

ELLWOOD CITY AREA SCHOOL DISTRICT

EMPLOYEE HANDBOOK

TABLE OF CONTENTS

| TABLE OF CONTENTS | PAGE | POLICY | LINK |
|------------------------------------|------|--------|---------------------------------|
| Welcome | 5 | | Welcome |
| Section 1: District Info | | | |
| Demographics | 7 | | Demographics |
| Mission Statement | 8 | | Mission Statement |
| Educational Philosophy | 8 | | Educational Philosophy |
| School Board of Directors | 9 | | School Board of Directors |
| Board Meetings | 9 | | Board Meetings |
| Statement of Non-Discrimination | 9 | | Statement of Non-Discrimination |
| Section 2: Human Resources | | | |
| Employee Status | 11 | | Employee Status |
| Work Hours | 11 | | Work Hours |
| Clearances | 11 | | Clearances |
| Physical Exam | 13 | | Physical Exam |
| Personnel Records | 13 | | Personnel Records |
| Job Posting | 13 | | Job Posting |
| Separation Procedures | 14 | | Separation Procedures |
| Non-Resident Students of Employees | 14 | | Non Resident Students |
| Emergency Closing | 14 | | Emergency Closing |

| | | | |
|---|----|-----|---|
| Section 3: Payroll | | | |
| Wage and Salary | 16 | | Wage & Salary |
| Employee Absence Forms | 16 | | Employee Absence |
| Payroll Schedule | 16 | | Payroll Schedule |
| Direct Bank Deposit | 16 | | Direct Bank Deposit |
| Payroll Tax Deductions | 16 | | Payroll Tax Deductions |
| Voluntary Deductions | 16 | | Voluntary Deductions |
| Retirement Plan | 17 | | Retirement Plan |
| Section 4: Workplace Standards | | | |
| Professional Staff Dress Code | 19 | | Professional Staff Dress Code |
| Safety | 19 | | Safety |
| Smoke Free Workplace | 20 | | Smokefree Workplace |
| Tobacco Use | 20 | 323 | Tobacco Use |
| Alcohol/Drug Free Workplace | 21 | | Alcohol/Drug Free Workplace |
| Unlawful Harassment | 24 | | Unlawful Harassment |
| Essential Performance Expectations-Certificated Staff | 27 | | Performance Expectations - Certificated Staff |
| Essential Performance Expectations - Non-Certificated Staff | 28 | | Performance Expectations - Non-Certificated Staff |
| Child Abuse Procedures | 29 | | Child Abuse Procedures |
| Security | 38 | | Security |
| Work Related Injury | 38 | | Work Related Injury |
| Section 5: Legislated Employee Benefits | | | |
| Workers Compensation | 40 | | Workers Compensation |
| COBRA | 41 | | COBRA |

| | | | |
|--------------------------------------|----|--|-------------------------------|
| Family and Medical Leave | 42 | | Family and Medical Leave |
| Social Security | 43 | | Social Security |
| Section 6: Employee Benefits | | | |
| Insurance Benefits | 45 | | Insurance Benefits |
| Tuition Reimbursement | 45 | | Tuition Reimbursement |
| Sick and Personal Leave | 45 | | Sick and Personal Leave |
| Vacations and Holidays | 45 | | Vacation and Holidays |
| Bereavement Leave | 45 | | Bereavement Leave |
| Other Leaves of Absence | 45 | | Other Leaves of Absence |
| Jury Duty Payment | 45 | | Jury Duty Payment |
| Tax Sheltered Annuities | 46 | | Tax Sheltered Annuities |
| Flexible Spending Plan | 46 | | Flexible Spending Plan |
| Section 7: Employee Relations | | | |
| Performance Appraisal | 48 | | Performance Appraisal |
| Use of the Internet | 48 | | Use of the Internet |
| ADDENDUMS | | | |
| Internet Use Consent Form | 50 | | Internet Use Consent Form |
| Employee Acknowledgement Form | 51 | | Employee Acknowledgement Form |

Welcome Message

The Ellwood City Area School District is pleased to provide this source of information pertaining to conditions of employment. This handbook has been produced to assist employees in understanding their roles and responsibilities.

It is intended to be a handy reference of general personnel policies, and all employees are urged to become familiar with its contents.

The Ellwood City Area School District appreciates the services performed by all staff members on behalf of our students. We know that through your efforts and dedication we will continue to provide an excellent educational and working environment.

School District Information

Demographics

The Ellwood City Area School District is located in Lawrence and Beaver Counties in the mid-western part of Pennsylvania. The school district is considered a suburban community that includes the boroughs of Ellwood City, Ellport, and Wampum and the townships of Perry and Wayne. These five areas comprise a region of 43 square miles with a total population of 9,000. The largest employers in the school district are the Ellwood City Hospital and the school district. The District consists of four buildings: North Side Primary, K-2; Perry Lower Intermediate, grades 3-4; Hartman Primary which is grades 5-6; Lincoln Junior Senior High School which maintains our 7-12 grade students. There are approximately 900 elementary students and 800 secondary students. The Lawrence County Career and Technical Center is a full time program and approximately 90-100 students attend there. The economic status of Ellwood City has been declining over recent years. With the economic downturn of 2008, unemployment has risen and the amount of free and reduced lunch students has increased. Currently, 45% of all the students are on the free and reduced lunch roles. There is very little major employment in the immediate area. Many residents travel to larger areas for work such as New Castle, Cranberry Township, or Pittsburgh. Students who graduate typically attend local universities and often do not return to the area for employment.

The area has many resources available to the District and students. Ewing Park is the largest park in the borough. It is the home of the athletic facilities for the District. Ellwood City is only 30 minutes from Pittsburgh, which offers endless cultural, athletic and academic opportunities for our students. Within 25 miles are several universities including Slippery Rock State University, Westminster College, Geneva College, Penn State Beaver and Butler Community College. Pittsburgh offers other major universities including Pitt, Robert Morris, Carnegie Mellon, and Duquesne. The borough has its own police department, which works closely with the schools. The Ellwood City Hospital, one of the major employers in the area, is a full service hospital. The new public library was built on Lawrence Avenue and has many programs for young children.

Mission Statement

The mission of the Ellwood City Area School District is “All Our Children Learning Today for Tomorrow.”

Educational Philosophy

The Board of School Directors, as the agent responsible for the education of the children of the Ellwood City Area School District directs the development of a planned program of learning which meets the needs of the students in the district.

We believe that the school is a primary social agency that together with church, home, and community bears the responsibility for preparing children to live in a constantly changing world. In order for the school to successfully fulfill its role in the preparation process, it must be cognizant of both present and future needs.

The instructional program must consider each child as an individual regarding his/her rate of learning, pattern of growth, and degree of emotional maturity. Since the school is preparing youth for present and future roles all experiences must be meaningful and relevant to life in the local community as well as to the community at large.

We believe that an effective education is rooted in a strong basic skills program, which will provide each student with mastery in the use of words and numbers to the fullest of his/her capabilities.

To further aid the child in adjusting to a variety of situations, the instructional program shall employ the process of thinking, of reasoning, and problem solving. The utilization of these processes is designed and aimed toward providing the student with the skills necessary to make decisions based on practical alternatives.

In fulfilling its role as a primary social agency, the school must encourage the formation of attitudes, which foster a deep and genuine sense of pride in the home, community, state, and nation. The school must also aid a child in developing a self-awareness so that he/she may objectively understand his/her areas of strength and limitation. Through the achievement of self-awareness and the accompanying understanding, the child can better understand and have empathy for people of different faiths, races, and beliefs.

We believe that schools should foster an attitude of self-discipline whereby privileges are enjoyed and responsibility for behavior is accepted.

We believe that schools should help every child acquire good health habits and an understanding of the conditions necessary for the maintaining of physical and emotional well-being.

Board of School Directors

The school board of directors is a legislative body that establishes the direction of education in the Ellwood City Area School District. Board members are charged with adopting an annual budget, establishing local tax rates and hiring all personnel.

You elect nine board members for unpaid, four-year terms. They must answer to the PA Dept. of Education. The board elects a president and vice president every year during its December reorganization meeting. Newly elected members also take office during this meeting and a calendar of monthly meeting dates is established.

It is the responsibility of the superintendent of schools to carry out board policies and to be responsible for executing the board's defined educational objectives for our students.

Parents and area residents are invited to attend all monthly board meetings. Notice of the meetings is published in the Ellwood City Ledger.

SCHOOL BOARD MEETINGS

Second Thursday of each month, 7:00 PM in the Lincoln High School Board Room.

AGENDA MEETING

Monday before regular meeting, 7:00 PM. in the Lincoln High School Board Room.

STATEMENT OF NON-DISCRIMINATION

Ellwood City Area School District does not discriminate on the basis of race, color, national or ethnic origin, age, sex, religion, handicap, or because a person is a disabled veteran or a veteran of the Vietnam Era in the administration of any of its educational programs and activities in accordance with applicable federal statutes and regulations.

This statement refers specifically to nondiscrimination in the areas of course offerings, athletics, counseling, textbooks, testing, compensation and employment activities.

John Sovich, Assistant Principal, is designated as the district's Compliance Officer. This responsibility shall include coordination of the school district's compliance with Title IX and Section 504 and investigation of any complaints received alleging non-compliance or action prohibited by regulations. A grievance procedure has been adopted to handle complaints and copies are available at the Office of Compliance Officer.

Students, employees, applicants for admission, and applicants for employment who have complaints or parents who have inquiries about Title IX or Section 504 should direct them to: Compliance Officer, 501 Crescent Avenue, Ellwood City, PA 16117. Approved by Board of Education, August, 1994

Human Resources

Employment

Employee Status

The District hires certificated and non-certificated staff for both full-time and part-time hours during the work week and for ten, eleven and twelve-month positions. The status, working hours, and work year will be defined for the employee when hired by the Board of Directors.

Work Hours

Employment hours are determined by the respective collective bargaining agreements for certificated and non-certificated employees or the salary and benefits package for non-union employees.

Clearances

All school employees are required to renew and submit Act 34 Criminal Background History, Act 114 Federal (FBI) Criminal History, and Act 151 Child Abuse Clearance to the Human Resources Office every 60 months from the earliest date listed on the clearances. It is the employee's responsibility to check the dates of each report and determine the deadline. Also Act 168 and Act 24 are required upon hire. Please review all updated information and material at:

https://www.ellwood.k12.pa.us/apps/pages/index.jsp?uREC_ID=1447047&type=d&pREC_ID=1608466

. Please review attached for specific directions on updating required clearances. Submit all 3 original clearances simultaneously to the Superintendent's Office. Please make copies for your personal files prior to submission. For more information or questions about the clearance procedure, please contact the Superintendent's Office, x3013.

ACT 24 of 2011

Arrests

The intent of the PDE-6004 is to provide school administrators with information concerning certain past acts of people who have direct contact with children. In that context, the Department takes a broad view of what constitutes an arrest. The established law in Pennsylvania is that an arrest is accomplished by any act of law enforcement personnel that indicates an intention to take a person into custody and subjects the person to the control of the person making the arrest. Accordingly, an "arrest" does not require, for example, that a person has been to a police station or has been fingerprinted. Whether or not charges have been subsequently withdrawn or an incident shows on the background check also is not determinative of whether or not it was an arrest for purposes of Act 24. It is important to keep in mind that the arrests that must be reported according to PDE-6004 are for Section 111(e) crimes only, crimes such as criminal homicide, kidnapping, among other severe crimes, for which there should usually be little confusion as to whether or not an arrest has actually taken place. The Department recommends that if any school employee has any doubt about whether or not there was an arrest, he/she should err on the side of disclosing the event. It will be the school administrator's responsibility to inquire into the circumstances of the reported event.

Non-Section 111(e) Offenses/Expunged Records

In accordance with Act 24, the PDE-6004 does not require a school employee to report an arrest or conviction for any offense not specified under Section 111(e). Specifically, the report does not require employees to report arrests or convictions for offenses that are enumerated under Section 111(f.1).

In addition, it is the Department's view that Act 24 and PDE-6004 do not require an employee to disclose an arrest or conviction that has been legally expunged in accordance with applicable law. School administrators and school employees should be cautioned, however, that not all criminal charges are legally capable of being expunged or, if capable of being expunged, have actually been legally expunged. School administrators are advised to consult their solicitor in the event that an employee claims that an arrest or conviction has been expunged.

Refusal to Return Form

If a school employee refuses to return the PDE-6004, Section 111 requires that the school administrator direct the employee to submit to the state and federal background checks required under Section 111. School administrators should consider discipline of the employee for failure to submit the PDE-6004, for failure to submit to a required background check, or for failure to report an offense that was required to be reported. School administrators who willfully fail to ensure that school employees return the PDE-6004 in accordance with Section 111 and fail to order background checks for those refusing to return the PDE-6004 may be subject to the penalties of Section 111 and appropriate educator discipline proceedings.

School Administrator Review of Returned Form PDE-6004

School administrators are required to review PDE-6004 forms submitted and determine if the report discloses any information that requires further action.

The PDE-6004 should be kept in the employee's personnel file together with a notation as to the school administrator who reviewed the PDE-6004.

Incomplete, Unclear or Altered Forms.

If a PDE-6004 submitted by a school employee is incomplete, unclear or altered, the administrator should follow-up with the employee for further information and require the resubmittal of the form if necessary. For example, if the employee has noted a positive response in Section 2 of PDE-6004 (*e.g.*, to report an arrest or conviction) and has failed to indicate whether the positive response was for an arrest or conviction, the administrator should ask the employee to provide this information. If the school employee fails to comply with resubmittal or clarification instructions, the school administrator should treat the action as a failure to submit the PDE-6004 and require the employee to be subjected to a background check.

Reports Indicating a Conviction

Section 111(e) states that "no person subject to this act shall be employed" in a school where a criminal background report indicates he/she has been convicted of a Section 111(e) offense. If a PDE-6004 indicates a conviction for a Section 111(e) offense, the administrator should initiate termination proceedings in accordance with local procedure.

Reports Indicating an Arrest

If the PDE-6004 indicates an arrest for a Section 111(e) offense, the school administrator likely would need to inquire further into the facts underlying the arrest. Section 111 does not specifically require the termination of employees for arrests for Section 111(e) offenses.

False Reports

False reports under Section 111 are subject to criminal prosecution. A school administrator who believes that a school employee has falsified the PDE-6004 should report the matter to the district attorney where the school is located and to the Department for consideration of professional discipline.

Background Check for Reasonable Belief of Section 111(e) Arrest or Conviction

If a school administrator has a *reasonable belief* that any school employee was arrested or convicted of a Section 111(e) offense and the school employee has not notified the school administrator of such arrest or conviction, the school administrator must require the school employee to submit to new Section 111 background checks at the expense of the employing entity. School administrators should consider discipline of any employee who fails to submit to a required background check. School administrators who willfully fail to order background checks for those school employees whom they reasonably believe may have been arrested or convicted of a Section 111(e) offense may be subject to the penalties of Section 111 and/or educator discipline proceedings.

PDE-6004 can be picked up in any school building office

Physical Exam

In order to certify the fitness of employees to efficiently discharge the duties which they will be performing and to protect the health of students from the transmission of communicable diseases, physical examinations of all employees will be required after receiving an offer of employment. This is mandated by the Commonwealth of Pennsylvania's Department of Health. A form supplied by the Ellwood City Area School District is to be completed **within 30 days of employment** by a licensed physician and returned to the District Office. Payment for the exam is the responsibility of the employee.

Personnel Records

The District Office maintains personnel files on all employees. These files contain documentation regarding all aspects of the employee's employment with the District and are available for review. If an employee is interested in reviewing the file, a written request must be made to the Superintendent.

The employee must review the file in the presence of an administrator designated to maintain said records. No materials may be removed from the file nor any additions or alterations may be made to the record. However, the employee shall have the right to submit a written answer to any filed material and to have it attached to the file copy of the material.

To help keep personnel records accurate, the employee should inform his/her supervisor of any changes in relevant personal information such as name, address, telephone number, marital status, dependents, beneficiaries, or emergency contacts.

SEIU Job Posting

All vacancies (other than those involving Reduction of Working Forces) shall be posted for bid within five (5) working days of vacancy and filled no later than thirty (30) calendar days after bids are required to be submitted. It is agreed that the goal of posting job vacancies is to inform all employees of the available position(s). Posting methodology shall be consistent and may be made by any or all of the following means: interschool mail, pre-determined bulletin boards, posting on the district's website, email (school email and/or home email address), US Postal Service, hand delivery or pre-determined extension on the district's voice mail system.

Separation Procedures

An employee who wishes to resign or retire from the District should present a written letter to the Superintendent of Schools and a copy to his/her immediate supervisor. The letter should indicate the effective date and the reason for the employee's retirement or resignation. Non-certificated employees are requested to provide at least two (2) weeks notice prior to the date of the resignation/retirement. Certificated employees are requested to provide at least sixty (60) days notice prior to the date of the resignation/retirement.

When an employee submits a letter of resignation or retirement from service with the District, he/she will need to schedule an exit interview with the Business Manager. The employee will meet with the Business Manager to discuss such items as the retirement fund, final paycheck, and, if applicable, retirement payment and continuation of benefits under COBRA.

Eligibility of Non-Resident Students of Employees

Upon approval by the School Board, and subject to any conditions imposed by the District, Professional Employees' of the Ellwood City Area School District may enroll their dependent children in the District at no cost to the parent in accordance with the District Tuition Policy Agreement Form.

Emergency Closing of Schools

Certain weather conditions make it desirable to close school entirely, have a delayed opening of one to two hours, or dismiss school early. These decisions are made with the safety of the students and staff in mind. All staff members will be notified of closings and delayed openings via the emergency phone system.

If a decision is made to close schools, only administrators and 12-month employees report to work. In the event of a delayed opening of schools, all district staff with the exception of administrators and 12-month employees should report to work two hours later than their normal starting time depending on the time of the delayed opening. Student dismissal at the end of the day will be at the usual time and employee ending times remain the same as usual. If schools are dismissed early, all employees with the exception of administrators and 12-month staff members can leave once it has been announced by the principal.

In certain instances when the schools are closed or there is to be a delayed opening of schools, the superintendent may determine that the 12-month employees should report to work at a later than usual time. Such notification will be given at the time the employee receives the telephone call via the emergency phone system. If the district is closed, only those employees needed to clear the walkways and parking lots or attend to building maintenance will report to work. School closings will be announced over the following stations beginning at approximately 6:00 A.M:

| | | |
|-------------------|---------|-----------------|
| WBVP-Beaver Falls | 1230 AM | KDKA Channel 2 |
| WKST-New Castle | 1200 AM | WPXI Channel 11 |
| KDKA-Pittsburgh | 1020 AM | WTAE Channel 4 |

Payroll Information

Payroll Information

Wage and Salary Determination

Salaries are defined by the collective bargaining agreements for certificated and non-certificated employees. In all other circumstances wages are determined for non-union employees administratively and are applied consistently. Salary information is considered one's personal business and discretion should be exercised in discussing such matters. Employees who have questions may consult the Business Office.

Report of Employee Absence Forms

Whenever an employee is absent from work a Report of Employee Absence form noting the reason for the absence must be completed within two days upon return. The form must be approved by the immediate supervisor and sent to the Business Office. The Business Office Personnel will record the absence and take any other necessary action. All employees are reminded that vacation and personal days must be approved in advance by the building administrator or supervisor and duly recorded.

Payroll Schedule

Employees will be paid semi-monthly in accordance with the school year or fiscal schedule provided by the Business Office. If a pay date falls on a District holiday, paychecks will be distributed the day before the holiday.

Direct Bank Deposit

Employees have the option to have their net pay deposited directly into their checking or savings account each pay period.

An employee who changes banks or accounts or whose bank initiates a change during employment with the District should complete a new form and send it to the Payroll Department immediately. Failure to do so will result in a delayed payment of direct deposit funds.

Payroll Tax Deductions

Payroll deductions such as federal and state taxes and social security are made in accordance with federal and state laws. In addition, the Ellwood City Area School District Business Office is authorized to process the following payroll deductions:

Local Services Tax:

Local Service Tax Is withheld from all employees except those filing an exemption certificate.

Earned Income Tax:

A one-percent (1%) earned income tax is withheld from every employee's paycheck and reported to Berkheimer Associates. A certificate of current residence is required at all times. Employees living within a municipality with a higher percentage should contact the payroll department to adjust accordingly.

Voluntary Deductions

Upon authorization from the employee, the Business Office will also process deductions for Sick and Accident Insurance, Government Bonds, Rita Hazen Foundation, tax-sheltered annuities, union dues, and employee credit union, cancer and insurance benefits where applicable. Requests received less than ten (10) days before the payroll date will not be processed until the following pay.

Retirement Plan

District employees who are expected to work 80 days or 500 hours and those working full time shall be required to be members of the Pennsylvania Public School Employees Retirement System and pay the appropriate percentages as mandated by the State.

The school district and the Commonwealth of Pennsylvania also make contributions to this account on a percentage basis. A person who is employed for five or more years in this system is considered to be a vested employee. This means that the retirement benefit will be based on an employee's contributions and those of the District and the Commonwealth. If an employee has less than five years of service, he/she will receive only his/her own contributions plus simple interest. An employee may not withdraw any funds from the account until resignation or retirement from service.

Membership in PSERS may be waived by part-time hourly (someone who works less than five (5) hours per day) or per diem (daily) employees. The part-time employee must have an Individual Retirement Account (IRA) in order to waive membership. It would be advisable to contact a tax consultant or the IRS for current information on the adjusted gross income and IRA contribution limitations if you wish to waive membership.

A *PSERS Waive-Out Form (PSERS-1286)* must be completed and submitted at the beginning of each school year for which membership is to be waived. Membership cannot be waived once an employee has become a member of PSERS. When an employee waives membership in PSERS, all future rights to benefits for retirement for the year will be forfeited. The employee will not be allowed to purchase service for that year in the future.

Workplace Standards

Workplace Standards

Dress Code

The Board believes that professional employees set an example in dress and grooming for their students to follow. To present an image of dignity, and to encourage respect for authority, the following policy requirements for appropriate dress shall be adopted by the Board in the exercise of its rights and duties in the management of the District.

The Board has the authority to specify reasonable dress and grooming guidelines for staff, within law, that will prevent an adverse impact on the educational program.

All employees shall, when school is in session, be physically clean, neat and well-groomed, and shall dress in a manner appropriately reflecting their professional assignment (casual attire would be appropriate for sporting events, field trips and similar activities).

Female

Women may wear appropriate skirts, dresses, dress slacks and culottes. All must be of moderate length with no miniskirts or mini dresses allowed.

Women may wear dress shorts or walking length shorts, only when accompanied by dark colored tights or stockings.

Jeans and jean-like slacks are not permitted.

Shoes must be compatible with attire.

Male

Men may wear dress slacks with a dress shirt and tie; with or without a dress coat is acceptable.

When appropriate, men may wear high-necked sweaters and/or turtlenecks; ties may then be omitted. (Golf shirts, sweatshirts, t-shirts, etc. are not permitted).

Jeans and jean-like slacks are not permitted.

Shoes must be compatible with attire.

The Superintendent or designee shall have the authority to approve deviations from the dress code for physical education instructors, vocational technical instructors, and others who, because of the nature of their duties, may wear clothing appropriate to their professional duties. Exceptions may be made for individual medical concerns.

Safety

The Ellwood City Area School District, consistent with its obligations under the law, will make every reasonable effort to provide its employees with safe working conditions. Freedom from accidents is of utmost importance to all employees, their families, and the District. No work is so important that it should be undertaken in an unsafe manner. Employees should report any and all unsafe conditions to their supervisor so that preventive action may be taken. When necessary, safety equipment (gloves, glasses, face masks, etc.) should be used as required by good safety practices.

Smoke Free Workplace

The following Board policy prohibits the use of tobacco in school buildings and on school grounds:

Tobacco

The Board recognizes that tobacco use during school hours and on school property presents a health and safety hazard that can have serious consequences for the user and the nonuser and the safety of the schools.

For the purposes of this policy, tobacco includes a lighted or unlighted cigarette, cigar, pipe or other smoking product or material and smokeless tobacco in any form.

The Board prohibits tobacco use by administrative, professional and support employees in a school building and on any property, buses, vans and vehicles that are owned, leased or controlled by the School District.

The Board prohibits tobacco use by district employees at school-sponsored activities that are held off school property.

The District shall annually notify employees about the District's tobacco use policy by publishing such in handbooks, newsletters, posted notices, and other efficient methods.

The Superintendent or designee may report incidents involving the sale of tobacco to minors by employees on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.

In accordance with state law, the Superintendent shall annually, by July 31, report incidents of possession, use or sale of tobacco on school property to the Office for Safe Schools on the required form.

Adopted: Revised 04.14.16

Policy #323

Alcohol/Drug Free Workplace The following Board policy establishes an alcohol/drug free workplace.

Alcohol/Drug Free Workplace

This policy is adopted in accordance with the Anti-Drug Abuse Act of 1986, the Pennsylvania Public School Code, and in particular, section 527 to supplement the existing policies, rules and directives of the Ellwood City Area School District (the "District") relating to the use and abuse of drugs and alcohol, for the protection of the health, safety and welfare of the students, employees and property of the District. The goals of the District are to create and maintain a drug and alcohol free workplace. This policy will allow the District to pursue program and activities aimed at education and preventing drug and alcohol abuse in the work place, alerting employees addicted to drugs or alcohol of treatment programs and imposing sanctions on employees that violate the District's strict standard of conduct under this policy.

A. The following represents the policy of the District concerning abuse of drugs or alcohol. The policy will be enforced uniformly with respect to all employees. An employee who violates any provision of this policy will be subject to disciplinary action up to and including immediate dismissal from employment. Employees of the District should abide by this policy as a condition of his/her employment and shall cooperate fully with all required testing. In the event that an employee violates this policy, he/she shall be suspended from work and must cooperate fully with all required testing and shall promptly report to all required testing as scheduled. A violation of this policy shall include, but not be limited to:

1) An employee is prohibited from having measurable amounts of drugs in his/her system during all working hours, which includes breaks and meal periods, and all times for which an employee is being paid or on the premises of the District.

2) An employee is prohibited from possessing drug paraphernalia as defined by Pennsylvania Statutes or from using, possessing, consuming, manufacturing, purchasing, selling, distributing; or otherwise transfer-ring drugs on District property, in District vehicles (owned or leased) on any other premises while on duty, or while performing duties or activities on behalf of the District.

3) An employee is prohibited from reporting to work or working with the odor of alcohol or alcoholic beverage on his/her person or clothing or with drugs or alcohol in his/her possession.

4) No prescription drugs shall be brought to the work place by an employee other than the employee for whom it is prescribed. An employee prescribed prescription medication must notify the Administration of said prescription, and all information relating thereto shall be kept confidential.

B. Following written notification from the District alleging a violation of the policy, the employee shall be suspended from employment with pay until final adjudication of the violation can take place. A hearing before the Board shall be scheduled within 45 days following the date of written notification. The hearing shall be scheduled pursuant to and regarding the employee's violation of this policy. The Board shall consider all facts and circumstances concerning the employee's violation and employment history. The Administration shall present to the Board all relevant facts and circumstances which are material to the violation to the Board for consideration.

C. Following written notification from the District alleging a violation of this policy, the employee shall undergo a drug and/or alcohol assessment by the Lawrence County Drug and Alcohol Agency or an Agency to be determined by the District. The employee shall comply with said agency's recommendations and/or treatment, referral programs and satisfactorily participate and complete a Drug Abuse and/or Alcohol Abuse assistance or rehabilitation program approved for such purposes by Federal, State or Local enforcement agency or other appropriate agencies. The District shall pay the cost for said assistance or rehabilitation program, limited to completion of the same. Should employee fail or refuse to complete the recommended drug

abuse or alcohol abuse assistance or rehabilitation program. Then and in that event, the cost of said program will be the exclusive responsibility of the employee. All required testing for drug or alcohol within the meaning of this policy shall be paid for by the District.

D. An employee who has not been terminated from employment following an initial violation of this policy shall be subject to and shall at any time, at the request of the District, submit to unannounced drug or alcohol tests for a period of three years following the date of written notification of the violation of this policy. The employee may be tested at such times and such frequency that will be determined by the District.

E. A subsequent violation of this policy, within three years of the date of the initial written notification of the first violation of this policy, shall result in immediate suspension of employment without pay and a hearing before the Board within 30 days of the written notification of the subsequent violation. Said hearing shall be held pursuant to provisions of this policy and may result in disciplinary actions up to dismissal and termination from employment.

F. For any and all subsequent violations of this policy, following the initial violation, the District shall not pay the cost of any assistance or rehabilitation programs, with regard to drug or alcohol abuse. Said programs, if undertaken by the employee, shall be his/her sole responsibility.

G. Notwithstanding the above, any employee convicted of any of the following, regardless of where the conviction occurs, shall be terminated from employment following a hearing before the Board in accordance with this policy and the Pennsylvania School Code:

- 1) Delivery of a controlled substance;
- 2) Possession of a controlled substance
- 3) Any felony under the Controlled Substance Drug, Device and Cosmetic Act

Any employee may be required to submit to an alcohol and/or controlled substance test when an individual in a supervisory capacity over that employee has reasonable suspicion that the employee has violated this policy and/or is using or has used alcohol or a controlled substance in violation of the terms and conditions of this policy.

The determination that reasonable suspicion exists to require an employee to undergo testing must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the employee.

Reasonable suspicion testing may be based upon, among other things:

- A. observable phenomena, such as direct observation of drug use or possession and/or the physical symptoms of being impaired or under the influence of drugs;
- B. abnormal or erratic conduct or behavior
- C. arrest or conviction of a drug related offense or the identification of the employee as the focus of a criminal investigation into drug possession, use or trafficking;
- D. evidence obtained at any time that the employee has, in any manner, altered, substituted or tampered

with a previous drug test or specimen.

The District may maintain a Drug Free/Alcohol Free Awareness Program for its employees which shall explain but not be limited to:

- A. the dangers of drug/alcohol abuse in the workplace;
- B. the District's policy of maintaining a drug free/alcohol free workplace;
- C. the availability of drug/alcohol counseling; rehabilitation and employee assistance programs;
- D. the penalties that may be imposed upon employees for drug/alcohol abuse violations.

Upon requests of the District and following reasonable suspicion as set forth herein or at any time this policy shall apply to an employee, as a condition of employment, the employee consents to the release of any and all test results and/or other medical information as it pertains to drug or alcohol abuse. If required, the employee shall execute any and all authorizations or consent forms releasing test results or medical records, as required by the testing facility, hospital or physician, to the District to be considered and utilized in connection with the terms and conditions of this policy. The results of all individual drug and alcohol tests shall be considered confidential and be kept in a secure location with controlled access through the Superintendent's Office or his designee. Test results and related information will be disclosed and released only to:

- A. a licensed physician designated and hired by the independent testing facility,
- B. authorized representatives of the District to include the Superintendent or his designee on a need-to-know basis
- C. as required by law, regulation or pursuant to an order of court of competent jurisdiction.

An employee who is subject of a drug or alcohol test to the extent permitted by law, upon written request on a form supplied by the District, shall have access to any records related to such employee's drug and/or alcohol test results.

Employee – shall be defined as any District employee and any contractor or subcontractor performing work on school(s) premises.

Drugs/Controlled Substance – shall mean illegal drugs, alcohol, misuse of prescription and/or over-the-counter medications, a controlled substance as defined in The Controlled Substance, Drug, Device, and Cosmetic Act, Pennsylvania Public School Code, and the Drug Free Schools and Community Act, as amended.

Drug Free Workplace – shall be defined as a site for the performance of work done in connection with a specific grant or contract, including but not limited to, any school building or any school premises; any school owned vehicle or any school approved vehicle used to transport students to and from school or school activities; off-school property during any school-sponsored activities, events or function where students are under the jurisdiction of the District at which employees are prohibited from engaging in the unlawful manufacture,

distribution, dispensing, possession, use of a controlled substance; or being at work under the influence of a drug or alcohol.

Prescription Drug – shall be defined as a criminal statute involving the manufacture, distribution, dispensation, uses or possession of any controlled substance.

Criminal Drug Statute – shall be defined as a criminal statute involving the manufacture, distribution, dispensation, use or possession of any controlled substance.

Conviction – shall be defined as finding of guilt, including a plea of nolo contendere, or imposition of sentence, or both by a judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

An employee convicted of delivery or possession of a controlled substance with the intent to deliver shall be terminated from his/her employment with the District.

Authorization Consent Form – shall be provided by the District to the employee and shall be utilized by the District for the sole purposes of the employee’s violation of the District5-wide Drug and Alcohol Abuse Policy.

Unlawful Harassment

Revised: May 12, 2016

Policy #348

The following Board policy assures employees a workplace environment free from unlawful harassment.

The Board strives to provide a safe, positive working climate for its employees. Therefore, it shall be the policy of the District to maintain an employment environment in which harassment in any form is not tolerated.

The Board prohibits all forms of unlawful harassment of employees and third parties by all District students and staff members, contracted individuals, vendors, volunteers, and third parties in the schools. The Board encourages employees and third parties who have been harassed to promptly report such incidents to the designated administrators.

The Board directs that complaints of harassment shall be investigated promptly, and corrective action be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the District’s legal and investigative obligations.

No reprisals or retaliation shall occur as a result of good faith charges of harassment.

For the purposes of this policy, **harassment** shall consist of verbal, written, graphic or physical conduct relating to an individual’s race, color, national origin/ethnicity, sex, age, disability, sexual orientation, religion or genetic information when such conduct:

- (a) Is sufficiently severe, persistent or pervasive that it affects an individual’s ability to perform job functions or creates an intimidating, threatening, or abusive work environment.

- (b) Has the purpose or effect of substantially or unreasonably interfering with an individual's work performance.
- (c) Otherwise adversely affects an individual's employment opportunities.

For the purposes of this policy, **sexual harassment** shall consist of unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal, written, graphic or physical conduct of a sexual nature when:

- (a) Acceptance of such conduct is made either explicitly or implicitly a term or condition of an individual's continued employment
- (b) Submission to or rejection of such conduct is the basis for employment or decisions affecting the individual.
- (c) Such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of substantially interfering with the employee's job performance or creating an intimidating, hostile, or offensive working environment.

Examples of conduct that may constitute sexual harassment include but are not limited to sexual flirtations, advances, rumors, touching or propositions; verbal abuse of a sexual nature; sexually graphic or suggestive comments; sexually degrading words to describe an individual; jokes; pin-ups; calendars; objects; graffiti; drawings; pictures; written materials; innuendos; references to sexual activities; overt sexual conduct or gestures; circulating or showing emails or websites of a sexual nature; or any conduct that has the effect of unreasonably interfering with an employee's ability to work or creates an intimidating, hostile or offensive working environment.

In order to maintain a work environment that discourages and prohibits unlawful harassment, the Board designates the Superintendent or his/her designee as the District's Compliance Officer.

The Compliance Officer shall publish and disseminate this policy and the complaint procedure at least annually to students, parents/guardians, employees, independent contractors, vendors, and the public. The publication shall include the position, office address and telephone number of the Compliance Officer.

The administration shall be responsible to provide training for the students and employees regarding unlawful harassment.

Each employee shall be responsible to maintain a working environment free from all forms of unlawful harassment.

The building principal or designee shall be responsible to complete the following duties when receiving a complaint of unlawful harassment:

1. Inform the employee or third party of the right to file a complaint and the complaint procedure.
2. Notify the complainant and the accused of the progress at appropriate stages of the procedure.
3. Refer the complainant to the Compliance Officer if the building principal is the subject of the complaint.

Complaint Procedure – Employee/Third Party

Step 1 – Reporting

An employee or third party who believes that he or she has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the building principal.

If the building principal is the subject of the complaint, the employee or third party shall report the incident directly to the Compliance Officer.

The complainant is encouraged to use the report form available from the building principal, but oral complaints shall be acceptable.

Step 2 - Investigation

Upon receiving a complaint of unlawful harassment the building principal shall immediately notify the Compliance Officer. The Compliance Officer shall authorize the building principal to investigate the complaint, unless the building principal is the subject of the complaint or is unable to conduct the investigation.

The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the incident. The investigator may also evaluate any other information and materials relevant to the investigation.

The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation of the incident is pending or has been concluded.

Step 3 – Investigative Report

The building principal shall prepare a written report to the Compliance Officer within fifteen (15) days, unless additional time to complete the investigation is required. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual and whether it is a violation of this Policy, and a recommended disposition of the complaint.

Step 4 – District Action

If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the District shall take prompt, corrective action to ensure that such conduct ceases and will not recur. District staff shall document the corrective action taken and, when not prohibited by law, inform the complainant.

Disciplinary Action shall be consistent with Board Policies, administrative regulations and procedure, applicable collective bargaining agreements, and state and federal laws.

If it is concluded that an employee has knowingly made a false complaint under this policy, such employee shall be subject to disciplinary action.

Appeal Procedure

1. If the complainant is not satisfied with a finding of no violation of the policy or with the recommended Corrective action, he or she may submit a written appeal to the Compliance Officer within fifteen (15) days.
2. The Compliance Officer shall review the investigation and the investigative report and may also conduct a reasonable investigation.
3. The Compliance Officer shall prepare a written response to the appeal within fifteen (15) days. Copies of the response shall be provided to the complainant, the accused and the building principal who conducted the initial investigation.

Essential Performance Expectations Certificated Staff

An integral part of both tenured and non-tenured staffs - employment in the school district is continuous appraisal by their supervisors of their ability to meet essential performance expectations. As appropriate to the various jobs performed by certificated staff members, the essential performance expectations include, but are not necessarily limited to, the following:

1. Meets and instructs students at designated locations and times.
2. Develops and maintains a classroom environment commensurate with the Teacher's style, norms of the building program, appropriate to the classroom activity and within the limits of the resources provided by the district.
3. Prepares for assigned classes, and shows written evidence of preparation and implementation on request of the immediate supervisor.
4. Encourages students to set and maintain acceptable standards of classroom behavior.
5. Provides an effective program of instruction based on the needs and capabilities of the individuals or student groups involved. This should include, but not be limited to:
 - a. Review of previously taught material, as needed.
 - b. Presentation of new material.
 - c. Use of a variety teaching materials and techniques.
 - d. Evaluation of student progress on a regular basis.
5. Correlates individual instructions objectives with the philosophy, goals, and objectives stated for the district.
6. Takes all necessary and reasonable precautions to protect students, equipment, materials, and facilities.
7. Maintains records as required by law, district policy, and administrative regulations.
8. Assists in upholding and enforcing school rules, administrative regulations.
9. Makes provisions for being available to students and parents for education related purposes outside the instructional day when necessary and under reasonable terms.
10. Attends and participates in faculty, department, and district meetings
11. Cooperates with other members of the staff in planning instructional goals, objectives, and methods.
12. Assists in the selection of books, equipment, and other instructional materials.
13. Works to establish and maintain open lines of communication with students, parents, and colleagues concerning both the academic and behavioral progress of all students.
14. Establishes and maintains cooperative professional relations with others.
15. Performs related duties as assigned by the administration in accordance with district policies and practices.

(Adapted from: McGreal, T. Successful Teacher Evaluation. ASCD, 1983.)

Essential Performance Expectations Non Certificated Staff

An integral part of the non-certificated staffs' employment is the continuous appraisal by their supervisors of their ability to meet essential performance expectations. As appropriate to the various jobs performed by non-certificated staff members, i.e., food service, maintenance/custodial, instructional and teaching assistants, and secretarial/clerical, the essential performance expectations are outlined in the individual job descriptions.

Staff Responsibility for IEP/504 Accommodation Plan Implementation

1. Case managers will distribute IEPs and 504 Plans to all staff who work with each student and will retain a distribution list for each plan which specifies the date of the plan, the staff members to whom, the plan was distributed, and the date of distribution to each. Special Education teachers are case managers for students with IEPs; counselors are case managers for students with IEPs; counselors are case managers for students with 504 Plans and for those students in the process of being evaluated for special education prior to identification.
2. Plan revisions will be distributed in the same manner as 1, above.
3. Case managers will assure that staff members receiving plans know the identity of each student's case manager, including changes in case manager assignments.
4. Once a plan is received, the staff member receiving the plan will:
 - a.) Read the document in full.
 - b.) Advise the case manager if his or her individual responsibility for implementation of relevant components of the plan is not understood.
 - c.) Implement the relevant components of the plan, including, but not limited to: specific interaction(s) with the student, curriculum content and delivery, evaluation of student mastery, delivery of instructional supports, delivery of environmental modifications, and/ or collaboration with other team members, including contact with parents, etc.
 - d.) Maintain and report data as the document specifies, and as requested by the case manager.
 - e.) Report to the designated case manager any circumstances or conditions that cause the staff member to believe the plan is not or is no longer reasonably calculated to enable the student to make meaningful educational progress.
5. All staff members with responsibility for these students will maintain confidentiality with respect to each student and each plan document.
6. Copies of plans will be returned by staff, to Case Managers, upon request.
7. Relevant plan implementation provisions will be incorporated into information and/or lesson plans provided to substitutes, so they are also aware of their responsibilities to each student with a plan.

Child/Student Abuse – Policy 806 Revised May 12, 2016

Authority

The Board requires district employees, independent contractors and volunteers to comply with identification and reporting requirements for suspected child abuse, as well as the training requirement for recognition and reporting of child abuse in order to comply with the Child Protective Services Law and the School Code. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)

Definitions

The following words and phrases, when used in this policy, shall have the meaning given to them in this section:

Adult - an individual eighteen (18) years of age or older.[\[5\]](#)

Bodily injury - impairment of physical condition or substantial pain.[\[5\]](#)

Certifications - refers to the child abuse history clearance statement and state and federal criminal history background checks required by the Child Protective Services Law and/or the School Code.[\[6\]](#)[\[7\]](#)

Child - an individual under eighteen (18) years of age.[\[5\]](#)

Child abuse - intentionally, knowingly or recklessly doing any of the following:[\[5\]](#)

1. Causing bodily injury to a child through any recent act or failure to act.
2. Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.
3. Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of such acts or failures to act.
4. Causing sexual abuse or exploitation of a child through any act or failure to act.
5. Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.
6. Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.
7. Causing serious physical neglect of a child.
8. Engaging in any of the following recent acts:
 - a. Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.
 - b. Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.
 - c. Forcefully shaking a child under one (1) year of age.
 - d. Forcefully slapping or otherwise striking a child under one (1) year of age.
 - e. Interfering with the breathing of a child.
 - f. Causing a child to be present during the operation of methamphetamine laboratory, provided that the violation is being investigated by law enforcement.[\[8\]](#)

- g. Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known was required to register as a Tier II or Tier III sexual offender or has been determined to be a sexually violent predator or sexually violent delinquent. [\[9\]](#)[\[10\]](#)

9. Causing the death of the child through any act or failure to act.

The term child abuse does not include physical contact with a child that is involved in normal participation in physical education, athletic, extracurricular or recreational activities. Also excluded from the meaning of the term child abuse is the use of reasonable force by a person responsible for the welfare of a child for purposes of supervision, control or safety, provided that the use of force:

1. Constitutes incidental, minor or reasonable physical contact in order to maintain order and control;
2. Is necessary to quell a disturbance or remove a child from the scene of a disturbance that threatens property damage or injury to persons;
3. Is necessary for self-defense or defense of another;
4. Is necessary to prevent the child from self-inflicted physical harm; or
5. Is necessary to gain possession of weapons, controlled substances or other dangerous objects that are on the person of the child or in the child's control.

Direct contact with children - the possibility of care, supervision, guidance or control of children or routine interaction with children. [\[1\]](#)

Independent contractor - an individual other than a school employee who provides a program, activity or service who is otherwise responsible for the care, supervision, guidance or control of children pursuant to a contract. The term does not apply to administrative or other support personnel unless the administrative or other support personnel have direct contact with children. [\[5\]](#)[\[11\]](#)

Perpetrator - a person who has committed child abuse and is a parent/guardian of the child; a spouse or former spouse of the child's parent/guardian; a paramour or former paramour of the child's parent/guardian; an individual fourteen (14) years of age or older who is responsible for the child's welfare or who has direct contact with children as an employee of child-care services, a school or through a program activity or service; an individual fourteen (14) years of age or older who resides in the same home as the child; or an adult who does not reside in the same home as the child but is related within the third degree of consanguinity or affinity by birth or adoption to the child. Only the following may be considered a perpetrator solely based upon a failure to act: a parent/guardian of the child; a spouse or former spouse of the child's parent/guardian; a paramour or former paramour of the child's parent/guardian; an adult responsible for the child's welfare; or an adult who resides in the same home as the child. [\[5\]](#)

Person responsible for the child's welfare - a person who provides permanent or temporary care, supervision, mental health diagnosis or treatment, training or control of a child in lieu of parental care, supervision and control. [\[5\]](#)

Program, activity or service - any of the following in which children participate and which is sponsored by a school or a public or private organization: [\[5\]](#)

1. A youth camp or program.
2. A recreational camp or program.
3. A sports or athletic program.
4. A community or social outreach program.
5. An enrichment or educational program.
6. A troop, club or similar organization.

Recent act or failure to act - any act or failure to act committed within two (2) years of the date of the report to the Department of Human Services of the Commonwealth or county agency.[\[5\]](#)

Routine interaction - regular and repeated contact that is integral to a person's employment or volunteer responsibilities.[\[5\]](#)

School employee - an individual who is employed by a school or who provides a program, activity or service sponsored by a school. The term does not apply to administrative or other support personnel unless the administrative or other support personnel have direct contact with children.[\[5\]](#)

Serious mental injury - a psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that:[\[5\]](#)

1. Renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child's life or safety is threatened.
2. Seriously interferes with a child's ability to accomplish age-appropriate developmental and social tasks.

Serious physical neglect - any of the following when committed by a perpetrator that endangers a child's life or health, threatens a child's well-being, causes bodily injury or impairs a child's health, development or functioning:[\[5\]](#)

1. A repeated, prolonged or egregious failure to supervise a child in a manner that is appropriate considering the child's developmental age and abilities.
2. The failure to provide a child with adequate essentials of life, including food, shelter or medical care.

Sexual abuse or exploitation - any of the following:[\[5\]](#)

1. The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct, which includes, but is not limited to, the following:
 - a. Looking at the sexual or other intimate parts of a child or another individual for the purpose of arousing or gratifying sexual desire in any individual.
 - b. Participating in sexually explicit conversation either in person, by telephone, by computer or by a computer-aided device for the purpose of sexual stimulation or

gratification of any individual.

- c. Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.
- d. Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting or filming.

The conduct described above does not include consensual activities between a child who is fourteen (14) years of age or older and another person who is fourteen (14) years of age or older and whose age is within four (4) years of the child's age.

2. Any of the following offenses committed against a child: rape; statutory sexual assault; involuntary deviate sexual intercourse; sexual assault; institutional sexual assault; aggravated indecent assault; indecent assault; indecent exposure; incest; prostitution; sexual abuse; unlawful contact with a minor; or sexual exploitation.

Student - an individual enrolled in a district school under eighteen (18) years of age.[\[5\]](#)

Volunteer - an unpaid adult individual, who, on the basis of the individual's role as an integral part of a regularly scheduled program, activity or service is a person responsible for the child's welfare or has direct contact with children.[\[11\]](#)

Delegation of Responsibility

In accordance with Board policy, the Superintendent or designee shall:

1. Require each candidate for employment to submit an official child abuse clearance statement and state and federal criminal history background checks (certifications) as required by law.[\[6\]](#)[\[7\]](#)[\[12\]](#)[\[13\]](#)[\[14\]](#)[\[15\]](#)
2. Require each applicant for transfer or reassignment to submit the required certifications unless the applicant is applying for a transfer from one position as a district employee to another position as a district employee of this district and the applicant's certifications are current.[\[16\]](#)[\[17\]](#)[\[18\]](#)

School employees and independent contractors shall obtain and submit new certifications every sixty (60) months.[\[17\]](#)

Certification requirements for volunteers are addressed separately in Board Policy 916.[\[19\]](#)

The Superintendent or designee shall annually inform students, parents/guardians, independent contractors, volunteers and staff regarding the contents of this Board policy.

The Superintendent or designee shall annually notify district staff, independent contractors, and volunteers of their responsibility for reporting child abuse in accordance with Board policy and administrative regulations.

Guidelines

Training

The school district, and independent contractors of the school district, shall provide their employees who have direct contact with children with mandatory training on child abuse recognition and reporting. The training shall include, but not be limited to, the following topics:[\[1\]](#)[\[20\]](#)[\[3\]](#)[\[4\]](#)

1. Recognition of the signs of abuse and sexual misconduct and reporting requirements for suspected abuse and sexual misconduct.
2. Provisions of the Educator Discipline Act, including mandatory reporting requirements.[\[21\]](#)[\[20\]](#)
3. District policy related to reporting of suspected abuse and sexual misconduct.
4. Maintenance of professional and appropriate relationships with students.[\[22\]](#)

Employees are required to complete a minimum of three (3) hours of training every five (5) years.[\[1\]](#)

The district shall provide each volunteer with information on child abuse reporting.

Duty to Report

School employees, independent contractors and volunteers shall make a report of suspected child abuse if they have reasonable cause to suspect that a child is the victim of child abuse under any of the following circumstances:[\[11\]](#)

1. The school employee, independent contractor or volunteer comes into contact with the child in the course of employment, occupation and the practice of a profession or through a regularly scheduled program, activity or service.
2. The school employee, independent contractor or volunteer is directly responsible for the care, supervision, guidance or training of the child.
3. A person makes a specific disclosure to a school employee, independent contractor or volunteer that an identifiable child is the victim of child abuse.
4. An individual fourteen (14) years of age or older makes a specific disclosure to a school employee, independent contractor or volunteer that s/he has committed child abuse.

A child is not required to come before the school employee, independent contractor or volunteer in order for that individual to make a report of suspected child abuse.[\[11\]](#)

A report of suspected child abuse does not require the identification of the person responsible for the child abuse.[\[11\]](#)

Any person who, in good faith, makes a report of suspected child abuse, regardless of whether the report is required, cooperates with an investigation, testifies in a proceeding, or engages in other action authorized by law shall have immunity from civil and criminal liability related to those actions.[\[23\]](#)

Any person required to report child abuse who willfully fails to do so may be subject to disciplinary action and criminal prosecution.[\[24\]](#)

Any person who intentionally or knowingly makes a false report of child abuse or intentionally or knowingly induces a child to make a false claim of child abuse may be subject to disciplinary action and criminal prosecution.[\[25\]](#)

Any person who engages in intimidation, retaliation, or obstruction in the making of a child abuse report or the conducting of an investigation into suspected child abuse may be subject to disciplinary action and criminal prosecution.[\[26\]](#)

The district shall not discriminate or retaliate against any person for making, in good faith, a report of suspected child abuse.[\[27\]](#)

Reporting Procedures

School employees, independent contractors or volunteers who suspect child abuse shall immediately make a written report of suspected child abuse using electronic technologies (www.compass.state.pa.us/cwis) or an oral report via the statewide toll-free telephone number **(1-800-932-0313)**. A person making an initial oral report of suspected child abuse must also submit a written electronic report within forty-eight (48) hours after the oral report. Upon receipt of an electronic report, the electronic reporting system will automatically respond with a confirmation, providing the district with a written record of the report.[\[28\]](#)[\[11\]](#)[\[29\]](#)

A school employee, independent contractor or volunteer who makes a report of suspected child abuse shall immediately, after making the initial report, notify the school principal and if the initial report was made electronically, also provide the principal with a copy of the report confirmation. The school principal shall then immediately notify the Superintendent or designee that a child abuse report has been made and if the initial report was made electronically, also provide a copy of the report confirmation.[\[28\]](#)[\[11\]](#)[\[29\]](#)

When a report of suspected child abuse is made by a school employee, independent contractor or volunteer as required by law, the school district is not required to make more than one (1) report. An individual otherwise required to make a report who is aware that an initial report has already been made by a school employee, independent contractor or volunteer is not required to make an additional report. The person making an initial oral report is responsible for making the follow-up written electronic report within forty-eight (48) hours, and shall provide the school principal with a copy of the report confirmation promptly after the written electronic report has been filed. The principal shall in turn provide a copy of the report confirmation to the Superintendent or designee.[\[28\]](#)[\[11\]](#)[\[29\]](#)

When necessary to preserve potential evidence of suspected child abuse, a principal or administrator may, after the initial report is made, take or cause to be taken photographs of the child who is the subject of the report. Any such photographs shall be sent to the county agency at the time the written report is sent or within forty-eight (48) hours after a report is made by electronic technologies or as soon thereafter as possible.[\[30\]](#)

If the Superintendent or designee reasonably suspects that conduct being reported involves an incident required to be reported under the Safe Schools Act, the Superintendent or designee shall inform local law enforcement, in accordance with applicable law, regulations and Board policy.[\[31\]](#)[\[32\]](#)[\[33\]](#)[\[34\]](#)[\[35\]](#)[\[36\]](#)

Investigation

The school principal shall facilitate the cooperation with the Department of Human Services of the Commonwealth or the county agency investigating a report of suspected child abuse, including permitting authorized personnel to interview the child while in attendance at school.[\[11\]](#)[\[37\]](#)

Upon notification that an investigation involves suspected child abuse by a school employee, the principal shall immediately implement a plan of supervision or alternative arrangement that has been approved by the Superintendent for the school employee under investigation. The plan of supervision or alternative arrangement shall be submitted to the county agency for approval. [\[38\]](#)

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Legal

1. [24 P.S. 1205.6](#)
2. [23 Pa. C.S.A. 6301 et seq](#)
3. Pol. 333
4. Pol. 818
5. [23 Pa. C.S.A. 6303](#)
6. [24 P.S. 111](#)
7. [23 Pa. C.S.A. 6344](#)
8. [18 Pa. C.S.A. 7508.2](#)
9. [42 Pa. C.S.A. 9799.12](#)
10. [42 Pa. C.S.A. 9799.24](#)
11. [23 Pa. C.S.A. 6311](#)
12. Pol. 302
13. Pol. 304
14. Pol. 305
15. Pol. 306
16. [23 Pa. C.S.A. 6344.3](#)
17. [23 Pa. C.S.A. 6344.4](#)
18. Pol. 309
19. Pol. 916
20. Pol. 317.1
21. [24 P.S. 2070.1a](#)
22. Pol. 824
23. [23 Pa. C.S.A. 6318](#)
24. [23 Pa. C.S.A. 6319](#)
25. [18 Pa. C.S.A. 4906.1](#)
26. [18 Pa. C.S.A. 4958](#)
27. [23 Pa. C.S.A. 6320](#)
28. [23 Pa. C.S.A. 6305](#)
29. [23 Pa. C.S.A. 6313](#)
30. [23 Pa. C.S.A. 6314](#)
31. [24 P.S. 1302.1-A](#)
32. [24 P.S. 1303-A](#)
33. [22 PA Code 10.2](#)
34. [22 PA Code 10.21](#)
35. [22 PA Code 10.22](#)
36. Pol. 805.1
37. [23 Pa. C.S.A. 6346](#)
38. [23 Pa. C.S.A. 6368](#)
- [24 P.S. 1301-A et seq](#)
- [22 PA Code 10.1 et seq](#)
- [24 P.S. 1527](#)

[24 P.S. 2070.1a et seq](#)

[18 Pa. C.S.A. 4304](#)

Pol. 317

Mandated Reporter protocol for Ellwood City Area School District

In correspondence with School Board Policy #806 and within the state of Pennsylvania, any person who is employed by the school or who is an independent contractor with the school is a mandated reporter of child

abuse. The following information outlines the steps when a district employee or independent contractor is reporting child abuse.

1. If child abuse/neglect is reported to the Mandated Reporter, the Mandated Reporter will complete the CY-47 Form and call Childline at 1-800-932-0313 on a secure, private line or complete the online form after creating an account at <https://www.compass.state.pa.us/cwis/public/home>
2. Suspected child abuse must be reported immediately even if it is by a third party reporter. If mandated reporter is informed of an incident the Mandated Reporter should contact the building principal/building secretary to cover their classroom to make the report. If available, the principal, school counselor, school psychologist or special education director can sit with staff when they make the childline call. However, those staff members cannot make the call for the mandated reporter who the abuse was initially reported to.
3. The Mandated Reporter will report suspected child abuse to the building principal after the Childline call or the electronic form to Childline is completed, if the principal was not previously informed.
4. The Mandated Reporter will fax the CY-47 to the local Children and Youth Services office with the documented Childline employee's name. If the online form is completed, this step will not need to be completed.
5. If the mandated reporter and the building administrator determine the student is in immediate danger after consulting with childline, the local police will be contacted.
6. The Original CY-47 Form and the fax confirmation sheet will be sent to Central Office. If the online form is completed, this step will not need to be completed.
7. If CYS comes to interview the student, the Mandated Reporter should be made available to answer any questions the CYS worker may have.
8. CYS members will need a court order if they want to take custody of the student.
9. The Ellwood City Area School District in compliance with this Act requires that all school employees who have direct contact with students complete the 3 hour online training: Recognizing and Reporting Child Abuse: Mandated and Permissive Reporting in Pennsylvania.
10. This course is approved for 3 continuing education credits and has been approved by the PA Department of Human Services and the PA Department of State to meet ACT 31 Child Abuse Recognition and Reporting Training requirements. Additionally, this course has been approved by the PA Department of Education to meet the Recognizing Child Abuse and Mandated Reporting components of Act 126 of 2013 training requirements.

Please go to the following website to register and begin your online training. Once you have completed the training, please be sure to print your certificate and turn it into the Superintendent's office. This training is required every five years and is a condition of employment. www.ReportAbusePa.Pitt.edu

It is the responsibility of every employee to protect school buildings, property, and grounds from theft, vandalism, misuse, or unauthorized use. This objective requires cooperation on everyone's part by locking all windows, doors, confidential files, record cabinets, supply and storage rooms, etc., at the close of business each day.

Work Related Accident or Injury

If an employee is involved in a work-related accident or injury, they must speak to their supervisor immediately. Off shift employees (i.e. 3:00 – 11:00) must call the Director of Facilities Management at (724) 714-3608. Also, according to the contract, the employee will be required to have drug and alcohol testing immediately at either Worksite Medical (724-716-6742) if before 3:30 PM or at the Ellwood City Hospital Emergency room or Lab if after 3:30 PM. **A form is required for Worksite Medical and can be obtained in the Business Office.**

Legislated Employee Benefits

Legislated Employee Benefits
Notice to Employees in Case of Work-Related Injuries

YOUR WORKERS COMPENSATION CLAIMS ARE MANAGED BY WORKPARTNERS

Send Bills To: PO Box 2971, Pittsburgh, PA 15230

FAX: (412) 454-8717

To Report A Claim Call: 1-800-633-1197

WC Policy: WC100-2025071-2018A

Policy Effective Date: 07/01/2018

- 1. If you suffer a work-related injury, your employer or its insurance company must pay for reasonable surgical and medical services and supplies, orthopedic appliances and prosthesis, including training in their use.**
- 2. In order to insure that your medical treatment will be paid for by your employer or the insurance company, you must select from one of the following health care providers. You must continue to visit one of the providers listed below, if you need treatment, for ninety (90) days from the date of your first visit.**
- 3. If one of the providers below refers you to another licensed specialist, your employer or their insurer will pay the bill for these services.**
- 4. After this ninety (90) day period, if you still need treatment and your employer has provided a list as set forth below, you may choose to go to another health care provider for treatment. You should notify your employer of this action within five days of your visit to said provider.**
- 5. If a physician on the list prescribes invasive surgery, you may obtain a second opinion from any physician of your choice. If the second opinion is different than the listed physician's opinion, you may determine which course of treatment to follow, however, the second opinion must contain a specific and detailed treatment plan. If you choose the second opinion, the procedures in that opinion must be performed by one of the physicians on the list for the first ninety (90) days. Therefore, in this situation, the employee may be required to treat with an employer-designated provider for up to 180 days.**
- 6. If you are faced with a medical emergency, you may secure assistance from a hospital, physician, or health care provider of your choice for your work related injury. However, when the emergency is resolved, you must seek treatment from a provider listed below.**

| <u>Name</u> | <u>Address</u> | <u>Phone</u> | <u>Area of Specialty</u> |
|---|--|-----------------------|------------------------------|
| <i>*UPMC Jameson Work-Health</i> | <i>2008 W. State St. New Castle, PA 16101</i> | <i>724-654-8719</i> | <i>Occupational Medicine</i> |
| <i>MedExpress Urgent Care-Chippewa</i> | <i>2652 Darlington Rd.Ste10 Beaver Falls, PA 15010</i> | <i>724-891-3278</i> | <i>Urgent Care</i> |
| <i>Hofius Surgical</i> | <i>217 N. Jefferson St. SteB New Castle, PA 16101</i> | <i>724-654-3010</i> | <i>General Surgery</i> |
| <i>*Tri-State Neurosurgical Assoc – UPMC- Beaver Falls</i> | <i>2674 Darlington Rd. Beaver Falls, PA 15010</i> | <i>888-234-4357</i> | <i>Neurosurgery</i> |
| <i>*Lawrence County Orthopedics & Sports Medicine – UPMC – Ellwood City</i> | <i>304 Evans Dr. Ste 102 Ellwood City, PA 16117</i> | <i>724-658-5311</i> | <i>Orthopedics</i> |
| <i>*Horizon Orthopedics – UPMC- New Castle</i> | <i>2004 W. State St. New Castle, PA 16101</i> | <i>724-962-9622</i> | <i>Orthopedics</i> |
| <i>Dr. Daniel J. Nadler & Assoc. – Beaver Ophthalmology</i> | <i>1200 Sharon Rd. Ste 202 Beaver, PA 15009</i> | <i>724-774-5920</i> | |
| <i>Burk Physical Therapy</i> | <i>1677 State Rte. 65 Ellwood City, PA 16117</i> | <i>724-752-2716</i> | <i>Physical Therapy</i> |
| <i>One Call Physical Therapy</i> | <i>Call Toll Free for locations</i> | <i>1-844-284-2525</i> | <i>Physical Therapy</i> |
| <i>One Call Chiropractic</i> | <i>Call Toll Free for locations</i> | <i>1-844-284-2525</i> | <i>Chiropractic</i> |

| | | | |
|---|--|-----------------------|---------------------------|
| <i>One Call Imaging Services</i> | <i>Call Toll Free for locations</i> | <i>1-844-284-2525</i> | <i>Diagnostic Imaging</i> |
| <i>One Call Durable Medical Equipment</i> | <i>Call Toll Free for suppliers</i> | <i>1-844-284-2525</i> | <i>DME</i> |
| <i>Express Scripts</i> | <i>Call Toll Free for locations BIN# 003858, Group# KYHA</i> | <i>1-800-945-5951</i> | <i>Pharmacy</i> |

COBRA

The Consolidated Omnibus Budget Reconciliation Act of 1985 requires that employers who sponsor group health plans offer employees and their families the opportunity for a temporary extension of health coverage at group rates in certain instances where coverage under the plans would otherwise end. If an employee is covered by any of the District’s group health plans (medical, dental, vision, and prescription), he/she has a right to choose this continuation coverage if he/she loses such coverage because of a reduction in hours of employment or the termination of employment (for reasons other than gross misconduct on the part of the employee).

The law requires that the employee, his/her spouse, or his/her dependent children, where applicable, have the option to elect continuation coverage for a period shown below:

| <u>Person</u> | <u>Reason for Termination</u> | <u>Period</u> |
|-----------------|--|---------------|
| Employee | Voluntary termination | 18 months |
| | Involuntary termination (except for gross misconduct) | 18 months |
| | Reduction in work hours | 18 months |
| Spouse | Death of employee | 36 months |
| | Divorce or legal separation | 36 months |
| | Employee becomes eligible for Medicare | 36 months |
| Dependent Child | No longer qualifies as a dependent | 36 months |

Coverage continuation will be at the request and expense of the individual(s) affected by the loss of coverage.

The law also provides that continued coverage for the employee may be terminated prior to the expiration of the 18-month or 36-month period, only under the following circumstances:

1. Abolition of all health plans provided to any employee.
2. Failure to pay premium.
3. Covered under another health plan upon reemployment, remarriage, or attainment of Medicare eligibility.

Family and Medical Leave

The following Board policy establishes leaves for family and medical reasons for employees who are eligible under law.

Family and Medical Leave Policy

Authority

The Board shall provide eligible administrative, professional and classified employees with unpaid leaves of absence in accordance with the Family And Medical Leave Act, hereinafter referred to as FMLA. [\[1\]](#)[\[2\]](#)

Employee requests for FMLA leave shall be processed in accordance with law, Board policy and administrative regulations.

Delegation of Responsibility

The Superintendent shall develop and disseminate administrative regulations to implement FMLA leave for eligible employees.

The District shall post, in conspicuous places in the District customarily used for notices to employees and applicants, a notice regarding the provisions of the FMLA and the procedure for filing a complaint. [\[3\]](#)

Employee requests for leave, both FMLA and non-FMLA, shall be submitted in writing on a District form. The form shall request sufficient information to determine whether the leave qualifies as an FMLA leave.

Guidelines

Employees' eligibility for FMLA leave shall be based on the criteria established by law. [\[4\]](#)[\[5\]](#)

Eligible employees shall be provided up to twelve (12) workweeks of unpaid leave in a twelve-month period for the employee's own serious health condition; for the birth, adoption, foster placement or first-year care of a child; to care for a seriously ill spouse, child or parent; or to address specific qualifying exigencies pertaining to a member of the Armed Forces alerted for foreign deployment or during foreign deployment. [\[5\]](#)

This Policy shall not apply to any employee covered by and subject to the Memorandum of Understanding between the District and Ellwood Area Education Association dated April 15, 2016, which Memorandum of Understanding shall supersede any conflicting terms and provisions in this Policy.

Eligible employees shall be provided up to twenty-six (26) workweeks of unpaid leave in a single twelve-month period to care for an ill or injured covered servicemember. [\[5\]](#)

The District shall utilize a rolling twelve-month period measured backwards from the date leave is used to determine if an employee has exhausted his/her FMLA leave in any twelve-month period. [\[6\]](#)

Employees will be required to use accrued paid leave (including paid vacation, sick leave, compensatory time and workers' compensation) for any part of FMLA leave. When an employee has used all of his/her accrued paid leave, the employee may request an additional period of unpaid leave so that the total paid and unpaid leave provided equals twelve (12) weeks.[\[5\]](#)

Legal

[1. 29 U.S.C. 2601 et seq](#)

[2. 29 CFR Part 825](#)

[3. 29 U.S.C. 2619](#)

[4. 29 U.S.C. 2611](#)

[5. 29 U.S.C. 2612](#)

[6. 29 CFR 825.200](#)

Pol. 813

Revised: May 12, 2016

Board Policy: #335

Social Security

Social Security is a federal program that provides a base retirement income and other benefits for all eligible participants. It is financed by employers through a payroll tax paid to the federal government and by employees through a payroll deduction that is forwarded to the federal government.

Employee Benefits

Employee Benefits

Insurance Benefits

Active employees with the District who are eligible for benefits will find the provisions for eligibility stated in their respective collective bargaining agreements or salary and benefit package. Since benefits are available for eligible employees according to the terms of their specific type of employment, it is important to know the insurance benefits provided by the District include medical, dental, prescription, vision, life, and disability insurance (support staff only). Mandatory documentation is now required when adding dependents to the medical insurance program. The options for documentation for spouses is 1. Employee's most recent federal tax return signed by both the employee and spouse, 2. One of the following: Marriage Certificate, Affidavit of common law marriage, Domestic Partnership Affidavit AND One of the following (but must be less than 6 months old with current address) Copy of mortgage statement with both names, copy of bank statement with both names, copy of utility bill or rental/lease agreement with both names. 3. If marriage is less than one year old, a marriage certificate alone. The documentation for adding you or your spouse's child under age of 26 including natural child, stepchild, legally adopted child, children placed for adoption and child for whom you or your spouse are the permanent legal guardian, a child who is recognized as an alternate recipient in a Qualified Medical Child Support Order (QMCSO). Also, you or your spouse's child age 26 or older, who is not able to support themselves due to mental retardation, physical disability, mental illness or developmental disability. Proof that the dependent meets the criteria above may be required. Documentation for children includes:

Biological Child: Birth certificate or birth record showing employee as parent

Adopted Child: Court approved adoption order or placement order; or modified birth certificate

Stepchild: Birth certificate or birth record showing spouse as parent

Biological Child of Domestic Partner (if allowed by Participating Entity) Birth certificate or birth record showing domestic partner as parent

Permanent Legal Guardianship: Court documents

Tuition Reimbursement

Tuition reimbursement is available to eligible employees, on a pre-approved basis, as defined in their respective collective bargaining agreements or salary and benefit package.

Sick and Personal Leave

Sick days and pre-approved personal leave are available to eligible employees as defined in their respective collective bargaining agreements or salary and benefit package.

Vacations and Holidays

Vacations and holidays are available to eligible employees as defined in their respective collected bargaining agreement or salary and benefit package.

Bereavement Leave

Bereavement Leave is available to eligible employees as defined in their respective collective bargaining agreement.

Other Leaves of Absence

Leaves of absence without pay may be provided under the terms of the collective bargaining agreement. Requests for such leave should be submitted in writing to the Superintendent's Office.

Jury Duty Payment

Jury Duty Payment is available to eligible employees as defined in their respective collective bargaining agreement.

Tax Sheltered Annuities

Employees of the District may take advantage of tax sheltered annuities as defined under Section 403(b) of the Internal Revenue Code. Under a tax shelter plan, an employee may authorize the District to deduct an amount

from his/her pay and make regular payments to the company of their choice for the purchase of an annuity. These payments are not subject to federal income tax until paid to the employee in the form of an annuity (usually upon retirement after age 59 and one-half) or until withdrawn by the employee prior to reaching annuity age. Payroll deductions for tax sheltered annuities are withheld from each paycheck. While the District does not endorse any particular plan, a current list of approved TSA vendors can be obtained by calling the Payroll Office or the Business Manager.

Flexible Spending Plan – Medical and Dependent Care

Employees may opt to have wages deferred for the purpose of paying medical or dependent care expenses with pre-tax dollars. If an employee participates in this program, wages will be withheld from his/her paycheck and will be used to reimburse him/her, through a third party administrator, for incurred medical and/or dependent care expenses.

Employee Relations

Performance Appraisal

Annual performance appraisals will be conducted in accordance with the following Board Policies

Board Policy: #313 Evaluation of Employees – Revised 4.14.16

Use of Internet, Computers, and Network Resources

The Board supports use of the computers, Internet, and other network resources in the district's instructional and operational programs in order to facilitate learning, teaching, and daily operations through interpersonal communications and access to information, research and collaboration. The Board is committed to the effective use of technology as a resource to advance the school district's educational program and curriculum and to enhance the quality of student learning.

The district provides students, staff, and other authorized individuals with access to the district's computers, electronic communications systems and network, which includes Internet access, whether wired or wireless, or by any other means.

Use of Internet, Computers, and Network Resources is pursuant to Policy #815

Adopted: February 9, 2006

Revised: August 9, 2012

Addendums

EMPLOYEE ACCEPTABLE USE SIGNATURE FORM

Name: _____

School: _____

Home Address: _____

City, State, Zip: _____

Home Phone: _____

I have read and I understand Ellwood City's Acceptable Use Policy (815) and its guidelines and I agree to abide by all of the rules and standards for acceptable use stated therein.

Signature: _____ Date: _____

Last Name

First Name

Building

**ELLWOOD CITY AREA SCHOOL DISTRICT
EMPLOYEE ACKNOWLEDGEMENT FORM**

The Employee Handbook describes important information about the Ellwood City Area School District. I acknowledge receipt of the Handbook and I understand that I should review its terms and consult my immediate supervisor regarding any questions not answered in the handbook.

Since provisions of the handbook are subject to change, I further understand that revisions to the handbook may supersede or eliminate one or more existing policies.

I acknowledge this handbook and I understand that it is my responsibility to read and comply with the policies contained in this handbook as well as the District Policy Manual and any revisions made to them. Nothing contained herein shall be interpreted or construed as limiting, modifying or eliminating all rights conferred upon the District under the Pennsylvania School Code or any applicable collective bargaining agreement.

EMPLOYEE'S SIGNATURE

DATE

EMPLOYEE'S NAME (PRINTED)