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## ***GENERAL POLICIES***

### **RECRUITMENT AND SELECTION OF PERSONNEL**

(Policy 7100)

It is the policy of the Ashe County Board of Education to provide all applicants for employment with equal employment opportunities and to provide current employees with training, compensation, promotion and other attributes of employment without regard to race, color, religion, national origin, sex, age or handicap, except where sex, age or physical requirements are essential occupation qualifications. All candidates will be evaluated on their merits and qualifications for positions.

Candidates for employment will be selected based upon their likely ability to fulfill duties identified in the job description as well as performance standards established by the Board of Education. In making the determination, the following information will be considered:

- application
- education and training
- licensure and certification (when applicable)
- relevant experience
- personal interviews
- references and/or background checks
- pre-employment drug test

All personnel selected for employment must be recommended by the Superintendent and approved by the Board of Education.

### **NORTH CAROLINA HEALTH CERTIFICATE**

(Policy 7120)

All new employees, as well as employees who have been separated from public school employment for more than a year or who have been absent for more than 40 consecutive school days because of a communicable disease, must provide a fully completed health certificate on the form provided by the State Superintendent of Public Instruction.

### **SEXUAL HARASSMENT** (Policies 1710, 1740/4010)

The Board of Education believes that all employees and students are entitled to work and study in environments that are free of sexual harassment. To this end, the Board prohibits employees and students from engaging in sexual harassment and advises employees and students that when evidence of sexual harassment is

established, disciplinary action may be taken, up to and including dismissal (for employees) and suspension (for students). Examples of sexually harassing conduct include, but are not limited to, deliberate, unwelcome touching of a sexual nature or that takes on sexual connotations; suggestions or demands for sexual involvement accompanied by implied or overt promises of preferential treatment or threats; pressure for sexual activity; continued or repeated offensive sexual flirtations, advances or propositions; continued or repeated verbal remarks about an individual's body; sexually degrading words used toward an individual or to describe an individual; or the display of sexually suggestive objects or pictures.

Any employee who believes that he/she has suffered harassment may report the matter in writing to the Superintendent or Human Resource Department. (Policies 1750/7220)

### **STUDENT-STAFF RELATIONS** (Policy 7310)

The relationship between staff and students should be one of cooperation, understanding and mutual respect. The staff has the responsibility to provide an atmosphere conducive to learning and to motivate each student to perform to his or her capacity. The staff is expected to model the behavior expected of students in staff-student relationships.

All employees, except student employees, are prohibited from dating, courting or entering into a romantic or sexual relationship with any student enrolled in the school district regardless of the student's age. Employees engaging in such inappropriate conduct will be subject to disciplinary action, up to and including dismissal.

Any employee who has reason to believe that another employee is inappropriately involved with a student as described above will report this information to the Superintendent. An employee who fails to inform the Superintendent of a suspected inappropriate relationship between an employee and a student may be subject to disciplinary action, up to and including dismissal.

## **BLOODBORNE PATHOGENS** (Policy 7260)

It is the policy of the Ashe County Board of Education to comply with federal regulations and state statutes regarding bloodborne pathogens as set forth in the Federal Register, 29 CFR '1910.1030, and the North Carolina Administrative Code, 15A NCAC 19.0200, by attempting to limit/prevent occupational exposure of employees to blood or other potentially infectious bodily fluids and materials that may transmit bloodborne pathogens and lead to disease or death.

Training is provided annually at the beginning of each school year to all personnel.

## **COMMUNICABLE DISEASES** (Policy 4230)

The Ashe County Board of Education strives to provide a safe and orderly environment for all students and employees. The Board of Education also strives to maintain a balance between the need to educate all eligible students, to protect students' and employees' rights and to control communicable diseases. Under certain circumstances, students with communicable diseases may pose a threat to the health and safety of students and staff. Decisions regarding the educational status of students with communicable diseases will be made on a case-by-case basis in accordance with this policy. Nothing in this policy is intended to grant or confer any school attendance or education rights beyond those existing by law.

## **DRUG AND ALCOHOL-FREE WORKPLACE** (Policy 7240)

It is the policy of the Ashe County Board of Education that a drug-free workplace will be maintained. The unlawful manufacture, distribution, dispensing, possession, or use of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroids, alcohol, counterfeit substances 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 further defined by regulation at 21 C.F.R. §1300.11 through §1300.15 is prohibited. No employee will be impaired by the excessive use of prescription or nonprescription drugs.

This policy will govern each employee before, during or after school hours while on any property owned or leased by the Board of Education; at anytime during which the individual employee is acting in the course and scope of his or her employment with the Board of

Education; and at any time that the employee's violation of this policy has a direct and adverse effect upon his or her job performance.

## **USE OF TOBACCO PRODUCTS** (Policy 4230/7250)

The Ashe County Board of Education recognizes the use of tobacco products is a health, safety, and environmental hazard for students, employees, visitors and school facilities. The Board believes that the use of tobacco products on school grounds, in school buildings and facilities, on school property or at school-related or school-sponsored events is harmful to the health and safety of students, staff, and visitors. The Board acknowledges that adult employees and visitors serve as role models for students. The Board recognizes that it has a responsibility to promote positive role models in schools and promote a healthy learning and working environment, free from unwanted smoke and tobacco use for the students, employees and visitors on the school campus. Finally, the Board recognizes that it has a legal authority and obligation pursuant to G.S. 115C-407 *Policy Prohibiting Tobacco Use in School Buildings* as well as the federal *Pro-Children's Act, Title X of Public Law 103-227* and the *No Child Left Behind Act*.

No employee or visitor shall be permitted under any circumstances to use tobacco products in or on the grounds of any facility owned or leased or contracted for by Ashe County Schools

For the purposes of this policy, "tobacco product" is defined to include cigarettes, cigars, blunts, bidis, pipes, chewing tobacco, snuff, and any other items containing tobacco. "Tobacco use" includes smoking, chewing, dipping, or any other use of tobacco products.

## **DRUG AND ALCOHOL TESTING OF COMMERCIAL MOTOR VEHICLE OPERATORS**

(Policy 7241)

The purpose of this policy is to help ensure safe operation of school vehicles and to comply with federal law and regulations by establishing a comprehensive program of drug and alcohol testing for school bus drivers and all other commercial motor vehicle operators employed by the Board of Education.

The administration will carry out pre-employment, post-accident, random, reasonable suspicion, return-to-duty and follow-up testing for drugs and alcohol as required by Part 382. School bus drivers and others employed by

the Board of Education for the primary purpose of operating a commercial motor vehicle will undergo pre-employment testing.

**EMPLOYEE USE OF SOCIAL MEDIA** (Policy 7335/10335)

The Board acknowledges that school employees may engage in the use of social media during their personal time. School employees who use social media for personal purposes must be mindful that they are responsible for their public conduct even when not acting in their capacities as school system employees. All school employees shall comply with the requirements of this policy when using electronic social media for personal purposes.

**PERMISSIBLE USE OF SECLUSION AND RESTRAINT** (Policy 4375)

North Carolina Statue 115C-391.1 addresses the proper and permissible use of physical and mechanical restraints and seclusion and isolation.

Physical restraint in Ashe County Schools shall follow the prescribed methods taught by either CIP (Crisis Prevention Institute) or NCI (Nonviolent Crisis Intervention). All personnel who are in positions in which physical restraint may be necessary should be trained to use CPI or NCI. All schools should identify a minimum of one team consisting of five to seven employees trained to intervene in crisis prevention and physical restraint.

Seclusion is defined as the confinement of a student alone in an enclosed space from which the student is physically prevented from leaving by locking hardware or other means, or is not capable of leaving due to physical or intellectual incapacity.

Seclusion is prohibited in Ashe County Schools except as reasonably needed to protect the safety of students and staff and in accordance with the Behavior Intervention Plan included in a student’s IEP.

Isolation is a behavior management technique in which a student is placed alone in an enclosed space from which the student is not prevented from leaving Ashe County Schools personnel may use isolation provided that:

- The space is appropriately lighted, ventilated, heated, and/or cooled.

- The space is free of objects that unreasonably expose the student or others to harm.
- The length of isolation is reasonable in light of the purpose of the isolation.
- The student is reasonably monitored.

**EMPLOYEE USE POLICY**

(Policy 10300)

Ashe County Schools’ computer resources are intended to be used for business purposes only. These computer resources are not to be considered a substitute for an employee’s personal home computer and/or internet connection. All electronic data files stored or transmitted on Ashe County Schools’ computer resources are considered Ashe County Schools’ records.

As a condition of initial and continued employment, all employees shall sign a statement indicating that they understand and will strictly comply with the Acceptable Use policy.

**WEAPONS ON CAMPUS GS §14.269.2 NCGA**

The Board of Education practices zero tolerance with respect to weapons on school property. Any person who in violation of state law brings a firearm or other weapons onto school property, possesses a weapon on school property, or encourages or enables another to bring or possess any weapon on school property will be reported to law enforcement authorities. Possession of a concealed handgun permit does not authorize the holder to carry a weapon on school property. It shall be a Class I felony for any person knowingly to possess or carry, whether openly or concealed, any gun, rifle, pistol, or other firearm of any kind on educational property or to a curricular or extracurricular activity sponsored by a school. Unless the conduct is covered under some other provision of law providing greater punishment, any person who willfully discharges a firearm of any kind on educational property is guilty of a Class F felony. However, this subsection does not apply to a BB gun, stun gun, air rifle or air pistol.

**PROHIBITION AGAINST RETALIATION** (Policy 1760/7280)

If an employee reasonably believes that (there has been a violation of federal, state, or local law, policy, or regulation, public policy, or an individual’s ethical duties and (2) the violation is due to a practice, policy, act, or omission of the Board of Education, an individual Board

of Education member, a school system employee, or an entity/person with whom the school system has a business relationship, the employee should report that matter in accordance with policy 1750/7220.

## ***EMPLOYEE RESPONSIBILITIES***

### **COMPLIANCE WITH BOARD POLICY**

It is the responsibility of all employees to familiarize themselves with the printed policies of the Board. Employees will be held accountable for compliance with those policies and will be apprised of any revisions by the supervisor.

### **STAFF RESPONSIBILITIES** (Policy 7300)

For students to succeed, all staff members must approach their responsibilities conscientiously, always remembering that the ultimate responsibility of the school district is to create the opportunity and environment in which students can learn.

Also essential to the success of ongoing school operations and the instructional program are the following specific responsibilities, which will be required of all personnel:

- Be familiar with, support and, where appropriate, enforce Board of Education policies, administrative procedures, school rules and applicable laws.
- Attend to the safety and welfare of students, including the need to ensure that students are supervised at all times.
- Demonstrate integrity, respect and commitment to the truth through attitudes, behavior and dress.
- Address or appropriately direct any complaints concerning the schools, the school program or school operation.
- Support and encourage good school-community relations in all interactions with students, parents, and members of the community.

### **STANDARD OF PROFESSIONAL CONDUCT OF ALL EMPLOYEES** (see Addendum A)

## **IDENTIFYING AND REPORTING CHILD ABUSE AND NEGLECT/REPORTING INFORMATION TO OUTSIDE AGENCIES** (Policy 4240)

The Ashe County Board of Education supports all employees who make a report of child abuse or neglect in good faith. Any school employee who knows or has cause to suspect child abuse or neglect is legally required to report the case of the child to the director of social services. The employee also will report the case immediately to the principal.

### **ADMINISTRATION OF MEDICATION TO STUDENTS** (Policy 6125)

Pursuant to N.C.G.S. § 115C-375.1, the Board of Education authorizes school employees to administer medication prescribed by a doctor upon a written request of the parents or guardians. The Board discourages the practice of students taking medication during the school day. Only in unusual situations and with precise attention to the regulations of the Board policy will students be given medication during the school day. The policy covers over-the-counter medication as well as prescription drugs. In cases when students do self-administer medication during the school day, Ashe County Schools are not liable for an injury arising from the student's possession and self administration of medication.

### **LICENSE/CERTIFICATION RENEWAL** (Policy 7130)

The North Carolina State Board of Education requires all professional personnel to update professional knowledge periodically. Every professional license is issued with a five-year renewal cycle.

Licensure renewal is the responsibility of the individual, not of the school district. Any employee allowing a license to expire must have it reinstated prior to the beginning of the next school year. **An expired license is a basis for dismissal.**

The first and subsequent renewal of a license shall be based on 8 units of renewal credit. All K-8 licensed teachers must have 3 units in content including strategies to teach those subjects, 3 units in literacy and 2 units in technology as required by Ashe County Schools. All other educators are required to have 3 in content including strategies to teach those subjects, 2 in technology and the remaining 3 may be elective and related to personal goals developed in the Professional

Development Plan. *Teachers with an initial license (Standard Professional License I) will not be in the five-year renewal process until issued a continuing license (Standard Professional License II).*

State Board regulations call for the renewal requirements to be met by June 30 (the expiration date shown on the license). All credit for renewal must have been earned with the current five-year period.

All licensed employees may review their professional development history by going to ACS website: Department>Human Resources>Employee Links and Employment Forms>Look Up My CEUs—and enter social security number. The Human Resource Department will take care of renewing the license (if the required hours have been met) without the teacher requesting that it be done. The renewed license will be sent to the teacher at the beginning of the next school year.

**If a license expires, reinstatement of a license shall require 8 units of renewal credit.**

In cases where the school system has requested a provisional license, it is the responsibility of the individual to satisfy the provisional requirements of that license within the timeframe established by the North Carolina Department of Public Instruction. Employees may contact the Human Resource Department for additional information.

Professional educators are able to apply for and update their North Carolina licenses online. Instructions and more information are available within the online licensure system.

Go to the [NCDPI Online Licensure System](#)

**Teaching License Name Change—It is the responsibility of any teacher whose name changes (usually due to marriage or divorce) to have their name changed on the NC Professional Educator’s License.** The Human Resource Department will assist you in completion of the necessary state forms. A copy of your new social security card depicting the new name is required. DPI Licensure charges a \$30 processing fee to update the license.

All information concerning a license can be found at <http://www.ncpublicschools.org/licensure/>

## **CHANGES IN EMPLOYMENT RECORDS**

It is the employee’s responsibility to advise the Payroll Department and Human Resources of name, address, telephone number changes, banking and additional educational degrees. Prompt notification will help maintain accurate employment records for pay, leave, salary verification and other purposes.

## **HIRING OF NEW EMPLOYEES/EMPLOYMENT PACKET**

All permanent part-time/full-time employees are required to complete an employment benefits packet. This packet is given once the official offer of employment has been extended. The completed packet must be hand-delivered to the Benefits Office within (five) 5 days of receipt. This information is necessary for pay purposes.

## ***EMPLOYMENT POLICIES AND PROCEDURES***

### **EMPLOYMENT OF PERSONNEL**

All candidates for employment must apply for positions through the North Carolina Department of Public Instruction at <https://nc.teachermatch.org>. The Superintendent will recommend and the Board will hire candidates for employment based on the following factors:

- application
- academic qualification
- state licensure
- record of student teaching experience (where applicable)
- record of experiences, background information, performance, including references
- personal interview, and
- criminal record check
- drug screening

Employment in classified positions shall be on an at-will basis. Persons employed in a position requiring State Board of Education license/certification will be given a contract.

G.S. 115C-325 and G.S. 115-287.1

Examples of at-will employees include most non-certified personnel such as custodians, bus drivers, teacher assistants, clerical staff, cafeteria staff, maintenance staff, and transportation staff.

#### **ADVERTISING VACANCIES** (Policy 7100)

Announcements of vacant positions shall be prepared by the Human Resource Department. The announcements shall be posted in appropriate locations throughout the school system in order for employees seeking advancement may apply for them. Additionally, the job vacancy posting will be published online at the Ashe County Schools' website ([www.asheschools.org](http://www.asheschools.org)) and with the North Carolina Employment Security Commission. Additional postings **may** be made with local/state newspapers, radio stations or other agencies.

#### **EMPLOYMENT OF RELATIVES** (Policy 7100)

In making recommendations for the selection of personnel, the Superintendent will give every consideration to conditions which could result in the employment of two members of an immediate family where one member would occupy a position which has influence over the other's employment, promotion, salary or other related management and personnel considerations. No administrative or supervisory personnel will directly supervise a member of his/her immediate family defined as spouse, children or parents. Should two employees at a particular site enter into one of the familial relationships listed when one is in a supervisory or evaluative role over the other, one employee will be reassigned as soon as reasonably possible.

#### **BEGINNING TEACHER PROGRAM**

Initial (Standard Professional License 1) licenses are issued to teachers with fewer than three years of appropriate teaching experience in their initial licensure area. All teachers who hold initial license are required to participate in a three-year induction period with a formal orientation, mentor support, observations and evaluations prior to the recommendation for continuing licensure. In order to be recommended for a Standard Professional II License, the teacher must be rated **proficient in all teaching standards within the North Carolina Teacher Evaluation Process**. Teachers from

states not included in North Carolina reciprocity agreements who have not completed an NCATE-approved teacher education program must participate in the Beginning Teacher Support Program regardless of their length of experience.

Teachers with three or more years of appropriate experience (as determined by the Licensure Section) are not required to participate in the Beginning Teacher Support Program, nor are student service personnel (e.g., media coordinators, counselors).

#### **CONTRACTS**

A contract is with the Ashe County School System and not one particular school. This enables the Superintendent to assign employees to a school and to duties as needed for the most effective and efficient organization of the school system. Therefore, ideally, a letter of resignation to break a contract should be directed to the Superintendent with a courtesy copy to the principal.

By law, 30 days' notice must be given to break, or end, a contract. Failure to give thirty days' notice, unless granted early release from the contract by the school system, could result in the suspension of a teacher's North Carolina teaching certificate for the remainder of the school year.

#### **CAREER STATUS** (Policy 7410)

Career status can no longer be awarded as of August, 2013. An employee who has obtained career status with the school district is expected to continue to strive for excellence, meet all performance standards established by the Board of Education and pursue professional development as provided in Board of Education policy 1610/7800. Any employee who is unable or unwilling to meet reasonable standards of the Board of Education may be subject to demotion or dismissal as provided in Board of Education Policy 7930.

#### **PERSONNEL FILES** (Policy 7820)

Personnel files will be maintained in the personnel office for all employees as provided by law. The Superintendent and all supervisors are directed to ensure that all appropriate employment-related information is submitted to the file. Employees will be provided all procedural protections as provided by law. All complaints, commendations and suggestions for

correction or improvement relating to the employee must be placed in their file. The complaint, commendation or suggestion must be signed by the person who made it, and it may be placed in the employee's file only after a five-day notice to the employee. Any response by the employee to the complaint, commendation or suggestion must also be placed in his/her file. Any employee wishing to review his/her personnel file should call the Human Resource Department to schedule an appointment. Every employee will have the right during regular working hours to inspect his/her personnel file, provided three working days notice is given to the Human Resource Department.

### **THE WORKDAY** (Policy 7500)

**Exempt Employees:** The length of the school day for licensed staff will be a minimum of seven hours and thirty minutes and will continue until professional responsibilities to the student and school are completed. Administrative meetings, curriculum development, pupil supervision, assigned duties, parent conferences, group or individual planning and extra-curricular activities may require hours beyond the stated minimum.

**Non-exempt Employees:** Working hours for all employees not exempted under the Fair Labor Standards Act, including secretaries, teacher assistants, bus drivers, cafeteria, janitorial and maintenance personnel, will conform to federal and state regulations. Supervisors will make every effort to avoid circumstances which require non-exempt employees to work more than 40 hours. A copy of the Fair Labor Standards Act and any administrative procedures established by the Superintendent will be available to employees in the administrative center.

Non-exempt employees clock in/out through Time and Attendance Capture System (TACS) by keying their ID number which can be obtained through the payroll manager at each school. At the end of each payroll cycle employees will be given a printed timesheet to review and sign.

Supervisors are encouraged to honor the 40-hour workweek unless absolutely necessary. Prior approval is required for compensatory time or overtime. No employee shall work overtime without the express

approval of the supervisor. No supervisor should allow an employee to accumulate more than 40 hours of compensatory time without prior approval of the Superintendent or his designee. Employees must be allowed to use compensatory time with a reasonable period after requesting such use.

### **INCLEMENT WEATHER PROCEDURES FOR ALL EMPLOYEES** (Policies 5050/7550)

The Ashe County School Board plans to have school on a regular schedule every day that the roads are judged to be safe for bus travel. However, during hazardous weather conditions the Superintendent will determine whether school will be delayed, cancelled, or dismissed early.

On a day that employees have the option to report for a workday, but pupils are not required to attend school due to inclement weather, employees have the following options:

- report to work
- take accumulated annual (vacation) leave
- take accumulated personal leave, if available (teachers only)—there is no pay reduction for personal leave on these days
- take leave without pay
- use compensatory leave already accumulated
- make up the time missed (agreed upon time between the employee and the immediate supervisor)

### **FACULTY AND STAFF DRESS CODE** (Policy 7270)

Faculty and staff are representatives of Ashe County Schools and serve as role models for students. It is the expectation of the Ashe County Board of Education that all employees dress professionally and appropriately relative to their specific employment duties and responsibilities. At a minimum, school employees are expected to meet the standards established for students. An employee's dress or appearance may not disrupt the education process. Neatly attired and well-groomed employees personify the honorable profession of educating young people. Policy 7270 states specific guidelines.

**CONFIDENTIALITY** (Policy 7315)

Employees have an absolute duty to maintain the confidentiality of records as required by law. Employees, by the nature of their occupation, are exposed to confidential information which should not be repeated or discussed except with those recognized by law as having a right to the information. Any employee who is not sure whether particular information may be protected by state or federal confidentiality laws should seek clarification from his or her immediate supervisor or the Superintendent's designee. Where violations occur, appropriate disciplinary action will be taken.

**TEACHER RESPONSIBILITIES**

The teacher is directly responsible to the principal. The primary functions are to direct the growth and development of students and to assume definite responsibilities toward the efficient operation and the improvement of the total program of the school. Examples of additional responsibilities that may be assigned include, but are not limited to: bus duty, cafeteria supervision, playground duty, supervision of extracurricular activities, and service on committees.

Initially licensed teachers and teachers with 27 or more years of experience are not assigned extra-curricular activities unless they request it in writing (Ashe County Schools Extracurricular Duties Request Form), and other non-instructional duties are minimized. (Policy 6265 and G.S. 115C-47)

**TEACHER ASSISTANT RESPONSIBILITIES**

The primary function of the teacher assistant is to provide assistance and support in the instruction of students. Teacher assistants shall also be assigned for the purpose of providing services to meet the unique needs of identified special needs students. Teacher assistants perform routine duties under the supervision of teachers and principals.

**RESPONSIBILITIES OF OTHER NON-CERTIFIED AND CENTRAL OFFICE STAFF**

Each employee is directly responsible to a designated supervisor. Each employee has a responsibility for the smooth and efficient operation of the school system. Additional responsibilities may be assigned by the designated supervisor.

**ASSIGNMENT, PROMOTION AND TRANSFER OF PERSONNEL** (Policies 7440 /7510)

All assignments and transfers to schools are the responsibility of the Superintendent. In-school transfers are the responsibility of the principal. The Ashe County Board of Education must be promptly notified of all transfers authorized by the Superintendent.

Voluntary and involuntary transfers will be made in accordance with course requirements, fluctuating enrollments, allotment, efforts to improve student performance and the general welfare of the school district. The interests and aspirations of employees will be considered in making assignments and transfer decisions; however, such interests must be weighed against what is in the best interest of the students, school or school district. Employees will be informed of transfer decisions as soon as reasonably feasible.

**OUTSIDE EMPLOYMENT/CONFLICT OF INTEREST** (Policy 7730)

Responsibilities related to employment with Ashe County Schools shall take precedence over any form of outside employment. The Board recognizes that some employees may, in their own time, pursue additional compensation. Restrictions regarding outside employment is stated in Policy 7730.

An employee will not engage or have a financial interest, directly or indirectly, in any activity that conflicts with duties and responsibilities in the school district.

**REDUCTION IN FORCE**

The Board recognizes that circumstances may require the reduction in the number of persons employed by the school system because of district reorganization, decreased enrollment or discontinued funding. When circumstances require such a reduction in the work force, the Board follows the procedures set forth in Board Policy

**EMPLOYEE GRIEVANCE** (Policies 7220/1750)

The school system encourages equitable solutions at the most immediate possible level to problems between employees that may arise from time to time. When this cannot happen the complete grievance procedures is fully described in Board Policy 7220.

## **PROFESSIONAL GROWTH PLANS**

Every licensed employee is required to complete a Professional Development Plan at the beginning of the school year containing specific goals aligned with the North Carolina Evaluation Process. Any licensed/certified employee who receives a below standard rating on an evaluation shall be placed on one of three plans explained in Board policy 7811 to improve the employee's performance, unless the employee is recommended for dismissal or demotion.

### **DISMISSAL** (Policies 7930/7940)

Licensed employees included within the definition of "teacher" under North Carolina General Statute 115C-325 are subject to the dismissal procedures outlined in the law. Although non-licensed employees are not entitled to the protections of NCGS 115C-325, and are considered employees at-will, the school system is committed to fair employment practices that ensure reasonable basis for dismissal or termination. See policies 7930 and 7940.

## **SUBSTITUTE TEACHER REGULATIONS**

### **EMPLOYMENT**

The local Board of education makes every effort to hire certified teachers to serve as substitutes in the local system. Individuals who have 48 semester hours and have completed Effective Teacher Training are eligible for substitute teaching. Units of employment of substitute teachers will be in half or full days. A substitute teacher who holds a teaching license is paid \$103; a substitute who does not hold a teaching license, but have met the requirements as state by ESSA is paid \$90 per day. This requirement must be completed prior to working in any school in our district. When a deduction is required to be made from the teacher's salary, the deduction is \$50 per day.

## ***EMPLOYEE RELATIONS***

### **COMMUNICATIONS**

The school system considers good communication essential in creating a positive work environment that will retain motivated staff who can work together to achieve goals. Different tools are used to disburse

information such as Net News, a monthly newsletter, Alert Now, our district and schools' home pages, and local media.

Additionally, if an employee needs information or clarification about a matter affecting the employee, he/she is encouraged to discuss the subject with his/her supervisor or principal. The Human Resource Department welcomes all inquiries from employee.

### **EMPLOYEE SUGGESTIONS**

The school system welcomes employee suggestions and ideas for improvement. Employees are encouraged to share suggestions with the appropriate supervisor or principal.

### **RECOGNITION**

A variety of employee award programs to recognize outstanding service or achievement are conducted each year. Those include but are not limited to: Teacher of the Year, Principal of the Year, and Classified Employee of the Year. Additional information can be obtained from a supervisor, principal, or Human Resource Department. In addition, the school system provides service appreciation awards for employees who are retiring.

### **BUSINESS PARTNERSHIPS**

Employees can get a 12-15% discount on their cell phone bill by faxing a copy of their school badge or check stub along with their cell number to any Carolina West Store.

SkyBest Communication, Inc. offers a special Educators' Discount on its dial-up or high-speed Internet service to our employees. Please direct questions to the Director of Technology for Ashe County Schools.

### **PERFORMANCE EVALUATION**

The personnel evaluation process is designed to improve the quality of work performance. The process is seen as continual. The Superintendent or designee shall monitor this process. The school system will evaluate employees at least once every school year. The Superintendent or designee will develop evaluation schedules for each category of employees.

## **PROFESSIONAL GROWTH AND DEVELOPMENT OPPORTUNITIES**

Ashe County Schools offers employees a variety of professional growth and development opportunities that support student achievement. Employees are encouraged to participate in the opportunities as appropriate to their role in the district. Employees are provided professional growth opportunities aligned to individual, classroom, school, district, and state goals.

The NC Educator Effectiveness System (NCEES) is a web-based tool that evaluates and assesses Ashe County Schools Professional Development. It provides a systematic way of managing, scheduling, approving and communicating in regards to professional development. The SEA System can be accessed on the ACS Website>Teacher/Staff Information.

Professional growth and development opportunities are communicated through principals, curriculum leaders, and the Northwest Regional Educational Service Alliance which provides assistance for members in the northwestern region of our state.

### **BEGINNING TEACHER SUPPORT PROGRAM (BTSP)**

The BTSP provides support services for all teachers who have not attained a North Carolina continuing license – usually those with fewer than four years of public school teaching experience. The program includes a system and building level orientation, mentor support, in-field assignment, limited extracurricular and non-instructional duties, professional development programs targeted to the needs of novice teachers and assistance meeting the performance-based requirements for continuing licensure.

### **SPECIAL ENRICHMENT PROGRAMS**

Information about fellowships and special study programs such as the North Carolina Center for the Advancement of Teachers (NCCAT), the National Board for Professional Teaching Standards (NBPTS), or the Teacher Assistant Scholarship Loan Program is available through the Human Resource Department or the North Carolina Model Teacher Education Consortium.

### **GRANTS**

The Board promotes and encourages teachers to pursue grants that are applicable to their teaching needs. Information regarding the process of application and approval may be found on:  
ACS webpage>Departments>Finance>Finance Links>Mini Grants

## **SALARY/COMPENSATION**

### **LICENSED/CERTIFIED EMPLOYEES**

Licensed employees are paid according to the licensure level and years of experience determined by the North Carolina Department of Public Instruction (NCDPI) when the license is issued, plus any local supplement approved by Ashe County Schools Board of Education. Questions about pay should be referred to either the Finance or Human Resource Departments.

The daily pay rate for substitutes teachers is:

- \$103 for individuals who hold a current or expired teaching license from any state. Human Resources must have a copy of the license
- \$90 for individuals who do not hold a current teaching license but have successfully completed the Effective Teaching Training class or a course equivalent

### **CLASSIFIED EMPLOYEES**

Classified (non-licensed) employees are paid according to an approved Ashe County Schools salary schedule.

### **EXTRA DUTY**

The Board recognizes that implementing the total school program may, on occasion, require the services of teachers in areas of responsibility other than their classroom assignment. Teachers in the Beginning Teacher Support Program (BTSP) and teachers with more than 27 years of experience will not be assigned extracurricular duties unless they request the duty in writing.

Coaching is an example of extracurricular activity. Any person employed to coach an athletic team in the system should be a regular employee of the system. There may be exceptions when regular employees are not available.

### **INSTALLMENT PAY**

Teachers, teaching assistants, transportation employees, 10-month custodians, cafeteria staff and office personnel receive their pay in 10 equal installments. Ashe County Schools provides a Summer Cash Plan where you can designate a portion of your monthly installment to be deducted. All employees who wish to participate in the summer cash program must go to the local State Employees' Credit Union to enroll.

### **COMPENSATORY TIME** (Policy 7500)

Non-licensed employees should not work in excess of assigned hours without permission or knowledge of the supervisor. In accordance with the Fair Labor Standards Act, non-exempt employees will be granted compensatory time off in lieu of compensation for hours worked in excess of 40 hours per work week. Supervisors are encouraged to honor the 40-hour workweek unless absolutely necessary. Prior approval is required for compensatory or overtime.

### **DEFINITIONS OF NON-EXEMPT AND EXEMPT EMPLOYEES**

**Non-exempt Employees:** Generally employees who are non-salaried classified employees who have little or no supervisory responsibilities (i.e., teaching assistants, custodians, clerical, cafeteria, etc.)

**Exempt Employees:** Generally employees who are salaried executive, administrative and professional and have supervisory responsibilities (i.e., principals, teachers, central office administration, etc)

### **FAIR LABOR STANDARDS ACT COMPLIANCE**

The workweek extends from Sunday at 12:01 a.m. through Saturday at 12 midnight. Employees classified as non-exempt under the Fair Labor Standards Act (FLSA) who work more than 40 hours in a workweek must be paid overtime pay. Compensatory time off in lieu of overtime pay may be given if agreed to by the employee and employer before the performance of the work.

### **WORKER'S COMPENSATION**

All public school employees are entitled to receive workers' compensation under the North Carolina Workers' Compensation Act. Employees must have

suffered an accidental injury or contracted an occupational disease in the course of employment to be eligible for medical payment, compensation for lost salary or death benefits under this program.

### **LONGEVITY PAY**

Longevity Pay: Administrators and classified employees with at least (10) years of state service in North Carolina earn longevity on a graduated scale, based on state service in NC Public Schools. Longevity is paid annually on the last working day of the employee's anniversary month. Upon separation, for any reason, longevity is paid on a prorated basis. The following chart shows the percentages for longevity pay:

<b><i>Years of State Service</i></b>	<b><i>Longevity Pay Rate</i></b>
• 10 but less than 15 years	1.50 %
• 15 but less than 20 years	2.25%
• 20 but less than 25 years	3.25%
• 25 or more years	4.50%

## ***LEAVE INFORMATION***

### **HOLIDAY LEAVE**

Twelve-month employees observe 11 or 12 holidays per year, dependent on the day of the week for Christmas. Ten-month employees have 10 or 11 holidays yearly depending on the day of the week for Christmas. The Board of Education determines when holidays are scheduled.

- Paid holidays occur on these designated days:
- Labor Day
- Veterans Day
- Thanksgiving (2 days)
- Christmas (2 days or 3 days when Christmas falls on Tuesday, Wednesday or Thursday)
- New Year's Day
- Martin Luther King Jr.'s Birthday
- Good Friday
- Memorial Day
- July 4 (12-month employees)

### **ANNUAL VACATION LEAVE**

Permanent full-and part-time employees earn vacation leave. To earn vacation leave in a given month, employees must be working or be on paid leave during

half or more of the workdays in that month. Eligible part-time employees earn leave equal to their percentage of full-time employment. Instructional personnel and bus drivers are not permitted to take vacation leave on days when students are scheduled to be in class unless the employee's absence is due to catastrophic illness and all sick leave has been exhausted. On June 30 of each year, employees with more than 30 days of accumulated leave will have the excess accumulated leave converted to sick leave so that only 30 days are carried forward to the next fiscal year, which begins July 1. Request for annual leave must be approved by the employee's supervisor.

Annual leave will be transferred when employees transfer among local educational agencies and may be transferred to state agencies if the state agencies are willing to accept the leave; otherwise, employees leaving the public schools will be paid for up to 30 days of accumulated leave. In case of death, the employee's estate will receive payment for any accumulated vacation leave up to 30 days.

**VACATION LEAVE ACCRUAL**

**Vacation Leave Accrual Rate**

Years of State Service	Monthly Full-time Accrual Rates	12 Month Full-time Accrual Rates
Less than 5 years	1.17 days (9.33 hours)	14 days (112 hours)
5 but less than 10 years	1.42 days (11.33 hours)	17 days (136 hours)
10 but less than 15 years	1.67 days (13.33 hours)	20 days (160 hours)
15 but less than 20 years	1.92 days (15.33 hours)	23 days (184 hours)
20 years or more	2.17 days (17.33 hours)	26 days (208 hours)

**SICK LEAVE**

Sick leave is earned by all permanent employees at the rate of one (1) day for each monthly pay period they are working or on paid leave for one-half or more the work days in the pay period (pro-rated for part-time – 50% or more). ***This leave may be used for personal illness, injury, temporary disability, illness or death in the immediate family, or employee medical appointments.*** For periods of 6-10 (six-ten) working days, employees must complete a "Leave Request" form available on the ACS website. The immediate site supervisor is authorized to approve requests from employees for up to ten (10) consecutive days.

***The appropriate supervisor or Human Resource Department may require, at any time, a statement from***

***a medical, professional or other acceptable proof that the employee was unable to work.*** For periods of more than ten (10) working days, employees must complete a "Request for Leave of Absence" form available on line on the ACS website. The Human Resource Department has the authority to approve requests from employees for use of accumulated sick leave for a period exceeding ten (10) workdays.

Sick leave must be charged in half-day minimums and taken only within existing guidelines for personal illness, or an illness or death in the immediate family as defined by the State Board of Education. Unused sick leave can be added to length of service for pension computation at retirement.

**TWENTY-DAY EXTENDED SICK LEAVE**

Permanent full or part time classroom teachers and media coordinators who require substitutes are eligible for 20 additional days of sick leave each year, less \$50 per day, for personal illness. This extended sick leave may be used after all accumulated sick leave has been exhausted. Extended sick leave cannot be accumulated.

**VOLUNTARY SHARED LEAVE**

The purpose of voluntary shared leave is to provide economic relief for employees, ***"who by reason of prolonged absence caused by serious medical conditions of self or immediate family,"*** are likely to suffer financial hardship. The serious medical condition must be documented by a medical doctor and follow the definition and guidelines as set for in the Family Medical Leave Act of 1993. Only permanent employees who have exhausted all accumulated paid leave (sick leave, annual leave and, if applicable, bonus leave) are eligible to receive donated leave. An employee need not exhaust personal leave and the 20 days of extended sick leave to be eligible for voluntary shared leave. Application must be made and approved by the Superintendent.

Any eligible employee in the LEA may donate annual vacation leave to any approved employee in the same LEA and to a coworker's immediate family member who is an employee of a public school, community college, or state agency. Family members may donate annual vacation leave to an immediate family member in another ELA, community college or state agency.

Sick leave may be donated to an employee of a public school system. A public school employee shall not donate more than five days of sick leave per year to any one non-family member. Sick leave may be donated to an immediate family member in the same or another LEA, community college or state agency. The combined total of sick leave donated to a recipient from non-family members shall not exceed 20 days per year.

A donor may not reduce his or her leave balance below one-half of what that person can earn in a year.

Employees may not give or receive compensation for donated leave. Acceptance of compensation in any form may result in dismissal. For additional information contact the Human Resource Department.

### **LEAVE OF ABSENCE WITH PAY**

*Jury Duty:* When permanent school employees are absent from work to serve on a jury, no deduction is made from their regular salaries. Employees are entitled to their regular compensation plus any fees received for jury duty.

*Court Attendance:* When permanent employees are absent from work to attend court in connection with the official duty or because they were subpoenaed or directed by proper authority to appear as a witness for another individual, no salary deduction is made. Any fees received when serving in an official capacity as a witness must be returned to the local school system. However, if an employee is a defendant or a plaintiff in a case and must be absent from work, no salary is to be received unless that time is charged to vacation or personal leave were applicable.

*Military Leave:* Leave with pay is granted to members of reserve components of the U.S. Armed Forces for certain periods of active duty training and for state military duty. Leave with pay is extended to full-time or part-time permanent school employees normally not to exceed 15 days each calendar year, for annual training and military maneuvers. Military leave without pay can be granted for one enlistment period of active service, not to exceed four years plus 90 days.

*Personal Leave:* Personal leave is earned by classroom teachers and school media coordinators who require substitutes. In order to be eligible the employee must be in a permanent full-time or part-time position. Personal

leave is earned at the rate of .20 days for each full month of employment not to exceed two days per year. Unused personal leave may be carried forward from one year to another and may be accumulated without limitation until June 30. On June 30, personal leave in excess of 5 days is converted to sick leave so that a maximum of 5 days of personal leave are carried forward to July 1. Upon retirement, any personal leave may also be converted to sick leave.

Personal leave may be used only upon the authorization of the immediate supervisor.

A teacher shall not take personal leave on the first day the teacher is required to report for the school year, on a required teacher workday, on days scheduled for NC state required testing, or on the day before or the day after a holiday or scheduled vacation day, unless the request is approved by the principal.

A teacher who requests personal leave at least five days in advance shall be automatically granted the request subject to the availability of a substitute teacher and will not be required to explain a reason.

Teachers using personal leave receive full salary less the required deduction (\$50), except for teachers using personal leave on non-protected teacher workdays where there is no deduction.

*Short-term Professional Leave:* Professional leave for participation in workshops and meetings is available if approved by the principal or supervisor. Teachers should check with the principal and/or specific program coordinators about the availability of funds to pay for substitutes for professional leave purposes. When paid substitutes are provided, the leave form should be sent to the budget manager who will sign and add the appropriate budget code.

### **LEAVE OF ABSENCE WITHOUT PAY**

*Education Leave:* Long-term professional leave of up to two years for educational purposes may be requested by certified employees. Long-term professional leave is non-paid. Educational leave is intended to enhance an individual's knowledge, ability, skills, and/or professional growth in a field of education or employment related to the employee's duties or responsibilities in the Ashe County School System. Requests are subject to approval by the principal or supervisor, the Superintendent and the Board of Education. Request for Educational Leave

should be made within 90 days prior to the effective date of the Educational Leave.

*Family and Medical Leave Act of 1993 (FMLA):* FMLA allows eligible employees to take 12 workweeks of unpaid, job protected leave for their own serious medical condition or that of an immediate family member. In addition the FMLA allows eligible employees to take the same job-protected leave for the birth of a child or the placement of a child with the employee through adoption or foster care. Employers must maintain any employer-paid health benefits during the 12 week FMLA leave.

All full-time permanent or part-time permanent employees may take a leave of absence without pay for up to one calendar year from the date of birth or adoption to care for a newborn child or newly adopted child.

To be eligible for this leave, an employee must be employed by the school district for a least 12 months (need not be consecutive) and must have worked at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave.

An employee on non-paid leave is responsible for paying for health and other benefit payroll deductions on a self-paid basis. If insurance benefits are canceled or terminated while on a leave of absence, it is the employee's responsibility to come to the Benefits Office to re-enroll as soon as she/he returns to work. Employees do not receive pay for holidays or vacation days scheduled on the calendar during their non-paid leave. If an employee elects not to use accumulated leave while on a leave of absence, that election may not be changed once the leave of absence without pay has begun.

Tenured employees approved for a leave of absence retain tenured status upon return from the authorized leave. If a probationary teacher in a full-time permanent position does not work for at least 120 workdays in a 215 day school year because the teacher is on leave, that school year shall not be deemed to constitute a consecutive year of service for the teacher.

***The Human Resource Department should be notified of any employee who has been absent 10 days or more.*** Any employee requesting a medical leave of 10 days or more must complete the Request for Leave of Absence

Form and have his/her physician complete the Certification of Health Care Provider Form. For family leave requests, employees must provide documentation to verify that the leave requested is among those permitted by federal statute.

Ashe County Schools will continue to pay its portion of health insurance coverage for employees taking family or medical leave, provided the employee continues to pay for any dependent premiums and additional benefits and returns to work after the 12-week period. If an employee is out longer than 12 weeks, the Benefits Office will contact you.

If an employee is absent to care for a family member, the employee must complete the Request for Leave of Absence Form and get the family members physician to complete the Certification of Health Care Provider for Family Members Serious Health Condition.

## ***BENEFITS***

### **EMPLOYEE ASSISTANCE PROGRAM**

Employees face personal problems from time to time. Ashe County Schools provides an Employee Assistance Program service to permanent employees and their family members. The benefit provides easy access to confidential, professional counseling to help resolve personal problems that are affecting the employee, the employee's family, or work. For additional information, contact the Human Resource Department.

### **HEALTH INSURANCE**

Health insurance coverage is provided for full-time permanent employees with dependent coverage available. Questions about health insurance may be directed to the ACS Benefits Office.

Ratification of House Bill 1085 on June 29, 2012. Most importantly, there was a change clarifying the rules under which employees can enroll in the Plan.

**Employees who do not elect to enroll themselves or dependents on the Plan when first eligible within 30 days of hire will not be allowed to enroll in the Plan unless they experience a qualifying event or during Annual Enrollment.**

***There will be no exceptions to this rule.*** Please remember, when employees enroll they are encouraged to print the confirmation page upon completion of enrollment. Failure to elect coverage within 30 days will cause a possible gap in coverage, inability to enroll in the Plan until the next Annual Enrollment period, etc.

Changes reflected in this bill are effective as of July 1, 2012. The bill revises several sections of General Statute § 135-48—House Bill 1085.

### **DENTAL INSURANCE/VISION INSURANCE**

The system offers dental insurance for permanent, full-time employees. Employees may enroll for coverage during the first sixty (60) days following the hiring date with no waiting period. After that time, employees and/or dependents may enroll only during the annual enrollment period.

The Ashe County Board of Education will reimburse each eligible (permanent full-time) employee a maximum of \$350 for dental/medical expenses during the fiscal July 1-June 30. Dental/medical services for the employee and/or the employee's spouse/dependent children may be included in the reimbursement request. Upon accumulation of ***"Receipts for Payment"*** of at least \$350 for services, the employee may submit the completed claim form to the finance officer and reimbursement will be paid within the following month. For services totaling less than \$350 for the fiscal year, reimbursement will be made upon request submitted at the end of the year. There will be one reimbursement per year per employee with no carry-over to the following year.

### **FLEXIBLE BENEFITS PLAN**

Ashe County Schools offers all full-time employees a comprehensive Flexible Benefits program. This program allows employees to pay for certain insurance premiums, childcare and unreimbursed medical expenses before taxes are taken out of the paycheck. Paying for these benefits in this method reduces the employee's taxes and increases take-home pay. The Flexible Benefits program offers supplemental health insurance programs including cancer, intensive care, accident/disability and short-term disability—non-tax deferred. Annual enrollment periods are held each year.

### **LIFE INSURANCE**

The system provides \$5,000 of basic life insurance on each full-time employee. Additional coverage may be purchased at minimal cost through Aetna Insurance Company for employees and their family members.

### **RETIREMENT**

Permanent, full-time employees are covered by the North Carolina Teachers and State Employees Retirement System. Employees contribute six (6) percent of their monthly salaries, and employers contribute a percentage of employee wages to the Retirement System. Employee contributions are paid with pre-tax dollars, thereby reducing current state and federal income taxes. Employees who are involuntarily terminated or who resign after five or more years of Retirement system membership may withdraw their retirement contributions, plus any statutory interest they have earned. Persons who involuntarily resign with less than five years of membership in the Retirement System may withdraw only the funds they contributed. ***Persons leaving public school employment may elect to leave their contributions in the Retirement System.***

Employees may retire with unreduced benefits if they (1) have 30 years of service regardless of age, (2) reach age 60 with 25 years of service, (3) reach age 65 and have at least five years of membership service. Employees may also retire with reduced benefits if they (1) reach age 50 and have 20 years of service or (2) reach age 60 and have at least five years of membership service. For more detailed information regarding beneficiary designation, visit the Web site, [www.myncretirement.com](http://www.myncretirement.com). All information regarding your current retirement account is accessible through this website by setting up your account through ORBIT (Click and follow directions). Employees nearing retirement should contact Human Resources and the Superintendent, for assistance at least 60-90 days prior to the anticipated retirement date.

### **SOCIAL SECURITY**

School employees are members of the Federal Social Security System and contributions are made by both employees and employers. Benefits include retirement income, disability payments and survivor's insurance. Social Security contributions are made up of two parts—Social Security and Medicare.

### **DEATH BENEFIT**

After completing at least one calendar year as a member of the Retirement System, eligible employees are automatically covered by a death benefit while they are being paid a salary and up to 180 days after the last day for which a salary is paid. Upon death, the beneficiary will receive a lump sum payment equal to the employee's salary during a 12-month period, with a minimum of \$25,000 and a maximum of \$50,000.

### **SUPPLEMENTAL RETIREMENT INCOME PLAN OF NORTH CAROLINA 401 (K)**

Participation is available in the North Carolina 401(K) Plan. Prudential Retirement is the state administrator of the plan. For more information, contact the ACS Benefits Office.

### **TAX-SHELTERED ANNUITIES 403 (B)**

Tax-sheltered annuities are available for interested employees.

### **457 DEFERRED COMPENSATION PLAN**

All permanent employees are eligible to participate in the 457 Deferred compensation Plan administered by The Alford Group and AIG VALIC. A 457 plan is similar to a 403(b) plan where contributions are made through payroll reduction, occur on a pre-tax basis and accumulate tax-deferred until withdrawn. Investment options include stock funds, bond funds and short-term investment funds. The deferral dollar limit will be adjusted for inflation in \$500 increments. During each of the three years prior to retirement, there is a special catch-up limit that is generally twice the deferral limit. In addition, there is an age 50+ catch-up provision which allows employees to contribute an additional \$2,000 into the plan. For example, the maximum contribution for someone at least 50 years of age in 2003 is \$14,000. The standard 457 catch-up and the age 50+ catch-up cannot be used in the same year with the 457 plan. The 457 plan maximum deferral limit is not reduced by deferral made to another type of retirement plan such as 401(k) or 403 (b). Therefore, a participant covered by a 457 plan and a 401(k) plan could defer the maximum into each plan.

### ***Reasons why you might participate in a 457 plan even if you already have a 403(b) plan are threefold:***

- You have already reached the annual elective deferral limit in the 403(b) plan and want to make additional pre-tax contributions;
- There is no 10% penalty on distributions taken prior to age 59; and
- There is no recurring administrative charge or surrender charge on withdrawals taken due to death, disability, separation from service or an unforeseen emergency.

### **CREDIT UNION**

Ashe County Schools allows voluntary monthly deductions from permanent full or part-time employees' payroll checks for financial obligations incurred with the State Employees' Credit Union. Credit Union payroll deductions may be made for saving, checking, and/or loan accounts. Direct deposit services are also available through the Credit Union.

### **DIRECT DEPOSIT**

Ashe County Schools requires direct deposit for all employees. Your pay-stub is viewable on the ACS webpage>Teachers/Staff>Employee Resource Center (ERC). For information, please contact the ACS Payroll Department.