Providing Excellence in Education for All Students



Employee Handbook

Kingsport City Schools™

Office of Human Resources

A MESSAGE FROM THE SUPERINTENDENT OF SCHOOLS

Dear Colleague,

As an employee of Kingsport City Schools, *you* are a vital link to the overall effectiveness of our school system. It takes all of us working together to meet the challenges of educating our students to prepare them for the future. Every job is important and every employee is valued for their role and contributions in this effort.

In accordance with Board of Education policy 5.100, Employment of Personnel, this handbook serves as a means of communicating information to employees regarding policies, procedures, and guidelines. The Employee Handbook is a reference tool which we hope you will find useful and informative. While it won't answer all of your questions, it will point you in the right direction as questions arise.

It is our goal to provide the most current information to our employees. The most up-to-date and authoritative version of the Employee Handbook is available online. Employees will be notified when substantive revisions are made to the handbook. If you have questions that are not answered in the handbook, please feel free to discuss the matter with your supervisor or contact the Human Resources office directly.

I appreciate the job that you do for our students and our school system. By working together, we can achieve our mission to provide excellence in education for all students.

Sincerely,



Dr. Richard Kitzmiller, Ed. D.

Superintendent of Schools

Revised August 2009

Mission 3
Statement of Assurance of Non-Discrimination 3
Disclaimer 3
PERSONNEL PROCEDURES 4
Assignment, Reassignment and/or Transfer 4
Attendance 4
Abbreviated Days 4
Absences and Tardiness 4
Emergency Closings 5
Benefits 6
Health Insurance 6
Employee Assistance Program (EAP) 6
Dental Insurance 7
Life Insurance 7
Long-Term Disability (LTD) 7
Flexible Spending Accounts (FSA) 7
Benefits available upon the Death of an Employee 7
City Owned/Leased Vehicles Use Policy 7
Seat Belt Use 8
Employment/Supervision of Relatives 8
Equal Employment Opportunities 8
Evaluation 9
Grievance Procedures 9
Health and Safety 11
Accidents 11
Health Examinations/Communicable Diseases 11
Interim Educators 12
Intranet Website 12
Job Descriptions 12
Job Posting Procedure 12
Leaves 13
Adoption of a Child 13
Bereavement Leave 13
Extended Leaves of Absence 13
Family Medical Leave Act 13
Jury Duty 15
Leave without Pay Request 15
Maternity Leave 15
Military Leave 17
Personal Leave 17
Professional Leave 18
Return to Work 19
Sick Leave 19
Sick Leave Bank - Professional Employees 20
Subpoena to Court 20
Vacation and Holidays 20

Liability Coverage 22
Records 22
Resignations 22
Retirement 22
Tenure 23
Training 23
Workers' Compensation 24
EMPLOYEE CONDUCT 26
Conduct (Personal and Professional) 26
Alcohol and Drugs 26
Criminal Activity 26
Ethics 27
Communication Technology 28
Computer Network Acceptable Use 28
Personal Communication Devices 29
Radio Communications 29
Confidentiality 29
Copyright 29
Dress 30
Elected Office 31
Harassment of Employees 31
Tobacco-Free Environment 32
Use of School Facilities 32
Visitors to the Schools 32
Weapons - School Related Activities 33
PAYROLL AND WORK SCHEDULES 34
Career Ladder Educators 34
Compensation 34
Pay Days 34
Deferred Compensation 34
Differentiated Pay 35
Pay Advances 35
An Error on Paychecks 35
Credit Union Services 35
Garnishments 35
Length of Work Day 35
Length of Work Year 36
Meals & Rest Breaks 36
Overtime 36
Social Security 37
Tax-Sheltered Annuities 37

Mission

All employees should work toward the mission of the system to provide excellence in education for all students.

Refer to BOE Policy 1.700.

Statement of Assurance of Non-Discrimination

Kingsport City Schools does not discriminate on the basis of race, color, national origin, religion, sex, age or disability in admission to, access to, or treatment or employment in, its programs and activities. The system will be in compliance with the regulations implementing Title VI of the Civil Rights Act of 1994, Title IX of the Educational Amendments of 1972, The Americans with Disabilities Act (ADA) of 1990, and Section 504 of the Rehabilitation Act of 1973. Inquiries concerning the system's compliance with the regulations implementing Title VI, Title IX or the Americans with Disabilities Act (ADA) are directed to the Kingsport City Schools compliance officer for employees, Lori Jung at 378-2116, and for students, Ed Abbott at 378-8598. Inquiries concerning Section 504 are directed to contact compliance officer, Brian Cinnamon at 378-2175.

Disclaimer

The employee handbook is intended as a guide. It is not a contract and does not create a contract for employment, express or implied. The Board of Education and the administration of Kingsport City Schools expressly reserve the right to unilaterally make additions, deletions, or substitutions to this employee handbook. It is the employee's responsibility to read the employee handbook and Board of Education policies and to understand that all employees are held to the terms and conditions outlined in each. A printed copy of the most current employee handbook is available upon request. The most authoritative and updated copy of the handbook is the one that appears on the System's website. This handbook summarizes personnel policies approved by the Board of Education and administrative procedures. In the event there is a conflict between this handbook and the policies approved by the Board of Education, the policies approved by the Board of Education will govern. No rights accrue to any employee by any statement in or omission from this handbook.

1

PERSONNEL PROCEDURES

Assignment, Reassignment and/or Transfer

Assignment of personnel shall be the responsibility of the Superintendent of Schools, subject to applicable law, and with consideration given to the following:

- Qualifications of the person being assigned, reassigned and/or transferred.
- Professional and personal characteristics required by each position.
- Recommendations of appropriate administrators directly responsible for supervision of each position.
- Desire of person being assigned, reassigned and/or transferred.
- Efficient operation of the school system.

Reassignments within a given administrative unit of the school system may be made at the discretion of the school principal and other appropriate administrators when applicable. Transfers from one administrative unit to another shall be approved by the Superintendent of Schools.

Refer to BOE Policy 5.115.

Attendance

Abbreviated Days

There are abbreviated days for students in the school calendar. High school and middle school students will be dismissed at 11:40 a.m. and elementary school students will be dismissed at 12:15 p.m. Employees are expected to work a full day, for which they are paid, on abbreviated days unless a flexible schedule is approved by the building principal and/or supervisor. A flex schedule should include the number of hours for which an employee would be paid during that workweek.

Absences and Tardiness

Good attendance is necessary for the efficient operation of the school system. The absence or tardiness of an employee often places an extra burden on another employee. It is important for employees to understand the following information:

- Attendance records are a permanent part of an employee's file.
- If an employee must be absent or late to work, he or she must notify the principal or supervisor immediately.
- Consideration should be given by the employee for making prior arrangements for someone else to notify the principal or supervisor in the event the employee is incapacitated and can not make the notification.
- Absence for any reason other than illness or an emergency situation should always have the prior approval of the principal, supervisor or the Superintendent of Schools. (Exception: see Personal Leave - Professional Personnel.)
- Failure to notify the principal or supervisor of an absence may result in disciplinary action up to and including dismissal.
- Unexcused absences or tardiness may result in disciplinary action up to and including dismissal.
- Unexcused absences are those where the employee fails to notify the principal or supervisor of the absence or fails to request prior approval when necessary.

See *Leaves.*

Emergency Closings

On days when Kingsport City Schools announces that schools will be closed due to weather or any other circumstance, non-exempt employees who work a student calendar, are not expected to work (i.e., instructional assistants, school nutrition service workers, bus drivers, etc.). They will have to work on the days scheduled to make up for time missed. Other non-exempt employees who work a 12 month calendar (i.e., secretaries, maintenance staff, custodians, etc.) are expected to be at work or request appropriate leave.

Exempt employees who work the student calendar (i.e., teachers and school nurses) are not expected to work. All other exempt employees are expected to be at work or request appropriate leave.

Refer to BOE Policy 1.8011.

Delay in Starting Time

All employees are expected to be at work at their usual time. Employees are also expected to call in if they are going to be late. Making up for time missed will be worked out with the building principal or immediate supervisor. There will be a sign-in sheet for all employees on these days due to the importance of making certain that classes are covered before students are sent to classrooms or other areas of the building.

Early Dismissal
Non-exempt employees who follow the student calendar could stay the full day or leave early and make up their time (within Fair Labor Standards Act (FLSA) guidelines or within the work week) with approval of the building principal or supervisor. All other non-exempt employees would be expected to stay and work their full day or request appropriate leave.

Teachers, due to exempt status, may leave when released by the principal. All other exempt employees are expected to work their full day or until they are released by the building principal or supervisor. Time will need to be documented and made up if necessary.

Building principals and/or their designee are not expected to leave the building until they have received word that all buses have completed their runs. Employees are expected to sign out on these days.

Benefits

Employees must work full-time (at least 30 hours per week on regular basis) to be eligible for full benefits.

Health Insurance

Employees eligible for health insurance currently have an option of either a Preferred Provider Organization (PPO), Point of Service (POS), or Health Maintenance Organization (HMO) through the State of Tennessee Local Education Plan with the Kingsport Board of Education paying 70% of the lowest premium. (Exception: The Board of Education pays only 45% of the lowest premium for part-time teachers.) Employee premiums are paid through payroll deduction. Employees enrolled in the health insurance plan are provided with an annual transfer period which allows the opportunity to change healthcare options for themselves and covered dependents.

The state group insurance program does not have an open enrollment period for health coverage. Employees who decline the health insurance when first eligible shall be required to apply for coverage by means of medical underwriting or through a special enrollments provision. (Call 378-2108 for more information.)

{ ***Health insurance coverage shall cancel at the end of the month in which employment is terminated or when coverage is cancelled at the employee's request.*** }

Employee Assistance Program (EAP)

Employees enrolled in the Health Insurance Plan have access to the Employee Assistance Program through the State as well. Confidential counseling services and/or referral services are provided to all covered employees and eligible dependents who may be experiencing personal or work place problems. EAP may be reached at any time by calling 1-800-308-4934. EAP handles a wide range of problems including those related to emotional, family, marital, stress, financial, substance abuse, legal, work place and elder care.

Dental Insurance

Dental insurance is optional for full-time employees and the premium is paid in full by the employee through payroll deductions. Eligible employees have a choice of the State of Tennessee dental plan or the City of Kingsport plan. Currently, there is an annual open enrollment period.

Life Insurance

Full-time employees are provided term life insurance in the amount of 1.00 times their basic annual salary rounded to the next higher multiple of $1,000 to a maximum of $100,000. (Life benefits reduce by fifty percent [50%] upon the employee's attainment of age 70.) Supplemental or dependent life insurance is also available at the employee's option and expense. Premiums are paid through payroll deduction.

Long-Term Disability (LTD)

Full-time employees are offered the option of long-term disability insurance only at the time of hire. It is available on a shared cost basis (50/50) between the employee and the system. Premiums are paid through payroll deduction.

Flexible Spending Accounts (FSA)

Flexible spending accounts (FSA) are offered to full-time employees as a provision of the Section 125 Plan which allows an employee to deposit a portion of gross income, tax free, into a spending account which is used to pay for medical, dental, and vision expenses as well as daycare expenses. Eligible employees must apply for the accounts on an annual basis. (Customer support hotline – (800) 532-3327; account information – 800-332-9610; website: http://www.floresinfocenter.com) This is a pre-tax payroll deduction.

Benefits available upon the Death of an Employee

Upon the death of an employee, his or her designated beneficiary must contact the Human Resources office regarding any insurance or retirement benefits to which he or she may be entitled. It is the employee's responsibility to make sure that his or her beneficiary records are updated.

City Owned/Leased Vehicles Use Policy

Generally, only city employees, including school employees, members of the board of mayor and aldermen, and members of the board of education will drive or ride in city-owned vehicles. In limited situations volunteers engaged in the transportation of city personnel and/or material and supplies used to carry out the functions and operations of a department of the city, and for which the immediate use of a vehicle is actually necessary or convenient, will drive or ride in city-owned vehicles.

The term "city-owned vehicle or equipment" includes all city owned, leased, rented, or borrowed vehicles and equipment, unless the context clearly dictates a different meaning. The proper operation and care of a city-owned vehicle or equipment is the

responsibility of the user of such vehicle or equipment. Employees are prohibited from using city-owned vehicles or equipment for personal use, except as provided by City policy.

Employees and non-city employees will operate all city-owned vehicles or equipment in accordance with all applicable federal, state, and local rules, policies, regulations, or guidelines.

All employees and board members operating a city-owned vehicle or equipment will execute a driver agreement provided by the KCS Human Resources department prior to operating a city-owned vehicle or equipment. The most current form is available on the KCS Intranet in the Employee Resources/Forms area. Once completed, the form will need to be submitted to the Human Resources department.

All operators of city-owned vehicles or equipment will be duly and appropriately licensed drivers of their state of residence. The license must be carried by the operator at all times during the operation of such vehicles or equipment.

Seat Belt Use

The use of seat belts in school owned vehicles is mandatory for all passengers in those vehicles equipped with seat belts. The driver of school vans and all school vehicles is responsible for ensuring that all passengers use safety belts, as required by law. The driver will not begin to move the vehicle until the driver and all passengers are belted.

Refer to BOE Policy 3.400.

Employment/Supervision of Relatives

No family member or any person having been regularly living in the household of the Superintendent of Schools, a member of the Board of Education or the Board of Mayor and Aldermen shall be initially employed during the time the related official holds office.

In order that there be no conflict of interest in the supervision and evaluation of employees, at no time may any administrator be the immediate supervisor of any employee who is his/her family member nor is any employee to directly supervise or evaluate another employee who is a family member.

Refer to BOE Policy 1.108.

Equal Employment Opportunities

Kingsport City Schools maintains a policy of non-discrimination with employees and applicants for employment. No aspect of employment will be influenced in any manner by race, color, religion, sex, age, national origin, veteran status, marital status, disability or any other basis prohibited by statute.

Refer to BOE Policy 5.104.

Evaluation

Classified Employees

All classified employees should be evaluated by their supervising administrator during their first year of employment and at least every fifth year thereafter. Evaluations may be conducted more frequently should there be identified areas needing improvement.

Professional Employees

The supervising principals shall have the major responsibility for the evaluation of teachers. Teachers must be evaluated following the appropriate state guidelines.

All teachers with an apprentice license or who are non-tenured must be evaluated using the Comprehensive Assessment of the Framework from Evaluation and Professional Growth. Teachers who are tenured and have a professional license may opt for a Focused Assessment with the agreement of the evaluator. First and second year apprentice teachers, or teachers new to KCS, must have at least three observations under the Comprehensive Assessment, one of which should be announced, one unannounced and the third announced or unannounced. Teachers with a third year apprentice or a professional license must have at least two observations under the Comprehensive Assessment with one announced observation and one unannounced.

All other professional staff members should be evaluated with the appropriate State evaluation.

Refer to BOE Policy 5.109.

Grievance Procedures

In accordance with Board of Education Policy, the following procedures provide guidance in addressing a complaint. Please direct any questions relating to the process to the Assistant Superintendent for Human Resources or the Human Resources Manager.

Definitions

A “grievance” shall mean a complaint by you, the grievant, (a) of a violation, misinterpretation, or misapplication of a school board policy or state or federal law affecting you or (b) you have been treated unfairly or inequitably by an act or condition which is contrary to administrative procedures governing or affecting you.

“Workdays” may vary depending on involved parties’ work schedules.

The term grievance shall not apply to any matter related to employment evaluations as to which a method of review is prescribed by law, or by any rule or regulation of the Tennessee State Board of Education or the Tennessee State Department of Education having force and effect of law.

Informal Procedure

If you feel that you have a grievance, you should discuss the matter in an effort to resolve the problem informally. The immediate supervisor is normally the first contact in the grievance procedure. However, if the grievance is in regard to your immediate supervisor, you may contact: the building principal, director of the department, or Human Resources. The first effort should be an effort to resolve the problem internally. The process will still follow the same procedures, with the alternate contact.

The informal meeting shall take place within ten (10) workdays after the date of the alleged violation. The immediate supervisor (or alternate) shall respond to you verbally within ten (10) workdays after the informal meeting. If the informal process fails to satisfy you, a grievance may be processed as formal procedure.

Formal Procedure

NOTE: All formal grievances must be filed on the appropriate forms.

Step 1: IMMEDIATE SUPERVISOR

You shall have the right to file a written grievance with your immediate supervisor (or alternate) within ten (10) workdays after the date of the alleged violation or the final step of the informal procedure, whichever is later. The supervisor (or alternate) shall arrange a conference with you no later than ten (10) workdays after the receipt of the grievance. Within ten (10) workdays after the conference, you shall be provided with the supervisor's (or alternate's) written response.

Step 2: SUPERINTENDENT OF SCHOOLS

If the grievance is not resolved at step 1, you may refer the grievance to the Superintendent of Schools within ten (10) workdays after the receipt of the step 1 response or after the step 1 conference, whichever is later. The Superintendent of Schools, or designee, shall arrange to meet with you within ten (10) workdays after the Superintendent's receipt of appeal. Each party shall have the right to include in his/her representation such witnesses as deemed necessary. Within ten (10) workdays after the meeting, you and your immediate supervisor shall be provided with the Superintendent/designee's written response.

Step 3: BOARD OF EDUCATION

If the grievance is not resolved at step 2 or the time limit expires without the issuance of the Superintendent/designee's written reply, you may request a review by the Kingsport Board of Education within ten (10) workdays after you receive the written decision or after the time limit for step 2 has expired. The request shall be made in writing through the Superintendent of Schools, who shall attach all related documents and forward the request to the Board. The Board may review the case and, if deemed appropriate, shall hold a hearing with you. Your request for a Board hearing must be made by Tuesday, the week before the next scheduled board meeting. Each party shall have the right to have present at the hearing a reasonable number of witnesses and one fellow employee. A list of attendees should be attached to the request. The Board shall render a decision in writing within ten (10)

workdays after the hearing of the grievance. Copies of the response of the Board of Education shall be sent to you and your immediate supervisor through the Superintendent of Schools.

General Provisions

All documents, communications, and records dealing with the processing of a grievance shall be filed separately from the personnel files of the participants and shall not be forwarded to any prospective employer, nor shall such documents be revealed or the grievance(s) be alluded to in any communication between the administration and said prospective employer. The Tennessee Open Records Law will be observed in the implementation of this provision. An investigation of the issues may be conducted at any step in the process, as is necessary, and appropriate. The purpose is to gather the information that is needed to make an informed decision.

Failure at any step of the procedure to communicate the decision on a grievance within the specified time limits shall permit you to proceed with the next step. Your failure to proceed to the next step within the specified time limits shall mean acceptance of the decision. Grievances may be resolved at any step in the process.

You may withdraw a specific grievance at any step, but once withdrawn, this specific grievance may not be re-filed. A decision becomes binding on all parties whenever an employee does not file a timely appeal or when a decision is made in the final step and the right of appeal no longer exists.

It will be the practice of all parties to process grievances at times which do not interfere with assigned duties. A grievance should be processed as rapidly as feasible, therefore, the number of days indicated at each level will be considered maximum. Time spent by employees in grievance discussions during their normal working hours, will be considered hours worked for pay purposes.

Employees are not to be penalized for proper use of the grievance procedure. However, it is not considered proper use if an employee raises grievances in bad faith or solely for the purposes of delay or harassment, or repeatedly raises meritless grievances. Implementation of the grievance procedure does not preclude Kingsport City Schools from following other policies in relation to disciplinary action, which is not in retaliation for use of the grievance procedure.

Refer to BOE Policy 5.500.

Health and Safety

Accidents

Procedures for addressing accidents involving students and visitors are outlined in the Administrative Procedures Manual. For all accidents involving personnel, please see *Workers' Compensation.*

Health Examinations/Communicable Diseases

It is the intention of the Board of Education to minimize health threats to students and/or employees. Prior to commencement of the employment duties, each new

regular employee shall be required to submit a certificate of health showing fitness to perform the essential functions of the job. The Superintendent of Schools may require a physical examination by a licensed physician whenever there is reason to believe that an employee has a communicable disease. This may include a second opinion. Such an examination, initiated by the employer, will be at the employer's expense.

Refer to BOE Policy 5.400.

Interim Educators

Employees shall be hired on an interim contract only when a vacancy is created by an employee taking a leave of absence as set forth in state law. Such interim employees shall be considered as temporary replacements for the remainder of the leave of absence and the contract term will not be considered as initial employment. Persons filling any temporary positions shall have no expectancy of continued employment.

Refer to state law TCA 49-5-702 & TCA 49-2-203.

Intranet Website

Kingsport City Schools maintains a website, www.k12k.com, as a tool for communicating with staff, students, parents and the community-at-large. In addition to information made available to the public, the website includes a password-secured intranet site. The intranet contains a wide variety of information and forms for internal, school system use. All employees should register for access to the secure intranet site, become familiar with its contents, and check the site regularly for information and updates.

Job Descriptions

Job descriptions have been developed for all positions. Each employee is asked to review his or her job description prior to signing an employment contract. Performance of the essential job functions, with or without reasonable accommodations, contained in the job description is a condition of employment.

Job Posting Procedure

The following procedures will be utilized to notify employees of vacancies:

- Position vacancies and job descriptions are posted on the KCS website. Long-term substitution and interim positions may not be posted; however, these positions may be posted if the person vacating the position does not return at the end of his or her leave.
- Under normal circumstances, the period of posting will be a minimum of five (5) calendar days. Positions will not be filled until after the expiration date to assure consideration of all interested employees.
- All employees wishing to apply for the position(s) must submit an application online by the close date of the posting. (To ensure consideration

for a specific position, it is important to submit an application directly for that posting - position and location.)

In filling vacancies, principals and supervisors shall consider the qualifications, experience, licensure and training of each person who applies. Applicants outside the system may be considered as well as employees who have applied for a specific position. An employee seeking transfer by online application will be considered for the specific position to which he/she applied but is not guaranteed an interview or transfer.

Leaves

Any questions regarding leaves should be directed to the KCS Human Resources Department.

Adoption of a Child

Please see *Family Medical Leave* and *Sick Leave*.

Bereavement Leave

Kingsport City Schools recognizes that tragic events occur; however, there is no specific leave for a death in the family. An employee may use accrued personal or sick leave that is applicable to the situation.

Extended Leaves of Absence

Extended leaves of absence without pay require prior approval. Extended leaves of absence apply after all other applicable entitled leaves have expired or are inappropriate (i.e. sick, vacation, Family and Medical Leave, maternity, etc).

Refer to BOE Policy 5.304.

As a general rule governing leaves for teachers, state law guarantees that upon return from a leave of absence of less than 12 months, a teacher will be reinstated to the same position. If the leave exceeds 12 months, the teacher will be placed in the same or a comparable position.

Refer to state law TCA 49-5-705.

Family Medical Leave Act

Eligibility

To be eligible for FMLA leave, an employee must:

- Have worked for Kingsport City Schools for at least 12 months.
- Have worked at least 1,250 hours during the previous 12 months, prior to the start of the FMLA leave.

Basic Leave Entitlement

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

- For incapacity due to pregnancy, prenatal medical care or child birth.

- To care for the employee's child after birth, placement for adoption, or foster care.
- To care for the employee's spouse, son or daughter (under the age of 18, except in approved cases of Military Leave under FMLA), or parent, who has a serious health condition.
- For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include: attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Benefits and Protections

Kingsport City Schools must notify an employee whether he or she is eligible or not for leave under FMLA. During FMLA leave, the KCS will maintain the employee's health coverage under the group health plan on the same terms as if the employee had continued to work. Upon return from FMLA leave, employees are restored to the same or an equivalent position with equivalent pay, benefits and other employment terms.

Other Provisions

Leave to care for a newborn child or for a newly placed child must conclude within 12 months after the birth or placement.

In cases where both spouses are employed with KCS, FMLA leave will be limited to a combined total of workweeks allowable per approved FMLA.

Requests for Family/Medical Leave

Requests to take FMLA leave, should be made at least thirty (30) days in advance of the need to take FMLA leave, if the need is foreseeable. Requests for leave must be submitted using the Medical Leave Request Form, and the appropriate Certification of Healthcare Provider Form (to be completed by health care provider). Human Resources will send the appropriate forms to the employee, and must receive the completed forms from the employee in a reasonable time frame, to consider for approval. Whether or not the leave is approved or not approved will be

communicated from Human Resources to the employee, within the timeframe guidelines established. The 12-month period designated for FMLA purposes is the calendar year. Any questions regarding FMLA should be directed to the KCS Human Resources Department.

Refer to BOE Policy 5.305.

Jury Duty

Employees are encouraged to be good citizens by fulfilling civic responsibilities when called upon for jury duty. The employee must notify their supervisor and submit a copy of the summons to the supervisor for submission to Payroll when he or she has been selected for jury duty. Employees will be granted leave for this purpose and will receive regular pay. If the employee receives jury duty pay, above and beyond a travel allowance, the employee is required by state law to reimburse Kingsport City Schools the amount of the additional pay. It is the employee's responsibility to submit reimbursement of jury pay to their supervisor for submission to Payroll.

Leave without Pay Request

Leave without pay is not encouraged. The employee's presence on the job is important to the effective operation of the school or department and to the system. Most employees have personal days to attend to duties/personal needs that necessitate absence from the job. Should additional time without pay be necessary, prior authorization is required from the Superintendent of Schools. Requests will be considered on an individual basis. A request on the appropriate form must be completed and submitted prior to the start of the leave.

Unless prior approval has been granted, all leave without pay shall be considered unexcused.

Maternity Leave

In accordance with state law, the provisions of TCA 4-21-408 are listed below. Any questions regarding maternity leave should be directed to Human Resources.

(a) Employees who have been employed by the same employer for at least twelve (12) consecutive months as full-time employees, as determined by the employer at the job site or location, may be absent from such employment for a period not to exceed four (4) months for adoption, pregnancy, childbirth and nursing an infant, where applicable, referred to as "leave" in this section. With regard to adoption, the four-month period shall begin at the time an employee receives custody of the child.

(b) (1) Employees who give at least three (3) months' advance notice to their employer of their anticipated date of departure for such leave, their length of leave, and their intention to return to full-time employment after leave, shall be restored to their previous or similar positions with the same status, pay, length of service credit and seniority, wherever applicable, as of the date of their leave.

(2) Employees who are prevented from giving three (3) months' advance notice because of a medical emergency that necessitates that leave begin earlier than originally anticipated shall not forfeit their rights and benefits under this section solely because of their failure to give three (3) months' advance notice.

(3) Employees who are prevented from giving three (3) months' advance notice because the notice of adoption was received less than three (3) months in advance shall not forfeit their rights and benefits under this section solely because of their failure to give three (3) month's advance notice.

(c) (1) Leave may be with or without pay at the discretion of the employer. Such leave shall not affect the employees' right to receive vacation time, sick leave, bonuses, advancement, seniority, length of service credit, benefits, plans or programs for which the employees were eligible at the date of their leave, and any other benefits or rights of their employment incident to the employees' employment position; provided, that the employer need not provide for the cost of any benefits, plans or programs during the period of such leave, unless such employer so provides for all employees on leaves of absence.

(2) If an employee's job position is so unique that the employer cannot, after reasonable efforts, fill that position temporarily, then the employer shall not be liable under this section for failure to reinstate the employee at the end of the leave period.

(3) The purpose of this section is to provide leave time to employees for adoption, pregnancy, childbirth and nursing the infant, where applicable; therefore, if an employer finds that the employee has utilized the period of leave to actively pursue other employment opportunities or if the employer finds that the employee has worked part time or full time for another employer during the period of leave, then the employer shall not be liable under this section for failure to reinstate the employee at the end of the leave.

(4) Whenever the employer shall determine that the employee will not be reinstated at the end of the leave because the employee's position cannot be filled temporarily or because the employee has used the leave to pursue employment opportunities or to work for another employer, the employer shall so notify the employee.

(d) Nothing contained within the provisions of this section shall be construed to:

(1) Affect any bargaining agreement or company policy that provides for greater or additional benefits than those required under this section;

(2) Apply to any employer who employs fewer than one hundred (100) full-time employees on a permanent basis at the job site or location; or

(3) Diminish or restrict the rights of teachers to leave pursuant to title 49, chapter 5, part 7, or to return or to be reinstated after leave.

Refer to BOE Policy 5.3051.
Refer to TCA 4-21-408.

Military Leave

An employee is entitled to time off at full pay for certain types of active or inactive duty in the National Guard or as a Reserve of the Armed Forces.

Any full-time Federal civilian employee whose appointment is not limited to 1 year is entitled to military leave. Military leave is prorated for part-time career employees and employees on an uncommon tour of duty.

Military Leave with Pay

For periods in the performance of active duty, active duty training, and inactive duty training, an employee will be given a leave of absence with pay, not to exceed twenty (20) working days in any one (1) calendar year plus such additional days as may result from any call to active state duty pursuant to TCA 58-1-106. For those employees serving in the Reserve and National Guard as a Technician in duties overseas, they will be granted 44 workdays of paid leave, under certain conditions, as defined by 5 U.S.C.

Military Leave without Pay

For periods of military duty that extend beyond the days of leave with pay, or days allotted as paid by 5 U.S.C., those employees will be given a leave of absence without pay, granted for the periods of active duty or training activity with the National Guard or as a Reserve of the Armed Forces, or its service or reserve components, for authorized periods within the calendar year. During the period of leave without pay for military service, the employee retains all accumulated annual and sick leave, retirement status, and continues to earn time toward length of service and retirement up to the maximum allowed. Continuation on the State's insurance plans, if elected, shall be granted subject to appropriate State insurance program provisions.

Under USERRA (Uniformed Services Employment and Reemployment Rights Act), if an employee leaves his or her job to perform military service, the employee has the right to elect to continue the existing employer-based health plan coverage for the employee and/or dependents for up to 24 months while serving in the military.

Upon re-employment to the job, the employee may be reinstated in the employer's health plan when they are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

See *Family Medical Leave*.

Personal Leave

Professional leave forms are provided on the KCS intranet website.

Classified Personnel

Classified personnel are allotted two (2) days of personal leave with pay per school year. Personal leave may be taken subject to the prior approval of the immediate supervisor.

Personal days may not be applied beyond the year in which they are earned. However, personal days remaining unused at the end of the year shall be credited as sick leave.

Employees working less than their contractual year will earn a prorated portion of the two (2) days. If an employee terminates employment before the end of their contract year, having used more personal days than earned, a deduction will be made on the final paycheck.

Professional Personnel

Professional personnel are allotted three (3) days of personal leave with pay per school year, excluding administrators who are allotted two (2) days. Personal leave shall be used for personal reasons and may be taken at the discretion of the employee unless one of the following conditions applies:

- More than ten percent (10%) of the teachers in any given school request its use on the same day.
- Personal leave is requested during any prior established student examination period.
- Personal leave is requested on the day immediately preceding or following a holiday or vacation period.

If the above conditions apply, building principal approval, as a designee of the Superintendent of Schools, is required for a teacher to take personal leave. Otherwise, the use of personal leave is at the discretion of the employee.

Except in an emergency, a teacher shall give at least one (1) day notice of intent to take personal leave.

Personal days may not accrue from year to year; however, up to two (2) of the unused personal days shall be converted to sick leave days at the end of the year. The third (3rd) day is a local option day and cannot be converted to sick leave. Employees working less than their contractual year will earn a prorated portion of the three (3) allotted days. Should one terminate employment during the contract having used more personal days than earned, a deduction will be made on the final paycheck.

Refer to BOE Policy 5.303.

Professional Leave

Temporary leave may be granted for a limited period of time for professional activities. Such activities, involving absence from the regular assignment, may include participation in required or recommended professional growth activities, supervision of field trips for students of the system or participation in activities as a representative of the school or system.

Travel procedures and travel request forms are located on the KCS website and should be completed and submitted a minimum of two weeks in advance.

Reimbursement Process

The Travel Expense Statement-Reimbursement Request form is located on the same webpage as the Professional Travel Request Form. It is important to review the reimbursement procedures carefully prior to making plans for professional travel.

Refer to BOE Policy 2.804 & BOE Policy 5.303.

Return to Work

In the event of an injury, illness, surgical/medical procedure, accident or any other situation, which may impact the employee's ability to perform the essential functions of his/her position, a doctor's release may be required to be obtained by the employee and submitted to the KCS Human Resources Manager prior to returning to work. The KCS Human Resources Manager will work with the employee's supervisor to review the release, and if any restrictions are listed, to determine fitness for duty in accordance with job description requirements and guidelines. In situations where a fitness for duty determination is required, the employee should not be permitted to work without advance approval. Each situation will be analyzed on a case-by-case basis.

Sick Leave

Professional

Professional employees shall earn sick leave at the rate of one (1) day for each month employed. Such days will be credited to the employee's sick leave account at the beginning of each contractual year. The allotted days are available for use at any time during the contractual year with the understanding that the system would be reimbursed for any overpayment should the contract be broken for any reason. Periods of unpaid leave will result in prorated sick leave accruals.

Classified

Classified employees shall earn sick leave at the rate of one (1) day for each month (twenty [20] work days) employed in accordance with their scheduled workday (i.e. an employee who works an eight (8) hour day shall receive eight (8) hours of sick leave per twenty contract days worked, etc). Such days will be available for use after the last day of the month in which it is earned. Periods of unpaid leave will result in prorated sick leave accruals.

Use of Sick Leave

If sick leave involves more than four (4) consecutive days, the *Medical Leave Request Form* provided on the employee intranet should be used and a doctor's release must be provided before returning to work.

Sick leave may be used by eligible employees only for one of the following conditions:

- Illness of the employee.
- Illness of a member of the employee's immediate family.

- Contagious or communicable disease of employee that might endanger the health of school children.
- Death in the employee's immediate family.
- Maternity leave, during period of physical disability only, as determined by a physician.
- Adoption of a child.

For purposes of administering this policy, an immediate family member is defined as the wife, husband, parents, grandparents, children, grandchildren, brothers, sisters, mother-in-law, father-in-law, daughter-in-law, son-in-law, brother-in-law, and sister-in-law of the employee, or any person having been regularly living in the employee's household.

Upon verification by a written statement from an adoption agency or other entity handling an adoption, a teacher may also be allowed to use up to thirty (30) days of accumulated sick leave for adoption of a child. If both adoptive parents are teachers, only one (1) parent is entitled to apply sick leave.

All earned, unused sick leave may accumulate from year to year without limit and may be converted to service credit for retirement benefits.

See *Return to Work.*
Refer to BOE Policy 5.302.

Sick Leave Bank - Professional Employees

Kingsport City Schools' Teachers' Sick Leave Bank provides for the sharing of sick leave days among eligible participants who have suffered an unplanned personal illness, injury, disability or quarantine and whose personal sick leave is exhausted. All rules and regulations established by state law and the Board of Trustees shall govern the administration of the bank.

Any teacher entitled to sick leave is eligible to participate in the sick leave bank. The enrollment period will extend from August 1 until October 31 of each year. See *Teachers' Sick Leave Bank Rules and Regulations* on the employee intranet site.

Refer to state law TCA 49-5-801-810 & TCA 49-5-710.

Subpoena to Court

If an employee is subpoenaed to court due to a job related issue, the employee will be granted leave for this purpose and will receive regular pay. If the subpoena is for a non job related issue, the employee must use personal leave, vacation (if applicable), or request leave without pay in advance.

Vacation and Holidays

Classified Staff Working a 12-Month Contract (260 days)

Classified staff members who are employed on a twelve (12) month basis shall receive vacation in accordance with the schedule outlined below, unless otherwise authorized by the Superintendent of Schools:

- During the first year of employment, vacation will be earned on a prorated basis (up to ten [10] days from the date of hire until the end of the fiscal year [June 30]).
- 1 to 6 full fiscal years worked - ten (10) days.
- 7 to 14 full fiscal years worked- fifteen (15) days.
- 15 to 29 full fiscal years worked- twenty (20) days.
- 30 or more full fiscal years worked twenty-five (25) days (maximum).

The first full fiscal year begins on the first workday of July. Days earned during the current fiscal year may not be taken until the following fiscal year (July 1 - June 30). Unused vacation days will be carried from one year to the next, not to exceed the current year's accrual. Twelve month employees receive nine (9) paid holidays per year.

Classified administrators earn 18-23 vacation days as designated by the Superintendent of Schools.

Classified Staff Working Less Than 12 Month Contract (260 days)

Classified employees who have a contract for less than twelve (12) months receive vacation pay in lieu of time-off in accordance with the following schedule:

Classified employees who have a contract for less than twelve (12) months receive vacation pay in lieu in time-off. Effective July 1, 2008 vacation will be earned at the rate of one (1) day per month worked (i.e. 9 months = 9 days, 10 months = 10 days, etc) for all new hires. Adjustments for all eligible employees were made as of July 1, 2008. (Those who had less than 1 day per month were paid at the new rate. Those who had more than 1 day per month, based on the previous schedule, were frozen at the level they earned on the old schedule as of July 1, 2008.)

Classified Staff Working Less than 12 Months

Classified employees who have a contract for less than twelve (12) months receive no paid holidays.

Professional Employees

Administrators earn 18-23 vacation days as designated by the Superintendent of Schools. All other professional employees earn paid vacation time at the rate of one day per month worked, for a maximum of 12 days annually. Employees who work less than a 12 month (260 day) contract receive vacation pay rather than time off.

Professional employees receive vacation pay rather than time off with the following schedule:

- 10 month contracts are paid for ten (10) days per contractual year.
- 11 month contracts are paid for eleven (11) days per contractual year.
- 12 month contracts are paid for twelve (12) days per contractual year.

Revised September 2009
Refer to BOE Policy 5.310.

Liability Coverage

Employees and volunteers are named insureds under the City of Kingsport and Kingsport City Schools' liability coverage. Kingsport City Schools' employees are provided a defense against allegations of negligence in performance of assigned duties provided they were working within the scope of their employment. Coverage is excluded for actions that are not within the scope of the employee's job or rise to the level of "willful, wanton or gross negligence", "gross misconduct" or relate to any incident occurring as a result of the employee being under the influence of drugs or alcohol.

To assure that adequate liability protection is in place, it is important that the employee knows and follows school policies and procedures and performs his/her job in a reasonable and professional manner.

Records

State law establishes the right of a citizen in Tennessee to inspect public documents which include personnel files of employees. This does not include medical records or other records required by law to remain confidential. Any active employee who wishes to review his or her file may make arrangements with the Assistant Superintendent for Human Resources during normal working hours. Copies of information contained in an employee's file may be provided at a reasonable cost.

Resignations

Employees voluntarily leaving the employment of Kingsport City Schools should give reasonable notice, preferably in writing, as outlined within the contract.

Professional Employees

Resignations of professional employees are governed by State law. A teacher shall give written notice at least thirty (30) days in advance of the effective date of resignation.

Refer to state law TCA 49-5-411.

Classified Employees

Classified personnel shall give reasonable notice of resignation.

Refer to BOE Policy 5.204.

Retirement

Kingsport City Schools defines a retiree as an individual who immediately upon separation from employment from KCS retires pursuant to the Tennessee Consolidated Retirement System (TCRS) and receives a monthly benefit from TCRS. A retiree does not include a former employee who does not receive retirement benefits from TCRS at separation from employment with Kingsport City Schools even though such person may be vested in the TCRS benefits and may receive such benefits at a later time.

The Tennessee Consolidated Retirement System (TCRS) is a defined benefit plan for eligible employees who become members. Members become vested in TCRS with five (5) years of creditable service. Employees may obtain more detailed

information concerning retirement through the KCS Human Resources office 378-2103 or the website at www.treasury.state.tn.us/tcrs. An online calculator may be found at this site which enables members to secure a projection of their retirement benefits.

Employees who participate in the TCRS will receive an annual statement of contributions to the plan and should review the statement carefully. Any question regarding years of service or contributions should be made to the Human Resources office at 378-2103.

An application for retirement should be forwarded to TCRS 60 to 90 days prior to the last paid day of service. (The last paid day of service is either the last day of employment or the last day for which the employee was paid annual and/or sick leave.)

Refer to BOE Policy 5.205.

Tenure

The Board of Education will grant tenure only to those eligible teachers who have proven to be or shown promise of being outstanding teachers. The Superintendent of Schools is responsible for documenting and presenting the recommendation for tenure to the Board of Education. Documentation of such ability or potential in teaching must include:

- Consistently favorable ratings on evaluations conducted by the principal and/or other evaluators.
- Summary of attendance record.
- Evidence of professional growth activities.
- Other appropriate indicators.

Refer to BOE Policy 5.117.

Training

All school system employees will complete required training, per state mandates and in meeting other KCS system requirements. Required training may be included as part of in-service training, new hire orientation, or as an annual update.

Classified Employees must complete the following three training modules prior to assuming their duties:

- Bloodborne Pathogens and HIV/AIDS Exposure training
- Employee Law training
- Hazardous Materials Communications training

Professional Employees must complete the three modules above and the following:

- Suicide Prevention
- Child Abuse Reporting
- Family Educational Rights and Privacy Act (FERPA)
- Supporting Homeless Children

Training sessions are made available through the KCS Intranet E-Learning system. Any questions about the technical/systems aspects may be directed to the Technology Department. Content questions regarding Classified Employees' training may be directed to the Human Resource Manager, 378-2116. Content questions regarding Professional Employees' training may be directed to the Assistant Superintendent for Academic Initiatives, 378-2138.

Workers' Compensation

Purpose

Kingsport City Schools has a workers' compensation program that complies with the requirements of the State of Tennessee Workers' Compensation program. If the employee complies with the requirements of the program and their injury or illness arises out of the course and scope of their employment, they may receive benefits which may include lost time, medical expenses and payment for permanent disability or loss of life. The employee should notify his/her supervisor as soon as possible after the injury occurs. The goal is to provide the best possible medical care, in a cost effective manner to promote well-being and fiscal responsibility.

Reporting

Employees must report any work related injury or illness as soon as possible to his/her supervisor and/or designee so that the necessary paperwork may be completed. The supervisor and/or designee must assist the employee in completing the necessary forms and must report this information to the KCS Human Resources Manager as well as the City Risk Management Department. Notification of the injury must be made by the supervisor or designee to Human Resources and Risk Management within 24 hours.

The three forms available online that must be completed are:

- TN First Report of Work Injury Form (C-20)
- Supervisor's Accident Report Form
- Panel Selection Form

Once these forms are completed, the original forms should be faxed or mailed (through interoffice mail) to:

City of Kingsport
Risk Management Department
Fax: (423) 224-2474 Phone: (423) 229-9403

Copies should also be sent to the KCS Human Resources Department:

Human Resources Manager
Fax: (423) 378-2114 Phone: (423) 378-2116

Human Resources will ensure that the process is followed, including payroll issuance, etc.

Injury or Illness Treatment

When an injury or illness occurs that arises in the scope of or in the course of an employee's assigned work duties, the severity of the issue may require immediate medical attention, or a visit to one of the panel of physicians for analysis or care.

If the injury or illness is minor to the level of first aid treatment at the facility level, the employee should still complete the necessary forms and notate no medical attention was necessary. This will be filed, but may be listed as a non-recordable incident, meeting all necessary guidelines.

If the injury or illness requires non-emergency medical attention, employee should seek treatment from the Panel of Physician listing. Risk Management should be contacted so that they may provide clearance by supplying the physicians office with claim numbers and authorized approval.

Emergency room treatment should be utilized only when an actual emergency exists, or when injuries occur in which the night clinic hours of operation are closed. An assigned physician from the panel may provide follow-up care, if necessary.

Payments

Risk Management makes the determination for payment of bills for physicians and services rendered. Questions regarding bills and physician invoices should be referred to Risk Management.

Risk Management serves as the case manager throughout the claim in working with the employee to facilitate delivery of services with the medical provider(s) and pharmacy(ies), as appropriate. The goal is to provide quality care, as well as facilitating the employee to return to work as quickly as possible.

See *Return to Work*.

2

EMPLOYEE CONDUCT

Conduct (Personal and Professional)

An employee's conduct must be representative of an exemplary role model. The primary function of the school system is the education of children and youth. Each employee is expected to represent the school, school system and the community in a positive manner. Employee conduct, while on or off duty, that is damaging to the reputation of Kingsport City Schools, may result in disciplinary action up to and including termination.

Alcohol and Drugs

Kingsport City Schools will comply with the Drug-Free Act of 1988 and the related provisions in the Code of Federal Regulations (34 CFR Part 85). KCS employees while on duty, on or off school premises, shall not misuse prescribed drugs or be under the influence of alcohol or illegal drugs.

KCS employees are subject to reasonable suspicion drug and alcohol testing. An employee who tests positive in a reasonable suspicion test will be in violation of BOE policy. Violation of this policy will constitute grounds for termination.

Detailed procedures are available and may be requested from the Human Resources office.

All employees subject to commercial driver's license requirements must be tested for alcohol and certain controlled substances at the time of employment and on a random basis. This program is administered by the City of Kingsport.

Refer to BOE Policy 1.804.

Criminal Activity

Self-Reporting Duty

All employees have a duty to self-report any arrest, indictment, prosecution, conviction, incarceration, or when he/she is subject to investigation of a criminal act and such report must be made prior to the employee's next scheduled shift. Failure to self-report is grounds for termination or other corrective action as appropriate. Vacation, compensatory time, sick leave, or any other paid leave cannot be used during any period of incarceration.

The self-reporting requirement does not include Class C misdemeanors, as defined by Tennessee law, unless committed while in a city vehicle, on school property, or while on duty which means engaged in and responsible for assigned work and, for non-exempt employees, includes any paid time.

Conviction

Except for Class C misdemeanors, an employee's employment will be immediately terminated when: (1) such employee is convicted of a crime violating the duty owed to the school system not to commit a crime within the course and scope of employment or on work premises; or (2) such employee is convicted of a crime which lessens the public's trust and confidence in the school system, or its employees.

Any employee convicted of a crime committed outside the course and scope of employment and off work premises, and sentenced to a term of imprisonment for any period which causes the employee to miss regularly scheduled work, will be terminated for neglect of duty (absence without leave). Vacation, compensatory time, sick leave, or any other paid leave benefits will not be used during such term of imprisonment.

Superintendent's Discretion

The Superintendent of Schools retains discretion to exercise his/her legal right to independently investigate actual or alleged employee wrongdoing and to take corrective action, up to and including termination, against an employee based upon such investigation regardless of the status of any criminal investigation, charge, or any court results.

Ethics

Every employee of Kingsport City Schools shall accord the System his or her professional loyalty and arrange outside obligations, financial interests and activities so as not to conflict or interfere with this commitment. The System shall not unduly interfere with legitimate outside activities of individuals who fulfill their duties.

Concerns about ethics and/or conflict of interest occur when employees may have the opportunity to (a) use institutional privileges for personal gain or (b) influence business decisions of the System in ways that could lead to personal gain or give improper advantage to the employee's family or associate(s). The Code of Ethics applicable to employees of Kingsport City Schools is communicated on the employee intranet site; all employees should review the Code of Ethics. In cases of uncertainty, an employee and/or supervisor may request a ruling from the Superintendent of Schools.

Refer to BOE Policy 5.611.

Communication Technology

Employees of Kingsport City Schools have no expectation of privacy with respect to any use of the school system's electronic communication systems or of any email or electronic files on such systems. All Kingsport City Schools employees should be aware that business communications may be discoverable in litigation or by a request to inspect public records. Discoverable communications include, but are not limited to: emails, voicemails, and text messages.

Kingsport City Schools reserves the right to monitor, access, read, copy, disclose or use electronic communications without prior notice to the originators and/or recipients of such communications. Electronic communications may be monitored and/or inspected by authorized personnel of Kingsport City Schools as determined by the Superintendent or designee. City-owned/school system-issued portable electronic devices (i.e. cell phones, laptop computers, etc) are meant to be used for business/professional purposes of Kingsport City Schools.

Computer Network Acceptable Use

The information technology system (email, internet and computer hardware) is meant to be used for business/professional purposes of Kingsport City Schools' employees and as a learning resource for students.

All email accounts and all information and messages that are created, sent and received on the KCS system are the sole property of the Kingsport City Schools and are not the property of the employee or other personnel. **ALL** emails, sent or received, are archived as required by law.

Employees are responsible for all messages sent, posted, accessed or stored in their email account, including the content of any communication. Employees are also responsible for the reporting of any inappropriate content, other than "spam" or "junk" emails, received in their email account to their building administrator.

Employees are discouraged from activities that expose school system's email addresses to spam or otherwise put an unnecessary burden on the network's resources. Below is a non-exclusive list of prohibited acts associated with the use of email accounts:

- Using any words, images or references that could be viewed as libelous, harassing, illegal, derogatory, discriminatory or otherwise offensive.
- Creating or transmitting email or images that might be considered inappropriate in the workplace, including but not limited to, items that are lewd, obscene, sexually explicit or pornographic.
- Using school system email to conduct personal business transactions.
- Sending/receiving personal mass emails, other than for school business.
- Sending/receiving internet greeting cards (e-cards), chain letters and large file attachments not related to school business.

Termination of employment with Kingsport City Schools for any reason, including retirement, will result in the immediate disabling of the email account. The former

employee's email shall remain the property of Kingsport City Schools and shall be managed as needed.

Refer to BOE Policy 1.805.

Personal Communication Devices

It is the responsibility of all employees to assure that the use of any personal communication device does not interfere with fulfilling their job responsibilities. Personal cell phones and other communication devices must be turned off during instructional time and during school-related meetings. Any exceptions must be cleared with the employee's principal or supervisor.

Employees are expected to follow all laws and reasonable safety precautions while using cell phones during the operation of system-owned or personal vehicles when on school related business.

Radio Communications

Kingsport City Schools is licensed to operate communications equipment by the Federal Communications Commission (FCC). Employees who are issued a mobile or portable radio must operate it according to FCC requirements. Radios may be used only for permissible purposes:

- Communication related directly to the imminent safety of life or property.
- Communications directly related and necessary to school system activities.

All transmissions shall be restricted to the minimum feasible transmission time and may only be made by persons with authority to use and operate such equipment.

Confidentiality

Employees with access to confidential student or employee information and records are expected to protect the confidentiality of such information and disclose information only to appropriate individuals within the system on a need-to-know basis. Release of information outside the system may be subject to Federal and State laws, rules and regulations. Only employees authorized to release information may do so.

Copyright

Copyright is a form of protection provided by the laws of the United States to the authors of "original works of authorship" including literary, dramatic, musical, artistic and certain other intellectual works. Copyright applies to audiovisual and electronic information as well as printed material. Employees are expected to abide by copyright regulations. Teachers should follow "fair use" guidelines for the use of copyrighted material in the classroom. For additional information please go to: http://www.copyright.gov/laws .

Refer to federal law Title 17 U.S. Code.

Dress

Kingsport City Schools' employees are role models for students and are expected to dress professionally during the instructional hours. This dress code is required for all employees and substitutes. The guidelines are outlined for specific items of clothing in addition to piercings and other general requirements

There are exceptions for some parts of the dress code for those who have specialized jobs and wear uniforms (i.e., nurses, custodians, maintenance staff, etc.). Because of the nature of the job, School Nutrition Service (SNS) workers and have their own dress code but are required to follow this employee dress code regarding areas that are not covered in the SNS **HACCP Based Food Safety Plan** under *Employee Health and Personal Hygiene*.

Shirts (includes Blouses and Tops)

- Shirts must have a neckline that does not expose any portion of the breast.
- Sleeveless shirts must extend to the point of the shoulder and have an arm opening no larger than the approximate size of the arm. No undergarments should be visible through the armhole.
- Shirts worn outside the waistband must be of sufficient length that no flesh is exposed when one fully extends one arm above the head.

Sweaters

- Sweaters are permitted as long as they meet the dress code for shirts or are worn over a shirt that does.

Pants

- Pants must be worn at the waist and be size appropriate. Pants with belt loops require a belt.
- No jeans, overalls, or sweat-suits/wind-suits are permitted. (Exception: field day, field trips, program requirements/restrictions such as for Wellness/P.E. teachers.)

Shorts

- No shorts are permitted. (Exception: field day, field trips, program requirements/restrictions such as for Wellness/P.E. teachers and bus drivers). When shorts are worn, they must reach the "mid-point" of the thigh or below.
- Uniform shorts for maintenance and custodial staff may be worn as appropriate.

Skirts, Dresses and Jumpers

- All skirts, dresses and jumpers must reach the top of the knee or longer.
- The top of the dress must meet the shirt requirement of the dress code or have beneath it a shirt that does.
- Slits in skirts may not be longer than a dollar bill’s length above the knee.

Facial Piercings

- No visible facial piercings are permitted. Earrings are permitted as long as the piercing is no larger than that required by a standard earring. Tongue piercings are also not permitted. Accommodations for religious exemptions will be considered on a case-by-case basis.

Other General Requirements

- All clothing should be clean and in good repair.
- No see-through clothing or cutouts are permitted.
- No head coverings are permitted. This includes hats, scarves, sweatbands, stockings, etc. Accommodations for religious exemptions or safety/health concerns will be considered on a case-by-case basis.
- No industrial or pet chains or collars around neck, wrists, or waist, or chains attached to wallets.
- Clothing that displays the names or advertisements of drug, alcohol or tobacco products, profane, vulgar, violent, illegal, immoral, or hate messages, or sexual innuendo, is prohibited.
- Accessories must not disrupt the educational process or draw undue attention to the individual. They must be free of offensive or suggestive words or graphics, and contain no references to drugs, alcohol, tobacco, illegal/immoral substances or activities.
- No observable lack of undergarments is permitted.
- Shoes must be worn at all times.
- No unnatural hair coloring is permitted. (i.e., pink, orange, purple, etc.) Hairstyle must not draw undue attention to the individual.
- Dress-down days must be related to a special school program/activity and be approved by the Assistant Superintendent for Human Resources or the Superintendent of Schools.

Employees who have a question about the appropriateness of their clothing should consult a building administrator or supervisor.

Elected Office

No employee of the Kingsport City Schools shall be qualified to run for the Kingsport Board of Mayor and Alderman or the Kingsport Board of Education.

Refer to BOE Policy 5.6011.

Harassment of Employees

It is the policy of Kingsport City Schools to provide a work environment free from all forms of harassment, whether based on sex, race, color, religion, national origin, age, sexual orientation or disability. This policy applies to the action of

supervisors, co-workers and any other individual who comes into contact with an employee while an employee is performing his or her job duties.

Harassment based upon an employee's sex, race, color, religion, national origin, age or disability is illegal under federal and state equal employment laws because it subjects employees to unfair treatment and is not related to an employee's work performance or qualification.

In determining whether alleged conduct constitutes harassment, all of the circumstances, including the nature of the conduct and the context in which the alleged conduct occurred, will be investigated. The Superintendent of Schools or designee will be responsible for investigating all complaints of harassment. If satisfactory resolution of a complaint is not reached, the employee may refer the matter to the Board of Education.

Victims of harassment should report these conditions to the appropriate school administrator, supervisor or directly to the Human Resources office. Any supervisor who receives a complaint of harassment and fails to report it to the Superintendent of Schools or Assistant Superintendent for Human Resources may also be subject to disciplinary action.

Formal claims of harassment should be filed using the *Kingsport City Schools Grievance Filing Form* available on the employee intranet.

Refer to BOE Policy 5.500.

Tobacco-Free Environment

The use of tobacco products in the school environment is not conducive to good health. As an educational organization, the school system should provide effective educational programs, positive expectations and a positive example to students concerning the use of tobacco.

Staff members are not permitted to use tobacco in the buildings of the system, within fifty (50) feet of building entrances, or on school buses, either during or after school hours. The use of tobacco products by KCS employees while supervising students is prohibited.

Refer to BOE Policy 1.803.

Use of School Facilities

The Board of Education permits the use of school buildings and/or property for school, public, community or recreational purposes under established rules and regulations. Employees should contact the Director of Finance for information regarding the use of school facilities.

Refer to BOE Policy 3.206.

Visitors to the Schools

All visitors should report to the school office when entering the school. Authorization to visit elsewhere in the building or on the school campus will be determined by the principal, or designee. All persons, other than enrolled students

and employees of the school system, shall obtain and prominently display a visitor's pass issued by the principal.

In order to maintain the conditions and atmosphere suitable for learning, no other person shall enter onto the grounds or into the school buildings during the hours of student instruction except students assigned to that school, the staff of the school, parents of students, approved school volunteers, and other persons with lawful and valid business on the school premises.

The principal, or designee, has the authority to exclude from the school premises any persons disrupting the educational programs in the classroom or in the school, disturbing the teachers or students on the premises, or on the premises for the purpose of committing an illegal act.

Sales representatives are not permitted to call on the staff members of a school collectively or individually without authorization from the school administration or the Superintendent of Schools.

Refer to BOE Policy 1.501.

Weapons - School Related Activities

All persons are prohibited from the following conduct on school premises, in any school vehicle or at any school-sponsored activity:

- Known possession or use of objects commonly used or designed to inflict bodily harm and/or to intimidate other persons.
- Use of any object as a weapon to inflict or threaten bodily harm and/or to intimidate, coerce, or harass. This includes objects not necessarily designed to be a weapon.

According to state law, it is an offense for a person eighteen (18) years of age or older, including a parent or other legal guardian (any adult), to know that a minor or student is in illegal possession of a firearm in or upon the premises of a school, at a school's athletic stadium, parking area and/or school-sponsored athletic event conducted in a building, public park, playground, or civic center, and fail to prevent such possession or fail to report it to the appropriate school or law enforcement officials. Failure to do so is a Class A misdemeanor.

Refer to TCA 39-17-1312.

3

PAYROLL AND WORK SCHEDULES

Career Ladder Educators

The Tennessee General Assembly passed legislation in 1997 which freezes the Career Ladder program. The following provisions now apply:

- All educators holding a career ladder certificate shall continue to hold such certification for the duration of their service in a local education agency. Certificates which expire in 1998 or thereafter will never have to be renewed. Eligibility for career ladder supplements is based on the validity of the teaching license. Educators must keep their licenses updated in order to continue receiving career ladder supplements. The career ladder status will be reflected on teaching licenses as they are renewed.
- Educators on levels I, II or III shall remain at their respective levels.
- There will be no more state evaluations of teachers or administrators.

No provision of the act shall affect extended contracts involving educators who are or remain certified as career level educators.

Compensation

Pay Days

Paydays are bi-weekly on Fridays, for the period falling within the previous two weeks, with the pay cycle beginning on Sunday and ending on Saturday. All hourly or non-exempt employees must submit a time sheet reflecting the accurate time worked, to their supervisor and/or department head by the end of the pay period for this time to be accurately reflected and paid by the next pay day. Pay checks may be direct deposited into the financial institution designated by the employee.

Deferred Compensation

Eligible employees, who work less than a twelve (12) month contracted year, may elect to defer compensation over the twelve (12) month period. Forms are available on the KCS Intranet and in the Finance Department. Once the decision to defer compensation has been made by the employee, this determines the compensation schedule for the remainder of the school year. Questions about deferred compensation may be directed to the KCS Director of Finance, 378-2122.

Differentiated Pay

In accordance with state law, the Board of Education reviews the differentiated pay plan annually and considers revisions based on the staffing needs of the school system. Professional employees should refer to the employee intranet to view the current year's differentiated pay plan.

Refer to BOE policy 5.1011.

Pay Advances

Pay advances are not permitted.

An Error on Paychecks

Kingsport City Schools makes every effort to ensure the accuracy of paychecks. An error in pay should be brought to the attention of the Finance Department. Failure to bring a pay error in the employee's favor to the attention of Kingsport City Schools in a timely fashion may result in a determination of misappropriated Kingsport City Schools' funds. Likewise, an error that would result in Kingsport City Schools owing the employee additional compensation should also be brought to the attention of the Finance Department within a reasonable timeframe. Failure to do so may be construed as a waiver of the claimed inaccuracy.

Refer to BOE Policy 5.110.

Credit Union Services

All Kingsport City Schools employees are eligible to join the First Kingsport Credit Union located on 408 Clay Street, Kingsport, TN. The credit union offers the customary services of: savings accounts, certificates of deposit, credit cards, various types of loans, and checking accounts. Employees may visit the website at: www.FirstKptcu.com or contact the main branch at 423-229-9463.

Garnishments

The Human Resources office will inform an employee at any time the employee's earnings have been subjected to a lien of garnishment. The employee may have the right to apply to the court for an order suspending further garnishments by the same creditor upon terms as the court may approve. The court clerk will provide the employee the necessary forms to make such application or the employee may wish to seek counsel of an attorney.

Length of Work Day

Arrival and departure times are set by the employee's immediate supervisor, policy and administrative regulation. Any deviation from the established work schedule must be approved by the immediate supervisor and within budgeted funds. Overtime must be approved in advance by the Superintendent of Schools, or designee.

Length of Work Year

The length of the work year varies depending upon the position and shall be stated in the employee's contract.

Meals & Rest Breaks

All employees scheduled to work six (6) hours or more per day, should take at least thirty (30) consecutive minutes of time away from the work area, and not engage in work activity, for an unpaid rest break or meal period. This break shall not be scheduled during or before the first hour of scheduled work activity.

Overtime

Non-exempt workers are required to complete either time sheets or use a time clock. Time sheets or cards must be approved by the supervisor.

Employers are required to pay one and one-half times the employee's regular rate of pay to all covered non-exempt employees for all hours worked over forty (40) in the workweek. The workweek in calculating overtime is Sunday to Saturday.

Any work over forty (40) hours per week must be requested by the immediate supervisor, approved by the Superintendent of Schools, or designee, and recorded appropriately on payroll records.

Holiday Pay

Although not required by law, for purposes of overtime calculation, Kingsport City Schools considers holidays as time-worked.

Emergency Call-Back Pay

When a non-exempt employee has left the premises after completing a regular shift and is called back without prior notice due to an emergency, the employee shall be compensated at the time and one-half rate for a minimum of two (2) hours for each call-back, regardless of the number of hours actually worked in the current work week.

With the exception of employees in School Nutrition Services Department and Transportation Department, Kingsport City School employees may receive, in lieu of overtime compensation, compensatory time-off at a rate of one and one-half hour for each hour of work for which overtime compensation is required (as per prior agreement between employer and employee). Any work over forty (40) hours per week must be requested by the immediate supervisor, approved by the Superintendent of Schools, or designee, and recorded appropriately on payroll records. Kingsport City Schools' employees will be allowed to accrue no more than forty (40) hours of overtime to be taken as compensatory time-off equivalent to sixty (60) hours. Employees may use accumulated compensatory time-off upon written request and approval by their supervisor as long as such time does not unduly disrupt the operation of the system.

Any overtime earned as a result of facility rentals will be compensated in overtime pay.

Non-exempt employees will be given an agreement to be signed annually to indicate how they choose to be compensated for overtime.

School Nutrition Services employees and Transportation employees will be compensated for any overtime through overtime pay. An acknowledgement statement will be provided annually indicating that School Nutrition Services and Transportation employees will be compensated with overtime pay if required to work more than forty (40) hours per week.

Social Security

The Social Security year is from January 1 through December 31. The amount of Social Security deductions is established by Federal law. Both the employee and the school system pay into this fund.

Employees who wish to verify contributions or need additional information may contact the Social Security Administration at www.ssa.gov. For information on possible benefits, request the "Personal Earnings and Benefit Estimate Statement" (Form 7004).

Tax-Sheltered Annuities

Kingsport City Schools' eligible employees may elect to participate in the 403(B) tax-sheltered annuity plan, administered by The Omni Group, for Kingsport City Schools. For those interested in a tax-sheltered annuity, you may access the fund/ provider information and the Salary Reduction Agreement Form at: www.omni403b.com. Employees must complete the Salary Reduction Agreement Form, whether electing to participate or decline, and submit to the Finance Department or to The Omni Group. Forms must be fully completed and submitted to The Omni Group before deductions can begin from payroll. Deductions normally begin the next pay period following submission of the completed document to The Omni Group. Any questions about payroll deduction status may be directed to the Director of Finance, 378-2122.