treasurer of the Board of Education.

Contracts for classified employees may be terminated by a majority vote of the Board of Education. Such contract may be terminated only for violation of written rules and regulations of the Board of Education or malfeasance, nonfeasance and misfeasance.

The Board shall give written notice of its intentions not to re-employ any classified employee at the expiration of his/her contract. If such notice is not given to a classified employee on or before the first day of June, such employee shall be deemed re-employed.

[Adoption date: September 18, 1990]

[Re-adoption date: December 17, 2002]

LEGAL REF.: ORC 3319.081

CONTRACT REF.: Negotiated Agreement