

# **NORTHUMBERLAND COUNTY**

## **PUBLIC SCHOOLS**



### **EMPLOYEE HANDBOOK**

#### **2015-2016**

The Northumberland County Public Schools Employee Handbook provides a quick reference to assist employees in understanding School Board personnel policies, regulations, procedures, and benefits for all employees within the school division. When further details about policy and procedural matters are needed, an employee should consult his/her immediate supervisor or refer to the Northumberland County School Board's policy Manual. The Policy Manual may be accessed from the school division's homepage at <https://www.nucps.net> under the "School Board" link. In the event of any conflict between this handbook and the School Board's Policy manual, the Policy Manual will prevail. Because the School Board and the administration are committed to constantly reviewing all policies and benefits, information presented in this handbook may be adjusted or modified from time to time. It is the responsibility of the employee to review the handbook annual for any updates and revisions. Any policies, regulations, guidelines, and procedures incorporated in this Employee Handbook supersede and replace all previous editions of the Employee Handbook.

*The Northumberland County School Board does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities or employment and provides equal access to the Boy Scouts and other designated youth groups. The following people have been designated to handle questions regarding complaints for discrimination and/or harassment: Dr. Holly Wargo, Assistant Superintendent of Instruction and/or Mr. Michael Ransome, NMS Principal, may be contacted.*



### **SCHOOL BOARD**

Dana O'Bier (District 1)  
Dean Sumner (District 2)  
Gerald Howard (District 3)  
Betty Christopher, (District 4)  
Gayle Sterrett (District 5)

### **CENTRAL OFFICE**

Superintendent	Dr. Rebecca Gates	(804) 529-6134
Assistant Superintendent of Instruction	Dr. Holly Wargo	(804) 529-6134
Director of Federal Programs & School Improvement	Sophonria Smith	(804) 529-6134
Home/School Liaison	Martha Hicks	(804) 529-6134
Director of Special Education	Dr. Jamie Blake	(804) 529-6134
Secretary	Lisa Day	(804) 529-6134

### **SCHOOLS**

Northumberland Elementary School	Theresa Larsen, Principal Stephanie Baker, Admin. Intern	(804) 580-8032
Northumberland Middle School	Michael Ransome, Principal Debra DeVivi, Assistant Principal Javornda Ashton, P/T Admin. Intern	(804) 580-5753
Northumberland High School	Dr. Travis Burns, Principal Peggy Myrick, Assistant Principal	(804) 580-5192

### **OPERATIONS & SUPPORT SERVICES**

Budget & Finance (A/P and Payroll)	Lynn Mason, Director of Finance Donna Booth, Finance Manager	(804) 529-6134 (804) 529-6134
Cafeteria	Saunee Hamlett, Food Service Director	(804) 580-8101
Maintenance	Cris Kallenberger, Maintenance Supervisor	(804) 580-0754
Transportation	Reggie Taylor, Director of Transportation Robbie King, Asst. Director/Mechanic	(804) 580-5161
Human Resources	Carol Badenoch, School Board Clerk	(804) 529-6134

# **NORTHUMBERLAND COUNTY PUBLIC SCHOOLS**



## **MISSION STATEMENT**

**“The mission of the Northumberland County Schools, in collaboration with parent, educators, and community members is to provide our students with the skills and knowledge necessary to enable them to succeed in an ever changing and competitive world. We believe the school environment should be safe and caring in order to develop the physical, social, emotional, and intellectual potential of each of the students so that they will be able to successfully compete in today’s highly global and technological society.”**

Jul-15						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26					31	

June 15-July 2 NES Extended Yr

July 4 - Independence Day

July 27-30 NMS Summer School

Jan-16						
S	M	T	W	T	F	S
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Jan. 1 - Winter Holiday

Jan. 4 - First Day Back from Break

Jan. 18 - Dr. Martin Luther King, Jr., Holiday

Jan. 27 - Final Exam schedule @ NHS

Jan. 28 - Final Exam schedule @ NHS; End of Quarter 2; End of NHS Semester 1

Jan. 29 - Teacher Workday

18 Student Days

19 Teacher Days

Aug-15						
S	M	T	W	T	F	S
						1
2					7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Aug 3-13 NES Extended Yr

Aug. 3-6 - NMS Summer School

Aug. 22 - Back to School Rally 10-2:00

Aug. 25-31 Teacher Workdays

Aug. 27 - Convocation @ RCPS

8 Teacher Days (includes 8/22)

Feb-16						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29					

Feb. 1 - First Day of Quarter 3 / NHS Semester 2

Feb. 4 - Report Card 2 / NHS Semester 1 Report Card

Feb. 12 - Professional Development Day

Feb. 17 - President's Day Holiday

19 Student Days

20 Teacher Days

Sep-15						
S	M	T	W	T	F	S
6			8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

Sept. 1-4 - Teacher Workdays

Sept. 7 - Labor Day

Sept. 8 - First Day of School

17 Student Days

21 Teacher Days

Mar-16						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27					

March 2 - Interim Quarter 3

March 25-31 - Spring Break Holiday

18 Student Days

18 Teacher Days

Oct-15						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Oct. 7 - Interim Quarter 1

22 Student Days

22 Teacher Days

Apr-16						
S	M	T	W	T	F	S
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

April 1 - Spring Break Holiday

April 8 - End of Quarter 3

April 11 - Teacher Workday

April 12 - First Day, Quarter 4; Midpoint NHS Semester 2

April 13 - Report Card 3

April 21 - Parent Conf 3:30-6:30

19 Student Days

20 Teacher Days

Nov-15						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

Nov. 6 - End of Quarter 1

Nov. 9 - Teacher Workday

Nov. 10 - First Day, Quarter 2;

Midpoint for NHS Semester 1

Nov. 13 - Report Card 1

Nov. 19 - Parent Conf 3:30-6:30

Nov. 23-27 - Holiday

17 Student Days

18 Teacher Days

May-16						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

May 11 - Interim Quarter 4

May 30 - Memorial Day Holiday

21 Student Days

21 Teacher Days

Dec-15						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Dec. 14 - Interim Quarter 2

Dec. 21-31 - Winter Holiday

14 Student Days

14 Teacher Days

Jun-16						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	1
2	3	4	5	6	7	8

June 9 - Final Exam Schedule @ NHS

June 10 - Final Exam Schedule @ NHS; End of Quarter 4 /

End of NHS Semester 2 / Last Day

June 11 - Graduation

June 13-14 - Teacher Workdays

June 17 - Report Cards Mailed

8 Student Days

10 Teacher Days

Key	Student Days	Student Hours
Holiday	44 Days in Quarter 1	NES 7:30-3:10
Teacher Workday	44 Days in Quarter 2	NMS 7:30-3:10
Teacher Trade Day	42 Days in Quarter 3	NHS 7:30-3:10
Professional Development	43 Days in Quarter 4	Instructional Hours
NES Extended Year	173 Total Student Days	6.8
NMS Summer School		

The Northumberland School Board reserves the right to modify the calendar as deemed necessary. Make-up Days may include extension of the school day; extension of the school year; and/or substitution of student instructional days in place of teacher workdays/holidays.

# 2015-2016 EMPLOYEE HANDBOOK

## TABLE OF CONTENTS

### REQUIRED NOTIFICATIONS TO ALL EMPLOYEES

Equal Employment Opportunity/Nondiscrimination (NCPS Policy GB .....	7
Prohibition Against Harassment and Retaliation (NCPS Policy GBA/JFHA).....	10
Child Abuse Neglect Reporting (NCPS Policy JHG/GAE) .....	16
Suicide Prevention (NCPS Policy JHH) .....	17
Family and Medical Leave (NCPS Policy GCBE).....	19
Acceptable Computer System Use (NCPS Policy GAB/IIBEA .....	31
Acceptable Computer System Use – Terms and Conditions (NCPS Policy GAB-R/IIBEA-R.....	33
Internet Acceptable Use Policy for Staff Members (NCPS Policy GAB-E1/IIBEA-E-1) .....	35
Unlawful Manufacture, Distribution, Dispensing, Possession or Use of a Controlled Substance (NCPS Policy GBEA) .....	37
Tobacco-Free School For Staff and Students (NCPS Policy GBEC – also JFCH).....	38
Electronic Cigarettes (NCPS Policy GBECA) .....	39
Staff Participation in Political Activities (NCPS Policy GBG).....	40

### POLICY INFORMATION FOR ALL EMPLOYEES

Professional Staff (NCPS Policy GC) .....	41
Support Staff (NCPS Policy GD) .....	41
School Bus Drivers (NCPS Policy GDQ).....	41
Professional Staff Probationary Term and Continuing Contract (NCPS Policy GCG) .....	44
Evaluation of Professional Staff (NCPS Policy GCN).....	46
Evaluation of Support Staff (NCPS Policy GDN) .....	47
Staff Time Schedules (NCPS Policy (GAA) .....	48
Staff Leaves and Absences.....	50
Sick Leave .....	50
Sick Leave Bank .....	51
Sick Leave - Cafeteria .....	52
Sick Leave – Bus Driver.....	53
Terminal Pay for Unused Sick Leave .....	54
Personal Leave.....	55
Military Leave .....	55

<b>Annual Leave .....</b>	<b>56</b>
<b>Jury Duty and Subpoenaed Witness.....</b>	<b>57</b>
<b>Tuition Reimbursement .....</b>	<b>58</b>
<b>Voluntary Retirement Savings .....</b>	<b>60</b>
<b>Supplementary Pay .....</b>	<b>60</b>

## **OTHER**

<b>Emergency Closing.....</b>	<b>61</b>
<b>Important Phone Numbers.....</b>	<b>62</b>
<b>Employee Handbook Verification Form .....</b>	<b>63</b>

**NORTHUMBERLAND COUNTY PUBLIC SCHOOLS  
REQUIRED NOTIFICATION TO ALL EMPLOYEES**

**EQUAL EMPLOYMENT OPPORTUNITY/NON DISCRIMINATION  
(NCPS Policy GB)**

**I. Policy Statement**

The Northumberland County School Board is an equal opportunity employer, committed to non-discrimination in recruitment, selection, hiring, pay, promotion, retention or other personnel action affecting employees or candidates for employment. Therefore, discrimination in employment against any person on the basis of race, color, religion, national origin, ancestry, political affiliation, sex, gender, age, marital status, genetic information or disability is prohibited. Personnel decisions shall be based on merit and the ability to perform the essential functions of the job, with or without reasonable accommodation.

The Northumberland County School Board shall provide facilities, programs and activities that are accessible, usable and available to qualified disabled persons. Further, the Northumberland County School Board shall not discriminate against qualified disabled persons in the provision of health, welfare and other social services.

The statement, Northumberland County School Board is an equal opportunity employer," shall be placed on all employment application forms.

**II. Notice of Policy/Prevention**

This policy shall be: (1) posted in prominent areas of each school division building, (2) included in employee handbooks and (3) provided to any employee or candidate for employment upon request. Training to prevent prohibited discrimination should be included in employee in-service training.

**III. Complaint Procedure**

**A. File Report.**

Any person who believes he has not received equal employment opportunities should report the alleged discrimination to one of the compliance officers designated in this policy. The alleged discrimination should be reported as soon as possible, and the report generally should be made within fifteen (15) school days of the occurrence. Any employee who has knowledge of conduct, which may constitute prohibited discrimination shall immediately report such conduct to one of the compliance officers designated in this policy.

The reporting party should use the form, Report of Discrimination, GB-F, to make complaints of discrimination. However, oral reports and other written reports will also be accepted. The complaint must be filed with one of the compliance officers designated in this policy. Any complaint that involves the compliance officer shall be reported to the superintendent.

The complaint and the identity of the complainant and the person or persons allegedly responsible for the discrimination will be disclosed only to the extent necessary to fully investigate the complaint and only when such disclosure is required or permitted by law. A complainant who wishes to remain anonymous will be advised that anonymity may limit the school division's ability to fully respond to the complaint.

## **B. Investigation**

Upon receipt of a report of alleged discrimination, the compliance officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division. The investigation shall be completed as soon as practicable, which generally should be not later than 14 school days after receipt of the report by the compliance officer. Upon receiving the complaint, the compliance officer will acknowledge receipt of the complaint by giving written notice that the complaint has been received to both the complainant and the Superintendent. If the compliance officer determines that more than 14 school days will be required to investigate the complaint, the complainant and the Superintendent will be notified of the reason for the extended investigation and the date by which the investigation will be concluded.

The investigation may consist of personal interviews with the complainant, the person(s) alleged to have violated the policy and any others who may have knowledge of the alleged discrimination or the circumstances giving rise to the complaint. The investigation will consider witnesses and evidence from both the complainant and the person(s) responsible for the alleged discrimination. The investigation may also include the inspection of any documents or information deemed relevant by the investigator. The school division shall take necessary steps to protect the complainant and others pending the investigation.

Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all of the facts and circumstances revealed by a complete and thorough investigation.

The compliance officer shall issue a written report to the superintendent upon completion of the investigation. If the complaint alleges the superintendent, has violated this policy, then the report shall be sent to the school board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any.

All employees shall cooperate with any investigation of alleged discrimination conducted under this policy or by an appropriate state or federal agency.

## **C. Action by Superintendent**

Within five school days of receiving the compliance officer's report, the superintendent or designee shall issue a written decision regarding (1) whether this policy was violated and (2) what action if any should be taken.

If the complaint alleges that the superintendent has violated this policy, the School Board's standing Equal Employment Opportunity/Non-Discrimination committee shall make the decision and determine what action should be taken. If the School Board does not have such a standing committee, at its next scheduled meeting it shall appoint a committee consisting of three of its members to handle the matter. The committee shall issue a written decision within 14 calendar days of the time the School Board receives the compliance officer's report or the time a committee is appointed, if there is no standing committee. The written decision shall state (1) whether this policy was violated and (2) what action, if any, should be taken. The written decision must be mailed to or personally delivered to the complainant within five calendar days of the issuance of the decision. If the superintendent or committee concludes that prohibited discrimination occurred, the

Northumberland County School Division shall take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including dismissal.

## **D. Appeal**

If the superintendent or committee determines that no prohibited discrimination occurred, the person who was allegedly subjected to discrimination may appeal this finding to the School Board within 5 school days of receiving the decision.



Notice of appeal must be filed with the superintendent, or with a member of the committee which issued the written decision, who shall forward the record to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may ask for oral or written argument from the aggrieved party and the superintendent, or the committee, whichever issued the written decision, and any other individual the School Board deems relevant. Written notice of the School Board's decision will be given to the complainant.

Employees may choose to pursue their complaints arising under this policy through the relevant employee grievance procedure instead of the complaint procedure in this policy.

#### **E. Compliance Officer and Alternate Compliance Officer**

The Northumberland County School Board has designated Dr. Holly Wargo, Assistant Superintendent, Northumberland County School Board, 2172 Northumberland Highway, Lottsburg, Virginia 22511, (804) 529-6134, as the Compliance Officer responsible for identifying, investigating, preventing and remedying prohibited discrimination. Complaints of discrimination may also be made to the Alternate Compliance Officer, Mr. Michael Ransome, Principal, Northumberland Middle School, 175 Academic Lane, Heathsville, Virginia, 22511, (804) 580-5753.

The Compliance Officer shall:

- receive reports or complaints of discrimination;
- conduct or oversee the investigation of any alleged discrimination;
- assess the training needs of the school division in connection with this policy;
- arrange necessary training to achieve compliance with this policy; and
- ensure that any discrimination investigation is conducted by an impartial investigator who is trained in the requirements of equal employment opportunity, and has the authority to protect the alleged victim and others during the investigation.

#### **IV. Retaliation**

Retaliation against employees who report discrimination or participate in the related proceedings is prohibited. The School division shall take appropriate action against any employee who retaliates against another employee or candidate for employment who reports alleged discrimination or participates in related proceedings. The Compliance Officer will inform persons who make complaints, who are the subject of complaints, and who participate in investigations of how to report any subsequent problems.

#### **V. Right to Alternative Complaint Procedure**

Nothing in this policy shall deny the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited discrimination including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law.

#### **VI. Prevention and Notice of Policy**

Training to prevent discrimination should be included in employee orientations and in-service training.

This policy shall be (1) displayed in prominent areas of each division building in a location accessible to school personnel, and (2) included in employee handbooks. All employees shall be notified annually of the names and contact information of the Compliance Officers.

#### **VII. False Charges**

Employees who knowingly make false charges of discrimination shall be subject to disciplinary action.

*Amended: February 9, 2015*

# **PROHIBITION AGAINST HARASSMENT AND RETALIATION (NCPS – Policy GBA/JFHA)**

## **I. Policy Statement**

The Northumberland County School Board is committed to maintaining an educational environment and workplace that is free from harassment. In accordance with law, the Board prohibits harassment against students, employees, or others on the basis of sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity. The Northumberland County School Board is an equal opportunity employer.

It is a violation of this policy for any student or school personnel to harass a student or school personnel based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity. Further, it is a violation of this policy for any school personnel to tolerate harassment based on a student's or employee's sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status or genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity, by students, school personnel or third parties participating in, observing or otherwise engaged in school sponsored activities.

For the purpose of this policy, school personnel means, school board members, school employees, agents, volunteers, contractors or other persons subject to the supervision and control of the School Division.

The school division

- promptly investigates all complaints, written or verbal, of harassment based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity;
- promptly takes appropriate action to stop any harassment;
- takes appropriate action against any student or school personnel who violates this policy; and
- takes any other action reasonably calculated to end and prevent further harassment of school personnel or students.

## **II. Definitions**

### **A. Harassment Based on Sex.**

Harassment based on sex consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication, which may include use of cell phones or the internet, of a sexual nature when:

- submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment or education;
- submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
- that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile or offensive

employment or educational environment (i.e. the conduct is sufficiently severe, persistent or pervasive to limit a student's or employee's ability to participate in or benefit from the educational program or work environment).

Examples of conduct which may constitute harassment based on sex if it meets the immediately preceding definition include:

- unwelcome sexually physical contact
- unwelcome ongoing or repeated sexual flirtation or propositions, or remarks
- sexual slurs, leering, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions
- graphic verbal comments about an individual's body
- sexual jokes, notes, stories, drawings, gestures or pictures
- spreading sexual rumors
- touching an individual's body or clothes in a sexual way
- displaying sexually objects, pictures, cartoons or posters
- impeding or blocking movement in a sexually intimidating manner
- sexual violence
- display of written materials, pictures, or electronic images
- unwelcome acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex stereotyping

## **B. Harassment Based on Race, National Origin, Disability or Religion**

Harassment based on race, national origin, disability or religion consists of physical or verbal conduct, which may include use of cell phones or the internet, relating to an individual's race, national origin, disability or religion when the conduct:

- creates an intimidating, hostile or offensive working or educational environment;
- substantially or unreasonably interfering with an individual's work or educational performance; or
- otherwise is sufficiently serious to limit an individual's employment opportunities or to limit a student's ability to participate in or benefit from the education program.

Examples of conduct which may constitute harassment based on race, national origin, disability or religion include:

- graffiti containing racially offensive language.
- name calling, jokes or rumors.
- physical acts of aggression against a person or his property because of that person's race, national origin, disability or religion.
- hostile acts which are based on another's race, national origin, religion or disability.
- written or graphic material which is posted or circulated and which intimidates or threatens individuals based on their race, national origin, disability or religion.

## **C. Additional Prohibited Behavior**

Behavior that is not unlawful may nevertheless be unacceptable for the educational environment or the workplace. Demeaning or otherwise harmful actions are prohibited, particularly if directed at personal characteristics including, but not limited to, socioeconomic level, sexual orientation, or perceived sexual orientation or gender identity.

### **III. Complaint Procedure**

#### **A. Formal Procedure**

##### **1. File Report**

Any student or school personnel who believes he or she has been the victim of harassment prohibited by law or by this policy by a student, school personnel or a third party should report the alleged harassment as soon as possible to one of the Compliance Officers designated in this policy or to any school personnel. The alleged harassment should be reported as soon as possible, and the report generally should be made within fifteen (15) school days of the occurrence. Further, any student who has knowledge of conduct which may constitute prohibited harassment should report such conduct to one of the compliance officers designated in the policy. Any school personnel who has notice that a student or other school personnel may have been a victim of prohibited harassment shall immediately report the alleged harassment to one of the compliance officers designated in this policy.

The reporting party should use the form, Report of Harassment, GBA-F/JFHA-F, to make complaints of harassment. However, oral reports are also accepted. The complaint must be filed with either the building principal or one of the compliance officers designated in this policy. The principal shall immediately forward any report of alleged prohibited harassment to the compliance officer. Any complaint that involves the compliance officer shall be reported to the superintendent.

The complaint, and identity of the complainant and alleged harasser shall not be disclosed except as required by law or policy, as necessary to fully investigate the complaint or as authorized by the complainant.

##### **2. Investigation**

Upon receipt of a report of alleged prohibited harassment, the compliance officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division. The investigation shall be completed as soon as practicable, but not later than 14 school days after receipt of the report by the Compliance Officer. Upon receiving the complaint, the Compliance Officer shall acknowledge receipt of the complaint by giving written notice that the complaint has been received to both the person complaining of harassment and the person accused of harassment. Also upon receiving the complaint, the

Compliance Officer shall determine whether interim measures should be taken pending the outcome of the investigation. Such interim measures may include, but are not limited to, separating the alleged harasser and the complainant and, in cases involving potential criminal conduct, determining whether law enforcement officials should be notified. If the compliance Officer determines that more than 14 school days will be required to investigate the complaint, the complainant and the accused shall be notified of the reason for the extended investigation and of the date by which the investigation will be conclude. If the alleged harassment may also constitute child abuse, then it must be reported to the Department of Social Service in accordance with Policy JHG, Child Abuse and Neglect Reporting.

The investigation may consist of personal interviews with the complainant, the alleged harasser, and any others who may have knowledge of the alleged harassment or the circumstances giving rise to the complaint. The investigation will consider witnesses and evidence from both the alleged harasser and the person allegedly harassed. The investigation may also consist of the inspection of any other documents or information deemed relevant by the investigator. The school division shall take necessary steps to protect the complainant and others pending the completion of the investigation.

In determining whether alleged conduct constitutes a violation of this policy, the division shall consider, at a minimum: (1) the surrounding circumstances; (2) the nature of the behavior; (3) past incidents or past or continuing patterns of behavior; (4) the relationship between the parties; (5) how often the conduct occurred; (6) the identity of the alleged perpetrator in relation to the alleged victim (i.e. whether the alleged perpetrator was in a position of power over the alleged victim); (7) the location of the alleged harassment; (8) the ages of the parties and (9) the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all of the facts and circumstances revealed after a complete and thorough investigation.

The Compliance Officer shall issue a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any.

All employees shall cooperate with any investigation of alleged harassment conducted under this policy or by an appropriate state or federal agency.

### **3. Action by Superintendent**

Within 5 school days of receiving the compliance officer's report, the Superintendent shall issue a decision regarding (1) whether this policy was violated and (2) what action if any should be taken. This decision must be provided in writing to the complainant and the alleged perpetrator. If the superintendent or superintendent's designee determines that it is more likely than not that prohibited harassment occurred, the Northumberland County School Division shall take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including expulsion or discharge. Whether or not the superintendent or superintendent's designee determines that prohibited harassment occurred, the superintendent or superintendent's designee may determine that school-wide or division-wide training be conducted or that the complainant receives counseling.

### **4. Appeal**

If the superintendent or superintendent's designee determines that no prohibited harassment occurred, the employee or student who was allegedly subjected to harassment may appeal this finding to the School Board within 5 school days of receiving the decision. Notice of appeal must be filed with the superintendent who shall forward the record to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may ask for oral or written argument from the aggrieved party, the superintendent and any other individual the School Board deems relevant. Written notice of the School Board's decision will be given to both the alleged harasser and the person allegedly harassed.

If the Superintendent or superintendent's designee determines that prohibited harassment occurred and discipline is imposed, the disciplined person may appeal the disciplinary sanction in the same manner as any other such sanction would be appealed.

Employees may choose to pursue their complaints under this policy through the relevant employee grievance procedure instead of the complaint procedure in this policy.

## **5. Compliance Officer and Alternate Compliance Officer**

The Northumberland County School Board has designated Dr. Holly Wargo, Assistant Superintendent, Northumberland County School Board, 2172 Northumberland Highway, Lottsburg, Virginia 22511, (804) 529-6134, as the Compliance Officer responsible for identifying, investigating, preventing and remedying prohibited discrimination. Complaints of discrimination may also be made to the Alternate Compliance Officer, Mr. Michael Ransome, Principal, Northumberland Middle School, 175 Academic Lane, Heathsville, Virginia, 22511, (804) 580-5753.

The Compliance Officer shall:

1. receive reports or complaints of harassment;
2. conduct or oversee the investigation of any alleged harassment;
3. assess the training needs of the school division in connection with this policy;
4. arrange necessary training to achieve compliance with this policy; and
5. ensure that any harassment investigation is conducted by an impartial investigator who is trained in the requirements of equal employment/education opportunity, and has the authority to protect the alleged victim and others during the investigation.

### **B. Informal Procedure**

If the complainant and the person accused of harassment agree, the student's principal or principal's designee may arrange for them to resolve the complaint informally with the help of a counselor, teacher, or administrator.

If the complainant and the person accused of harassment agree to resolve the complaint informally, they shall each be informed that they have the right to abandon the informal procedure at any time in favor of the initiation of the Formal Procedures set forth herein. The principal or principal's designee shall notify the complainant and the person accused of harassment in writing when the complaint has been resolved. The written notice shall state whether prohibited harassment occurred.

## **IV. Retaliation**

Retaliation against students or school personnel who report harassment or participate in any related proceedings is prohibited. The School division shall take appropriate action against students or school personnel who retaliate against any student or school personnel who reports alleged harassment or participates in related proceedings. The Compliance Officer will inform persons who make complaints, who are the subject of complaints, and who participate in investigations, of how to report any subsequent problems.

## **V. Right to Alternative Complaint Procedure**

Nothing in this policy shall deny the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited harassment including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law.

## **VI. Prevention and Notice of Policy**

Training to prevent harassment prohibited by law or by this policy is included in employee and student orientations as well as employee in-service training.

This policy is (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel, (2) included in the student and employee handbooks; and (3) sent to parents of all students within 30 calendar days of the start of school. Further, all students, and their parents/guardians, and employees are notified annually of the names and contact information of the compliance officers.

## **VII. False Charges**

Students or school personnel who knowingly make false charges of harassment shall be subject to disciplinary action as well as any civil or criminal legal proceedings.

Adopted: January 14, 2013

Amended: January 12, 2015

Amended: February 9, 2015

Amended: June 8, 2015

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*Report of Harassment Form may be found under the Forms section of this handbook or accessed through the school division website.*

## **CHILD ABUSE AND NEGLECT REPORTING**

### **(NCPS Policy JHG/GAE)**

#### **Reporting Requirement**

Every employee of Northumberland County School Board who, in his professional or official capacity, has reason to suspect that a child is an abused or neglected child, in compliance with the Code of Virginia § 63.2-1509 et seq. shall immediately report the matter to:

- the local department of social services where the child resides or where the abuse or neglect is believed to have occurred;
- to the Virginia Department of Social Services' toll-free child abuse and neglect hotline; or
- to the person in charge of the school or department, or his designee, who shall make the report forthwith to the local or state agency. The person making the report to the local or state agency must notify the person making the initial report when the report of suspected abuse or neglect is made to the local or state agency, and of the name of the individual receiving the report, and must forward any communication resulting from the report, including any information about any actions taken regarding the report, to the person who made the initial report.

#### **Notice of Reporting Requirement**

The School Board posts in each school a notice that :

- any teacher or other person employed there who has reason to suspect that a child is an abused or neglected child, including any child who may be abandoned, is required to report such suspected cases of child abuse or neglect to local or state social services agencies or the person in charge of the relevant school or his designee; and
- all persons required to report cases of suspected child abuse or neglect are immune from civil or criminal liability or administrative penalty or sanction on account of such reports unless such person has acted in bad faith or with malicious purpose. The notice shall also include the Virginia Department of Social Services' toll-free child abuse and neglect hotline.

#### **Complaints of Abuse and Neglect against School Personnel**

The School Board and the local department of social services have adopted a written interagency agreement as a protocol for investigating child abuse and neglect reports, including reports of sexual abuse of a student. The interagency agreement is based on recommended procedures for conducting investigations developed by the Departments of Education and Social Services.

*Adopted: August 13, 2012*

*Amended: June 9, 2014*



## **SUICIDE PREVENTION (NCPS Policy JHH)**

### **Duties of Teachers and Administrative Staff**

Any person licensed as administrative or instructional personnel by the Board of Education and employed by the Northumberland School Board who, in the scope of his employment, has reason to believe, as a result of direct communication from a student, that such student is at imminent risk of suicide, shall, as soon as practicable, contact at least one of such student's parents to ask whether such parent is aware of the student's mental state and whether the parent wishes to obtain or has already obtained counseling for such student.

### **Contacting the Parent/Guardian**

If the section below titled "Abuse or Neglect" does not apply, then the staff member shall call at least one of the student's parents/guardians. When contacting a parent/guardian, the staff member should:

1. Provide his/her name and position in the school;
2. Tell the parent/guardian that he has reason to believe, as a result of direct communication from the student, that the student is at imminent risk of suicide;
3. Assure the parent/guardian that the student is currently safe;
4. State the legal requirement for the call, citing Va. Code § 22.1-272.1;
5. Ask the parent/guardian whether he or she is aware of the student's mental state;
6. Ask the parent/guardian whether he or she wishes to obtain or has obtained mental counseling for the student;
1. Provide names of community counseling resources if appropriate and offer to facilitate the referral; and
8. Determine the parent's intent to seek appropriate services for the student.

### **Abuse or Neglect**

If the student has indicated that the reason for being at imminent risk of suicide relates to parental abuse or neglect, this contact shall not be made with the parent. Instead, the person shall, as soon as practicable, notify the local department of social services of the county or city wherein the child resides or wherein the abuse or neglect is believed to have occurred or the state Department of Social Services' toll-free child abuse and neglect hotline as required by Policy JHG and Va. Code § 63.2-1509. When giving this notice to the local or state department, the person shall stress the need to take immediate action to protect the child from harm.

### **Inability to Reach Parent/Guardian**

If the staff member is unable to make contact with the parent/guardian by the end of the school day, then he shall follow the school's crisis management plan.

### **Required Documentation**

The staff member shall document the phone call to the parent/guardian by recording: (a) the time and date of the call; (b) the individual contacted; (c) the parent/guardian's response; and (d) anticipated follow-up.

### **Additional Concerns**

If parental/guardian contact is made and, in the course of this contact, relevant issues of abuse or neglect are discovered (e.g., a parent acknowledges the child's suicidal intent but indicates no intent to act for the well-being of the child), the staff member shall report the abuse or neglect in accordance with policy JHG.

### **Duty to Keep Student Safe and Secure**

A student who is at imminent risk of suicide shall remain under adult supervision until a parent/guardian or other authorized individual accepts responsibility for the student's safety.

*Adopted: August 14, 2005*

*Amended: April 11, 2011*

## **FAMILY AND MEDICAL LEAVE (NCPS Policy GCBE)**

### **Generally**

The Northumberland County School Board recognizes its obligation to provide its eligible employees with unpaid leave pursuant to the Family and Medical Leave Act (FMLA), 29 U.S.C. § 2601, et seq. This policy describes the benefits available to eligible employees under the Act.

### **Definitions**

Covered active duty: The term covered “active duty” means:

- in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and
- in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in 10 U.S.C. § 101(a)(13)(B).

Covered Service Member: The term “covered service member” means:

- a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
- a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

Eligible employee: To be eligible for leave under this policy the employee must have at least twelve (12) months of service with the Northumberland County school division and have worked at least 1250 hours according to the Fair Labor Standards Act in the twelve (12) months preceding the commencement of the leave. Full-time teachers are deemed to meet the 1250 hour test.

Instructional employee: Employees whose principal function is to teach and instruct students in a class, a small group, or an individual setting such as teachers, athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. The term does not include teacher assistants or aides who do not have as their principal function actual teaching or instructing, or auxiliary personnel such as counselors, psychologist, curriculum specialists, cafeteria workers, maintenance workers bus drivers, or other primarily non-instructional employees.

Next of kin: The term “next of kin” used with respect to an individual, means the nearest blood relative of that individual other than the covered service member’s spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the covered service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level or relationship to the covered service member, all such family members shall be considered the covered service member’s next of kin and may take FMLA leave to provide care to the covered service member, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered service member’s only next of kin.

Outpatient status: The term "outpatient status," with respect to a covered service member, means the status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

Serious health condition: A serious health condition is an illness, injury, impairment or condition that involves inpatient care or continuing treatment by a health care provider.

Serious injury or illness: The term "serious injury or illness," in the case of

- a member of the Armed Forces, including a member of the National Guard or Reserves, means an injury or illness incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and
- a veteran who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time during a period described in 29 U.S.C. § 2611(15)(B), means a qualifying (as defined by the Secretary of Labor) injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

Year: A rolling 12-month period measured backward from the date an employee uses an FMLA leave.

### **Leave**

Any eligible employee is entitled to leave for a combined total of twelve (12) weeks per year for the following situations:

1. The birth and care of a newborn child;
2. The adoption or foster placement of a child;
3. To care for an employee's spouse, parent, or child with a serious health condition;
4. Because of a serious health condition that makes the employee unable to perform the essential functions of the employee's job; and
5. Because of any qualifying exigency as defined in Department of Labor regulations, arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces.

However, an eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member is entitled to a total of 26 workweeks of leave per year to care for the service member. Leave under this paragraph is available only during a single year. During that year the employee is entitled to a combined total of 26 workweeks of leave under this policy.

To the extent that an employee is entitled to compensated leave under other Northumberland County School division policies, such paid leave shall be substituted for unpaid FMLA leave. Otherwise, family and medical leave is unpaid.

Employees on FMLA leave must report their status and intention regarding returning to work to the school division at least every four weeks.

### **Notice to Employees of Their Rights under the FMLA**

## Posting and General Notice

The Northumberland County school division shall post, in conspicuous places on the premises of the school division where notices to employees and applicants for employment are customarily posted, a notice explaining the FMLA's provisions and providing information about the procedure for filing complaints with the Department of Labor. Attachment 1 may be used as the notice.

A Copy of Attachment 1 will also be given to each employee by including it in the employee handbook or similar document or by distributing it to each new employee upon hiring.

### **Eligibility Notice**

When an employee requests FMLA leave, or the division has knowledge that an employee's leave may be for an FMLA-qualifying reason, the division should notify the employee of the employee's eligibility to take FMLA leave within five business days. The Eligibility Notice should state whether the employee is eligible for FMLA leave. If the employee is not eligible for FMLA leave, the Notice must state at least one reason why the employee is not eligible (such as, for example, the number of months the employee has worked for the division.) This notification may be accomplished by providing the employee a copy of Attachment 4.

### **Notice of Rights and Responsibilities**

The division will provide written notice detailing the specific expectations and obligations of the employee and explaining the consequences of the failure to meet those obligations each time the employee is given an Eligibility Notice. This Notice will include, as appropriate:

- that the leave may be designated and counted against the employee's annual FMLA leave entitlement and the 12-month period for FMLA entitlement;
- any requirements for the employee to furnish certification of a serious health condition, serious injury or illness, or qualifying exigency arising out of active duty or call to active duty status, and the consequences of failing to provide certification;
- that the division will substitute paid leave for unpaid leave and any conditions related to the substitution and the employee's right to take unpaid FMLA leave if the employee does not meet the conditions for paid leave;
- any requirement for the employee to make any premium payments to maintain health benefits and the arrangements for making such payments on a timely basis;
- the employee's rights to maintenance of benefits during the FMLA leave and restoration to the same or an equivalent job upon return from FMLA leave; and
- the employee's potential liability for payment of health insurance premiums paid by the employer during the employee's unpaid FMLA leave if the employee fails to return to work after FMLA leave.

The Notice of Rights and Responsibilities should be accompanied by any required certification form.

The Notice of Rights and Responsibilities will also include notice that employees on FMLA leave must report their status and intention regarding returning to work to the division at least every four weeks.

If the information provided by the Notice of Rights and Responsibilities changes, the division will, within five business days of receipt of the employee's first notice of need for leave subsequent to any change, provide written notice referencing the prior notice and setting forth any of the information in the Notice of Rights and Responsibilities that has changed.

### **Designation Notice**

When the division has enough information to determine whether the leave is being taken for a FMLA-qualifying reason, the division should give the employee written notice whether the leave will be designated and will be counted as FMLA leave within five business days. If the division determines that the leave will not be designated as FMLA-qualifying, the division must inform the employee of that determination. The division will also notify the employee that paid leave must be substituted for unpaid FMLA leave or that paid leave taken under an existing leave plan be counted as FMLA leave at the time of designating the FMLA leave.

If the division will require the employee to present a fitness-for-duty certification to be restored to employment after taking leave for a continuous period of time, the division will provide notice of the requirement with the Designation Notice. If the division will require that the fitness-for-duty certification address the employee's ability to perform the essential functions of the employee's position, the division must so indicate in the Designation Notice and must include a list of the essential functions of the employee's position.

If the division has reasonable safety concerns regarding the ability of an employee who is returning to work after intermittent or reduced leave schedule to perform his or her duties based on the serious health condition for which the employee took leave, it may require the employee to submit a fitness for duty certification unless one has been submitted within the past 30 days.

If the leave is not designated as FMLA leave because it does not meet the requirements of the FMLA, the notice to the employee that the leave is not designated as FMLA leave may be in the form of a simple written statement.

If the information provided by the division to the employee in the Designation Notice changes, the division will provide, within five business days of receipt of the employee's first notice of need for leave subsequent to any change, written notice of the change.

The division will notify the employee of the amount of leave counted against the employee's FMLA leave entitlement. If the amount of leave needed is known at the time the employer designates the leave as FMLA-qualifying, the division must notify the employee of the number of hours, days, or weeks that will be counted against the employee's FMLA leave entitlement, then the division must provide notice of the amount of leave counted against the employee's FMLA leave entitlement upon request by the employee but no more often than once in a 30-day period and only if leave was taken in that period.

The division's decision to designate leave as FMLA-qualifying will be based only on information received from the employee or the employee's spokesperson. If the division does not have sufficient information about the reason for an employee's use of leave, the division will inquire further of the employee or the spokesperson to ascertain whether leave is potentially FMLA-qualifying. Once the division has knowledge that the leave is being taken for a FMLA-qualifying reason, the division will provide the employee the notice described in this subsection.

An employee giving notice of the need for FMLA leave must explain the reasons for the needed leave so as to allow the division to determine whether the leave is FMLA-qualifying. If the employee fails to explain the reasons, leave may be denied.

#### **Leave for the Birth, Adoption or Foster Placement of a Child**

The employee's entitlement to leave for a birth, adoption or foster placement of a child expires at the end of the twelve month period beginning on the date of the birth, adoption or foster placement. Leave taken for the birth, adoption or

foster placement of a child may be taken intermittently or on a reduced leave schedule if the superintendent agrees to such an arrangement.

If the necessity for leave for the birth, adoption or foster placement of a child is foreseeable based on an expected birth or placement, the employee shall provide the school division with not less than 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave. If the date of the birth or placement requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable. The employee's notice should be sufficient to make the division aware that the employee needs FMLA-qualifying leave and of the anticipated timing and duration of the leave.

#### **Leave Because of a Serious Health Condition of Employee**

Employees are entitled, when medically necessary, to take such leave on an intermittent or reduced leave schedule except as provided below.

If the necessity for leave is foreseeable based on planned medical treatment, the employee shall

- (1) make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the division; and
- (1) provide the division with at least 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave. If the date of the treatment requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.

The employee's notice should be sufficient to make the division aware that the employee needs FMLA-qualifying leave and of the anticipated timing and duration of the leave.

The School Board may require that a request for leave because of the employee's own serious health condition be supported by a certification issued by a health care provider of the employee. The division may use Form WH-380-E (Attachment 2) for this certification. The division should request that the employee furnish certification when the employee gives notice of the need for leave or within five business days thereafter, or, in the case of unforeseen leave, within five business days after the leave begins. The division may request certification at a later date if it later has reason to question the appropriateness of the leave or its duration. The employee must provide a complete and sufficient within 15 calendar days after the division's request. When the division requests certification, it will advise the employee of the anticipated consequences of the employee's failure to provide adequate certification.

Certification will be sufficient if it states:

- (1) the name, address, telephone number and fax number of the health care provider and the type of medical practice/specialization;
- (2) the approximate date on which the serious health condition commenced and its probable duration;
- (3) a statement or description of appropriate medical facts regarding the employee's health condition for which FMLA leave is requested. The medical facts must be sufficient to support the need for leave; and
- (4) information sufficient to establish that the employee is unable to perform the essential functions of his or her position, the nature of any other work restrictions, and the likely duration of such inability.

If an employee requests leave on an intermittent or reduced leave schedule for planned medical treatment of his or her serious health condition, the certification shall include information sufficient to establish the medical necessity for such intermittent or reduced schedule leave and an estimate of the dates on which such treatment is expected to be given and the duration of such treatment and any period of recovery.

If an employee requests leave on an intermittent or reduced leave schedule because of his or her own serious health condition that may result in unforeseeable episodes of incapacity, the certification shall include information sufficient to establish the medical necessity for the intermittent leave or leave on a reduced leave schedule, and an estimate of the frequency and duration of the episodes of incapacity.

If the employee submits a complete and sufficient certification signed by the health care provider, the division may not request additional information from the health care provider. However, the division may contact the health care provider for purposes of clarification and authentication of the medical certification. To make such contact, the division must use a health care provider, a human resources professional, a leave administrator, or a management official. The employee's direct supervisor may not contact the employee's health care provider.

If the school division doubts the validity of a certification, it may require, at its own expense, that the employee obtain the opinion of a second health care provider designated or approved by the school division concerning any information certified. The health care provider designated or approved by the school division may not be employed by the school division on a regular basis.

If the second opinion differs from the original certification, the school division may require, at its own expense, that the employee obtain the opinion of a third health care provider designated or approved jointly by the school division and the employee concerning information certified. The opinion of the third health care provider will be binding on both the school division and the employee.

#### **Leave Because of a Serious Health Condition of a Child, Spouse or Parent of Employee**

Family and medical leave shall be provided when the employee is needed to care for his/her spouse, child or parent with a serious health condition, as defined above. Employees are entitled, when medically necessary, to take such leave on an intermittent or reduced leave schedule except as provided below.

If the necessity for leave is foreseeable based on planned medical treatment, the employee shall

- (1) make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the division; and
- (2) provide the division with at least 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave. If the date of the treatment requires leave to begin in less than 30 days, he employee shall provide such notice as is practicable.

The employee's notice should be sufficient to make the division aware that the employee needs FMLA-qualifying leave and the anticipated timing and duration of the leave.

The School Board may require that a request for leave to care for and employee's spouse, parent, or child with a serious health condition be supported by a certification issued by a health care provider of the family member in need of care. The division may use Form WH-380-F (Attachment 3) for this medical certification. The division should ask the employee to furnish certification when the employee gives notice of the need for leave or within five business days thereafter, or, in the case of unforeseen leave, within five business days after the leave begins. The division may request certification at some later date if it has reason to question the appropriateness of the leave or its duration. The employee must provide the requested certification within 15 calendar days after the division's request. When the division requests certification, it will advise the employee of the anticipated consequences of the employee's failure to provide adequate certification.



Certification will be sufficient if it states –

- (1) the name, address, telephone number and fax number of the health care provider and the type of medical practice/specialization;
- (2) the approximate date on which the serious health condition commenced and its probable duration;
- (3) a statement or description of appropriate medical facts regarding the employee's health condition for which FMLA leave is requested. The medical facts must be sufficient to support the need for leave; and
- (4) information sufficient to establish that the family member is in need of care and an estimate of the frequency and duration of the leave required to care for the family member.

If an employee requests leave on an intermittent or reduced leave schedule for planned medical treatment of a family member's serious health condition, the certification shall include information sufficient to establish the medical necessity for such intermittent or reduced schedule leave and an estimate of the dates and the duration of such treatments and any periods of recovery.

If an employee requests leave on an intermittent reduced leave schedule in order to care for a family member with a serious health condition, the certification shall include a statement that the employee's intermittent leave or leave on a reduced leave schedule is necessary for the care of the son, daughter, parent, or spouse who has a serious health condition, or will assist in their recovery, and the expected duration and schedule of the intermittent leave or reduced leave schedule.

If the employee submits a complete and sufficient certification signed by the health care provider, the division may not request additional information from the health care provider. However, the division may contact the health care provider for purposes of clarification and authentication of the medical certification. To make such contact, the division must use a health care provider, a human resources professional, a leave administrator, or a management official. The employee's direct supervisor may not contact the employee's health provider.

If the school division doubts the validity of a certification, it may require, at its own expense, that the employee obtain the opinion of a second health care provider designated or approved by the school division concerning any information certified. The health care provider designated or approved by the school division may not be employed by the school division on a regular basis.

If the second opinion differs from the original certification, the school division may require, at its own expense, that the employee obtain the opinion of a third health care provider designated or approved jointly by the school division and the employee concerning information certified. The opinion of the third health care provider will be binding on both the school division and the employee.

#### **Leave to Care for a Covered Service Member**

If the necessity for leave is foreseeable based on planned medical treatment for a serious injury or illness of a covered service member, the employee shall

- (1) make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the division; and,
- (2) provide the division with at least 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave. If the date of the treatment requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.

The employee's notice should be sufficient to make the division aware that the employee needs FMLA-qualifying leave and the anticipated timing and duration of the leave.

The School Board may require that a request for leave to care for a covered service member with a serious injury or illness be supported by a certification issued by the health care provider of the covered serviceperson. The certification

may be completed by a United States Department of Defense (DOD) health care provider, a United States Department of Veterans Affairs (VA) health care provider, a DOD TRICARE network authorized private health care provider, or a DOD non-network TRICARE authorized health care provider. The employee shall provide, in a timely manner, a copy of such certification to the school division.

Certification will be sufficient if it states

- (1) the name, address, and appropriate contact information (telephone number, fax number, and/or email address) of the health care provider, the type of medical practice, the medical specialty, and whether the health care provider is one of the following: a (DOD) health care provider, a United States Department of Veterans Affairs (VA) health care provider, a DOD TRICARE network authorized private health care provider, or a DOD non-network TRICARE authorized health care provider;
- (2) whether the covered service member's injury or illness was incurred in the line of duty on active duty;
- (3) the approximate date on which the serious health condition or serious injury or illness commenced and its probable duration;
- (4) a statement or description of appropriate medical facts regarding the covered service member's health condition for which FMLA leave is requested. The medical facts must be sufficient to support the need for leave; and
- (5) information sufficient to establish that the covered service member is in need of care and whether the covered service member will need care for a single continuous period of time, including any time for treatment and recovery, and an estimate as to the beginning and ending dates for this period of time.

If an employee request FMLA leave on an intermittent or reduced leave schedule for planned medical treatment appointments for the covered service member, the certification must state that there is a medical necessity for the covered service member to have such periodic care and must contain an estimate of the treatment schedule of such appointments.

If an employee requests FMLA leave on an intermittent or reduced schedule basis to care for planned medical treatment, the certification must contain a statement that there is a medical necessity for the covered-service member to have such periodic care, and must contain an estimate of the frequency and duration of the periodic care.

In addition to the information listed above, the division may also request that the certification set forth the information on Form WH-385 (Attachment7.)

In lieu of Form WH-385, the division will accept invitational travel orders (ITOs) or invitational travel authorizations (ITAs) issued to any family member to join an injured or ill service member at his or her bedside. An ITO or ITA is sufficient certification for the duration of time specified in the ITO or ITA. During that time period, the employee may take leave to care for the covered service member in a continuous block of time or on an intermittent basis.

The information on the certification must relate only to the serious injury or illness for which the current need for leave exists. The division may seek authentication or clarification of the certification, ITO, or ITA but may not seek second or third opinions. The division may require an employee to provide confirmation of covered family relationship to the seriously injured or ill service member.

The division will also accept as sufficient certification of the service member's serious injury or illness documentation indicating the service member's enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

#### **Leave Related to a Qualifying Exigency arising from Covered Active Duty or a Call to Covered Active Duty**

If the necessity for leave because of a qualifying exigency arising from the fact that a family member is

on covered activity duty or has been notified of an impending call to covered active duty is foreseeable, the employee shall give such notice to the school division as is reasonable and practicable. The employee's notice should be sufficient to make the division aware that the employee needs FMLA-qualifying leave and the anticipated timing and duration of the leave.

The first time an employee requests leave because of a qualifying exigency arising out of the active duty or call to active duty status of a covered military member, the division may require the employee to provide a copy of the covered military member's active duty orders or other documentation issued by the military which indicates that the covered military member is on active duty or call to active duty status in support of a contingency operation and the date of the covered military member's active duty service. A copy of new active duty orders or other documentation issued by the military shall be provided to the division if the need for leave because of a qualifying exigency arises out of a different active duty or call to active duty status of the same or a different covered military member.

A request for leave because of a qualifying exigency must be supported by

- (1) a statement or description signed by the employee of appropriate facts regarding the qualifying exigency for which FMLA leave is requested. The facts must be sufficient to support the need for leave;
- (2) the approximate date on which the qualifying exigency commenced or will commence;
- (3) the beginning and ending dates of absence if the employee requests leave because of a qualifying exigency for a single, continuous period of time;
- (4) an estimate of the frequency and duration of the qualifying exigency if the employee requests leave because of a qualifying exigency on an intermittent or reduced schedule basis;
- (5) if the qualifying exigency involves meeting with a third party, appropriate contact information for the individual or entity with whom the employee is meeting and a brief description of the purpose of the meeting; and
- (6) if the qualifying exigency involves Rest and Recuperation leave, a copy of the military member's Rest and Recuperation orders, or other documentation issued by the military which indicates that the military member has been granted Rest and Recuperation leave, and the dates of the military member's Rest and Recuperation leave.

The division may use Form WH-384 (Attachment 6) for this certification.

#### **Rules for Intermittent and Reduced Schedule Leave**

When permitted, by the FMLA, intermittent and reduced schedule leave may be used until the aggregate amount of such leave equals twelve weeks or 26 weeks if the leave is taken to care for a covered service member in the employee's rolling year. However, when the employee requests intermittent or reduced schedule leave that is foreseeable based on planned medical treatment the school division may temporarily transfer the employee to an available alternative position with equivalent pay and benefits that better accommodates the employee's intermittent or reduced schedule leave.

When an eligible employee employed principally in an instructional capacity requests leave to care for a family member with a serious health condition, leave because of the employee's own serious health condition, or leave to care for a covered service member and the leave is foreseeable based on planned medical treatment and the employee would be on leave for greater than 20 percent of the total number of working days in the period during which the leave would extend, the school division may require the employee to elect either

- 1) to take leave for periods of a particular duration, not to exceed the duration of the planned medical treatment ; or
- 2) to transfer temporarily to an available alternative position offered by the school division for which the employee is qualified and that has equivalent pay and benefits and better accommodates recurring periods of leave than the employee's regular employment position.

The school division may require an employee to make such an election when the employee has

- 1) made a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the division, subject to the approval of the health care provider ; and
- 2) has provided the division with not less than 30 days' notice before the date the leave is to begin, of the employee's intention to take leave, except that if the date of the treatment requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.

### **Rules for Husband and Wife Employed by Northumberland County School Division**

A husband and wife who are both eligible for family and medical leave and are employed by Northumberland County School Division shall be granted family and medical leave only for a combined total of twelve weeks per year when the leave is taken for the birth, foster placement, or adoption of a child or to care for the child after birth, adoption or foster placement and to care for a parent with a serious health condition.

A husband and wife who are both eligible for family and medical leave and are employed by Northumberland County school division shall be granted family and medical leave only for a combined total of 26 workweeks per year if the leave

- (1) is taken to care for a covered service member; or
- (2) is taken as a combination of leave to care for a covered service member and leave for the birth, foster placement, or adoption of a child or to care for the child after birth, adoption, or foster placement or to care for a parent with a serious health condition. However, if the leave taken by the husband and wife includes leave for the birth, foster placement or adoption of a child or to care for the child after birth, adoption, or foster placement or to care for a parent with a serious health condition, the leave for that reason shall be limited to 12 workweeks per year.

### **Benefits During Family and Medical Leave**

Employees on family and medical leave shall receive the group health insurance plan coverage on the same conditions as coverage would have been provided if the employee had been working during the period of leave. Other benefits shall be provided according to Northumberland County school division policy for paid or unpaid leave, whichever applies.

If the employee fails to return to work when the period of leave to which he or she is entitled expires for any reason other than the continuation, recurrence, or onset of a serious health condition that entitles the employee to leave, or other circumstances beyond the employee's control, the school division may recover the premium it paid for maintaining the employee's coverage during the period or unpaid leave in accordance with federal law.

### **Return to Work**

An employee on family and medical leave shall provide the division at least two work days' notice of the intent to return to work. The employee shall be returned to the same or equivalent position at the end of the family and medical leave unless the division shows that the employee would not otherwise have been employed at the time reinstatement is requested.

The following return to work provisions applies to instructional employees:

1. If an instructional employee begins family and medical leave more than five (5) weeks before the end of the term, the employee may be required to continue taking leave until the end of an academic term if the leave is at least three (3) weeks in duration and the return to work would occur during the last three (3) weeks of the academic term.
2. If an instructional employee begins family and medical leave a) because of the birth, adoption, or foster care placement of a son or daughter of the employee, b) to care for a family member with a serious health condition, or c) to care for a covered service member during the five (5) week period before the end of an academic term, the employee may be required to continue taking leave until the end of the academic term if the leave is longer than two (2) weeks in duration and the return to work would occur during the last two (2) weeks of the academic term.
3. If an instructional employee begins family and medical leave a) because of the birth, adoption, or foster care placement of a son or daughter of the employee, b) to care for a family member with a serious health condition, or c) to care for a covered service member during the three (3) week period before the end of an academic term, the employee may be required to continue taking leave until the end of an academic term if the leave is longer than five (5) working days in duration.

If an instructional employee is required to continue leave until the end of an academic term, only the period of leave until the employee is ready and able to return to work shall be counted against the family and medical leave entitlement. However, the division must continue the group health insurance coverage under the same conditions as if the employee were working.

### **Outside Employment**

An employee who is on family and medical leave may not engage in employment for any other employer or self-employment while on leave. Falsification of records and failure to correct records known to be false are violations of this policy and will result in discipline which may include termination from employment.

*Adopted: July 4, 2004*  
*Amended: April 14, 2008*  
*Amended: August 9, 2010*  
*Amended: July 18, 2011*  
*Amended: October 10, 2014*

## ATTACHMENTS

Attachment 1	<p><b>Employee Rights and Responsibilities Under the Family and Medical Leave Act (WHD Publication 1420)</b></p> <p><i>Please note: a copy of this poster can be downloaded from <a href="http://www.dol.gov/whd/regs/compliance/posters/fmlaen.pdf">http://www.dol.gov/whd/regs/compliance/posters/fmlaen.pdf</a>.</i></p>
Attachment 2	<p><b>Certification of Health Care Provider for Employee's Serious Health Condition (Family and Medical Leave Act) (Form WH-380-E)</b></p> <p><i>Please note: a copy of the certification form can be downloaded from <a href="http://www.dol.gov/whd/forms/WH-380-E.pdf">http://www.dol.gov/whd/forms/WH-380-E.pdf</a>.</i></p>
Attachment 3	<p><b>Certification of HealthCare Provider for Family Medical's Serious Health Condition (Family and Medical Leave Act) (Form WH-380-F)</b></p> <p><i>Please note: a copy of this form may be downloaded from <a href="http://www.dol.gov/whd/formsWH-380-F.pdf">http://www.dol.gov/whd/formsWH-380-F.pdf</a>.</i></p>
Attachment 4	<p><b>Notice of Eligibility and Rights * Responsibilities (Family and Medical Leave Act) (Form WH-381)</b></p> <p><i>Please note: a copy of this form may be downloaded from <a href="http://www.dol.gov/whd/formsWH-381.pdf">http://www.dol.gov/whd/formsWH-381.pdf</a>.</i></p>
Attachment 5	<p><b>Designation Notice (Family and Medical Leave Act) (Form WH-382)</b></p> <p><i>Please note: a copy of this form may be downloaded from <a href="http://www.dol.gov/whd/formsWH-382.pdf">http://www.dol.gov/whd/formsWH-382.pdf</a>.</i></p>
Attachment 6	<p><b>Certification of Qualifying Exigency for Military Family Leave (Family and Medical Leave Act) (Form WH-384)</b></p> <p><i>Please note: a copy of this form may be downloaded from <a href="http://www.dol.gov/whd/formsWH-384.pdf">http://www.dol.gov/whd/formsWH-384.pdf</a>.</i></p>
Attachment 7	<p><b>Certification for Serious Injury or Illness of Covered Service member— for Military Family Leave (Family and Medical Leave Act) (Form WH-385)</b></p> <p><i>Please note: a copy of this form may be downloaded from <a href="http://www.dol.gov/whd/formsWH-385.pdf">http://www.dol.gov/whd/formsWH-385.pdf</a>.</i></p>
Attachment 8	<p><b>Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave (Family and Medical Leave Act) (Form WH-385-V)</b> (revised February 2013)</p> <p><i>Please note: a copy of this form may be downloaded from <a href="http://www.dol.gov/whd/formsw385V.pdf">http://www.dol.gov/whd/formsw385V.pdf</a></i></p>

## **ACCEPTABLE COMPUTER SYSTEM USE (NCPS Policy GAB/IIBEA)**

The School Board provides a computer system, including the internet, to promote educational excellence by facilitating resource sharing, innovation and communication. The term computer system includes hardware, software, data, communication lines and devices, terminals, printers, CD-ROM devices, tape drives, servers, mainframe and personal computers, the internet and other internal or external networks.

All use of the Division's computer system must be (1) in support of education and/or research, or (2) for legitimate school business. Use of the computer system is a privilege, not a right. Any communication or material used on the computer system, including electronic mail or other files deleted from a user's account, may be monitored or read by school officials.

The Division Superintendent shall establish administrative procedures, for the School Board's approval, containing the appropriate uses, ethics and protocol for the computer system. The procedures shall include:

- (1) a prohibition against use by division employees and students of the division's computer equipment and communications services for sending, receiving, viewing or downloading illegal material via the Internet;
- (2) provisions, including the selection and operation of a technology protection measure for the division's computers having Internet access to filter or block Internet access through such computers, that seek to prevent access to
  - (a) child pornography as set out in Va. Code § 18.2-374.1 :1 or as defined in 18 U.S.C. § 2256;
  - (b) obscenity as defined by Va. Code § 18.2-372 or 18 U.S.C. § 1460; and
  - (c) material that the school division deems to be harmful to juveniles as defined in VA. Code § 18.2-390, material that is harmful to minors as defined in 47 U.S.C. § 254(h)(7)(G), and material that is otherwise inappropriate for minors;
- (2) provisions establishing that the technology protection measure is enforce during any use of the Division's computers;
- (3) provisions establishing that the online activities of minors will be monitored;
- (4) provisions designed to educate students and employees about appropriate online behavior, including interacting with students and other individuals on social networking websites, blogs, in chat rooms, and cyberbullying awareness and response;
- (5) provisions designed to prevent unauthorized online access by minors, including "hacking" and other unlawful activities by minors online;
- (6) provisions prohibiting the unauthorized disclosure, use, and dissemination of personal information regarding minors; and
- (7) a component of Internet safety for students that is integrated in the division's instructional program.

Use of the School Division's computer system shall be consistent with the educational or instructional mission or administrative function of the Division as well as the varied instructional needs, learning styles, abilities and developmental levels of students.

The Division's computer system is not a public forum.

Each teacher, administrator, student and parent/guardian of each student shall sign the Acceptable Computer Use Agreement, GAB-E1/IIBEA-E2, before using the Division's computer system. The failure of any student, teacher or administrator to follow the terms of the Agreement, this policy or accompanying regulation may result in loss of computer system privileges, disciplinary action, and/or appropriate legal action.

The School Board is not responsible for any information that may be lost, damaged or unavailable when using the computer system or for any information retrieved via the Internet. Furthermore, the School Board will not be responsible for any unauthorized charges or fees resulting from access to the computer system.

The School Board will review, amend if necessary, and approve this policy every two years.

Adopted: April 14, 2006  
Amended: July 20, 2009  
Amended: August 9, 2010



## ACCEPTABLE COMPUTER SYSTEM USE (NCPS Regulation GAB-R/IIBEA-R)

All use of the Northumberland County School Division's computer system shall be consistent with the School Board's goal of promoting educational excellence by facilitating resource sharing, innovation and communication. The term computer system includes hardware, software, data, communication lines and devices, terminals, printers, CD-ROM devices, tape drives, servers, mainframe and personal computers, the internet and any other internal or external network.

### Computer System Use-Terms and Conditions:

1. **Acceptable Use.** Access to the Division's computer system shall be (1) for the purposes of education or research and be consistent with the educational objectives of the Division or (2) for legitimate school business.
2. **Privilege.** The use of the Division's computer system is a privilege, not a right.
3. **Unacceptable Use.** Each user is responsible for his or her actions on the computer system. Prohibited conduct includes:
  - using the network for any illegal activity, including violation of copyright or other contracts, or transmitting any material in violation of any federal, state or local law.
  - sending, receiving, viewing or downloading illegal material via the computer system.
  - unauthorized downloading of software.
  - downloading copyrighted material for unauthorized use.
  - using the computer system for private financial or commercial gain.
  - wastefully using resources, such as file space.
  - gaining unauthorized access to resources or entities.
  - posting material authorized or created by another without his or her consent.
  - using the computer system for commercial or private advertising.
  - submitting, posting, publishing or displaying any obscene, profane, threatening, illegal or other inappropriate materials.
  - using the computer system while access privileges are suspended or revoked.
  - vandalizing the computer system, including destroying data by creating or spreading viruses or by other means.
4. **Network Etiquette.** Each user is expected to abide by generally accepted rules of etiquette, including the following:
  - Be polite.
  - Users shall not forge, intercept or interfere with electronic mail messages.
  - Use appropriate language. The use of obscene, lewd, profane, threatening or disrespectful language is prohibited.
  - Users shall not post personal contact information, including names, home, school or work addresses, telephone numbers, or photographs, about themselves or others.
  - Users shall respect the computer system's resource limits.
  - Users shall not post chain letters or download large files.
  - Users shall not use the computer system to disrupt others.
  - Users shall not read, modify or delete data owned by others.
5. **Liability.** The School Board makes no warranties for the computer system it provides. The School Board shall not be responsible for any damages to the user from use of the computer system, including loss of data, non-delivery or missed delivery of information, or service interruptions. The School Division denies any

responsibility for the accuracy or quality of information obtained through the computer system. The user agrees to indemnify the School Board for any losses, costs or damages incurred by the School Board relating to or arising out of any violation of these procedures.

6. **Security.** Computer system security is a high priority for the school division. If any user identifies a security problem, the user shall notify the building principal or system administrator immediately. All users shall keep their passwords confidential and shall follow computer virus protection procedures.
7. **Vandalism.** Intentional destruction of any part of the computer system through creating or downloading computer viruses or by any other means is prohibited.
8. **Charges.** The School Division assumes no responsibility for any unauthorized charges or fees as a result of using the computer system, including telephone or long-distance charges.
9. **Electronic Mail.** The School Division's electronic mail system is owned and controlled by the School Division. The School Division may provide electronic mail to aid students and staff in fulfilling their duties and as an education tool. Electronic mail is not private. Students' electronic mail will be monitored. The electronic mail of staff may be monitored and accessed by the School Division. Unauthorized access to an electronic mail account by any student or employee is prohibited. Users shall be held personally liable for the content of any electronic message they create. Downloading any file attached to an electronic message is prohibited unless the user is certain of that message's authenticity and the nature of the file.
10. **Enforcement.** Software will be installed on the division's computers having Internet access to filter or block internet access through such computers to child pornography and obscenity. The online activities of minors may also be monitored manually. **Any violation of these regulations shall result in loss of computer system privileges and may also result in appropriate disciplinary action, as determined by School Board policy, or legal action.**

*Adopted: July 20, 2009*

## INTERNET ACCEPTABLE USE POLICY FOR STAFF MEMBERS (NCPS Policy GAB-E1/IIBEA-E1)

In compliance with Code of Virginia § 22.170.2, Northumberland County Public Schools recognized that the Internet is a valuable educational tool and student access to the schools' computer network is consistent with the goal of promoting excellence in education. The learning community supports the school system's vision of providing an environment to enable our students to become technologically literate and life-long learners. The Northumberland County School Board, administrators, teachers, and members of the community have equipped the schools with state of the art technology to help make the digital divide between rural communities and their urban and suburban counterparts a thing of the past. Access to high speed internet in the schools was made possible by the support of the community. As a result, the opportunities for resource sharing, collaboration, communication, intellectual challenges, critical thinking, and creative growth will be greatly improved. Along with the privilege of computer access, staff members are expected to demonstrate safety, ethics, and respect while using school computers, software, hardware, terminals, printers, servers, and any internal or external network.

Internet safety education will be integrated into the content areas in kindergarten to 12<sup>th</sup> grade. Age-appropriate lessons that focus on safety, security, and ethics will be imbedded in the curricula. Students will also be taught how to discern the validity of internet sources, understand copyright laws, and explore legal issues related to internet use. The school's internet security filters restrict most access to social networking sites and inappropriate material. However, you may possible come across material of adult content. The school system takes a **no tolerance** approach to accessing such material. Proper precautions should be taken by staff when using the internet and they will be made aware of the appropriate steps to take if they encounter a problem. To be permitted to access to sites blocked by the filter, staff members will adhere to regulations regarding the Freedom of Information Act as stated by the library of Virginia. Staff members are expected to honor the Acceptable Use Policy (AUP) or they may lose the privilege of internet access.

Within reason, freedom of speech and access to information will be honored. The following are not permitted on any district computer, district network, or the internet:

- Sending, receiving, or displaying offensive messages, images, or materials
- Using obscene language
- Harassing, insulting, or attacking others (cyber-bullying)
- Damaging computers, computer systems, or computer networks
- Violating copyright laws
- Using another's password
- Trespassing in another person's folder, work, or files
- Intentionally wasting limited resources
- Using school resources and accounts to access services requiring payment (unless appropriate form has been completed and approved)
- Employing the network for commercial purposes
- Damaging hardware or software
- Misusing hardware or software
- Downloading programs using school computers
- No children or students are permitted to use staff accounts to access the internet

The items above should not be considered comprehensive. Other inappropriate actions not listed may also be considered unacceptable use of electronic communications. Disciplinary action may range from a reprimand to dismissal by school authorities and may be subject to local, state, federal, and international law. Violations may result in a loss of access as well as other disciplinary or legal action.

Listed below are the roles and responsibilities for division personnel (including but not limited to):

- **Administrators** – monitor teachers’ inclusion of internet safety in their lesson plans, secure the passwords and access to student data, and inform community stakeholders about internet safety policy
- **Teachers** – include internet safety in lesson plans, monitor student internet use, submit the appropriate forms when requesting access to sites blocked by the filter and using the school credit card online, be cognizant of students who have and have not signed the AUP
- **Library Media Specialist** – be knowledgeable about current copyright laws regarding internet resources, familiar with appropriate resource sites, act as a resource for teachers prior to students’ research, monitor student internet use, and submit appropriate forms when requesting access to sites blocked by the filter and using the school credit card online
- **Instructional Technology Resource Teacher** – update AUP yearly, help teachers integrate technology and internet safety into their curricula, work with TC to access sites blocked by filter, secure the passwords and access to student data, work with administrators and community stakeholders to promote internet safety, coordinate Internet Safety Committee to write the curriculum for the division
- **Building Resource Officer** – be cognizant of possible cyber bullying situations, act as a resource to teachers regarding legal issues about internet use
- **Technology Coordinator** – monitor and filter division internet, make an annual report about security, make recommendations for upgrades when appropriate, report violations of AUP to the superintendent, create and maintain passwords to secure access to the division’s network
- **Guidance Counselors** – secure the passwords and access to student data, be familiar with appropriate online resources to assist students with counseling issues, college applications, and SAT registration, be cognizant of possible cyber bullying situations
- **Testing Director/SASI Coordinator** – to create and maintain passwords to secure restricted access to student data
- **Designated Person at each School** – maintain a current list of students and staff who have and have not signed the AUP, update the list annually, supply the current list to appropriate staff when requested to do so

I have read, understand, and agree to abide by the Acceptable Use Policy for Northumberland County Public Schools. Please sign and return to school.

Staff Member \_\_\_\_\_

Date \_\_\_\_\_

Other \_\_\_\_\_

Role \_\_\_\_\_

*Approved: July 20, 2009*

*Revised: February 11, 2013*

**UNLAWFUL MANUFACTURE, DISTRIBUTION, DISPENSING, POSSESSION OR USE OF A  
CONTROLLED SUBSTANCE  
(NCPS Policy GBEA)**

The Northumberland County School Board is committed to maintaining a Drug-Free Workplace.

**Prohibited Conduct**

Employees may not unlawful manufacture, distribution, dispensing, possession or use of a controlled substance on school property, at any school activity or on any school-sponsored trip. It is a condition of employment that each employee of the Northumberland County School Board will not engage in such prohibited conduct and will notify the Northumberland County School Board of any school activity or on any school-sponsored trip no later than 5 days after such conviction. An employee who is convicted of criminal drug activity for a violation occurring on school property, at any school activity or on any school-sponsored trip will be subject to appropriate discipline, up to and including termination, or required to satisfactorily participate in a drug abuse assistance or rehabilitation program.

**Disciplinary**

The superintendent and School Board will take appropriate personnel action up to and including dismissal of any employee found to have engaged in prohibited conduct listed above. Such personnel action will include the imposition of a sanction on, or the requiring of the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee who is convicted of a violation occurring on school property, at any school activity or on any school-sponsored trip.

**Distribution of Policy**

All employees shall be given a copy of this policy.

**Drug-Free Awareness Program**

The Northumberland County School Board shall establish a drug-free awareness program to inform its employees about the dangers of drug abuse in the workplace, the Board's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs and the penalties that may be imposed upon employees for violations of laws and policies regarding drug abuse.

*Adopted: June 9, 2014*

**TABACCO-FREE SCHOOL FOR STAFF AND STUDENTS**  
**(NCPS Policy GBEC (also JFCH))**

Smoking, chewing or any other use of any tobacco products by staff, students, and visitors is prohibited on school property.

For purposes of this policy,

1. "School property" means:

All interior portions of any building or other structure used for instruction, administration, support services, maintenance or storage.

Any indoor facility or portion of such facility owned or leased or contracted for and used for the provision of regular or routine health care, day care, or early childhood development (Head Start) services;

All vehicles used by the division for transporting students, staff, visitors or other persons.

2. "Tobacco" includes cigarettes, cigars, pipe tobacco, snuff, chewing tobacco and all other kinds and forms of tobacco prepared in such manner as to be suitable for chewing, smoking or both.
3. "Tobacco" includes cloves or any other product packaged for smoking.
4. "Smoking" means the carrying or holding of any lighted pipe, cigar, or cigarette of any kind, or any other lighted smoking equipment, or the lighting, inhaling, or exhaling of smoke from a pipe, cigar, or cigarette of any kind.

This policy shall be published in student and employee handbooks, posted on bulletin boards and announced in meetings.

Each principal shall post signs stating "No Smoking," or containing the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a bar across it, clearly and conspicuously in every school cafeteria and other dining facility in the school.

Staff and students found to be in violation of this policy shall be subject to appropriate disciplinary action.

### **Designated Smoking Areas**

The School Board may direct the superintendent to issue regulations designating smoking areas on school grounds outside buildings.

### **Electronic Cigarettes**

Students are prohibited from possessing electronic cigarettes on school buses, on school premises and at school-sponsored activities.

All other persons are prohibited from using electronic cigarettes on school premises and school vehicles.

*Adopted: May 12, 2003*

*Amended: July 14, 2003*

*Amended: July 9, 2009*

*Amended: June 9, 2014*

**ELECTRONIC CIGARETTES  
(NCPS Policy GBECA)**

The use of electronic cigarettes is prohibited on school buses, on school premises and at school-sponsored activities.

*Adopted: June 9, 2014*

## **STAFF PARTICIPATION IN POLITICAL ACTIVITIES (NCPS Policy GBG)**

The Northumberland County School Board recognizes the right of its employees to engage in political activity.

The Board also recognizes that school time and school property should not be used for partisan political purposes. Thus, in his or her political activities, an employee may not

- use his or her position within the school division to further a political cause;
- engage in any activity supporting or opposing a candidate or political party while on duty, while on school property during school hours, or while representing the school division;
- suggest in any manner that the school division or any component of it supports or opposes a candidate for election to any office; or
- use any school division property to engage in any activity supporting or opposing a candidate for public office or a political party.

These restrictions are not intended to limit the rights of school division employees to support or oppose any political candidate or party on their own time. They are intended to minimize distractions from instruction, to assure that no public funds are used to support any candidate for public office, and to assure that the public is not given the false impression that the school division supports or opposes any political candidate or party. School division employees who engage in political activities on their own time must make it clear that their views and actions represent their individual positions and do not represent the views of the school division.

*Adopted: April 16, 2012*



**NORTHUMBERLAND COUNTY PUBLIC SCHOOLS  
POLICY INFORMATION FOR ALL EMPLOYEES**

**PROFESSIONAL STAFF  
(NCPS Policy GC)**

No teacher shall be regularly employed by a School Board or paid from public funds unless such teacher holds a local teacher license or a license or provisional license issued by the State Board of Education. If a teacher employed under a provisional license is activated or deployed for military service within a school year (July 1 – June 30), an additional year will be added to the teacher's provisional license for each school year or portion thereof the teacher is activated or deployed. The additional year or years shall be granted the following year or years after the return of the teacher from deployment or activation.

The Virginia Board of Education prescribes, by regulation, the requirements for licensure for teachers and other school personnel required to hold a license.

*Adopted: July 14, 2008*  
*Amended: October 14, 2013*

**SUPPORT STAFF  
(NCPS Policy GD)**

Support staff personnel are those employees who need not hold a license issued by Virginia Board of Education in order to obtain their positions. This category includes, but is not limited to, non-licensed administrative, clerical, maintenance, transportation, food services, and paraprofessional positions.

*Adopted: September 10, 2012*

**SCHOOL BUS DRIVERS  
(NCPS Policy GDQ)**

**Eligibility for Employment**

Any applicant for employment operating a school bus transporting pupils must

- a. have a physical examination of a scope prescribed by the Board of Education and furnish a form prescribed by the Board of Education showing the results of such examination
- b. furnish a statement or copy of records from the Department of Motor Vehicles showing that the applicant, within the preceding five years, has not been convicted of a charge of driving under the influence of alcohol or drugs, convicted of a charge of refusing to take a blood or breath test, convicted of a felony or assigned to any alcohol safety action program or driver alcohol rehabilitation program pursuant to Va. Code § 18.2-271.1 or, within the preceding 12 months, has not been convicted of two or more moving traffic violations or required to attend a driver improvement clinic by the Commissioner of the Department of Motor Vehicles pursuant to Va. Code § 46.2-498
- c. furnish a statement signed by two reputable persons who reside in the school division or in the applicant's community that the person is of good moral character
- d. exhibit a license showing the person has successfully undertaken the examination prescribed by Va. Code § 46.2-339
- e. have reached the age of 18 on the first day of the school year

- f. submit to testing for alcohol and controlled substances as required by state and federal law and regulation

Persons for whom registration with the Sex Offender and Crimes Against Minors Registry is required are not eligible for employment as a school bus driver.

Persons hired as school bus drivers must annually furnish the documents listed in (a) and (b) above prior to the anniversary date of their employment as a condition of continued employment as a school bus operator.

The Northumberland County School Board requires proof of current certification or training in emergency first aid, cardiopulmonary resuscitation, and the use of an automated external defibrillator as a condition of employment to operate a school bus transporting pupils.

### **Drug and Alcohol Testing**

The school division has a drug and alcohol testing program for school bus drivers and other employees who are required to hold a commercial driver's license (CDL) by U.S. Department of Transportation Regulations who perform safety-sensitive functions as required by federal and state law and regulations.

### **Prohibited Conduct**

Drivers are prohibited from alcohol possession and/or use on the job, use during the four hours before performing safety-sensitive functions, having prohibited concentrations of alcohol in their systems while on duty or performing safety-sensitive functions, and use during eight hours following an accident or until after undergoing a post-accident alcohol test, whichever occurs first.

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substances except when the use is pursuant to the instructions of a licensed medical practitioner who has advised the driver that the substance does not adversely affect his ability to safely operate a commercial motor vehicle.

### **Required Testing**

Drivers are subject to pre-employment/pre-duty drug testing, reasonable suspicion alcohol and drug testing, random alcohol and drug testing, post-accident alcohol and drug testing, return-to-duty and follow-up alcohol and drug testing pursuant to procedures set out in the federal regulations. Pursuant to state law, drivers are subject to pre-employment alcohol testing. Any employee who refuses to submit to a post-accident, random, reasonable suspicion or follow up test shall not perform or continue to perform safety-sensitive functions.

### **Notification**

Each driver receives educational materials that explain the requirements of federal law and regulations together with a copy of the division's policy and procedures for meeting these requirements. Each driver must sign a statement certifying that he/she has received a copy of the above materials and the division maintains this signed copy.

Before performing each alcohol or controlled substances test, the division will notify the driver that the test is required by federal law or regulation.

## **Consequences if Testing Indicates Drug or Alcohol Misuse**

If the testing confirms prohibited alcohol concentration levels or the presence of a controlled substance, the employee shall be removed immediately from safety-sensitive functions in accordance with the federal regulations. All drivers shall be advised of resources available and before a driver is re-instated, if at all, the driver shall undergo an evaluation by a substance abuse professional, comply with any required rehabilitation and undergo a return-to-duty test with negative urine sample.

## **Record Retention**

The division maintains records in compliance with the federal regulations in a secure location with controlled access. With the driver's consent, the division may obtain any of the information concerning drug and alcohol testing from the driver's previous employer. A driver is entitled upon written request to obtain copies of any records pertaining to the driver's use of alcohol or controlled substances including information pertaining to alcohol or drug tests.

Records shall be made available to a subsequent employer upon receipt of a written request from a driver. Disclosure by the subsequent employer is permitted only as expressly authorized by the terms of the driver's request.

## **Test Procedure**

The division administers alcohol and controlled substance tests in accordance with federal laws.

*Adopted: April 11, 2005*

*Amended: June 10, 2013*

## **PROFESSIONAL STAFF PROBATIONARY TERM AND CONTINUING CONTRACT (NCPS Policy GCG)**

### **Teachers**

#### **Probationary Term**

A probationary term of service of three years in Northumberland County School Division shall be required before a teacher is issued a continuing contract. Service under a local teacher license shall not count towards satisfying this probationary requirement. A mentor teacher shall be provided to every first year probationary teacher to assist him or her in achieving excellence in instruction. Probationary teachers with prior successful teaching experience may be exempt from this requirement with approval from the Superintendent. Probationary teachers shall be evaluated at least annually in accordance with policy GCN Evaluation of Professional Staff. The Superintendent shall consider such evaluations as one factor in making recommendations to the School Board regarding the nonrenewal of such teacher's contract. If a probationary teacher's evaluation is not satisfactory, the School Board shall not reemploy the teacher.

In order to achieve continuing contract status, every teacher must successfully complete training in instructional strategies and techniques for intervention for or remediation of students who fail or are at risk of failing the Standards of Learning assessments. The Northumberland County School Division will provide said training at no cost to teachers it employs. If such training is not offered in a timely manner, no teacher will be denied continuing contract status for failure to obtain such training.

Once a continuing contract status has been attained in a school division in this state, another probationary period need not be served unless such probationary period, not to exceed one year, is made a part of the contract of employment. If a teacher separates from service and returns to teaching service in Virginia public schools by the beginning of the third year, the person shall be required to begin a new probationary period, not to exceed one year, if made part of the contract.

If a teacher who has not achieved continuing contract status receives notice of re-employment, he must accept or reject in writing within 15 calendar days of receipt of the notice. Unless a conference with the Superintendent is requested as specified in the Code of Virginia, or in the case of reduction in force, written notice of nonrenewal of the contract must be given by the board on or before June 15 of each year. If the teacher requests a conference with the Superintendent, then written notice of nonrenewal by the School Board must be given within thirty days after the Superintendent notifies the teacher of his intention with respect to the recommendation.

#### **Continuing Contract**

Teachers employed after completing the probationary period shall be entitled to continuing contracts during good behavior and competent service and prior to the age at which they are eligible or required to retire.

Written notice of non-continuation of the contract by either party must be given by June 15 of each year; otherwise the contract continues in effect for the ensuing year.

The School Board may reduce the number of teachers, whether or not such teachers have reached continuing contract status, because of decrease in enrollment or abolition of particular subjects.

Furthermore, nothing in the continuing contract shall be construed to authorize the School Board to contract for any financial obligation beyond the period for which funds have been made available.

As soon after June 15 as the school budget is approved by the appropriating body, the school board shall furnish each teacher a statement confirming continuation of employment, setting forth assignment and salary.

Within two weeks of the approval of the school budget by the appropriating body, but no later than June 1, the school board will notify any teacher who may be subject to a reduction in force due to a decrease in the school board's budget as approved by the appropriating body.

### **Principals, Assistant Principals, and Supervisors**

A person employed as a principal, assistant principal or supervisor, including a person who has previously achieved continuing contract status as a teacher, shall serve three years in such position in the same school division before acquiring continuing contract status as a principal, assistant principal or supervisor.

Continuing contract status acquired by a principal, assistant principal or supervisor shall not be construed (i) as prohibiting the School Board from reassigning such principal, assistant principal or supervisor to a teaching position if notice of reassignment is given by the School Board by April 15 of any year or (ii) as entitling any such principal, assistant principal or supervisor to the salary paid him as principal, assistant principal or supervisor in the case of any such reassignment to a teaching position. No such salary reduction and reassignment, however, shall be made without first providing such principal, assistant principal or supervisor with written notice of the reason for such reduction and reassignment and an opportunity to present his or her School Board. The principal, assistant principal or supervisor shall elect whether such meeting shall be with the superintendent, the superintendent's designee shall determine what processes are to be followed at the meeting. The decision to reassign and reduce salary shall be the sole discretion of the School Board.

The intent of this section is to provide an opportunity for a principal, assistant principal or supervisor to discuss the reasons for such salary reduction and reassignment with the superintendent, his designee or the School Board, and the provisions of this section are meant to be procedural only. Nothing contained herein shall be taken to require cause for the salary reduction and reassignment of a principal, assistant principal or supervisor.

As used in this policy, "Supervisor" means a person who holds a supervisory provision as specified in the regulations of the State Board of Education and who is required to hold a certificate as prescribed by the State Board of Education.

*Adopted: September 9, 2003*  
*Amended: July 14, 2008*  
*Amended: July 18, 2011*  
*Amended: September 10, 2012*  
*Amended: September 9, 2013*

## **EVALUATION OF PROFESSIONAL STAFF (NCPS policy GCN)**

Every employee of the Northumberland County School Board will be evaluated on a regular basis at least as frequently as required by law.

The superintendent shall assure that cooperatively developed procedures for professional staff evaluations are implemented throughout the division and included in the division's policy manual. The results of the evaluation shall be in writing, dated and signed by the evaluator and the person being evaluated, with one copy going to the central office personnel file and one copy to the person being evaluated.

The primary purposes of evaluation are:

- to optimize student learning and growth;
- to contribute to the successful achievement of the goals and objectives of the division's educational plan;
- to improve the quality of instruction by ensuring accountability for classroom performance and teacher effectiveness;
- to provide a basis for leadership improvement through productive performance appraisal and professional growth;
- to implement a performance evaluation system that promotes a positive working environment and continuous communication between the employee and the evaluator that promotes continuous professional growth, leadership effectiveness, improvement of overall job performance and improved student outcomes; and
- to promote self-growth, instructional effectiveness, and improvement of overall professional performance.

The procedures will be consistent with the performance objectives included in the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers and the Guidelines for Uniform Performance Standards and Evaluation Criteria for Principals.

Any teacher whose evaluation indicates deficiencies in managing student conduct may be required to attend professional development activities designed to improve classroom management and discipline skills.

If a teacher's performance evaluation during the probationary period is not satisfactory, the School Board shall not reemploy the teacher.

*Adopted: July 4, 2004*  
*Amended: September 10, 2012*  
*Amended: June 10, 2013*

## **EVALUATION OF SUPPORT STAFF (NCPS Policy GDN)**

Every employee of the Northumberland County School Board will be evaluated on a regular basis.

The superintendent shall assure that cooperatively developed procedures for support staff evaluations are implemented within the division and included in the division's policy manual. The results of the evaluation shall be in writing, dated and signed by the evaluator and the person being evaluated, with one copy going to the central office personnel file and one copy to the employee.

The primary purposes of evaluation and assistance are:

- To optimize student learning and growth;
- To contribute to the successful achievement of the goals and objectives of the division's educational plan;
- To provide a basis for leadership improvement through productive performance appraisal and professional growth;
- To implement a performance evaluation system that promotes a positive working environment and continuous communication between the employee and the evaluator that promotes continuous professional growth, leadership effectiveness, improvement of overall job performance and improved student outcomes; and
- To promote self-growth, instructional effectiveness, and improvement of overall professional performance.

*Adopted: May 12, 2003*

*Amended: July 4, 2004*

*Amended: July 14, 2008*

*Amended: September 10, 2012*

## **STAFF TIME SCHEDULES (NCPS Policy GAA)**

### **Work Schedules**

The workday for full-time licensed and professional staff is a minimum of seven hours and thirty minutes and continues until professional responsibilities to the student and school are completed. Elementary school teachers are provided at least an average of thirty minutes per day during the students' school week as planning time. Administrative meetings, curriculum development, pupil supervision, assigned duties, parent conferences, group or individual planning and extra-curricular activities may require hours beyond the stated minimum. Work schedules for other employees are defined by the superintendent or superintendent's designee, consistent with the Fair Labor Standards Act and the provisions of this policy.

### **Workweek Defined**

Working hours for all employees not exempted under the Fair Labor Standards Act, including secretaries, bus drivers, cafeteria, janitorial and maintenance personnel conform to federal and state regulations. The superintendent ensures that job positions are classified as exempt or non-exempt and that employees are made aware of such classifications. Supervisors make every effort to avoid circumstances which require non-exempt employees to work more than 40 hours each week. For purposes of compliance with the Fair Labor Standards Act, the workweek for school district employees will be 12:00 a.m. Saturday until 11:59 p.m. Friday.

### **Overtime and Compensatory Time**

The Northumberland County School Board discourages overtime work by non-exempt employees. A non-exempt employee will not work overtime without the express approval of the employee's supervisor. All overtime work must be expressly approved in writing by the superintendent or superintendent's designee. All supervisory personnel must monitor overtime on a weekly basis and report such time to the superintendent or superintendent's designee. Principals and supervisors monitor employees' work, ensure that overtime provisions of this policy and the Fair Labor Standards Act are followed and ensure that all employees are compensated for any overtime worked. Principals or supervisors may need to adjust daily schedules to prevent non-exempt employees from working more than 40 hours in a workweek. Accurate and complete time sheets of actual hours worked during the workweek must be signed by each employee and submitted to the finance officer. The finance officer reviews work records of employees on a regular basis to make an assessment of overtime use.

In lieu of overtime compensation, non-exempt employees may receive compensatory time off at a rate of not less than one and one-half (1.5) hours for each one hour of overtime worked, if such compensatory time

- (8) is pursuant to an agreement between the employer and employee reached before overtime work is performed, and
- (9) is authorized by the immediate supervisor.

Employees will be allowed to use compensatory time within a reasonable period after requesting such use if the requested use of the compensatory time does not unduly disrupt the operation of the school division.



Employees may accrue a maximum of 240 compensatory time hours before they will be provided overtime pay at the rate earned by the employee at the time the employee receives such payment. In addition, upon leaving the school division, an employee will be paid for any unused compensatory time at the rate of not less than the higher of

- (1) the average regular rate received by the employee during his/her last three years of employment, or
- (2) the final regular rate received by the employee.

Non-exempt employees whose workweek is less than 40 hours are paid at the regular rate of pay for time worked up to 40 hours. Such employees will be provided overtime pay or compensatory time as provided above for working more than 40 hours in a workweek.

Employees are provided with a copy of this policy and are required to sign this policy to acknowledge their understanding of overtime and compensatory time provisions. Such signed policy constitutes the written agreement required in this section.

### **Attendance Expectations**

All employees are expected to be present during all work hours. Absence without prior approval, chronic absences, habitual tardiness or abuses of designated working hours are all considered neglect of duty and will result in disciplinary action up to and including dismissal.

*Adopted: July 20, 2009*

*Amended: April 7, 2014*

**Employee Name:** \_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
**Employee Signature**

\_\_\_\_\_  
**Date**

## **STAFF LEAVES AND ABSENCES**

### **Employee Leave Benefits**

#### **SICK LEAVE (NCPS Policy GCBD-R1)**

##### **I. Allowances (VRS Plan 1 or VRS Plan 2 Employees)**

- a. Each full-time employee in the Northumberland County Public Schools shall earn sick leave at the rate of one day per contract month of employment without loss of pay.
- b. An employee new to the school system cannot claim any sick leave until he has reported for duty in accordance with the terms of his contract.
- c. An employee may borrow leave not to exceed what he is eligible to earn during the current school year. The borrowed leave may not be of a value that exceeds the amount of compensation due the employee. If a person has been granted borrowed leave and terminates his employment, unearned leave pay will be deducted from the balance due on a per diem basis.
- d. Teachers in summer school will be credited with one day of sick leave (per session) which may be added to their accumulated leave if not used. Only summer sessions of eight weeks or longer will be eligible for earning one sick day.
- e. Part-time certified employees (half-time or more) shall earn sick leave at a rate of five (5) days per contract year and is not eligible for accumulation.

##### **II. Accumulating Sick Leave (VRS Plan 1 or VRS Plan 2 Employees)**

Sick leave, if not used, may accumulate to a maximum of two hundred ten (210) days.

##### **III. Use of Leave**

- a. Sick Leave shall be allowed for a personal illness, including quarantine, or illness or death in the immediate family requiring the attendance of the employee for not more than three days in any one case or in certain instances, at the discretion of the superintendent.
- b. Employees may be granted five days leave in case of death of spouse.

##### **IV. Immediate Family Defined**

The immediate family of an employee shall be regarded to include natural parents, grandparents, adoptive parents, foster parents, stepmother, stepfather, wife, husband, children, grandchildren, brother and sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, and any other relative living in the household of an employee is limited only in that the relative, however distant, must live in the household of the employee.

##### **V. Termination of Accumulative Sick Leave and Transfer of Sick Leave (VRS Plan 1 or VRS Plan 2)**

- a. All accumulated sick leave shall terminate, except as defined, upon the expiration of employment.
- b. A certified employee will be presumed to have left the profession if he accepts employment other than in the public school system in Virginia, or is unable to serve in the public schools of Virginia for a period of three consecutive years because of illness or physical disability or family responsibility. Employees who leave the profession to enter the armed services do not forfeit accumulated earnings unless they fail to return to the profession immediately upon discharge from an original tour of duty in the armed services.

##### **VI. Local Supplementary Regulation**

The submission of a doctor's certificate in case of absence due to illness may be requested at the discretion of the superintendent.

## **VII. Employee Absences and Scheduling Substitute Teachers**

- a. All employees shall notify their immediate supervisors of necessary absences as far in advance as possible.
- b. For an illness or emergency occurring in the morning prior to school, a teacher is to notify his principal prior to 7:30 a.m.
- c. The principal shall call the designated clerk, who is charged with the responsibility of contacting substitute teachers, any time after 7:00 a.m., and shall call as early as possible.
- d. If the principal schedules a substitute teacher in advance, the principal must inform the designated clerk.
- e. Teachers should not call the clerk directly but should contact their principal.
- f. When the principal cannot be reached, he can designate one person to receive calls and notify the clerk of substitute requests, but normally the principal must be contacted directly.

## **VIII. Sickness and Disability (VRS Hybrid Employees)**

- a. New hires or re-hires that begin employment after January 1, 2014 or persons that opt-in to the VRS Hybrid Retirement Plan will follow a sick leave policy under this section known as the Sickness and Disability Program. This program will credit full-time employees each year on July 1<sup>st</sup> with 8 days of sick leave. Employees hired mid-year will be credited with sick leave days prorated to the length of contract. The sick leave does not accrue and there is no carryover of leave within this section. Sick leave balances are not paid out upon separation or termination of employment.

Upon a sickness, illness or disability that lasts more than seven (7) consecutive days contact Northumberland County Schools' Human Resources Representative.

Approved by School Board: October 13, 2003

Revised by School Board: September 11, 2006

Revised by School Board: June 27, 2009

Revised by School Board: January 13, 2014

## **SICK LEAVE BANK (NCPS Policy GCBD-R2)**

### **A. Establishment of Sick Leave Bank**

The Board will maintain a sick leave bank for VRS Plan 1 or VRS Plan 2 employees to be used when a member is incapacitated by long-term personal illness or injury as long as employees wish to participate in accordance with the terms contained herein.

### **B. Establishment of Membership in Bank**

Membership in the bank is voluntary on the part of the employee and will be established by the donation on one day of sick leave to the bank by the employee.

An employee who does not enroll when first eligible may do so between any subsequent September 1 and October 15 by making application and providing satisfactory evidence of good health to the Board. Any new employee may enroll within the first thirty calendar days of employment.

### **C. Use of Bank**

A member of the bank will not be able to utilize sick leave bank benefits until his/her own sick leave is depleted.

The first thirty (30) consecutive contract days of illness or disability will not be covered by the bank, but must be covered by the member's own accumulated sick leave or leave without pay. A maximum of forty-five (45) days each school year can be drawn by any one member from the bank.

Days drawn from the bank for any one period of eligibility must be consecutive, except additional periods of illness or disability resulting from a recurrence or relapse of the original illness or disability, which will be covered fully on a continuing basis up to the annual maximum of forty-five days. Otherwise, a member must return to work and must meet the original requirements before becoming eligible to utilize sick leave bank benefits again.

Bereavement leave can be drawn from the sick leave bank for those employees that have depleted their sick leave for other qualifying illnesses. The thirty (30) day requirement is waived. A maximum of five days for death of spouse and three days for death of other immediate family member, as defined in the sick leave policy, can be drawn from the bank.

Request to use the sick leave bank must be submitted in writing to the superintendent.

### **D. Reassessment of Days**

At such time as the bank is depleted to fifty (50) days, the members of the bank shall be assessed an additional day of their accumulated sick leave, unless they choose in writing not to participate further in the bank. Members who have no accumulated sick leave to contribute at the time of assessment will be assessed this day by October 15th or the following year.

### **E. Other Considerations**

Members utilizing sick leave days from the bank will not have to replace these days except as a regular contributing member to the bank.

Upon termination of employment, or withdrawal of membership from the bank, participating employees shall not be permitted to withdraw their contributed days.

### **F. Annual Report**

The superintendent shall make an annual written report to the Board each July. The report shall state the number of employees enrolled in the bank, the number of days used from the bank, the balance of days in the bank, and any other information the Board may need.

Approved by School Board: September 13, 1993

Revised by School Board: June 27, 2009

Revised by School Board: January 13, 2014

## **SICK LEAVE –CAFETERIA (NCPS Policy GCBD-R3)**

Cafeteria Worker

### **I. Allowances (Non-Hybrid)**

- A. Each cafeteria worker in the Northumberland County Public School System shall earn sick leave at the rate of one-half day per contract month of employment without loss of pay.
- B. A cafeteria worker cannot claim any portion of earned leave unless he/she has actually reported for duty.

- C. A cafeteria worker may borrow leave not to exceed what he/she is eligible to earn during the current school year. If a person has been granted borrowed leave and terminates his employment, unearned leave pay will be deducted from the balance due on a per diem basis.
- D. Part time cafeteria workers shall earn sick leave at a rate adjusted to their employment.
- E. Sick leave provisions do not apply to temporary cafeteria workers.

**II. Accumulation of Sick Leave**

Sick leave, if not used, may accumulate to a maximum of twenty (20) days.

**III. When Sick Leave is Used**

- a. Sick leave shall be allowed for personal illness, including quarantine, or illness or death in the immediate family requiring the attendance of the employee for not more than three days in any one case, or in certain instances, at the discretion of the superintendent.
- b. Cafeteria workers may be granted five days leave in case of death of spouse.

**IV. Immediate Family Defined**

The immediate family of an employee shall be regarded to include natural parents, grandparents, adoptive parents, foster parents, stepmother, stepfather, wife, husband, children, grandchildren, brother and sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, and any other relative living in the household of the employee (any other relative living in a household of the employee is limited only in that the relative, however distant, must live in the household of the employee).

**V. Termination of Accumulated Sick Leave**

All accumulated sick leave shall terminate upon the expiration of employment.

**VI. Local Supplementary Regulation**

The submission of a doctor's certificate in case of absence due to illness may be requested at the discretion of the superintendent.

**VII. Cafeteria Worker Absence**

A cafeteria worker shall notify his immediate supervisor of a necessary absence as far in advance as possible.

Adopted by School Board: September 10, 2007

**SICK LEAVE – BUS DRIVER (NCPS Policy GCBD-R4)**

**I. Allowances**

- a. Each regularly employed school bus driver in the Northumberland County Public School System shall earn leave of seven (7) days per contract year without loss of pay.
- b. A school bus driver cannot claim any portion of earned leave unless he has actually reported for duty.
- c. A school bus driver may borrow leave not to exceed what he is eligible to earn during the current school year. If a person has been granted borrowed leave and terminates his employment, unearned leave pay will be deducted from the balance due on a per diem basis.
- d. Part time school bus drivers are not eligible for sick leave.
- e. Sick leave provisions do not apply to temporary school bus drivers.

**II. Accumulation of Leave**

Sick leave, if not used, may accumulate to a maximum of fifteen (15) days.

**III. When Sick Leave is Used**

- a. Sick leave shall be allowed for personal illness, including quarantine, or illness or death in the immediate family requiring the attendance of the employee for not more than three days in any one case, or in certain instances, at the discretion of the superintendent.
- b. School bus drivers may be granted five days leave in case of death of spouse.

**IV. Immediate Family Defined**

The immediate family of an employee shall be regarded to include natural parents, grandparents, adoptive parents, foster parents, stepmother, stepfather, wife, husband, children, grandchildren, brother and sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, and any other relative living in the household of the employee (any other relative living in a household of the employee is limited only in that the relative, however distant, must live in the household of the employee).

**V. Termination of Accumulated Sick Leave**

All accumulated sick leave shall terminate upon the expiration of employment.

**VI. Local Supplementary Regulation**

The submission of a doctor's certificate in case of absence due to illness may be requested at the discretion of the superintendent.

**VII. School Bus Driver Absence**

A school bus driver shall notify his immediate supervisor of a necessary absence as far in advance as possible.

Adopted by School Board: September 10, 2007

**TERMINAL PAY FOR UNUSED SICK LEAVE (NCPS Policy GCBD-R5)**

The Northumberland County School Board will pay qualified employees at retirement for accumulated unused sick leave at a rate established by the Board. The employee must satisfy the following conditions to qualify:

1. Provide the superintendent with written notice of retirement, prior to the first March 15th of the year retiring; requests for exceptions may be made to the Board in emergency situations.
2. Be eligible for full VSRS retirement benefits in accordance with established age and experience requirements.
3. Have worked a minimum of five years immediately prior to retirement in the Northumberland County Public Schools.
4. Payment will be made at a rate of \$40.00 per diem.

Payment will be made on or before the last working day in July following retirement. Payment will not be made posthumously.

Revised by School Board: March 23, 2015

## **PERSONAL LEAVE (NCPS Policy GCBD-R6)**

1. All full time VRS Plan 1 or VRS Plan 2 personnel who are under contract in the Northumberland County School System shall receive three (3) personal days per year, accumulative to six (6) days. All part-time certified employees (half-time or more) shall earn one (1) personal day per contract year, no accumulation.
2. After accumulating the maximum of six days, eligible VRS Plan 1 or VRS Plan 2 employees who do not use a personal day during the term of contract, may transfer two days to sick leave. The total accumulated sick leave may not exceed the maximum allowed. If the employee has accumulated the maximum allowed, the employee will receive a payment of \$70.00 for the unused personal day in the June payroll.
3. All full time Hybrid personnel who are under contract in the Northumberland County School System shall receive four (4) personal days per year, no accumulation.
4. The School Board discourages extended leave requests for pleasure and non-essential trips. In special circumstances, the Board may grant a short period of leave not to exceed one week. The employee shall forfeit per diem pay for all days not defined as personal leave.

An employee may not have special leave granted more than once in a four-year period. Any teacher who leaves without prior approval is violating his/her contract and may be released from service upon a hearing by the School Board.

5. In requesting personal leave, the employee must notify the immediate supervisor at least two working days in advance of the anticipated absence. Personal leave may not be taken on a day immediately preceding or following a school holiday or the first or last day of the session. In an emergency, exceptions may be granted by the superintendent.

Revised by School Board: January 13, 2014

## **MILITARY LEAVE (NCPS Policy GCBD-R8)**

Military leave not to exceed fifteen (15) work days in any federal fiscal year (October 1 – September 30), will be granted to full time employees. Such leave is for the purpose of fulfilling obligations in the National Guard, military reserve organizations, and in response to orders issued by the governor under the Code of Virginia. There shall be no loss of pay for employees on military leave.

The employee must submit his/her field order to the central office prior to reporting for training or duty.

Adopted by School Board: October 13, 1986

## **ANNUAL LEAVE (NCPS Policy GCBD-R9)**

- A. Persons employed full time for ten months, as defined by a contractual period to include 200 days consisting of 180 minimum pupil days (990 hours), 10 scheduled work days and 10 work days assigned at the discretion of the Northumberland County School Board, shall have the holidays, specified in the official school calendar as adopted by the Northumberland County School Board. The extended holidays provided in the calendar shall serve in lieu of annual leave.
- B. Persons employed full time for ten calendar months, as defined by a contractual period extending from a beginning calendar date to an ending calendar date, shall have the holidays specified in the official school calendar as adopted by the Northumberland County School Board. The extended holidays provided in the calendar shall serve in lieu of annual leave.
- C. Persons employed full time for eleven calendar months, as defined by a contractual period extending from a beginning calendar date to an ending calendar date, shall have the holidays specified in the official school calendar as adopted by the Northumberland County School Board. The extended holidays provided in the calendar shall serve in lieu of annual leave.
- D. Persons employed part-time, except custodians and maintenance/shop personnel, shall have the holidays specified in the official school calendar as adopted by the Northumberland County School Board and are not eligible for annual leave.
- E. Custodians and maintenance/shop personnel employed part time are not eligible for annual leave.
- F. Certified persons employed full time for twelve calendar months shall earn 0.5 day per month annual leave during the first year of full time twelve month employment. During the second through the fifth year of continuous twelve-month employment, Certified persons earn 1.0 day per month annual leave. After completing five years of continuous twelve-month employment, Certified persons earn 1.25 days per month annual leave. After completing ten years of continuous twelve month employment, professional persons earn 1.5 days per month annual leave.
- G. Classified persons employed full time for twelve calendar months shall earn 0.5 day per month annual leave during the first year of full time twelve-month employment. During the second through tenth year of continuous twelve-month employment, classified persons earn 1.0 day per month annual leave. After completing ten years of continuous twelve- month employment, classified persons earn 1.25 days per month annual leave.
- H. Certified persons may accumulate a maximum of 36 paid annual leave days. Classified persons may accumulate a maximum of 30 paid annual leave days. Annual leave days not taken after the accumulation of allowed maximum are lost.
- I. Any employee who plans to retire or resign and wishes to use his or her earned annual leave must do so prior to termination of employment.
- J. Such annual leave days shall be arranged at a time mutually satisfactory to the person involved, the principal, or other immediate supervisor, and the superintendent. In no case shall more than ten (10) annual leave days be taken in any one month period.
- K. Compensatory days will be allowed at the discretion and approval of the superintendent.

Adopted by School Board: February 14, 1983

Revised by School Board: October 14, 2013



## **JURY DUTY AND SUBPOENAED WITNESS (NCPS Policy GCBD-R10)**

### **Jury Duty**

Employees who are called for jury duty will be granted special leave with pay. The amount of any jury pay-not including travel reimburse- shall be deducted from the employee's leave pay.

### **Subpoenaed Witness**

Employees who have been subpoenaed as witnesses in an action to which they are not a party will be granted special leave with pay. The amount of any pay for serving as a witness shall be deducted from the employee's leave pay.

Adopted by School Board: December 14, 1981

## **TUITION REIMBURSEMENT PROGRAM (NCPS Policy GBP)**

A tuition reimbursement program has been established to provide employees with tuition assistance in order to increase their competence and ability to contribute to the achievement of division goals.

Adopted: February 11, 2011

## **TUITION REIMBURSEMENT (NCPS Regulation GBP-R/GCL-R)**

The Northumberland County School Board has determined that teachers, administrators, and classified personnel may receive tuition assistance for college-level courses which are used for license renewal/recertification, classes which provide content knowledge to acquire the "highly qualified" designation, improve technical knowledge for employment productivity, or are for advanced degree programs contributing to educational content knowledge or educational leadership under the following conditions:

1. The courses are approved in advance of the start of the course in writing by the division superintendent or his/her designee.
2. Persons requesting tuition assistance must complete the "Application for Tuition Assistance" form and submit the completed form to the school board office. Proof of payment must be provided. Only tuition will be reimbursed.
3. Northumberland County Schools will pay up to \$440.00 in tuition costs per class for undergraduate courses and \$733 per class in tuition costs for graduate courses. No more than two courses per year per individual will be funded.
4. Employees receiving tuition assistance must have an official transcript sent to the school board office following the completion of the course. Persons receiving tuition assistance may be required to repay the school division all or part of the assistance if any one of the following occurs:
  - a. The grade earned for the course is below a "C" for undergraduate level courses, below a "B" for graduate level courses and an "F" for a college course taken under the "Pass-Fail" option.
  - b. The employee withdraws from the courses without completion.
  - c. Employees who resign from their position within one year of receiving the tuition assistance will be required to repay the total amount of the tuition assistance received. If the employee leaves after more than one year, but less than two years after the completion of the courses, they will be required to repay one half of the tuition assistance. After completing two years of employment from the end of the course, no reimbursement will be required. Any amount owed by the employee may be deducted from the employee's wages. If an employee is terminated, the employee will be personally liable for any outstanding amounts due to the school division.

NORTHUMBERLAND COUNTY PUBLIC SCHOOLS

2172 NORTHUMBERLAND HIGHWAY

LOTTSBURG, VA 22511

APPLICATION FOR TUITION ASSISTANCE

Request for tuition assistance may be made at the beginning of each semester. Reimbursement will be considered only with proof of payment and final grade. Tuition assistance received from other sources will be deducted from the amount requested. Fees and books are not reimbursable.

NAME OF EMPLOYEE \_\_\_\_\_ DATE \_\_\_\_\_

TITLE OF COURSE \_\_\_\_\_ COURSE # \_\_\_\_\_

NAME OF COLLEGE/UNIVERSITY: \_\_\_\_\_

COURSE TERM: FALL 20\_\_\_\_ SPRING 20\_\_\_\_ SUMMER 20\_\_\_\_ LAST DAY OF TERM: \_\_\_\_\_

BEGINNING & ENDING DATES \_\_\_\_\_

NUMBER OF CREDITS \_\_\_\_\_ THIS WILL \_\_\_\_\_ WILL NOT \_\_\_\_\_ BE USED FOR RECERTIFICATION.

AMOUNT OF TUITION REQUESTED: \_\_\_\_\_

SIGNATURE \_\_\_\_\_

Proof of payment and transcript must be submitted before reimbursement is completed. Northumberland County Schools will pay up to \$440 per class in tuition costs for undergraduate courses and \$733 per class in tuition costs for graduate courses. No more than two courses per year per individual will be funded.

Date application received: \_\_\_\_\_ Preapproved By: \_\_\_\_\_

This has been approved for \$ \_\_\_\_\_ in tuition assistance.

\_\_\_\_\_ Financial account summary received. \_\_\_\_\_ transcript received.

Date \_\_\_\_\_ Approval Signature: \_\_\_\_\_

Date Paid: \_\_\_\_\_ Check # \_\_\_\_\_ Amount paid: \_\_\_\_\_

NOTE: ALL REIMBURSEMENTS ARE CONTINGENT UPON AVAILABILITY OF FUNDS.

Adopted: February 11, 2011

Revised: August 12, 2013

Revised: August 11, 2014

## **VOLUNTARY RETIREMENT SAVINGS PROGRAMS (NCPS Policy GBR)**

The Northumberland County School Division offers its employees the opportunity to participate in a defined contribution retirement plan, also known as a tax sheltered annuity or 403(b) program. This program is maintained and operated pursuant to a written plan.

The written plan contains all the material terms and conditions for eligibility, benefits, applicable limitations, the contracts available under the plan, and the time and form under which benefit distributions may be made.

The written plan also addresses any optional features, including hardship withdrawal distributions, loans, plan-to-plan or annuity contract-to-annuity contract transfers, and acceptance of rollovers to the plan, which are included in the Division's program.

The written plan may:

- Allocate responsibility for administrative functions, including functions to comply with the requirements of 26 U.S.C. § 403(b) and other tax requirements
- Assign such responsibilities to parties other than the school division, but not to participants (unless the administration of the plan is a substantial portion of the duties of the participant)
- Incorporate by reference other documents which thereupon become part of the written plan
- Address termination of the program

Every employee of the school division is notified annually about the program.

Adopted: September 10, 2012

Amended: June 8, 2015

## **SUPPLEMENTARY PAY (NCPS Policy GCBB)**

The Northumberland County School Board will approve all categories of athletic coaching and other extracurricular activity sponsorships for which supplemental pay will be provided. The Board will also establish the amount of compensation for employees who coach or supervise such activities.

A separate contract in the form prescribed by the State Board of Education shall be executed by the School Board with an employee who receives supplemental pay for any athletic coaching assignment or extracurricular activity sponsorship assignment. This contract shall be separate and apart from the contract for teaching. All such contracts will require a party intending to terminate the contract to give reasonable notice to the other party before termination thereof will become effective.

For purposes of this policy, "extracurricular activity sponsorship" means an assignment requiring responsibility for any student organizations, clubs, or groups, such as service clubs, academic clubs and teams, cheerleading squads, student publication and literary groups, and visual and performing arts organizations except those activities that are conducted in conjunction with regular classroom, curriculum, or instructional programs.

Adopted: April 16, 2012

Amended: September 9, 2013

# **MEMORANDUM**

## **Northumberland County Public Schools**

### **SUBJECT: EMERGENCY CLOSINGS**

**Effective September 16, 2015**

- A. In the event of inclement weather or other emergencies, prior to the start of the school day, one of the following four codes will be announced on television, radio, and school messenger. It will also be posted on the Northumberland Schools website at [www.nucps.net](http://www.nucps.net).

#### **Announcement**

#### **Definition**

**Staff Code 0**

**Schools closed to all personnel.**

**Staff Code 1**

**All 12-month personnel are to report to work.  
*Start time will be announced.***

**Staff Code 2**

**All 11 and 12-month personnel are to report to work.  
*Start time will be announced.***

**Staff Code 3**

**All personnel are to report to work except bus/car drivers, cafeteria staff and aides. *Start time will be announced.***

**When under emergency closings, any employee that is unable to make it to work may submit a leave request for personal or annual leave.**

- B. In the event of inclement weather or other emergencies after the school day has begun, the superintendent's decision to close will be announced directly to the school principals, and on television, radio and school messenger. It will also be posted on the Northumberland Schools website at [www.nucps.net](http://www.nucps.net).

## **IMPORTANT PHONE NUMBERS**

### **Anthem Member Services**

**1-800-552-2682**

**Website Login: [www.anthem.com](http://www.anthem.com)**

**AFLAC Representative**

**Ronnie Wilkins 8-804-580-3103**

### **TakeCare Wage Works Flexible Spending Account**

**1-877-782-8889**

**Email: [claims@takecareclaims.com](mailto:claims@takecareclaims.com)**

**Website: [www.takecarewageworks.com](http://www.takecarewageworks.com)**

### **403(b) Savings Plans**

**Mrs. Betty Christopher – 804-580-5904**

**Mr. Mike Mullins – 804-580-4121**

**Mr. David Stables – (804) 445-5880**

## Employee Handbook Verification Form

The Northumberland County Public Schools Employee Handbook provides a quick reference to assist employees in understanding School Board personnel policies, regulations, procedures, and benefits for all employees within the school division. When further details about policy and procedural matters are needed, an employee should consult his/her immediate supervisor or refer to the Northumberland County School Board's policy Manual. The Policy Manual may be accessed from the school division's homepage at <https://www.nucps.net> under the "School Board" link. In the event of any conflict between this handbook and the School Board's Policy manual, the Policy Manual will prevail. Because the School Board and the administration are committed to constantly reviewing all policies and benefits, information presented in this handbook may be adjusted or modified from time to time. It is the responsibility of the employee to review the handbook annual for any updates and revisions. Any policies, regulations, guidelines, and procedures incorporated in this Employee Handbook supersede and replace all previous editions of the Employee Handbook.

My signature indicates that I have been provided with the most current Employee Handbook, which is also available on the Northumberland County Public Schools web site at [www.nucps.net](http://www.nucps.net) under Employment/H.R.

Employee Name: \_\_\_\_\_ School: \_\_\_\_\_ (Please Print)

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_ This form should be signed, dated and returned to your building administrator or immediate supervisor.