BENTONVILLE SCHOOL DISTRICT

CHAPTER P

Personnel

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Code: P.1.1.
Date Issued: 8-16-77
Date Revised: 02-26-08
Date Reviewed:

Equal Employment Opportunity

The Bentonville Board of Education shall conduct the school system on a nondiscriminatory and non-segregated basis. In the employment of personnel, the Board will not discriminate against any employee or applicant for employment because of race, religion, color, sex, gender, national origin, age, or disability.

Code: P.1.2.
Date Issued: 6-17-80
Date Revised: 01-22-08
Current Revision:

Complaints and Grievances

The Bentonville Public Schools, recognizing the need for close cooperation between professional staff and immediate supervisors, encourage that grievances be resolved formally within each building at the lowest possible administrative level and in a clear and timely manner for both parties..

However, employees shall have the right to present grievances and in doing so shall be assured freedom from restraint, interference, discrimination, and reprisal in the preparation and processing of such formal written grievances.

Procedures and forms related to this policy may be found in the Procedures section of this manual.

If the employee's immediate supervisor determines that the employee's concern does not constitute a grievance, the employee may appeal that determination. The process used will be the same as for a grievance.

Legal Ref: Arkansas Code Annotated § 6-17-208

Code: P.1.3.
Date Issued: 6-27-94
Date Revised:
Review Date: 01-22-08

Directory Information

With respect to District employees, directory information shall not be released for commercial use.

Directory information means employee's name, address, home telephone number, work location and position.

Directory information may, upon approval by the Superintendent, be released for noncommercial use unless the employee notifies the Superintendent in writing that his/her directory information is not to be released.

Code: P.1.4.
Date Issued: 01-22-08
Date Revised:
Review Date:

Right to Witness or Representative

An employee shall be entitled to and shall be offered the opportunity to have a witness or representative of the employee's choice present during any disciplinary or grievance matter with any administrator.

Legal Ref: Arkansas Code Annotated § 6-17-210

Code: P.1.5.
Date Issued: 10-22-08
Date Revised:
Review Date:

Personnel Policies

Bentonville Public Schools will provide a digital copy of the district's personnel policies via the district website. A hard copy of all policies shall be available to review at each location within the district. A hard copy shall be given to the individual employee upon request of the employee.

Legal Ref: Arkansas Code Annotated § 6-17-026

Code: P.1.6.
Date Issued: 5-17-93
Date Revised: 11-23-04
Review Date: 01-22-08

Sexual Harassment

The Bentonville School District is committed to having an academic and work environment in which all students and employees are treated with respect and dignity. Student achievement and amicable working relationships are best attained in an atmosphere of equal educational and employment opportunity that is free of discrimination. Sexual harassment is a form of discrimination that undermines the integrity of the educational environment and will not be tolerated.

Believing that prevention is the best policy, the district will periodically inform students and employees about the nature of sexual harassment, the procedures for registering a complaint, and the possible redress that is available. The information will stress that the district does not tolerate sexual harassment and that students and employees can report inappropriate behavior of a sexual nature without fear of adverse consequences.

It shall be a violation of this policy for any student or employee to be subjected to or to subject another person to, sexual harassment as defined in this policy. Any employee found, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action up to, and including, termination.

Sexual harassment refers to unwelcome sexual advances, requests for sexual favors, or other personally offensive verbal, visual, or physical conduct of a sexual nature made by someone under any of the following conditions:

1. Submission to the conduct is made, either explicitly or implicitly, a term or condition of an individual's education or employment;
2. Submission to, or rejection of, such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; and/or
3. Such conduct has the purpose or effect of substantially interfering with an individual's academic or work performance or creates an intimidating, hostile, or offensive academic or work environment.

The terms "intimidating," "hostile," and "offensive" include conduct of a sexual nature which has the effect of humiliation or embarrassment and is sufficiently severe, persistent, or pervasive so that it limits the student's or employee's ability to participate in, or benefit from, an educational program or activity or their employment environment.

Within the educational or work environment, sexual harassment is prohibited between students; employees and students; non-employees and students; employees; employees and non-employees.

Actionable sexual harassment is generally established when an individual is exposed to a pattern of objectionable behaviors or when a single, serious act is committed. What is, or is not, sexual harassment will depend upon all of the surrounding circumstances. Depending upon such circumstances, examples of sexual harassment include, but are not are not limited to: unwelcome touching; crude jokes or pictures; discussions of sexual experiences; pressure for sexual activity; intimidation by words, actions, insults, or name calling; teasing related to sexual characteristics; and spreading rumors related to a person's alleged sexual activities.

Employees who believe they have been subjected to sexual harassment are encouraged to file a complaint by contacting their immediate supervisor, administrator, or Title IX coordinator, who will assist them in the complaint process. Under no circumstances shall an employee be required to first report allegations of sexual harassment to a school contact person if that person is the individual who is accused of the harassment. To the extent possible, complaints will be treated in a confidential manner. Limited disclosure may be necessary in order to complete a thorough investigation.

Employees who file a complaint of sexual harassment will not be subject to retaliation or reprisal in any form.

Employees who knowingly fabricate allegations of sexual harassment shall be subject to disciplinary action up to and including termination.

Individuals who withhold information, purposely provide inaccurate facts, or otherwise hinder an investigation of sexual harassment shall be subject to disciplinary action up to and including termination.

DEFINITION: The definition of employee(s) includes staff, substitutes and volunteers.

Legal References: Title IX of the Education Amendments of 1972, 20 USC 1681, et seq.
Title VII of the Civil Rights Act of 1964, 42 USC 2000-e, et seq.
ACA 6-15-1005 (b) (1)
ASBA Model 3.26

Code: P.1.7.
Date Issued: 5-17-93
Date Revised: 6-27-94
Review Date: 01-22-08

ADA Grievance

The Bentonville Public Schools provide this internal grievance procedure to facilitate a prompt and equitable resolution of complaints alleging any action prohibited by the U. S. Department of Justice regulations implementing Title 11 of the Americans with Disabilities Act. Title 11 states, in part, that "no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits for, or be subjected to discrimination" in programs or activities sponsored by a public entity.

Complaints should be addressed to the Equity Coordinator. The Equity Coordinator has been designated to coordinate ADA compliance efforts.

Procedures and forms related to this policy may be found in the Procedures section of this manual.

Code: P.1.8.
Date Issued: 6-3-85
Date Revised: 5-20-91
Review Date: 01-22-08

Staff Conflict of Interest

No employee shall accept any outside employment that would interfere with professional responsibilities or create a conflict of interest.

Code: P.1.9.
Date Issued:
Date Revised: 1-15-98
Review Date: 01-22-08

Ability of School Employees to Hold Public Office

All employees of the Bentonville School District are free to exercise their rights as citizens and run for or accept appointments to public office if they so desire. However, employees should understand the following:

1. By law, a school board member may not work for the school district which he/she serves.

2. The school district may not grant any employee paid leave for the purpose of permitting the employee to engage in public service of related activities.

3. Employees may use their personal days and vacation days (if applicable) to engage in public service or related activities, with prior approval of their building principal or Superintendent.

4. In addition, upon request to the school board, a maximum of five (or a number of days selected by the district) additional days of unpaid leave may be granted to the employee for the purposes of engaging in public service or related activities. If the employee's service can be replaced by the

District, the employee will have salary deducted in the amount equal to any and all daily costs normally incurred by the district for a substitute..

5. Employees who attempt to use sick leave days fraudulently for any purpose, including engaging in public service or related activities, will face disciplinary action up to and including non-renewal or termination.

Code: P.1.10.
Date Issued: 6-27-94
Date Revised:
Review Date: 02-26-08

Review of Personnel Records

To ensure that an employee's personnel file of record does not contain material that might be adverse to the employee's continued employment, promotion, or advancement, or employment elsewhere, without the employee's knowledge of such material, the employee shall be given the opportunity to sign any such material that is not directed to or does not originate with the employee. The signature shall merely signify that the employee has read the material to be filed. Should the employee decline to sign such material, that fact shall be noted and filed with the material in the employee's personnel file.

Bentonville Public Schools shall maintain a personnel file for each employee, which shall be available to the employee for inspection. Requesting copies of personnel records should occur in advance during normal office hours.

The employee may submit, for inclusion in the file, written information to any of the material contained therein.

Personnel files or any of their contents will not be removed from the Administration Building without the approval of the Director of Human Resources or the Superintendent.

Other than the employee, no one may have access to an employee's file other than his/her Supervisor, Human Resources Personnel or those authorized by the Director of Human Resources or the Superintendent. Administrators and the Human Resources Department are the only district employees allowed to make copies of personnel records.

Code: P.1.11.
Date Issued: 02-26-08
Date Revised:
Review Date:

Criminal Background Checks

Bentonville Public Schools requires as a condition for initial employment and making application for employment authorize release to the Department of Education the results of statewide and nationwide criminal records checks by the Identification Bureau of the Department of Arkansas State Police, which conform to the applicable federal standards and include taking of the applicant's fingerprints. All staff shall be responsible for the payment of any fee associated with the criminal records check. The checks shall conform to the applicable federal standards and shall include the taking of fingerprints. The person shall sign a release of information to the Department of Education.

Legal Ref: Arkansas Code Annotated 6-17-411, 6-17-414, AND 6-17-415

Code: P.1.12.
Date Issued: 8-16-77
Date Revised: 04-22-08
Review Date:

Assignment of Personnel

The Bentonville School District has the authority to assign and reassign or transfer any district employee upon the recommendation of the Superintendent. Members of the same family may be assigned to the same building with the approval of the building administrator. Also, while keeping in mind the needs of students and the need to have a balanced faculty (race, sex, experience, etc.), reasonable efforts shall be made to honor staff preference in assignment.

Legal Ref: Arkansas Code Annotated 6-17-303

Code: P.1.13.
Date Issued: 6-27-94
Date Revised: 4-15-02
Review Date: 04-22-08

Reduction in Work Force

The District acknowledges its authority to reduce the workforce (employees) whenever such a reduction is deemed as necessary or desirable. The RIF may also apply to the amount of hours worked by District employees.

Procedures for both reduction and recall will be developed by the Superintendent and administered by the Executive Director of Human Resources.

Legal Ref: Arkansas Code Annotated § 6-17-2407

Procedures and forms related to this policy may be found in the Procedures section of this manual.

Code: P.1.14.
Date Issued: 5-20-91
Date Revised: 6-15-95
Review Date: 04-22-08

Employee - Transfer

Employees are subject to transfer at the direction of the Superintendent of schools. Request for employee transfers may originate with any of the following persons: (1) employee, (2) principal, (3) Executive Director of Human Resources, or (4) Superintendent. Employees who are to be transferred shall be notified as soon as possible after the decision to transfer has been made. Notification of pending transfer shall be made personally and confirmed in writing. Except in cases of obvious emergency transfers, such notification shall be made no later than the date of all offers to renew contract. Employees who are the subject of administrative transfers shall be notified of vacancies existing in their fields at the time of notification of transfer. The Superintendent or his authorized representative shall see that employees being transferred are assigned to positions available at the time of notification of transfer for which they are best qualified by training and experience. Employees who receive administrative transfers shall be given a specific opportunity to present their position with regard to the pending transfer to the

executive director of human resources within five working days after notification. In the event the employee is still dissatisfied with a given decision, s/he may request a conference with the Superintendent. Should the employee wish to appeal the decision of the Superintendent, they may appeal to the Board of Education. That appeal should be made in writing within five (5) days after the meeting with the Superintendent.

Code:	P.1.15.
Date Issued:	04-22-08
Date Revised:	
Date Reviewed:	

Registered Offender – Prohibited on School Campus

It is unlawful for a sex offender who is required to register under the Sex Offender Registration Act of 1997, § 12-12-901 et seq., and who has been assessed as a Level 3 or Level 4 offender to knowingly enter upon the campus of a public school.

It is not a violation of this section if the sex offender

1. Is a minor and is a student;
2. Enters upon the campus for the purpose of attending a school-sponsored event for which an admission fee is charged or tickets are sold or distributed, a graduation ceremony, or a baccalaureate ceremony;
3. Enters upon the campus on a day that is not designated a student contact day by the school district's calendar or on a day in which no school-sponsored event is taking place upon the campus; or
4. Is the parent or guardian of a student enrolled in a public school district and enters upon the campus where the student is enrolled for the purpose of:
   a. Delivering to the student medicine, food, or personal items, provided that the items are delivered directly to the school office; or
   b. Attending a scheduled parent-teacher conference provided the sex offender is escorted to and from the conference by a designated school official or employee.

A sex offender who is the parent or guardian of a child enrolled in a public school district and wishes to enter upon the campus in which the student is enrolled for any other purpose must give reasonable notice to the school principal or his or her designee.
The school principal or his or her designee may allow the parent sex offender to enter upon the campus as long as there is a designated school official or employee available to escort and supervise the sex offender while he or she remains on campus.

If a designated school official or employee is not available at the time the parent sex offender wishes to enter upon the campus, the parent sex offender shall not enter upon the campus until he or she is notified that a designated school official or employee is available.

Upon conviction, any sex offender who violates this section is guilty of a Class D felony.

Legal Ref: Arkansas Code Annotated 5-14-132

Code: P.1.16.
Date Issued: 8-16-77
Date Revised: 04-22-08
Date Reviewed:

Resignation

Any employee who wishes to resign will submit a written resignation using the appropriate resignation form from the Department of Human Resources. Resignation statements stating the details should be addressed to the Bentonville Board of Education and given to the building principal or the Executive Director of Human Resources. Employees should schedule an exit interview with the Executive Director of Human Resources.

Procedures and forms related to this policy may be found in the Procedures section of this manual.

Code: P.1.17.
Date Issued: 5-20-91
Date Revised: 1-15-98
Date Reviewed: 04-22-08

Contract Renewal

Certified staff members are appointed by the Board of Education on recommendation by the Superintendent of Schools. Appointments are made on an annual basis. The appointment of the teaching staff is evidenced by written contracts which are binding on both employer and employee. The names of the teaching staff shall be presented for consideration to the Board of Education at its regular meeting in April of each year. All offers to renew annual contracts shall expire if not accepted in writing and returned to the school administration office within thirty (30) calendar days after the date issued. The teacher shall have the right to unilaterally rescind any signed contract no later that ten (10) calendar days after the end of the school year.

Classified staff members are appointed by the Board of Education on recommendation by the Superintendent of Schools. Appointments are made on an annual basis. The appointment of the classified staff is evidenced by written contracts which are binding on both employer and employee. The names of the classified staff shall be presented for consideration to the Board of Education at its regular meeting in May of each year. All offers to renew annual contracts shall expire if not accepted in writing at the Administration Office within ten (10) working days of the date issued.

Legal Ref. Arkansas Code Annotated 6-17-1506

Code: P.1.18.
Date Issued: 6-24-94
Date Revised: 04-25-06
Date Reviewed: 04-22-08

Retirement

Employees of the Bentonville School District, upon retirement, shall be eligible for benefits of the Arkansas Teachers Retirement System and other benefits as prescribed by law.

1. All full time personnel with ten (10) years experience in the District who retire from the Bentonville School System and are eligible for immediate retirement benefits will be paid for all accumulated sick leave days up to ninety (90) days.

2. Payment for unused sick leave for certified employees will be at the same base rate per day that was paid to a long term certified substitute during the last year that the retiring employee worked.

3. Payment for unused sick leave for classified employees will be at the same base rate per day that was paid to substitutes, with less than a Bachelors degree, during the last year the retiring employee worked.

4. Payment will be made within ninety (90) days of the end of the school term, provided that documentation has been received by the Superintendent's office that the person is qualified for or is in fact drawing benefits from the Arkansas Teachers Retirement System.

Code: P.1.19.
Date Issued: 04-22-08
Date Revised:
Date Reviewed:

Emergency First Aid Personnel

Bentonville Public Schools will employ at least one (1) person who is certified by the American Red Cross or approved by the Department of Education as qualified to administer emergency first aid who shall be on the school grounds during normal school hours.

Legal Ref. Arkansas Code Annotated, 6-17-102

Code: P.1.20.
Date Issued: 6-17-80
Date Revised: 04-22-08
Date Reviewed:

Certificate of Health - Tuberculosis Examinations

Prior to beginning employment each school year, every newly hired public school employee within this state shall present to the Executive Director of Human Resources a Certificate of Health dated not more than ninety (90) days prior to the date of its presentation stating that the employee is free from tuberculosis.

The Certificate of Health may be submitted anytime between three (3) months prior to the official opening of the school year and the end of the first month's employment. Persons employed after the opening of school will have thirty (30) days to secure a Certificate of Health. Failure to comply with the terms of this section will result in termination.

A newly hired employee who has had the required screening performed in the United States within six (6) months prior to employment will not be required to have it repeated, provided that the employee presents documentation to the hiring school district in accordance with rules established by the State Board of Health.

Employees showing proof of two (2) negative tests may be issued a “No Return” card. No Return cards shall be good for as long as the person is employed by the Bentonville School District. The Executive Director of Human Resources may request additional testing if Tuberculosis is in question.

Positive reactors to the TB Skin Test must undergo sufficient additional tests prescribed by the regulation of the State Board of Health and shall be scheduled for a periodic reexamination according to the individual’s risk status. Bentonville Public School Registered Nurses may issue a Certificate of Health stating that the public school employee is free from tuberculosis infection, but interpretation of any X-Ray film must be made by a competent roentgenologist or physician experienced with tuberculosis. Employees who test positive or have a possible positive reading must report to the Benton County Health Department within 1 business day. If asymptomatic, the Health Department may issue a temporary card pending cultures or chest x-ray results.

All school cafeteria employees and other school employees handling food shall comply with the same health requirements imposed upon employees of restaurants and other food service establishments in the State of Arkansas.

Legal Ref. Arkansas Code Annotated, 6-17-101

Code: P.1.21.1.
Date Issued: 10-20-03
Date Revised: 04-22-08
Review Date:

Drug Testing – Motor Vehicle

Each person hired for a position which allows or requires that the employee operate any type of motor vehicle which is privately owned and operated for compensation, or which is owned, leased or otherwise operated by, or for the benefit of the District, and is operated for the transportation of children to or from school or school sponsored activity, shall undergo a physical examination, including a drug test.

Procedures related to this policy may be found in the Procedures section of this manual.

Code:	P.1.21.2.
Date Issued:	05-25-10
Date Revised:	
Date Reviewed:	

Bus Driver Requirements / New Hire Procedures

A. In order to be a bus driver for Bentonville Public Schools, the bus driver must have and maintain an Arkansas, Oklahoma, or Missouri CDL Class B driver's license with a "P" and an "S" stamp. If a driver claims residency in another state, but drives for Bentonville Public Schools, then he/she may possess that out of state license as long as it is in accordance with the aforementioned stamps.
B. Every driver must pass any and all background checks required by the District, including State, Federal and Child Maltreatment Background Checks.
C. Every driver must pass an annual Department of Transportation (DOT) Physical 649-F (6045) from medical clinic(s) designated by Bentonville Public Schools. No other clinic or physician physical will be accepted.
D. Complete a Bentonville Public Schools job application.
E. Every driver must pass drug/alcohol tests, which will include both scheduled and randomly selected drug/alcohol tests.
F. Every driver will have negative TB test on file with the District.
G. Must be 21 years of age or older.
H. Clean driving record, which will be determined by Bentonville Public Schools.
I. Every new hire that enters Bentonville Public Schools Transportation Department with intentions of transporting students and who currently has a CDL Class B (P/S stamp) will:
   - Complete above requirements
   - Complete 3 hours of training with the Bentonville Public Schools Transportation Safety Officer
     - Training will consist of One Pre-Trip Inspection, Basic Skills and Road Test
     - Test-Run of the driver's route if applicable
     - Training will be documented and filed in personnel folder
J. Every new hire that enters Bentonville Public Schools Transportation with intentions of transporting students who does <u>not</u> possess a CDL Class B (P/S stamp) will:
   - Complete above requirements (A-H)
   - Complete 24 hours of training with the Bentonville Public Schools Transportation Safety Officer
     - Training will be filed in personnel folder and CDL-1 form will be filed with the state
     - Training will consist of Pre-Trip Inspection, Basic Skills, and Road Test

Test-Run of the driver's route if applicable

Code: P.1.22.1.
Date Issued: 6-1-92
Date Revised: 04-22-08
Review Date:

Leave of Absence – Personal Injury from Assault or Violent Crime

Whenever a district employee is absent from his or her duties as a result of personal injury caused by either an assault or a criminal act committed against the employee in the course of his or her employment, the employee shall be granted a leave of absence from school with full pay for up to one (1) year from the date of the injury.

Employees who suffer personal injury while intervening in student fights, restraining a student or protecting a student from harm shall be considered to be injured as a result of an assault or a criminal act.

The leave of absence for personal injury from an assault or a criminal act shall not be charged to the employee's sick leave.

Legal Ref. Arkansas Code Annotated 6-17-1209

Code: P.1.22.2.
Date Issued: 5-20-91
Date Revised: 02-22-05
Review Date: 06-03-08

Professional Leaves for Conferences and Visitations

Staff of the Bentonville Schools is encouraged to participate in inservice activities through attendance at conferences and visitations relating to their assignment. In case of such absences, the district will provide substitutes as necessary.

Staff wishing to be excused from school to attend a professional conference or convention must make such request to his/her principal/supervisor by completing an "Out-of-District Travel" form. This request should be made within a reasonable length of time prior to the activity.

The request, after being acted upon by the principal/supervisor, will be forwarded to the director(s) of staff development for action. One copy of the request form will be placed in the staff member's file in the Superintendent's office and a second copy will be returned to the principal/supervisor. Each copy will be clearly marked with the decision of the principal/supervisor and the director(s) of staff development.

Travel and other expenses may be borne by either the staff member, the individual school, or a combination of these as is agreed upon and reflected in the request form.

Any person attending a meeting should be prepared to make a presentation to an appropriate group if so requested.

The number of days granted to individuals will be based on the following considerations:

1. Upon the request of a principal, a staff member may be granted up to two days per year for visiting other staff members to observe methods and materials. The visitation may be made in the same building, another building in the district, or outside the district.

2. A staff member may be granted leave time for activities related to membership in a district-wide or state-wide professional organization.

3. A staff member who is an officer of a state or national organization may be given additional leave time to conduct the business of that organization.

4. The total number of days staff may be given per year for conferences, visitations, or meetings is at the discretion of the principal/supervisor with approval of the director(s) of staff development.

Legal Ref. Arkansas Code Annotated 6-17-702

Code:	P.1.22.3.
Date Issued:	6-19-95
Date Revised:	02-28-06
Date Revised:	06-03-08
Date Reviewed:	

Sick Leave

Certified employees shall be allowed sick leave at full pay, at the rate of one (1) day per contract month or major portion thereof that the certified employee is contracted. Such leave shall be in force beginning with the first day of the first school term for which the employee is hired. A contract month is considered to be (20) working days.
Classified employees must earn sick leave at the rate of one (1) day per contract month or portion thereof. Part-time classified employees shall earn sick leave on a prorated basis. A contract month is considered to be twenty (20) working days.

If any employee leaves or resigns his/her position for any reason before the end of the school term, the district shall deduct from the last paycheck full compensation for any days of sick leave used in excess of the days earned. Unused sick leave shall accumulate without limit. For FMLA leave, all employees may only use sick and personal days they have earned up to the first day of FMLA leave.

Employees may use sick leave for maternity, paternity, adoption, bereavement, personal illness or illness in the immediate family (wherever they live) which shall include the employee's spouse, children, parents, father-in-law, mother-in-law, brother, sister, brother-in-law, sister-in-law, grandparents, grandchildren, uncle, aunt, and/or other members of the family living in the same household of the employee, or step-parents who have reared the children. Up to five (5) days of sick leave may be used for bereavement in case of death of any of the above mentioned immediate family members. Additional days may be requested in writing from the Executive Director of Human Resources with an appeal to the Superintendent. The individual must have sick days available to request bereavement leave.

A record of sick leave used and accumulated shall be established and maintained by the school district for each employee. Employees shall be advised at each pay period of the status of their sick leave.

Any employee of this district who has accumulated sick leave in any Arkansas district shall be granted credit by this district for such sick leave, but not to exceed a maximum of ninety (90) days. The accumulated sick leave credit shall be granted to the employee upon furnishing proof in writing from the former school district.

Legal Ref. Arkansas Code Annotated 6-17-1204, 6-17-1205 and 6-17-1206

Code: P.1.22.4.
Date Issued: 3-8-99
Date Revised: 01-23-07
Date Revised: 06-03-08
Date Reviewed:

Leave of Absence

Employees may be granted a leave of absence for one or two semesters without pay. The leave may be granted for one semester or two semesters between July 1 and June 30 of any school year. A minimum of three years continuous satisfactory service must have been completed in the district and the employee recommended for employment for the following year. This service must have been under contract as a full-time person. Deadline for Leave of Absence request must be received by the Executive Director of Human Resources no later than May 1.

Applications must be in writing on the appropriate form and state clearly all the details under which the leave is to be granted. When the leave is for medical/health reasons, a doctor's statement is required for documentation and must accompany the application. Applications for leave must be submitted to the principal. S/he will forward the application to the Executive Director of Human Resources, to be forwarded to the Superintendent and the Board for action.

Procedures and forms related to this policy may be found in the Procedures section of this manual.

Code: P.1.22.5.
Date Issued: 4-20-98
Date Revised: 02-22-05
Date Revised: 06-03-08
Date Reviewed:

Sick Leave Bank

By October 1 of each year, staff may voluntarily contribute one to five days of their sick leave allowance to a sick leave bank. New staff members coming in after the school year has begun shall have the opportunity to contribute to the bank at the time of employment.

Staff wishing to make contributions to the bank shall do so on a sick leave bank form submitted to the sick leave bank chairperson or committee member. A member need contribute only one time unless a sick leave bank withdrawal has been made.

Staff who earn sick days on two positions, (example, teacher and bus driver,) may request sick leave days from both positions simultaneously provided they have contributed a sick day to the Sick Leave Bank from both positions.

A committee shall oversee the administration of the sick leave bank with the assistance of the Executive Director of Human Resources. The committee shall be comprised of one classroom teacher from each school building, one representative from food service, one from maintenance, one from transportation, (all of which have contributed to the sick leave bank) , one administrator and one school board member. The Sick Leave Bank Committee Members will be elected at the time that members are elected to the Personnel Policies Committees. The committee shall decide on requests based on the committee's rules of operation.

The chairperson of the Sick Leave Bank Committee shall be elected from the committee. The Sick Leave Bank Committee shall administer the bank according to the following rules:

1. Staff who has made contributions to the bank may make withdrawals from the bank. Days contributed may not be returned to the teacher.

2. The sick leave bank days may be used only upon exhaustion of a bank member's accumulated sick leave, Personal Days and Non Contract Days, if applicable.

3. Sick leave bank days will be granted only in cases of catastrophic illness of a sick leave bank member, spouse, children, and immediate family living in the household.

4. Request for sick leave bank days will be made on a sick leave bank request form submitted to the chairperson or member of the sick leave bank committee. The committee recommends the request form must be accompanied by documentation from the doctor.

5. After a sick leave bank member withdraws days from the bank, s/he must contribute one to five days of their sick leave allowance at the beginning of the next school year to reestablish membership in the sick leave bank.

6. When the balance of sick leave bank days drops to 150 or less at the end of the school year, additional days will be requested at the beginning of the next school year.

REPORTS: The sick leave bank committee shall be responsible for the proper maintenance and development of records and report forms. The committee shall work closely with the administration in administering the sick leave bank days.

Procedures and forms related to this policy may be found in the Procedures section of this manual.

Code:	P.1.22.6.
Date Issued:	3-8-99
Date Revised:	02-22-05
Date Reviewed:	06-03-08

Leave of Absence for Employees With Less Than One Year Experience

The District will provide unpaid leave for up to twelve (12) weeks for employees who have a medical emergency. The medical emergency must be for the employee, spouse, children or parent. Employees will be required to use earned sick and personal days as part of the leave. Once an employee has used all earned sick and personal days, their pay will be reduced at a daily rate for all days not worked. An employee failing to return to work at the end of the twelve (12) week period will not be guaranteed a position with the District.

Code: P.1.22.7.
Date Issued: 3-8-99
Date Revised: 02-28-06
Date Revised: 06-03-08
Date Reviewed:

Military Leave

All school employees who desire to take a leave of absence for the purpose of participating in military training programs or other official duties made available by the Arkansas National Guard or any reserve branches of the armed forces and employees of the public schools who desire to take a leave of absence for the purpose of participating in the civil defense and public health training program made available by the US Public Health Service shall be entitled to such leave of absence for fifteen (15) days, plus necessary travel time, in any fiscal year. To the extent that this leave is not used in a fiscal year, it will accumulate for use in the succeeding fiscal year until it totals thirty (30) days at the beginning of a fiscal year.

Any school employee granted a leave of absence under the provisions of this section, shall be entitled to regular salary during the time of the leave of absence. The school employee will be responsible for paying the cost of any substitute employed in the employee's absence. Such leave of absence shall be in addition to the regular sick, personal or non-contract time allowed the employee.

Employees called to duty in emergency (cases of invasion, disaster, insurrection, riot, breech of peace, or imminent danger thereof, threats to the public health or security, or threats to the maintenance of law and order) situations by the Governor or the President shall be granted leave with pay not to exceed thirty (30) working days. Any days above (30) will be without pay. The employee must present proof of the military leave, such as his/her orders, to the Executive Director of Human Resources in order to confirm the reason for the requested military leave prior to the leave start date.

During the leave of absence, employees shall be entitled to preserve all seniority rights, efficiency or performance ratings, promotional status, retirement privileges, life and disability insurance benefits, and any other rights, privileges, and benefits to which they have become entitled.

The period of military service shall, for purposes of computations to determine whether such employee may be entitled to retirement under the laws of the State of Arkansas, be deemed continuous service, and the employee shall not be required to make contributions to any retirement fund.

The District shall continue to contribute its portion of any life and disability insurance premiums during the leave of absence, if requested, so that continuous coverage may be maintained.

Code: P.1.22.8.
Date Issued: 3-8-99
Date Revised: 11-23-04
Date Reviewed: 06-03-08

* Civic Duty

Personnel who are called for jury duty or subpoenaed for other than personal business are paid at their regular rate and a substitute is provided by the district. Jury pay will not be deducted from the regular rate of pay.

The employee must present the original (not a copy) of the summons to Jury Duty to his supervisor in order to confirm the reason for the requested absence.

* Definition of Civic: Court, jury or governmental duties

Legal Reference: A.C.A. 16-31-106

Code: P.1.22.9.
Date Issued: 3-8-99
Date Revised: 4-15-02
Date Reviewed: 10-25-05

Return from Leave of Absence

Notification of an employee's intention to resume work or resign after a leave of absence shall be filed in writing with the building principal and the Executive Director of Human Resources by March 1, if s/he intends to return in the fall, and by October 1, if the employee wishes to return in the spring. Failure to respond by the above dates will be taken to indicate resignation. When returning from a leave due to medical reasons the district may require a doctor's release prior to return to work.

An employee returning from a leave of absence will be assigned, within the District, to a position based on their certification, qualifications, experience and potential for future contribution.

Code: P.1.22.10.
Date Issued: 3-8-99
Date Revised: 4-15-02
Date Revised: 04-01-08
Date Reviewed: 06-03-08

Family and Medical Leave Act of 1993

The Family and Medical Leave Act (FMLA) provides up to twelve weeks of unpaid, job protected leave to "eligible" employees for certain family and medical reasons during a 12 month rolling period.

Unpaid leave must be granted for any of the following reasons:

- To care for the employee's child after birth, or placement for adoption or foster care; or
- To care for the employee's spouse, children, or parent who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.
- The district will require the employee to substitute sick leave days for any part of the twelve weeks.
- An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to 26 weeks of leave in a single 12-month period to care for the service member.

Spouses employed by Bentonville Public Schools are jointly entitled to a combined total of 12 work-weeks of family leave for the birth and care of the newborn child, for placement of a child for adoption or foster care, and to care for a parent who has a serious health condition. Leave for the birth and care, or placement for adoption or foster care must conclude within 12 months of the birth or placement.

An employee requesting Family Medical Leave must submit a written application to the Executive Director of Human Resources requesting the leave. Applications are available in the Human Resource Office at Central Office. The Executive Director of Human Resources will respond in writing to the request within two working days.

The district may require medical certification to support a request for leave because of a serious health condition, and may require second and third opinions (at district expense) and a fitness for duty report to return to work.

For the duration of FMLA leave, the district must maintain the employee's health coverage under any "group health plan." Employee will continue to pay the premium.

Upon return from FMLA leave, employees must be restored to their original position or equivalent position with equivalent pay, benefits, and other employment terms. The use of FMLA leave cannot result in the loss of any employment benefits that accrued prior to the start of an employee's leave.

A rolling twelve-month period looking back from the date on which the FMLA leave is to begin will be used to figure the twelve month period. The district must give at least sixty days notice to all employees if the method of calculation is changed.

A detailed explanation of the Family and Medical Leave Act may be obtained on the U. S. Department of Labor website at www.dol.gov/esa/whd/fmla/

Employees may only use the sick and personal days they have earned up to the first day of FMLA leave.

An employee planning to apply for FMLA leave should contact the Human Resources Office for more information.

Procedures and forms related to this policy may be found in the Procedures section of this manual.

Code:	P.1.22.11.
Date Issued:	3-8-99
Date Revised:	04-16-07
Date Reviewed:	06-03-08

Personal Business Leave

Employees are generally expected to be present on campus for their job duties, except for circumstances where sick or bereavement leave is appropriate. (see policy SBRI) However, the District recognizes that from time to time, employees may face situations where personal business needs to be attended to during the work day. Accordingly, the District allows an employee to use two (2) of their total allotment of sick leave days as personal business during any one school year. At the beginning of the fifth year, an employee may use one additional sick day in this manner. Use of these days is limited to the employee attending to personal business matters. Personal business days must be approved by the building principal.

Personal business days may not be used prior to or following a day where classes are not in session, unless approved by the Superintendent. Such approval should be sought in advance where possible. The personal business days allowed per year do not accumulate from year to year, but will revert to sick leave days at the end of each school year, if not used.

Employees may donate up to three (3) personal business days to another district employee. The receiving employee must have used all their sick and personal business days and any eligible days from the sick leave bank. Sick Leave Bank guidelines or bereavement leave will determine eligibility for donated days. Donated days may not exceed the number of days absent. The number of days donated may not exceed the number of days necessary to reach qualification for Long Term Disability (approximately 45 days).

Code: P.1.23.
Date Issued: 6-1-92
Date Revised: 3-29-05
Date Revised: 08-26-08
Date Reviewed:

Absence Reporting

Any employee who is unable to report for work for any reason should use the AESOP substitute calling system or online version to report their absence. This applies to all certified and classified staff members regardless of whether or not a substitute is required. Employees who fail to report absences or falsify absences may be subject to disciplinary action, up to and including termination.

The staff member who knows of any absence in advance should provide a complete substitute folder and those materials necessary to conduct the activities of the day.

Procedures and forms related to this policy may be found in the Procedures section of this manual.

Code: P.1.24
Date Issued: 4-15-02
Date Revised: 03-28-06
Date Reviewed: 08-26-08

Purchase of Unused Sick Days

At the end of each year, employees with more than ninety sick leave days may sell the excess days back to the district in increments of five (5) days, not to exceed ten (10) days in any given year. For certified personnel, these days will be purchased at the current substitute rate paid to a long term certified substitute. For classified personnel, days will be purchased at the current substitute rate paid to substitutes who have less than a Bachelor Degree.

Code: P.1.25.
Date Issued: 5-21-90
Date Revised: 5-15-95
Review Date: 08-26-08

Stipends

In order to formulate an equitable and meaningful stipend schedule, an annual review of each of the activities for which a stipend is being paid shall be conducted. This review will include the job description provided by the Executive Director of Human Resources and the building administrator. The building administrator shall do the performance evaluation of the sponsor prior to May 1.

Failure to perform the duties for which the stipend is intended may result in the reduction or removal of the stipend.

New stipends will be considered through the Request for Program Change Process used with any change in curricula or programs. Recommendations will be forwarded to the Personnel Policy Committee for consideration.

Code:	P.1.26.
Date Issued:	6-27-94
Date Revised:	11-23-04
Review Date:	08-26-08

Dress and Appearance

The dress and appearance of District employees should be professional and appropriate for job performance.

Code:	P.1.27.
Date Issued:	04-27-10
Date Revised:	
Review Date:	

Direct Deposit

Beginning July 1, 2010, payroll checks will be distributed by electronic deposit only. New employees will receive direct deposit information from Human Resources. If the person does not have an existing checking or savings account, other options are available through the school's bank of record.

Available options:

- Checking account direct deposit
- Savings account direct deposit
- Bank Spending card

Employees working for the District prior to May 1, 2010, and are receiving cashable paychecks will be encouraged to select one of the above options.

Code:	P.1.28.
Date Issued:	6-27-94
Date Revised:	11-18-02
Date Reviewed:	08-26-08

Payment of Debts

Employees for the District are expected to handle financial obligations and meet debt requirements in a responsible manner. Continued failure to pay legal debts may be grounds for disciplinary action, including termination.

Garnishment against the district is one of the ways creditors use to collect debts from employees. In addition to adding to the cost of the indebtedness to the employee, this process is expensive to the District. Federal law prohibits an employer from discharging any employee because his earnings have been subject to garnishment for any one indebtedness, but such discharge is not prohibited for earnings being subject to garnishment for more than one indebtedness.

Code: P.1.29.
Date Issued: 6-27-94
Date Revised:
Date Reviewed: 08-26-08

Solicitations

Commercial solicitation of employees or students during school hours by agents, solicitors, or salesmen is prohibited.

Code: P.1.30.
Date Issued: 6-15-92
Date Revised: 04-28-09
Date Reviewed:

Non-Contracted Days

Non-contracted days are available for employees contracted for 230 days or more. The number of non-contracted days available are determined each year according to the School District fiscal calendar. Newly hired employees who begin work after the tenth (10th) business day of the School District fiscal calendar will not be eligible for non-contracted days. The contract pay will be based on actual days worked. Those employees will, however, be eligible for non-contract days the second fiscal year of employment.

Employees are encouraged to use non-contract days during the fiscal year in which they are available. If there are unused non-contract days during one fiscal year, a maximum of twelve (12) days may be rolled into the next fiscal year. Employees working 235 or more day contracts may roll a maximum of seventeen (18) non-contracted days.

If an employee fails to fulfill his or her contractual obligation through June 30th, no non-contract days will be available. Final payoff will be calculated on the actual days worked plus accrued days rolled from a prior year.

Permission to use non-contract days may be obtained by submitting a request through the District's absence reporting system. Approval will be given at the discretion of the employee's immediate supervisor.

Employees should take into consideration the nature of their duty in planning the use of non-contract days.

Code:	P.1.31.
Issue Date:	5-20-96
Date Revised:	04-26-05
Date Revised:	08-26-08
Review Date:	

Staff Involvement in Policy Development

According to Arkansas Code Annotated 6-17-201, each school district in the state shall have a set of written personnel policies, including salary schedules. So as to provide an opportunity for employees of the district to have input into the policy development process, district-wide Personnel Policy Committees for Certified and Classified employees will be established.

The purpose of the Personnel Policy Committee is to serve as a communication link between the Board of Education and employees in the process of personnel policy review and development.

A teacher, selected by the Chairperson of the Certified Personnel Policy Committee or his designee, will act as the election officer of each school. This person will be responsible for conducting the nominations and the elections by secret ballot (BDBB-RE). A committee comprised of election officers will tabulate election results and report results to the Administration Office and to each building.

A faculty meeting to elect Certified Personnel Policy Committee members will be held the first week of May. Teachers will nominate at least one candidate for the position of their school representative. The name(s) of the candidate(s) from each school will be listed on a secret ballot form and will be elected the second week of May. Representatives elected will hold their positions for one fiscal school year.

The Certified Committee will consist of one teacher representative from each school in the district, including two representatives from the high school (one from each building), one elementary administrator, one middle school administrator, one secondary administrator, and one central office administrator, and one ex-officio school board member. For an elected representative to be eligible to serve on the Personnel Policy Committee, he/she must have a minimum of three years teaching experience in the district. Certified members are to be elected by secret ballot by a majority of the teachers (non-administrative) of the Bentonville Public Schools. Should a member of the committee resign, that person's position shall be filled by a special election by secret ballot of the teachers in that building within one month.

Certified members are to be elected by secret ballot by a majority of the teachers (non-administrative) of the Bentonville Public Schools. Should a member of the committee resign, that person's position shall be filled by a special election by secret ballot of the teachers in the district within one month.

The Classified Committee will consist of one employee from each of the following areas: Maintenance/Operations, Transportation, Building Bridges and Adventure Club, Food Service, Secretarial/Clerical, Teaching Assistant and Paraprofessional. There shall be no more than three (3) classified administrators on the committee. One ex-officio school board member shall serve on the committee. For an elected representative to be eligible to serve on the Personnel Policy Committee, he/she must have a minimum of three years experience in the district.

Classified members are to be elected in mid October by secret ballot by a majority vote of the classified employees (non-administrative) of the Bentonville Public Schools. Should a member of the committee resign, that person's position shall be filled by a special election by secret ballot of the classified employees in the district within one month.

Administrators will be appointed by the Superintendent, the member of the Board of Education shall be appointed by the President of the Board of Education.

Each school district's committee on personnel policies shall organize itself in October, elect a chairman and secretary, and develop a calendar of meetings throughout the year to review the district's personnel policies to determine if additional policies or amendments to existing policies are needed.

Either the committee or the Board of Education may propose new personnel policies or amendments to existing policies, if the proposals by the board have been presented to the committee at a regular or special meeting of the committee at least ten (10) working days prior to presentation to the board. The committee will hold a meeting within ten (10) working days of the board's request to present a board proposal to the committee.

The Superintendent may recommend any changes in personnel policies to the Board of Education or the personnel policy committee. Such recommendations shall become proposals if adopted by either the board or the committee.

The committee will present its proposed policies or amendments to existing policies to the Board of Education no later than the March regular meeting.

After presentation to the board, final action may be taken at the next regular board meeting.

The Board of Education shall have the authority to adopt, reject or refer back to the personnel policy committee for further study and revision of any proposed policies or amendments to existing policies that are submitted to the board for consideration.

Other meetings may be called by the chairperson or at the request of the Board of Education, or upon request of any four members of the committee at anytime during the year. More than half of the members **(7)** must be present to constitute a quorum for purposes of having a committee meeting.

Minutes of the committee meetings shall be promptly reported and distributed to members of the Board of Education, and posted in the buildings of the school district, including the Administrative Offices.

Personnel policy proposals written by the Board must be submitted to the Personnel Policy Committee at least ten working days prior to presentation to the Board.

Legal Ref: Arkansas Code Annotated 6-17-201, 6-17-205

Code:	P.1.32.
Date Issued:	5-15-83
Date Revised:	2-22-05
Date Revised:	08-29-08
Review Date:	

Policy Adoption

The efficient operation of the Bentonville Public Schools requires the adoption of policies that apply to all phases of the school program. These policies and regulations set the pattern for the program of education in Bentonville.

As a part of the Bentonville Board of Education policy manual, upon adoption only those specific policies that have been voted upon by the Board of Education will be distributed to employees as the Bentonville Public School Personnel Policies Handbook.

The personnel policies shall be considered to be incorporated as terms of the employee's contract and shall be binding upon the employee and the school district.

Any changes to existing personnel policies adopted by a majority vote of the Board shall become effective the following July 1. However, certain changes may become effective immediately by a majority vote of the Board and a majority vote of the certified personnel of the district, voting by secret ballot.

All policies and policy revisions not identified as personnel policies may be introduced and adopted at any given meeting without prior notification.

Temporary approval may be granted at any meeting of the Board in lieu of formal policy to meet emergency conditions or special events which will take place before formal action can be taken.

This notification shall constitute an opportunity for the appropriate committee of any affected organization to meet with the Administration and the Board for consultation with reference to the proposed change or changes (Cf. BDBB-R).

Policies recommended to the Board of Education shall not be adopted until the next regularly scheduled Board meeting subsequent to their initial introduction. The time lapse will permit further study by Board members and allow for patron input.

Any changes or additions to the personnel policies may take effect before the next fiscal year only if the changes or additions are approved by the Board and by a majority of the certified personnel employed by the District voting by secret ballot.

All employees shall be furnished a copy of any new policies or amendments to existing policies dealing with personnel within thirty (30) days after approval by the Board of Education as specified by Arkansas law. Policies will also be posted on the district website at www.bentonville.k12.ar.us.

Legal Ref:: Arkansas Code Annotated 6-17-204

Code:	P.1.33.
Date Issued:	6-27-94
Date Revised:	11-23-04
Review Date:	09-23-08

Workers Compensation

All Employees in the District are covered by Arkansas Worker's Compensation Insurance. A care facility for worker's compensation injuries will be designated by the Bentonville School District. All district employees going to this care facility for treatment of worker's compensation injuries will be subject to a drug and alcohol test.

All injuries sustained on the job must be reported. The immediate supervisor must be notified immediately of any injury so that appropriate forms may be completed and filed. Even though no medical care or hospitalization may be required at the time of injury, it is important that forms be completed and on file in the Human Resource Department in the event medical attention is needed at a later date.

Compensation to the injured employee shall not be allowed for the first seven days of disability resulting from injury, excluding the day of injury. If a disability extends beyond that period, compensation shall commence with the ninth day of disability. If a disability extends for a period of two weeks, compensation shall be allowed beginning the first day of disability, excluding the day of injury.

Code: P.1.34.
Date Issued: 6-15-98
Date Revised: 10-28-08
Review Date:

Staff Access to Networked Information Resources

School computers, networks, and internet access are provided to support the educational mission of the school. They are to be used primarily for school-related purposes. Incidental personal use of school computers must not interfere with the employee's job performance, must not violate any of the rules contained in this policy or the Student Acceptable Use Policy and must not damage the school's hardware, software or computer communications system.

The Systems Administrator will review files and communications to maintain system integrity and to ensure that staff members are using the system responsibly. Employees should not expect a right to privacy with regard to data stored on district servers.

Employees using District issued laptops off site must comply with the laptop user agreement. Related procedures and forms may be found in the Procedures section of this manual.

The following behaviors are not permitted on district networks:

1. Sharing confidential information on students or employees is permitted only in accordance with Federal guidelines.
2. Harassing, insulting or attacking others, sending or displaying offensive messages or pictures and using obscene language.
3. Assisting a campaign for election of any person to any office or for the promotion of, or opposition to any ballot proposition.
4. Engaging in practices that threaten the network (e.g., loading files that may introduce a virus, loading non-district approved software; failure to safeguard your password, and leaving a logged on computer unattended).
5. Violating copyright laws.
6. Unauthorized use of others' passwords.
7. Trespassing in others' folders, documents, or files.
8. Intentionally wasting limited resources (e.g., district storage space, employee time, etc.).
9. Use of school computers for advertising or solicitation purposes.
10. Employing the network for personal gain.
11. Representing personal views as those of the school district. Employees are reminded that any e-mail sent from a school computer contains the address identification of the school district. This is analogous to an employee using school letterhead.
12. Accessing, uploading, downloading or distributing pornographic, obscene or sexually explicit materials is strictly forbidden.

The Director of Technology will report inappropriate behaviors to the Executive Director of Human Resources who will take appropriate disciplinary action. Violations may result in loss of access to network, progressive disciplinary action or possible recommendation for termination. When applicable, law enforcement agencies may be involved.

Code:	P.2.1.
Date Issued:	05-16-05
Date Revised:	
Date Reviewed:	09-23-08

Salary Schedule

Current salary schedules are available at www.bentonvillek12.org

Code: P.2.2.
Date Issued: 5-17-93
Date Revised: 02-20-07
Date Reviewed: 09-23-08

Professional Development / Certified Employee Training

The Board of Education recognizes the importance of inservice education as a factor which promotes progress toward established educational goals in this school system. All instructional personnel are encouraged to acquire additional college work for the purpose of keeping up with new developments in their subject matter field or for the purpose of working toward a higher degree. Staff development in the District shall focus on student outcomes. Other activities to contribute toward inservice education shall be class visitation, workshops, consultant services, conferences, and attendance at professional meetings.

The district shall develop and implement a plan for the professional development of its certified employees. The district's plan shall, in part, align district resources to address the professional development activities identified in each school's ACSIP. Each certified employee shall receive a minimum of sixty (60) hours of professional development annually to be fulfilled between June 1 and May 31. Professional development hours earned in excess of sixty (60) in the designated year cannot be carried over to the next year. The goal of all professional development activities shall be improved student achievement and academic performance that results in individual, school-wide, and system-wide improvement designed to ensure that all students demonstrate proficiency on the state criterion-referenced assessments. The district's professional development plan shall demonstrate scientifically research-based best practice, and shall be based on student achievement data and in alignment with ACTAAP Rules and current Arkansas code.

Teachers and administrators shall be involved in the design, implementation, and evaluation of the plan for their own professional development. The results of the evaluation made by participants in each program shall be used to continuously improve the district's professional development offerings and to revise the school improvement plan.

Flexible professional development hours (flex hours) are those hours which an employee is allowed to substitute professional development activities, different than those offered by the district, but which still meet criteria of either the employee's Individual Professional Development Plan or the school's ACSIP, or both. The district shall determine on an annual basis how many, it any, flex hours of professional development it will allow to be substituted for district scheduled professional development offerings. The district administration and the building principal have the authority to require attendance at specific professional development activities. Employees must receive advance approval for the activities they wish to have qualified for flex professional development hours. To the fullest extent possible, professional development activities are to be scheduled and attended such that teachers do not miss their regular teaching assignments. Six (6) approved hours credited toward fulfilling the sixty (60) hour requirement shall equal one contract day. Hours of professional development earned by an employee in excess of sixty (60) or not pre-approved by the building principal shall not be credited toward fulfilling the required number of contract days for that employee. Hours earned that count toward the required sixty (60) also count toward the required number of contract days for that employee.

All employees shall attend all local professional development training sessions as directed by a supervisor. *Certified staff are required to attend professional development sessions on district in-service days in order to fulfill contractual obligations.* Teachers and administrators who, for any reason, miss part or all of any scheduled professional development activity they are required to attend, must make up the required hours in comparable activities which are to be pre-approved by the building principal *and the appropriate central office administrator*.

To receive credit for his/her professional development activity each employee is responsible for *following district procedures for obtaining credit for in-district and out-of-district professional development hours*. Documentation for all *out of district professional development credit should be kept by the employee in their personal staff development folder and be available upon request by building or district administrators.*

Teachers and administrators are required to obtain sixty (60) hours of approved professional development annually over a five-year period as part of licensure renewal requirements.

As part of the sixty (60) hours required annually the following areas shall be included:

- At least six (6) hours annually of their sixty (60) required hours of professional development shall be in the area of educational technology.
- At least two (2) hours annually of their sixty (60) required hours of professional development shall be designed to enhance their understanding of effective parental involvement strategies.
- Teachers who provide instruction in Arkansas history shall receive at least two (2) hours of professional development in Arkansas history as part of the sixty (60) hours required annually.

Administrators are required to receive at least three hours annually of their sixty (60) required hours of professional development designed to enhance their understanding of effective parental involvement strategies and the importance of administrative leadership in setting expectations and creating a climate conducive to parental participation. Each administrator's professional development is required to also include training in data disaggregation, instructional leadership and fiscal management.

Employees who do not receive or furnish documentation of the required annual professional development jeopardize the accreditation of the school and academic achievement of their students. Failure of an employee to receive sixty (60) hours of professional development in any given year shall be grounds for disciplinary action up to and including termination.

Employees who fail to earn the sixty (60) required hours of approved professional development including two hours of Parental Involvement, six hours of technology and two hours of Arkansas History (if applicable), within the above time frame places the renewal of their Arkansas Teaching License in Jeopardy.

Approved professional development activities may include conferences, workshops, institutes, individual learning, mentoring, peer coaching, study groups, National Board of Professional Teaching Standards Certification, distance learning, internships, district/school programs, and approved college/university course work. Professional development activities should be consistent with the objectives developed by the National Staff Development Council Standards.

Professional development activities shall relate to the following areas: content (K-12); instructional strategies; assessment; advocacy/leadership; systemic change process; standards, frameworks, and curriculum alignment; cognitive research; and building a collaborative learning community.

Legal References:

- Arkansas State Board of Education: Standards of Accreditation 15.04
- ACTAAP Rules 5.0 – 5.07.1
- A.C.A * 6-15-404(f)(2)
- A.C.A * 6-17-703
- A.C.A * 6-17-704
- A.C.A * 6-15-1703
- A.C.A * 6-20-2303(17)

Code: P.2.3.1.
Date Issued: 5-18-87
Date Revised: 05-25-05
Date Reviewed: 10-28-08

Certified Personnel Compensation Guides and Contracts

Professional personnel shall be awarded contracts by the Board based upon the recommendations of the Superintendent and principals. Contracts are awarded annually.

Salary and other benefits shall be part of the written contract. Effective July 1, 2005, hours counting toward the 15 hours or 30 hours above any degree shown on the certified salary schedule must be earned after the date the degree was awarded and must be graduate credit hours advancing an employee toward a higher degree in education or toward a new certification in education. Degree requirements completed that will entitle a teacher to advance from one salary scale to a higher scale must be verified by an official college transcript. The annual compensation for a teacher will include or be adjusted to include the change during the fiscal year in which the verification is received by the Department of Human Resources. The full amount of the adjustment will be included provided the degree requirements are completed prior to the first day of the school year and the verification is received prior to January 1 of the fiscal year. One-half of the amount of the adjustment will be included if degree requirements are completed during the first semester and verification is received in the Superintendent's office by May 1. The gross amount, less deductions, of any change will be divided equally between the remaining installments due a teacher. Payment of the increase is not retroactive.

In conformity with Arkansas' continuing contract law, Arkansas Code Annotated § 6-17-1506, teachers are automatically re-employed unless they are notified by May 1 by the Superintendent that their contract will not be renewed.

All offers to renew annual contracts shall expire if not accepted in writing, properly signed and returned to the Superintendent's office within thirty (30) business days of the issuance. If the executed (properly signed) contract is not received within this time period, the teaching position for which the contract was issued will be deemed vacant and the Board of Education will proceed to employ an individual to fill the position.

Legal Ref: Arkansas Code Annotated 6-17-204

Code: P.2.3.2.
Date Issued: 6-17-80
Date Revised: 10-28-08
Review Date:

Certified Personnel Qualifications and Duties

All certified personnel employed by the Bentonville School District must possess those qualifications set forth by the State Department of Education. It is recognized by the Board of Education that these qualifications are set up to promote minimum standards, therefore, it is the policy of the school district to employ persons who exceed these minimum requirements whenever possible.

All instructional personnel must maintain on file, with the Executive Director of Human Resources, the following information if applicable:

I. Signed Contract
2. Arkansas Teacher Certificate or Reciprocity
3. Social Security Number

4. Government Photo ID
5. Certificate of Health – Tuberculosis (completed within 30 days of start date)
6. Statement of Number of Dependents
7. Official Transcript(s) of All College Work
8. Completion of, or written plan to complete, Arkansas History (if applicable)
9. Current Address and Telephone Number
10. Verification of Previous Teaching Experience
11. Copies of NTE or Praxis II scores or testing scores from other States as required
12. Documentation of "Highly Qualified Teacher"
13. ALP or NTL program documents
14. Other documents from the Office of Professional Licensure of the Arkansas Department of Education authorizing employment as a teacher under the conditions set forth by the Department of Education in the documentation.

All certified personnel in the district will have access to any file pertaining to his/her employment or performance, kept by any supervisor or administrator, for the purpose of inventorying or reviewing.

Legal Ref.: Arkansas Code Annotated §6-17-401

Code: P.2.3.3.
Date Issued: 6-17-96
Date Revised: 10-28-08
Date Reviewed:

Certified Personnel Hiring – Selection Criteria

Bentonville Public Schools Board of Education will make every effort to employ the best qualified individual for positions requiring a certificate issued by the Arkansas Department of Education.

Appointments of instructional personnel shall be made by the Board of Education upon consideration of recommendations made by the Superintendent. The selection will be based on the following considerations:

The district prefers to employ instructional personnel who hold a degree from a college accredited by the North Central Association or some other accrediting agency of comparable rank. It is also highly desirable that the applicant have graduated from a college whose program is approved by the National Council for Accreditation of Teacher Education (NCATE).

Instructional personnel should hold a valid Arkansas teaching certificate at either the elementary or secondary level with specific training in their teaching field as prescribed by the Arkansas State Department of Education. Instructional personnel must meet the Highly Qualified Standard as defined by the Arkansas Department of Education and the Federal No Child Left Behind statute. In rare cases, personnel may be employed before final certification is granted provided all the certification requirements have been met or outlined for completion on a specific timetable which will not adversely effect payroll or school accreditation.

The district prefers to employ instructional personnel who have had successful experience at the level for which they are being considered. In computing the beginning salary for an individual, all of the teaching experience will be considered from a public school, private school or a post-secondary institution which is accredited by the state of Arkansas, the North Central Association of schools and Colleges or other accrediting agencies of comparable rank. One year of post secondary experience will be 24 semester hours taught between July 1, and June 30. Partial credit can be accumulated at 6 hours per semester until 24 hours are earned. Years of experience will not exceed the last level on the current salary schedule.

Certified personnel new to the Bentonville School District, beginning teachers or teachers transferring from another school district in state or out of state, must have a Criminal Record Check. Prospective employees are responsible for paying the required fees for this Criminal Record Check. Necessary paperwork for completing the record check may be obtained from the Human Resource Department at Central Office. Steps to complete the Criminal Record Check should be taken within thirty (30) days of starting to work for the District.

Upon first renewal of an Arkansas Teaching certificate, a certified employee must have a Criminal Record Check. Employees will be responsible for paying the fee for fingerprints. The Department of Education will pay the fee for the State Record check and fee for the FBI record check. Necessary paperwork for completing record check may be obtained from the Personnel Department at Central Office. Steps to complete the Criminal Record Check should be taken starting in January of the year the employee's certificate expires.

Instructional personnel must possess the stamina and vigor to meet the demands of working with students.

Each applicant will be evaluated concerning the potential (s)he possesses to contribute effectively to the education of each student with whom (s)he has contact and ultimately to the strength of the total educational program.

Instructional personnel must be able to communicate effectively and have the ability to relate well to other individuals. The personal interview is one facet of helping to evaluate an individual in this most critical area.

Code: P.2.3.4.
Date Issued: 7-19-92
Date Revised: 04-15-02
Date Reviewed: 10-28-08

Hiring and Evaluation of Relatives of Administrators

The immediate family of the Superintendent will not be eligible for employment in the Bentonville School District. The immediate family of the executive directors, administrative assistants, principals, assistant principals, district-wide supervisors of certified personnel, and other administrative personnel, as the Board of Education may identify, will be eligible for employment in the Bentonville School District, but not in a position under the direct supervision of the above named administrators. Immediate family, for this purpose, shall be defined to include: spouse, children, parents, brothers, and sisters.

Exceptions to this policy shall require Board of Education approval.

Code: P.2.3.5.
Date Issued: 6-15-92
Date Revised: 10-28-08
Review Date:

Certified Evaluation

The primary purpose of the Bentonville Public School evaluation process is the improvement of instruction. The evaluation process will include the following systematic analysis of teacher performance, identification of specific competencies, diagnosis of specific needs for improvement, and outline of strategies for improvement efforts.

All teachers will be evaluated in writing annually by April 1. The administration shall direct that a committee for teacher evaluation assess the effectiveness of the teacher evaluation program annually and recommend changes to the Board as necessary to meet the purposes and improve the effectiveness of teacher evaluation.

The committee will be comprised of one elementary administrator, one secondary administrator, a central office administrator, one counselor, one media specialist, and one special services person, all of whom shall be appointed by the Superintendent. A teacher representative will be elected by his/her building to serve two year staggered terms with the implementation for staggering the terms left to the discretion of the Evaluation Committee.

Procedures for implementation of this policy will be printed and made available to each certified staff member.

The chair of the Personnel Policy Committee will appoint official(s) in each building to conduct the election of evaluation committee representatives by secret ballot. Elections will be held in the Fall as terms become available.

Requests for a meeting of the Evaluation Committee should be given to the building evaluation committee member to be presented to the central office administrator or a meeting can be called at the direction of the central office administrator.

Code: P.2.3.6.
Date Issued: 5-15-83
Date Revised: 10-28-08
Date Reviewed:

Certified Personnel: Suspension, Termination and/or Non-Renewal

A teacher may be terminated during the term of any contract period, by the Board of Education, for any cause which is not arbitrary, capricious or discriminatory with or without the recommendation of the Superintendent. When the Superintendent has reason to believe that cause exists for the termination of a teacher, the Superintendent may suspend the teacher without notice or a hearing. The Superintendent shall notify the teacher in writing within two (2) school days of the suspension. The written notice shall be delivered in person to the teacher or sent by registered or certified mail to the teacher at the teacher's residence address that is reflected in the teacher's personnel file. The written notice from the Superintendent shall include a simple but complete statement of grounds for suspension and/or recommended termination setting forth the reasons in separately numbered paragraphs so that a reasonable teacher can prepare a defense and shall state that a hearing before the board is available to the teacher on request, provided such request is made in writing within thirty (30) days of the receipt of notice. The hearing request must be in writing and shall be sent by certified or registered mail to the president, vice-president or secretary of the Board of Education at their residence address, with a copy to the Superintendent, or may be delivered in person by the teacher to the president, vice-president or

secretary of the Board of Education of the school district at their residence address, with a copy to the superintendent, within thirty (30) calendar days after the written notice of proposed termination or nonrenewal is received by the teacher.

When a Superintendent has reason to believe that cause exists for the termination of a teacher and that immediate suspension of the teacher is necessary in the best interest of the district, the Superintendent may suspend the teacher without notice or a hearing. The Superintendent shall notify the teacher in writing within two (2) school days of the suspension. The written notice shall be delivered in person to the teacher or sent by registered or certified mail to the teacher at the teacher's residence address as reflected in the teacher's personnel file. The written notice shall include a statement of the reasons for such recommendation setting forth the reasons in separately numbered paragraphs so that a reasonable teacher can prepare a defense, and shall state that a hearing before the Board of Directors is available to the teacher upon request, providing the request is made in writing within thirty (30) days of the receipt of the notice. The hearing request must be in writing and shall be sent to by certified or registered mail to the president, vice president, or secretary of the Board of Education at their residence address, with a copy to the superintendent, or may be delivered in person by the teacher to the president, vice-president, or secretary of the Board of Education of the school district at their residence address, with a copy to the superintendent, within thirty (30) calendar days after the written notice of proposed termination or nonrenewal is received by the teacher.

Decision not to renew contract: When the Superintendent has reason to believe that a recommendation will be made that a teacher's contract not be renewed for another academic year or when the Board of Education decides not to renew the contract of a teacher for another academic year. A notice of non-renewal shall be delivered in person to the teacher or mailed by registered or certified mail to the teacher at the teacher's residence address as reflected in the teacher's personnel file. The notice of recommended non-renewal shall include a statement of the reasons for such recommendation setting forth the reasons in separately numbered paragraphs so that a reasonable teacher can prepare a defense. Such notification not to renew the contract shall be made on or before May 1st of the existing school year.

Any teacher who receives a notice of recommended non-renewal in the manner prescribed in this policy may file a written request with the Board for a hearing. Such written request will be sent by certified or registered mail to the president of the school board, vice-president or secretary of the board of directors of the school district, with a copy to the Superintendent, or may be delivered in person by the teacher to the president, vice-president, or secretary of the board of directors of the school district, with a copy to the Superintendent, within thirty (30) days after the written notice of proposed suspension, termination and/or non-renewal is received by the teacher. On receipt of such request for a hearing, the Board shall grant a hearing in accordance with the following provisions and the hearing before the Board of Education shall be conducted in accordance with the following rules, procedures and provisions.

Upon conclusion of the hearing, with respect to the suspension, termination and/or non-renewal of a teacher's contract, the Board may, within ten (10) days after the holding of the hearing in regard to the suspension, termination and/or non-renewal of the contract, uphold the recommendation of the Superintendent may reject the Superintendent's recommendation to terminate, or not renew the contract or may vote to continue the contract for said teacher under such restrictions, limitations or assurances as the school board may deem to be in the best interest of the school district. Said decision shall be reached by the school board within ten (10) days from the date of the hearing and a copy of said decision shall be furnished in writing by certified or registered mail to the teacher at the address last maintained in the teacher's personnel file.

The Employment Policies of the Bentonville School District are designed to conform to state law. To the extent this policy conflicts with state law, either when set forth or because state law is amended in the future, the portion of this policy in conflict shall be void and state law shall apply. To the extent a portion of this policy is similar to state law, if that portion of state law is repealed or amended, such action shall also result in the repeal (and not amendment) of that portion of this policy.

Procedures and forms related to this policy may be found in the Procedures section of this manual.

Code: P.2.4.
Date Issued: 7-1-84
Date Revised: 6-27-94
Date Reviewed: 10-28-08

Teachers – Extra Duty

Extra-curricular duties are considered a normal part of a teacher's work. The allocation and assignment of such duties in each school are responsibilities of the principal. No teacher shall be assigned to more than sixty (60) minutes of extra duty per week.

When special duties are assigned to a teacher and when such duties are not regular teaching duties or extra-curricular duties of a nature considered a normal part of a teacher's work, the teacher may be paid for such duties, subject to the discretion of the Superintendent and Board of Education. Those special duties which receive compensation will be published as part of the salary schedule.

Legal Ref. Arkansas Code Annotated 6-17-204

Code: P.2.5.
Date Issued: 5-20-91
Date Revised: 6-27-94
Date Reviewed: 10-28-08

Regulation of Controlled Substances

In an effort to create a healthy environment for students and staff members and in compliance with the provisions of Public Law 101-226, the Bentonville Board of Education prohibits the possession, manufacturing, use or distribution of illegal drugs and alcohol by its employees on school district property or by any person who has supervisory responsibilities involving students.

The school district will attempt to assist any employee in need of alcohol or drug counseling or rehabilitation. Employees who have not been found in violation of this policy, but who think they may have a dependency on drugs or alcohol and who wish to seek treatment for this dependency, may avoid disciplinary action if they report their condition to the principal or Superintendent and enroll in a qualified treatment program as soon as possible.

The employee will be suspended without pay until proof is provided of enrollment in a drug program. At that time, the employee will be granted the full use of the leave policies of the Bentonville School District. The provisions for voluntary commitment may be used one time only.

If an employee is accused of violating this policy, the employee has the right to request a blood test at the school's expense. The school has the right to require a blood test if a reasonable suspicion exists that this policy has been violated. The required blood test will be at the expense of the school district.

Employees who have been found in violation, but who will voluntarily seek appropriate counseling and/or rehabilitation services, will be suspended without pay until a hearing is held.

Any employee violating this policy is subject to disciplinary action. Searches of school property (desks, rooms, storage areas, etc.) may be conducted if there is "probable cause."

School officials will cooperate fully with law enforcement personnel in the investigation of any drug or alcohol related incidents involving school employees.

A person under the influence of illegal drugs or alcohol presents a danger to themselves as well as those with whom they work. Recognizing these dangers, Bentonville School District strongly opposes the use of illegal drugs and alcohol by its employees.

Code: P.3.1.
Date Issued: 6-27-94
Date Revised: 10-28-08
Review Date:

Classified Longevity Credit Defined

Longevity is based on four or more continuous years of service with Bentonville Public Schools and will be restored if the employee returns to the District within 14 months.

Longevity for classified personnel who change jobs or have two jobs with the district will be based on the number of continuous years of service with the district.

Longevity stays with the employee regardless of the position.

EXAMPLE: Employee has 10 years continuous service as a cook. Employee takes a second job as an instructional aide, the employee get 10 years longevity as an instructional aide.

Longevity does not apply to bus drivers.

Code: P.3.2.
Date Issued: 5-20-96
Date Revised: 10-28-08
Date Reviewed:

Classified Hiring – Selection Criteria/Experience

Bentonville Public Schools Board of Education will make every effort to employ the best qualified individual(s) for classified positions.

Classified personnel new to the Bentonville School District must complete a criminal record check. The District will pay the fee for the State record check and the fee for the FBI record check. The employee will be responsible for the fees charged by local law enforcement for completing the finger print card. Necessary paperwork for completing the record check may be obtained from the Human Resource Department at the Administration Office. Steps to complete the Criminal Record Check should be taken within thirty (30) days of starting work for the district.

Appointments of personnel shall be made by the Board of Education upon consideration of recommendation made by the Superintendent. This selection will be based on the following considerations:

The district prefers to employ personnel who have had successful experience at the level for which they are being considered.

Personnel must possess the stamina and vigor to meet the demands of the job.

Each applicant will be evaluated concerning the potential he/she possesses to contribute effectively to the strength of the school system.

Personnel must be able to communicate effectively and have the ability to relate well to other individuals. The personal interview is one facet of helping to evaluate an individual in this most critical area.

Full credit will be given for years of direct related experience in an accredited school district. A maximum of seven years will be accepted. Work experience does not apply to bus drivers.

Code: P.3.3.
Date Issued: 6-27-94
Date Revised: 04-26-05
Date Reviewed: 10-28-08

Payroll Information

An employee is paid at the daily rate for the position until hired by the school board. After the employee is approved by the school board, the employee is placed on contract at the beginning of the next pay period.

All classified personnel are hired on a ninety day probationary period. No benefits are available during the probationary period – no sick, personal or vacations days can be used.

Personnel hired after the start of school will receive their first paycheck the second pay period after the date of employment (date they started to work). EXAMPLE: If an employee starts to work prior to the 15th of the month, the first paycheck will be at the end of the month. If an employee starts to work after the 15th of the month, the first check will be the 15th of the next month.

Code: P.3.4.
Date Issued: 5-20-96
Date Revised: 04-26-05
Date Reviewed: 10-28-08

Classified Salary Computations: Employees Changing Jobs Within the District

In the case of promotions from one position level to a higher position level, an employee may be assigned a new salary anywhere from the minimum of the new position level up to the 90% (7+ years experience) on the approved Classified Salary Classification Schedule. For employees whose current salary exceeds the 90% (7+ years experience) on the approved Classified Salary Classification Schedule, a 5% increase may be given.

Due to organizational re-adjustments or demotions caused by personal matters or inadequate performance, employees may be transferred to a position level having a lesser salary range. This type of transfer may necessitate a decrease in salary due to lesser duties and accountabilities. Employees being transferred to a position with a lower grade than their current position may be assigned a salary between the minimum and the 90% (7+ years experience) on the approved Classified Salary Classification Schedule of the lesser position level.

Code: P.3.5.
Date Issued: 8-20-90
Date Revised: 5-20-96
Date Reviewed: 10-28-08

Evaluation

The primary purpose of the Bentonville Public School evaluation process is the improvement of performance. The evaluation process will include: systematic analysis of performance, identification of specific competencies, diagnosis of specific needs of improvement, and outline of strategies for improvement efforts.

It shall be the policy of the Board to require annual evaluation of all personnel. Procedures for implementation of this policy will be printed and made available to each staff member.

Code: P.3.6.
Date Issued: 6-15-92
Date Revised: 10-28-08
Date Reviewed:

Classified Suspension, Termination/Non-Renewal

The Superintendent may place an employee on immediate suspension provided written notice of such action is provided to the employee with two (2) school days of the suspension. The written notice shall include a statement of reasons for the suspension, whether the Superintendent is recommending termination, and that a hearing before the board is available upon request, provided that such request is made in writing to the Superintendent within twenty-five (25) calendar days from receipt of said notice.

The Superintendent may recommend termination of an employee during the term of any contract, or the non renewal of a full-time non probationary employee's contract, provided that notice is given in writing, personally delivered, or by letter posed by registered or certified mail to the employee's residence address and reflected in the employee's personnel file.

The recommendation of non renewal of a full-time non probationary employee's contract shall be made no later than thirty (30) calendar days prior to the beginning of the employee's next contract period.

The written notice shall contain a statement of the reasons for the proposed termination or non-renewal. The notice shall further state that an employee being recommended for termination, or a full-time non probationary employee being recommended for non renewal, is entitled to a hearing before the board upon request, provided such request is made in writing to the Superintendent with twenty-five (25) calendar days from receipt of said notice.

Upon receipt of a request for a hearing, the board shall conduct a hearing in accordance with the following procedures:

a. The hearing shall take place not less than five (5) or more than ten (10) days after the written request is received by the Superintendent, except that the employee and board may, in writing, agree to an earlier or later hearing date.
b. The hearing shall be public or private at the request of the employee.

DEFINITIONS: Employee: Any person employed by a school district under a written annual contract, who is not required to have a teaching certificate issued by the Department of Education as a condition of employment.

Probationary Employee: Any employee who has not completed one (1) year of employment in the district in which s/he is employed. The Superintendent may recommend and the board may vote an additional one (1) year probationary period.

Full Time Employee: Any employee who is contracted to work at least (20) hours per week.

Legal ref: 6-17-1702, 1703, 1704, 1705

Procedures and forms related to this policy may be found in the Procedures section of this manual.

Code:	P.3.7.
Date Issued:	6-27-94
Date Revised:	04-28-09
Date Reviewed:	

Work Schedules

The standard work day for full time non-instructional personnel shall be eight hours. Actual work schedules which provide for the beginning and ending of the work day shall be approved by the Superintendent or designee.

Federal Wage and Hour Law requires classified personnel who receive an hourly wage, to sign in and out of the work place. Time clocks may be used for record keeping purposes.

Employees contracted for more than 220 days are to report for work on snow days. Employees not reporting for work must complete a staff absence form showing a personal or non-contract day for each day missed. Sick leave cannot be used to cover snow days.

Code:	P.3.8.
Date Issued:	7-20-92
Date Revised:	04-26-05
Date Reviewed:	10-28-08

Additional Non-Contract Days After Ten Years

Classified employees who are contracted for 240 days or more during a fiscal year and have accrued ten years of service with the Bentonville School District will qualify for five additional non-contracted days that must be taken during the contract year that begins July 1 and ends June 30. These additional days must be taken along with their regular non-contracted days which the employee has if they remain with the District for the full year.

Bentonville Board of Education

Procedures

Complaints & Grievances

Code: P.1.2.

Date Issued: 04-15-02
Revised:
Current Revision: 1-22-08

The following procedure is hereby established to handle formal written grievances.

Forms for handling grievances will be developed by the superintendent and a committee, administratively appointed, to afford equal representation of each building. Such forms will be made available to professional staff in each building. Upon solution at any level, a copy of the grievance form will be placed in the personnel files in the principal's office, supervisor's office and the Human Resource Office.

A grievance must be filed within ten (10) school days of the date an employee becomes aware of or reasonably should have become aware of a grievable issue.

DEFINITION: A school day is any day other than a scheduled school holiday and weekends within the school calendar.

Levels of Grievance Processing:

Level One -- Principal or Immediate Supervisor
Level Two -- Executive Director of Personnel
Level Three -- Superintendent
Level Four -- Board of Education

LEVEL ONE: The aggrieved staff member shall request a form for filing a grievance from the principal or supervisor. Once this form has been completed and presented to the principal or supervisor, the individual should request a conference with the principal or supervisor. An effort to resolve the grievance shall be made within fourteen calendar days of the requested conference.

LEVEL TWO:

a. If the aggrieved staff member is not satisfied with the disposition of his grievance at Level One or no decision has been rendered within fourteen calendar days of the requested conference, the staff member must file the grievance with the executive director of personnel within fourteen calendar days or drop proceedings. The form will be forwarded from the principal or supervisor to the executive director of personnel.

b. Within fourteen calendar days after receipt of the written grievance by the executive director of personnel, the executive director of personnel will meet with the aggrieved staff member in an effort to resolve the grievance.

c. Both the executive director of personnel and the staff member have the option to request the presence of a selected representative at this conference.

LEVEL THREE:

a. If the aggrieved staff member is not satisfied with the disposition of his grievance at Level Two or no decision has been rendered within fourteen calendar days of the requested conference, s/he must file the grievance with the superintendent within fourteen calendar days or drop proceedings. The form will be forwarded from the executive director of personnel to the superintendent.

b. Within fourteen calendar days after receipt of the written grievance by the superintendent, the superintendent will meet with the aggrieved staff member in an effort to resolve the grievance.

c. Both the superintendent and the staff member have the option to request the presence of a selected representative at this conference.

LEVEL FOUR:

If the aggrieved staff member is not satisfied with the disposition of said grievance at Level Three and if no decision has been rendered within fourteen calendar days after the meeting with the Superintendent,

s/he must request a hearing before the Board of Education or drop proceedings. The Board shall grant the request provided such request is made in writing in care of the Superintendent or President of the Board. The Board shall meet within fourteen calendar days of the receipt of the request. This hearing shall be open to the public unless either the superintendent or the employee requests a private hearing. A closed hearing will include only the Board members and those parties involved in the previous proceedings. Parties involved may be accompanied by two selected representatives. The Board, having final authority in such grievances, shall make an effort to make fair resolution of each grievance. The Board shall have a period of ten days following the hearing in which to render a decision. The Board shall report the resolution of such grievance to the aggrieved staff member within five school days of said decision.

Legal Ref: Arkansas Code Annotated 6-17-208

Complaints & Grievances

Code: P.1.3. Date Revised: 04-15-02

GRIEVANCE FORM

SUBMIT TO BUILDING PRINCIPAL IN DUPLICATE. ATTACHED ADDITIONAL SHEETS IF NEEDED.

NAME_____ BUILDING_____
DATE FILED _____

Date cause of grievance occurred _____

LEVEL ONE: Statement of grievance:_____

Relief sought: _____
_____

Action taken:_____
_____
Date: _____ Signature of Employee_____
Signature of Principal_____

LEVEL TWO: Date received by Executive Director of Personnel_____
Action taken:_____
_____
Date:_____ Signature of Employee_____
Signature of Executive Director of Personnel_____

LEVEL THREE: Date received by Superintendent
Action taken:_____
Date_____
Signature of Employee_____
Signature of Superintendent_____

LEVEL FOUR:
Date received by President of School Board_____
Date of Board Hearing_____
Resolution by the Board_____

Signature of Employee _____
Date_____

Signature of President of Board
Date_____

SEXUAL HARASSMENT FORM

BENTONVILLE PUBLIC SCHOOLS
Bentonville, Arkansas

Submit in duplicate to appropriate authority at the level where the grievance is to begin. Attach additional sheets if more space is needed.

Level one: Principal/Immediate Supervisor
Level two: Equity Coordinator
Level three: Board of Education

Name of Grievant_____(certified)(classified)
Building_____
Date Filed_____

LEVEL ONE:
Received by_____(principal/supervisor)
Date_____

A. Describe the offensive conduct or communication in as much detail as possible (be specific and complete). Include the date(s) on which such conduct occurred or the communication was made and the name of the person accused of engaging in the harassing behavior.
B. Relief sought: (This should be completed in detail. Be specific).
C. Action taken by principal/Immediate supervisor

Written report received by_____(employee)
Date received_____
(My signature indicates only that I have received the written report; it does not signify agreement with the decision.)

LEVEL TWO:
Received by_____(Equity Coordinator)
Date_____
A. Written notice of investigation received by_____ (employee)
Date received_____
B. Action taken by the equity coordinator:

Written report received by _____(employee)
Date received_
(My signature indicates only that I have received the written report; it does not signify agreement with the decision.)

LEVEL THREE: Request for School Board hearing
Received by President of School Board_____ Date_____
Date of Board hearing _____

Action taken by Board_____
_____
Signature of Board President_____Date_____
Written report received by_____ Date_____
(My signature indicates only that I have received the written report; it does not signify agreement with the decision.)
Optional: Attach a request for an open hearing and or request for written record

ADA Grievance

Code: P.1.7.

Date Issued: 11-23-04
Revised:
Current Revision: 1-22-08

The following procedures are to be followed to expedite such ADA Complaints and Grievances:

1. A complaint should be filed in writing or verbally, giving the name and address of the person filing it, and a brief description of the alleged violation of the regulations.

2. The complaint should be filed within five (5) working days after the complainant becomes aware of the alleged violation.

3. An investigation, as may be appropriate, will follow a filing of the complaint. The investigation shall be conducted by the Equity Coordinator. This process contemplates informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.

4. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the Equity Coordinator and a copy forwarded to the complainant no later than ten (I0) working days after its filing.

5. The Equity Coordinator will maintain the files and records of the Bentonville Public Schools relating to the complaints filed.

6. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made in writing within ten (10) days to the Superintendent of Schools.

7. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.

8. This entire process shall be constituted to protect the substantive right of interested persons, to meet appropriate due process standards, and to assure that the Bentonville Public Schools comply with the ADA and implementing regulations.

- These procedures are for members of the public, clients, visitors, and any other individuals not covered under the Bentonville Public Schools grievance policy.

Reduction in Force

Code: P.1.13.

Date Issued: 6-27-94
Revised: 4-15-02
Current Revision: 4-22-08

REDUCTION IN FORCE

CERTIFIED-NON-ADMINISTRATIVE STAFF

Total teaching experience in the District shall be the basis for computing length of service. Teachers will be laid off in certification areas according to the length of service in the District. Teachers with the least service in the District will be laid off first.

For a position to be eliminated, the Board of Education must approve the reduction in staff recommended by the Superintendent.

If approved by the Board of Education, the Superintendent will give written notification to the employees affected no later than May 1 of the school year. Said employees may displace (bump) less senior employees with the same certification.

If the length of service within the District is the same for two or more teachers, then total years of teaching experience shall prevail. If total years experience is equal, then education, based on degree, plus addition plus additional hours earned, on current transcripts in teacher's Personnel File at Central Office shall prevail. If education is equal then diversity of certifications will prevail. If diversity of certifications is equal, then the date of hire shall prevail.

When it is determined which teacher shall prevail, s/he will be notified in writing by the Superintendent. Teacher must notify the Superintendent in writing within five days if they intend to accept the reduction or begin the RIF process. After the teacher files the notification, the Superintendent shall notify, within five days, the teacher being displaced.

If a staff member is notified in writing of a layoff and a position for which the teacher is certified is available, then the teacher must accept the vacancy. Refusal to accept the vacancy will negate the teacher's right to use the RIF process.

A teacher being replaced will have the same displacement rights as a teacher who is notified of a layoff.

RECALL

If there is a vacancy in the district, the laid off teachers who are certified in the vacant position will be recalled in the order of seniority being recall first.

Failure to respond to the notice of recall within ten (10) days working days, the teacher will be judged to have refused the position offered.

Teacher laid off will remain on the recall list for fifteen calendar months after the effective date of the layoff unless the teacher waives the recall rights in writing.

CLASSIFIED Employees

When it is necessary to reduce the number of permanent employees, consideration shall be given to the following factors:

A. Seniority
B. Ability and skill

Should two employees have equal ability and skill, seniority shall govern the said employees shall be released or laid off within their classification in the inverse order of seniority.

Employee/Transfer – Principal/Supervisor Initiated

Code: P.1.14

Date Issued: 11-23-04
Revised: 3-3-05
Current Revision: 4-22-08

BENTONVILLE PUBLIC SCHOOLS
Bentonville, Arkansas

REQUEST FOR REASSIGNMENT/TRANSFER –PRINCIPAL/SUPERVISOR INITIATED

NAME_____DATE_____

Present Position _____ Present Building _____

Position Transferring to _____ New Building _____

Why are you requesting a reassignment/transfer?_____

_____

_____

_____

_____

What qualifications do you have that better suit you for the requested position over your present position?

_____

_____

_____

_____

Employee's Signature_____

Present Principal's Signature_____

Requested Position Principal's Signature_____

Is this a new Position _____ Yes _____ No
Name of individual being replaced _____

TO BE COMPLETED BY THE HUMAN RESOURCES DEPARTMENT

_____ Approved _____ Denied

_____ _____

Executive Director of Human Resources Date

Employee/Transfer – Employee Initiated

Code: P.1.14.

Date Issued: 3-3-05
Revised:
Current Revision: 4-22-08

BENTONVILLE PUBLIC SCHOOLS
Bentonville, Arkansas

REQUEST FOR REASSIGNMENT/TRANSFER – EMPLOYEE INITIATED

NAME_____DATE_____

Present Position _____Present Building _____

Position Transferring to _____ New Building _____

Why are you requesting a reassignment/transfer?_____

_____

_____

_____

_____

What qualifications do you have that better suit you for the requested position over your present position?

_____

_____

_____

_____

Employee's Signature_____

Present Principal's Signature_____

Requested Position Principal's Signature_____

Is this a new Position _____ Yes _____ No

Name of individual being replaced _____

TO BE COMPLETED BY THE HUMAN RESOURCES DEPARTMENT

_____ Approved _____ Denied

_____ _____

Executive Director of Human Resources Date

Resignation

Code: P.1.16.

Date Issued:
Revised: 2-22-05
Current Revision: 4-22-08

BENTONVILLE PUBLIC SCHOOLS

RESIGNATION STATEMENT

DATE_____

I, _____, SS#_____

hereby resign my position as _____at_____.

My last day to work is_____.

The reason for my resignation is as follows:

_____

_____

My forwarding address is: _____

_____

_____

_____

_____

Signature

If you have health insurance with the Bentonville Public Schools group plan, you may be eligible to continue your coverage through COBRA for up to 18 months. You will be responsible for paying the full premium. To see if you qualify, please contact the Personnel Department.

Any insurance coverage you have with Bentonville Public Schools will end on the last day of the month in which you perform services for the District.

Insurance coverage for an employee who is transferring to another school district in Arkansas will continue through August.

Insurance coverage for an employee who is retiring at the end of the school year, will continue through July.

An employee who retires during the school year and wants to continue insurance coverage must enroll in COBRA. The retiree must request insurance coverage be transferred from COBRA to Arkansas Teacher Retirement prior to June 30. Insurance coverage with Arkansas Teacher Retirement will start in August.

Drug Testing – Motor Vehicle

Code: P.1.21.1.

Date Issued: 7-21-03
Revised: 04-22-08
Current Revision:

Drug Testing – Motor Vehicle

Methods of Testing

The collection, testing methods and standards shall be determined by the agency or other medical organizations chosen by the School Board to conduct the collection and testing of samples. The drug and alcohol testing is to be conducted by a laboratory certified pursuant to the most recent guidelines issued by the United States Department of Health and Human Services for such facilities. ("Mandatory Guidelines for Federal Workplace Drug Testing Programs").

Definition

Safety sensitive function includes:

- All time spent inspecting, servicing, and/or preparing the vehicle;
- All time spent driving the vehicle;
- All time spent loading or unloading the vehicle or supervising the loading or unloading of the vehicle; and
- All time spent repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

Requirements

Employees shall be drug and alcohol free from the time the employee is required to be ready to work until the employee is relieved from the responsibility for performing work and/or any time they are performing a safety-sensitive function. In addition to the testing required as an initial condition of employment, employees shall submit to subsequent drug tests as required by law and/or regulation. Subsequent testing includes, and/or is triggered by, but is not limited to:

- Random tests;
- Testing in conjunction with an accident;
- Receiving a citation for a moving traffic violation; and
- Reasonable suspicion.

Prohibitions

1. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater;
2. No driver shall use alcohol while performing safety-sensitive functions;
3. No driver shall perform safety-sensitive functions within four (4) hours after using alcohol;
4. No driver required to take a post-accident alcohol test under #2 below shall use alcohol for eight (8) hours following the accident or until he/she undergoes a post-accident alcohol test, whichever occurs first;
5. No driver shall refuse to submit to an alcohol or drug test in conjunction with # 1,2, and/or 4 below;
6. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when using any controlled substance, except when used pursuant to the instructions of a licensed medical practitioner, knowledgeable of the driver's job responsibilities, who has advised the driver that the substance will not adversely affect the driver's ability to safely operate his/her vehicle. It is the employee's responsibility to inform his/her supervisor of the employee's use of such medication;
7. No driver shall report for duty, remain on duty, or perform a safety-sensitive function if the driver tests positive or has adulterated or substituted a test specimen for controlled substances.

Violation of any of these prohibitions may lead to disciplinary action being taken against the employee, which could include termination or non-renewal.

Testing for Cause

Drivers involved in an accident in which there is a loss of another person's life shall be tested for alcohol and controlled substances as soon as practicable following the accident. Drivers shall also be tested for alcohol within eight (8) hours and for controlled substances within thirty two (32) hours following an accident for which they receive a citation for a moving traffic violation if the accident involved: 1) bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident, or 2) one or more motor vehicles incurs disabling damage as a result of the accident requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle or 3) as determined by the Executive Director of Human Resources. Drivers of such accidents must submit a detailed written account of the accident to the Director of Transportation to be forwarded to the Executive Director of Human Resources.

Refusal to Submit

Refusal to submit to an alcohol or controlled substance test means that the driver

- Failed to appear for any test within a reasonable period of time as determined by the employer consistent with applicable Department of Transportation agency regulation;
- Failed to remain at the testing site until the testing process was completed;
- Failed to provide a urine specimen for any required drug test;
- Failed to provide a sufficient amount of urine without an adequate medical reason for the failure;
- Failed to undergo a medical examination as directed by the Medical Review Officer as part of the verification process for the previous listed reason;
- Failed or declined to submit to a second test that the employer or collector has directed the driver to take;
- Failed to cooperate with any of the testing process; and/or
- Adulterated or substituted a test result as reported by the Medical Review Officer.

Consequences for Violations

Drivers who engage in any conduct prohibited by this policy, who refuse to take a required drug or alcohol test, or who exceed the acceptable limits for the respective tests shall no longer be allowed to perform safety-sensitive functions. Actions regarding their continued employment shall be taken in relation to their inability to perform these functions and could include termination or non-renewal of their contract of employment.[2]

Drivers who exhibit signs of violating the prohibitions of this policy relating to alcohol or controlled substances shall not be allowed to perform or continue to perform safety-sensitive functions if they exhibit those signs during, just preceding, or just after the period of the work day that the driver is required to be in compliance with the provisions of this policy. This action shall be based on specific, contemporaneous, articulatable observations concerning the behavior, speech, or body odors of the driver. The Superintendent or his/her designee shall require the driver to submit to "reasonable suspicion" tests for alcohol and controlled substances. The direction to submit to such tests must be made just before, just after, or during the time the driver is performing safety-sensitive functions. If circumstances prohibit the testing of the driver the Superintendent or his/her designee shall remove the driver from reporting for, or remaining on, duty for a minimum of 24 hours from the time the observation was made triggering the driver's removal from duty.

If the results for an alcohol test administered to a driver are equal to or greater than 0.02, but less than 0.04, the driver shall be prohibited from performing safety-sensitive functions for a period not less than 24 hours from the time the test was administered. Unless the loss of duty time triggers other employment consequence policies, no further other action against the driver is authorized by this policy for test results showing an alcohol concentration of less than 0.04.

Legal Reference: A.C.A. § 6-19-108
49 C.F.R. § 382-101 – 605
49 C.F.R. § part 40

PROCEDURE:

You are required to give drivers a copy of the procedures that will be used in the testing for drugs and alcohol. If you are following your own policy in this regard, give your drivers a copy of that policy; if you are using a drug testing company to administer the tests, give your drivers a copy of the test administration procedures.

You are required to provide your drivers the name of the person you have designated to answer your drivers questions about the materials you give them regarding drug and alcohol testing.

You are also required to give your employees "information pertaining to the effects of alcohol and controlled substance use on an individual's health, work and personal life; signs and symptoms of an alcohol or controlled substances problem (the driver's or a co-worker's); and available methods of intervening when an alcohol or a controlled substances problem is suspected, including confrontation, referral of any employee assistance program and/or referral to management.

Give a copy of this policy to your drivers.

Have your drivers sign an acknowledgement that they have received all of the information contained in this policy and these footnotes.

Request for Leave

Code: P.1.22.2.

Date Issued: 2-22-05
Revised:
Current Revision: 6-3-05

REQUEST FOR LEAVE

BENTONVILLE PUBLIC SCHOOLS
Bentonville, Arkansas

_____ _____
Date Requested Date Approved

TYPE OF LEAVE REQUESTED (CIRCLE ONE):
Leave of Absence
Military

I, _____, request a leave from my present position as _____ at_____,
from _____to_____.
Month Date Year Month Date Year

for the reason listed below:
_____
_____
_____

If I am unable to return as scheduled and do not contact my supervisor, I am aware that this will be considered to be voluntary termination without notice.

_____ _____
Employee's Signature Date

Sick Leave Bank Contribution

Code: P.1.22.5.

Date Issued: 2-22-05
Revised:
Current Revision: 6-3-08

SICK LEAVE BANK CONTRIBUTION FORM

BENTONVILLE PUBLIC SCHOOLS
BENTONVILLE, ARKANSAS

I hereby request and authorize that _____ (1) day* be deducted from my annual sick leave allowance to contribute to the Sick Leave Bank. I acknowledge that if I receive days from the Sick Bank I must contribute another sick day to the Sick Bank by October 1 of the next school year to re-establish my membership in the Sick Bank.

_____ Name of School

_____ Print Name

_____ Date

_____ Social Security Number

_____ Signature

- **Classified employees are on a 90 days probationary period from date of hire.** They do not earn sick days during the probationary period. Sick days are awarded at the end of the 90 day probationary period. A classified employee is not eligible to receive days from the sick bank until after the 90 day probationary period because they do not have a sick day to contribute to the sick bank.

Sick Leave Bank Request

Code: P.1.22.5.

Date Issued: 2-22-05
Revised:
Current Revision: 6-3-08

CONFIDENTIAL
SICK LEAVE BANK REQUEST FORM

Please complete and return to the sick leave bank committee member in your building. (Before you are absent and the payroll deduction is made)

NAME: _____ SOC SECURITY #:_____

SCHOOL: _____ POSITION: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

HOME PHONE: _____ SCHOOL PHONE: _____

Have you contributed to the sick leave bank system? _____

Briefly describe the nature of your disability or illness and the circumstances that caused you to make this request:

_____

_____

_____

Number of sick leave bank days being requested _____
Are you currently being treated by a physician?_____
Have you used all of you accumulated sick leave days? _____
How many days have you been absent this year due to illness or disability?____
If sick bank days are granted, what is the effective date you wish to apply these days?
(Example: date of surgery; date to begin cancer treatment) _____

Authorization for Release of Health Information

I authorize the use or disclosure of my health information to authorized members of the Bentonville Public Schools Sick Bank Committee. This information will be used to determine my eligibility for withdrawing days from the sick bank.

When an employee is granted days form the Sick Bank, they must contribute another sick day to the Sick Bank by October 1 of the next school year to reestablish their membership in the Sick Bank.

_____
Employee Signature

_____
Date

Committee Use Only:
Date Considered: _____
_____Approved ____Not Approved
Number of days Approved: _____

_____ *Committee Chairperson*

FMLA Request

Code: P.1.22.10

Date Issued: 04-15-02
Revised: 4-1-08
Current Revision: 6-3-08

BENTONVILLE PUBLIC SCHOOLS

APPLICATION FOR FAMILY MEDICAL LEAVE

(To be filled in by employee)

NAME _____DATE OF HIRE _____

Reason for leave (Circle the appropriate letter):

a. the birth of a child or the placement of a child for adoption
b. to care for a family member (child, spouse, or parent) with a serious health condition
c. your own serious health condition

Answer the following if the leave is for your own serious health condition.

What is the nature of your illness?

_____

_____

Is hospitalization required? Yes_____No_____

Are you able to perform the essential functions of the job? Yes_____ No_____

(To be filled out by the Executive Director of Personnel)

Does the illness qualify the employee under the provisions of the American with Disabilities Act (ADA)? Yes _____ No _____ If Yes please explain.

_____

_____

If the employee is considered disabled, would a reasonable accommodation under ADA enable the employee to continue to perform the job? Yes _____
No _____

Is the employee able to perform work of any kind? Yes _____No _____

Does the employee request all 12 weeks consecutively? Yes _____No_____

Did you discuss the possibility of intermittent or reduced schedule leave?
Yes_____ No_____

Does the employee understand that intermittent or reduced schedule leave will not reduce the total amount of leave available? Yes _____No_____

Would it be better to transfer the employee to another job during intermittent or reduced work schedule leave? Yes _No_____

Answer the following if the leave is to care for the employee's seriously ill family member.

Does the relationship qualify for FMLA? (A son or daughter, biological, adopted, or foster child, step-child, a legal ward, or a child under 18 years old, or 18 or older and incapable of self-care because of mental or physical disability; a husband or wife, including common-law recognition in certain states; and parents. In-laws are not covered by FMLA.)
Yes _____No _____

Application for Family Medical Leave, Con't.

Is in-patient hospitalization of the family member required? Yes _No____

Does the patient require assistance for basic medical, hygiene, nutritional needs, safety or transportation? Explain.

Ask the employee to state in their own words the care to be provided to the family member and the estimated duration of the treatment.

If the employee agrees to an intermittent or reduced schedule leave, put the schedule in writing and have the employee sign it.

BENTONVILLE PUBLIC SCHOOLS
EMPLOYER RESPONSE TO EMPLOYEE REQUESTING FMLA

DATE:

TO:

FROM:

SUBJECT: REQUEST FOR FAMILY/MEDICAL LEAVE

On _____, you notified the District of your need to take family/medical leave due to:

___ the birth of child, or the placement of a child with you for adoption or foster care; or

___ a serious health condition that makes you unable to perform the essential functions of your job; or

___ a serious health condition affecting your ____spouse, ____child, _____ ___parent, for which you are needed to provide care.

You notified the District that you need this leave beginning on_____ and that you expect the leave to continue until on or about _____.

Except as explained below, you have a right under the FMLA for up to 12 weeks of unpaid leave in a 12 month period for the reasons listed above. Also, your health benefits must be maintained during any period of unpaid leave under the same conditions as if you continued to work, and you must be reinstated to the same or an equivalent job with the same pay, benefits and terms and conditions of employment on your return from leave.

This is to inform you that:

1. You are _____eligible ____not eligible for leave under FMLA.

2. The requested leave will be counted against your annual FMLA leave entitlement.

3. You ___will _____will not be required to furnish medical certification of a serious health condition. If required, you must furnish certification by ___ _____ (must be at least 15 days after you are notified of this requirement) or the District may delay the commencement of your leave until the certification is submitted.

4. You will be required to use any accumulated sick and personal days during the FMLA.

5. A. If you normally pay a portion of the premiums for your health insurance, the payments will continue during the period of FMLA leave. Arrangements for these payments has been discussed with you and it is agreed that you will make premium payments by the 10th of each month to the Payroll Department of Bentonville Public Schools.

   B. If payment is not made timely, your group health insurance may be canceled, providing the District notifies you in writing at least 15 days before the date that your health coverage will lapse. The District will not pay your share of health insurance premiums while you are on leave.

   * The District will not pay the premiums for other benefits (life insurance, disability insurance, etc.) while you are on FMLA.

6. You will _____will not be required to present a fitness-for-duty certificate prior to being restored to employment. If such certification is required but not received, your return to work may be delayed until certification is provided.

7. You are _____are not a "key employee" as described in par 825.218 of the FMLA regulations. If you are a "key employee" restoration to employment may be denied following FMLA leave on the grounds that such restoration will cause substantial and grievous economic injury to the District.

   The District _____has _____has not determined that restoring you to employment at the conclusion of FMLA leave will cause substantial and grievous economic harm to the District. Explain:

8. While on leave, you _____will _____will not be required to furnish the District with periodic reports of your status and intent to return to work. If the circumstance of your leave changes and you are able to return to work earlier than the date indicated on your application for leave, you _____ _____will _____will not be required to notify the District at least two working days prior to the date you intend to report for work.

You __will __ will not be required to furnish rectification relating to a serious health condition. (Explain if necessary)

Absence Reporting

Code: P.1.23.

Date Issued: 6-1-92
Revised: 3-29-05
Current Revision: 8-26-08

The following information must be provided to the AESOP system recording:

1. Your Name
2. Position
3. Building
4. Date(s) needed – if only a part of a day, specify which part
5. Preference of substitute if any

If a staff member knows in advance that he/she will be absent, please adhere to the following procedure:

1. Notify the building principal/administrator/supervisor
1. 2. Report the absence to the District AESOP system a part of a day, specify which part.)
2. Preference of substitute if any.

Staff Access to Networked Information Resources

Code: P.1.34.

Date Issued: 6-1-92
Revised: 10-28-08
Current Revision:

Laptop Usage Agreement

The Bentonville Public School District recognizes that its teachers and administrative staff may need to use the district's laptop computers off-site, after hours, in order to complete a project or further the district's goals. While said usage is allowed, it must be within strict guidelines.

Basic laptop training and an off-site usage agreement which sets forth the purpose and other pertinent information must be signed prior to being issued. Staff must certify that the computers will be used only for district purposes. Failure to abide by this rule may prohibit the teacher or administrative staff member using the computer in the future, and subject him or her to disciplinary action.

Liability:

Teachers and administrative staff are ultimately responsible for the laptop computer they carry home. Should it become lost, stolen, or otherwise damaged while in the staff member's possession, the staff member will be required to reimburse the school district for the replacement value of the computer.

Off-Site Usage Agreement:

This computer is made available for authorized use through the Office of Technology and Information Services of the Bentonville Public School District. The Agreement is in accordance with Technology Usage Agreement and the district's personnel handbook (p. 28) and places full responsibility on the borrower for the safe operation and prompt return of the computer. The borrower's signature will indicate acceptance of the terms of the Agreement.

1. Laptop computers are for school use only.
2. The computer will only be operated by the undersigned borrower or affiliated district staff.
3. Only legally licensed software will be permitted on district-owned computers as noted in the Technology Usage Policy.
4. No personal software will be permitted on district-owned computers without prior written request and approval from the Office of Technology and Information Services.
5. The borrower must immediately report any mechanical or software problems related with the laptop on the district's Problem Tracking System. No attempt should be made to repair the computer by the borrower or outside source.
6. Technical assistance will be provided during regular school hours.
7. The borrower will assume full responsibility for the prompt return of the computer in good condition.

a. If the computer is stolen or lost while in the borrower's possession, the borrower must immediately file a police report and notify the Office of Technology and Information Services. The borrower must provide the Office of Technology and Information Services with the policy case number for the stolen property.
b. If the computer is damaged while in the borrower's care, he or she shall immediately notify the borrower's building administrator and the Office of Technology and Information Services of the damage and how it occurred.
c. The borrower understands the Bentonville Public School District may hold him or her financially responsibility for the loss and may take necessary action to recover said loss.

8. Unauthorized use may result in disciplinary action up to and including termination.

To Be Completed at time of deployment:
Property Description:
Service Tag Number: _____
Check-Out Date: _____
Return Date: _____
Property Returned in Good Condition: _____
If No, please explain: _____
AGREED:
Signature of Borrower: _____
OTIS Representative: _____

Building Administrator: _____

Borrower's Address: _____
_____
Borrower's School:

Borrower's Cell Phone Number: _____
Date:

Code: P.2.3.6.

Date Issued: 5-15-83
Revised: 10-28-08
Current Revision:

Certified Personnel: Suspension, Termination and/or Non-Renewal

On receipt of such request for a hearing, the Board shall grant a hearing in accordance with the following provisions and the hearing before the Board of Education shall be conducted in accordance with the following rules, procedures and provisions:

A. The hearing shall take place not less than five (5) days and no more than twenty (20) days after the written request has been received by the board.

B. The hearing shall be private unless the School Board or the Teacher shall request that the hearing shall be public, in which case a public hearing shall be held at the request of the School Board or the teacher.

C. The teacher and the School Board may be represented by legal counsel or representatives of their choice.

D. It shall not be necessary for a full record of the proceedings at the hearing to be made and preserved unless:

1. The board shall elect to make and preserve a record of the hearing at its own expense, in which event a copy thereof shall be furnished to the teacher upon request, without cost to the teacher.

2. A written request is filed with the board by the teacher at least twenty-four (24) hours prior to the time set for the hearing, in which event the board shall make and preserve at its own expense, a record of the hearing, and shall furnish a copy thereof to the teacher without cost to teacher.

3. The board shall not consider at the hearing any new reasons which were not specified in the notices provided pursuant to the subchapter.

Certified Personnel: Suspension, Termination and / or Non-Renewal
Classified Personnel: Suspension, Termination and / or Non-Renewal

Code: P.2.3.6, P.3.6.

Date Issued: 10-28-08
Revised:
Current Revision:

Employee Disciplinary Procedure

When an employee violates district rules and/or policies, said employee will be subject to discipline by an administrator. The employee shall be entitled to and shall be offered the opportunity to have a witness or representative of the employee's choice present during any disciplinary or grievance matter with any administrator. The employee may submit, for inclusion in their personnel file, written information in response to any of the material contained therein.

Administrators include: Principals, Assistant Principals, and Directors.

General discipline procedures are outlined below. Administrators will determine proper sequence of disciplinary actions. Administrators may skip any warning steps as necessary.

Verbal Warning:

- Proper documentation and procedure shall be conducted.
- The Employee Warning Notice form shall be utilized and placed in the employee's personnel file at Central Office.
- A copy will be given to the employee

Written Warning:

- The Executive Director of Human Resources shall be contacted prior to meeting with employee.
- Proper documentation and procedure will be addressed.
- The Employee Warning Notice form shall be utilized and placed in the employee's personnel file at Central Office.
- A copy will be given to the employee.

Recommendation for Suspension, Termination or Nonrenewal Notice:

- The Executive Director of Human Resources or Superintendent shall be contacted to address any proposal by an administrator that an employee be suspended, terminated or nonrenewed.

Bentonville Public Schools – Certified Employee Warning Notice

An employee shall be entitled to and shall be offered the opportunity to have a witness or representative of the employee's choice present during any disciplinary or grievance matter with any administrator. §6-17-210

If the Administrator desires to suspend, terminate or nonrenewal at this time the administration will contact the Executive Director of Human Resources in order to pursue.

Employee Information			
Employee Name:		Employee Id:	
Date:		Job Title:	
Direct Supervisor:		School:	

Type of Warning			
☐	Verbal Warning	☐	Written Warning

Type of Disciplinary Issue					
☐	Tardiness/Leaving Early	☐	Absenteeism	☐	Violation of District/Building Policies
☐	Insubordination	☐	Unprofessional Conduct	☐	Ethics
☐	Other:				

Details	
Name of Representative (if present):	
Description of Problem:	
Plan for Improvement:	

Failure to correct the problems brought to your attention in this notice may result in suspension, termination or nonrenewal of your contract.

_____ _____

Employee Signature *Date*

Acknowledgement of Receipt of Notice	
By signing this notice, you confirm that you understand the information in this warning. Signing this form does not necessarily indicate that you agree with this notice. The employee may submit for inclusion in their personnel file written information in response to any of the material contained therein.	
Employee Signature	*Date*
Principal or Directors Signature	*Date*
Superintendent or Executive Director Human Resources Signature	*Date*

Bentonville Public Schools – Classified Employee Warning Notice

An employee shall be entitled to and shall be offered the opportunity to have a witness or representative of the employee's choice present during any disciplinary or grievance matter with any administrator. §6-17-210

If the Administrator desires to suspend, terminate or nonrenewal at this time the administration will contact the Executive Director of Human Resources in order to pursue.

Employee Information			
Employee Name:		Employee Id:	
Date:		Job Title:	
Direct Supervisor:		School:	

Type of Warning			
☐	Verbal Warning	☐	Written Warning

Type of Disciplinary Issue					
☐	Tardiness/Leaving Early	☐	Absenteeism	☐	Violation of District/Building Policies
☐	Insubordination	☐	Unprofessional Conduct	☐	Ethics
☐	Other:				

Details	
Name of Representative (if present):	
Description of Problem:	

Failure to correct the problems brought to your attention in this notice may result in suspension, termination or nonrenewal of your contract.

_____ _____

Employee Signature *Date*

Acknowledgement of Receipt of Notice	
By signing this notice, you confirm that you understand the information in this warning. Signing this form does not necessarily indicate that you agree with this notice. The employee may submit for inclusion in their personnel file written information in response to any of the material contained therein.	
Employee Signature	*Date*
Principal or Directors Signature	*Date*
Superintendent or Executive Director Human Resources Signature	*Date*