

A VITAL LINK



*Making a
difference
together*

The Licking County Educational Service Center

145 N. Quentin Road

Newark, Ohio 43055

2018-19

Licking County ESC Staff Manual

LCESC

You are now part of an organization that is dedicated to high quality services to its school districts. Welcome aboard to the staff of the Licking County Educational Service Center!

This Staff Manual is designed to be helpful and simple in managing to find important policies when needed for your line of duties. The first part will try to identify what our mission is as an organization, how the chain of command is organized, and how to find policies that will help guide your daily tasks.

Our number one task is to provide the best direct and indirect services for the Educational Opportunities of students and professional & support staff in Licking County. This manual has a lot about details of the organization design and guidelines in day to day operations. You and your supervisors are the main ingredients to the design of the educational outcomes for your students and staff with whom you work. Good luck and have a great year!

Supt. Dale Lewellen

Annual Notices

The LCESC is an Equal Opportunity Employer and has policies to protect such. The Licking County ESC Governing Board has approved appointment of the following for **2018-19**:

Nondiscrimination & Sexual/Harassment Compliance Officers: Jason Hankinson 349-6095 & Kareen Robbins 349-4986

Safety and OSHA Compliance Officer: Julio Valladares 349-6085

504 Compliance Officer and Handicapped Access: Gail Johnson 345-3290

Employees' rights under FMLA (see policy 3437/4437): Julio Valladares 349-6085

Memorandum to Staff on Federal Drug Regulations (See 3122.01 F3)

Staff acknowledgement of information concerning toxic hazards (See 8431 F1) - staff orientation early in the school year

Request for or waiver of vaccination for Hepatitis B (See 8453.01 F1 or F4) - new staff orientation prior to the start of school

Acknowledgement of training annually in blood-borne pathogens (See 8453.01 F3) – online courses through PublicSchoolWORKS

Physician, and possibly parent, authorization for each staff member and any student who may be using a respirator (See 7430 F1, F2, and F3) direct contact with appropriate staff members

Emergency Medical Authorization - Staff (See 3160 F1) - Back-to-school orientation or school memo; keep in office and/or personnel files

Reminders to staff on student supervision/health/safety matters. (Policy/AG 3213/4213) Anti-bullying (added “electronic acts”(5517.01); Notification of pesticide application according to policy (8431)

The State of Ohio has established a reporting system whereby public employees can file complaints of fraud and misuse of public funds by public offices or officials. (*Info later in publication*)

Several new policies explained later: Teacher Evaluations (OTES) 3220; CIPA; PBI & Limited Restraint 5630.01; use of funds 6320 Purchases, 6670 Public School Support; 7230 Gifts/Donations

Mission Statement

Our Vision:

The LCESC is a vital link for educational services making a difference together for all schools in Licking County.

Our Mission:

To provide leadership and service to meet the individual and collective needs of Licking County schools so that the quality of educational experiences for children is enhanced and improved.

Our Beliefs:

We believe that

- We act as role models and leaders for educational excellence by being well informed, highly skilled, experienced, thoughtful, and sensitive to human relations.
- We promote communication, encouragement, synergy, and cost effectiveness through cooperative and collaborative experiences.
- We foster the strengths of cooperative efforts in the county through cooperative and contracted programs.
- We encourage educational networking to link Licking County Schools with the Ohio Department of Education by facilitating information dissemination, monitoring minimum standards, and implementing services required by the Ohio Revised Code.

General Comments

This handbook is a brief outline of the policies and procedures in place at the ESC. Complete and detailed information can be found in the **ESC Policy Manual**. The Superintendent, the Directors, Special Education Supervisors, and the Treasurer have policy books.

All forms and policies mentioned in this handbook are available at www.lcesc.org - pull down tab for staff resources.

Contracts and Calendars

Pre-Employment Criminal Background Check

Current administrative guidelines are in place, which necessitate a legally required records check.

Included must be:

Prior to employment:

- Criminal history records check, both BCI and FBI

Early Education Department

All new employees who work directly with children must submit a completed physical examination form by a medical doctor to the department within 30 days of employment.

Annual Contract (policies: 3124 & 4124)

It is the superintendent's responsibility to ensure that all professional employees have a written employment contract. The superintendent also provides each newly employed professional staff member with a written job description for his or her specific job. Most job descriptions are written for the individual employee reflecting if a position is specifically for a district need. If the district contract is not renewed, or the district no longer wants the individual in that position, the ESC may need to RIF the individual. The employee then signs the job description and receives a copy. New employees shall sign a job description during the interview process.

Generally, the first year of employment shall be a one year contract. Contract sequence is set in policy. (Policies: 1000-Administrators, 3000 Teachers, 4000 Classified)

Previous Experience/Placement on Salary Schedule (policies: 3411 & 4411)

Your placement on the salary schedule will be based upon your previous work experience that is directly related to the position for which you are applying. Experience must be documented/verified in writing by the previous employer. Final determination of placement will be made by the superintendent.

Work Calendar and Hours (policies: 3250 & 4250)

Prior to the beginning of a contract year, each employee will receive a work calendar from their direct supervisor. The work calendar is organized by month and contains the following information:

- Name, position, contract beginning date, contract ending date
- First day of service, last day of service
- Listed monthly: number of work days, dates of holidays, non-scheduled days, pay dates
- The total number of work days should correspond to the number of work days specified in your contract.

Should you have any questions concerning your work calendar, please contact your immediate supervisor.

Holidays (policies: 3334 & 4434)

Staff members who are assigned to a school district and are not 12-month employees will follow the school district's holiday calendar.

Twelve month certified employees have the following holidays: New Years Day, Martin Luther King Day, Memorial Day, Labor Day, Thanksgiving Day, Christmas Day, and the Fourth of July. In addition, the Superintendent will determine any non-scheduled days on the employee's yearly work calendar.

If a paid holiday falls on a Saturday, the employee will be off on the preceding Friday. If the holiday falls on a Sunday, the employee will be off the following Monday.

Vacation (policies: 3433 & 4433)

Twelve-month (248-260 days) employees are provided with vacation days within the contractual year according to the specific policy. The number of vacation days granted per year is related to the number of years of service. Vacation days are earned on a quarterly basis.

All requests for use of vacation days must be pre-approved by the Supervisor and Superintendent. However, employees should generally request vacation days during periods when the school district in which they are assigned are not in session (summer, spring break, winter break, etc.).

Twelve month certified employees (professional staff policy #3433 and classified policy #4433) may accumulate and carry forward a maximum number of vacation days that is not greater than that which can be earned for five quarters. Any vacation time in excess of that amount which is not taken at the end of the quarter is forfeited. Twelve month certified employees may opt, however, to receive, at the end of a quarter, pay, at the current daily rate of pay, for up to three vacation days (the employee's number of vacation days is then reduced by the number of days the employee received payment for). Vacation days must be used or reimbursed in at least 1/2-day units.

Vacation days are not to be planned for the beginning and ending weeks of the school year and during opening and ending staff inservice days.

At Termination of Employment

Upon termination of employment, twelve month certified employees would be provided a lump-sum payment for accumulated vacation time with a maximum accumulation amount not to exceed that, which can be earned for five quarters. Lump-sum payments are limited to the amount of vacation time the employee has accumulated at the time of the termination.

School Closing and Early Dismissals (policy 8210)

The E.S.C. Central Office is open unless the established phone tree calls you. Early Education and Phoenix Central employees will follow procedures for closing as instructed by supervisors. Classrooms located in other district sites will follow the district closing procedures.

PROFESSIONAL RESPONSIBILITIES

Staff Attendance (policies 3243, 3432, 3436, & 4432, 4436)

All staff are expected to arrive on time to their worksite and not leave prior to the end of the regularly scheduled work day.

If **Central Office** and **district hired administrative staff members** (including preschool and school age program related service staff i.e. SLP, OT) are unable to report for the work day, the Central Office must be notified by calling **740-349-6088** no later than 7:30 a.m. Please leave a message on the answering machine that includes the reason for the absence, what type of leave will be used, and when a return to work is anticipated.

Early education and school age programming instructional staff are required to report absences through the **central sub caller** (subcentral@lickingvalley.k12.oh.us) Calls to the sub caller must be made no later than 6 a.m. on the date of absence. The phone number for the central sub caller is **740-334-9129**. **You have the option to email, call or text.** At 5:00 a.m. subs are already looking on-line with AESOP, a competing sub calling system.

Upon returning to work, complete and send a leave request through **the Kiosk on-line system** which automatically sends such to your supervisor within 24 hours.

Failure to report and/or document your absence(s) may result in disciplinary action/ up to and including docking your pay if not completed within 10 days, and if repeated in a later month, could be used as grounds for non-renewal, or suspension of contract. Please refer to the disciplinary policies.

Importance of Attendance

Please remember that consistency of instruction is an important element that significantly impacts the success and progress of our students. It is your expertise that provides students educational benefits each and every day that you are present in the classroom. Attendance plays a large part in determining your success for evaluations and decisions on Reductions in Force each year.

With this in mind, we would like to remind you that your continued evaluation of how and when you use leave time is deeply appreciated. We encourage you to continue to use your sick leave wisely by taking only partial days for appointments and/or scheduling them outside of work hours whenever possible. Students depend on your daily presence for their success as much as your co-workers depend on you for your support. Obviously there are unavoidable situations that require extended family or sick leave time such as births, surgeries, or serious illnesses. Such use of your accumulated sick leave is not a concern – these circumstances are exactly why your accumulated sick time is there and available for your use.

You are an important part of the successful delivery of services to our students with special needs. We value you and your daily desire to provide services to these students.

Please join us in committing to making your job a priority and to understand just how important it is in the lives of others.

Sub Caller Procedures

- As soon as you know you will be absent you will need to call **740-344-9129 (Carol Patterson – shared with Licking Valley)**
If you know in advance of the date that you need a substitute, please submit such request to Carol through email at subcentral@lickingvalley.k12.oh.us
You will not need to call another attendance reporting number.
- On the recording you will need to leave the following information:
 1. Your name
 2. Your work location
 3. Your position (Are you a teacher or an aide?)
 4. The type of leave that you are requesting.
 5. How long you anticipate being away from work.
- If at all possible, please make your call by 9:00 p.m the evening prior to your absence.
- Messages will be checked first thing in the morning. Please call prior to 6:00 a.m.
For leaves that you are prearranging (i.e. professional, personal, and/or compensatory time):
Within 48 hours of the leave date:
- Contact your supervisor for approval.
- Call 740-344-9129 to request a substitute providing the information as stated above.
- Complete your leave request on the Kiosk system.
- On the leave request please note that you have called to arrange for a substitute
- If for any reason you need to cancel a pre-arranged leave you will be responsible for canceling the sub.

If you have an emergency during your work day that requires you to leave your work assignment immediately contact your supervisor/director for assistance.

Please be considerate and communicate the fact that you will be absent to the other members of your instructional team. Related service staff providing services to school age classrooms will be responsible to notify classrooms that they will be absent. If a substitute does not report within 15 minutes of starting time, contact your supervisor/director.

Dress and Grooming (policies 3216 & 4216)

Staff members are expected to adhere to the dress code of the building/school district in which they are assigned. In general, however, staff members should:

- Be physically clean, neat, and well groomed;
- Dress in a manner consistent with their professional responsibilities;
- Dress in a manner that communicates to students a pride in personal appearance;
- Dress in a manner that does not cause damage to district property
- Be groomed in a way that hairstyle does not disrupt the educational process nor cause a health or safety hazard.

Non-Use of Tobacco by Staff - Smoke Free Workplace (3215 & 4215)

Employees of the LCESC are prohibited from using tobacco in school and county buildings, or in building space leased by the county, on school busses, and at any school-related event. For the purposes of this policy, “use of tobacco” means the use of tobacco, including a cigar, cigarette, pipe, snuff, or any other matter or substances that contains tobacco and remain smoke free.

In the leased Phoenix location, by building policy, smoking materials may not be brought into the building.

Drug-Free Workplace Level I policies 3122.01 & 4122.01)

The LCESC strictly enforces the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Campuses Act of 1989. All employees are expected to abide by the provisions of both acts. These provisions are federal law and are therefore mandatory for our workplace. The workplace includes the offices of the LCESC and any location in which LCESC personnel are performing the work of this office. All employees will be asked to acknowledge that they have read and agree to abide by the Drug-Free policy of the LCESC by signing a copy of the policy and returning it to his or her supervisor.

Unlawfully manufacturing, distributing, dispensing, possessing, or using any controlled substance in the workplace will be viewed as inappropriate behavior and as behavior which is absolutely prohibited. Unlawful possession, use, or distribution of illicit drugs and/or alcohol in the workplace is strictly prohibited. Controlled substances include, but are not limited to: narcotics, marijuana, stimulants, depressants, hallucinogens, designer drugs, look-a-likes, and/or any other unlawful drugs.

Any employee convicted of a criminal drug statute violation, which occurs in this workplace, must inform the Superintendent, in writing, no later than five days after the conviction. The LCESC, in turn, must notify the federal government or an applicable regulatory agency within 10 working days of learning of this conviction.

When any employee is convicted of a criminal drug statute violation, which occurred in this workplace, the LCESC must impose disciplinary actions consistent with its personnel policy and/or require rehabilitation. However, the LCESC is not obligated to provide, pay for, or offer rehabilitation. The disciplinary action may include termination of employment.

Drug Free Workplace LEVEL II & III (policies 3122.02 & 4122.02)

The Licking County ESC Governing Board believes that it is very important to provide a safe workplace environment for all its employees. The ESC is taking steps to address the problem of substance use that negatively affects every workplace, including ours. The Licking County ESC is concerned with the health and well being of all employees. Behaviors related to substance use can endanger all employees, not just substance users. We can't condone and won't tolerate behaviors on the part of employees that relate to substance use, such as:

- use of illegal drugs
- issue of alcohol
- sale, purchase, transfer, trafficking, use or possession of any illegal drugs
- arrival or return to work under the influence of any drug (legal or illegal) or alcohol to the extent that job performance is affected

Management is fully committed to our Drug-Free Workplace Policy, which establishes clear guidelines for acceptable and unacceptable employee behavior for everyone in the workplace. We will not tolerate substance use in violation of this Policy and intend to hold everyone reasonably responsible for supporting the Policy.

This Policy describes our Governing Board’s Drug-Free Workplace Program, and every employee is expected to read and understand it. The Policy applies to every employee including management, and also applies to contractors and subcontractors we may use. The consequences stated in this Drug-Free Policy will apply to anyone who violates the Policy.

The Licking County ESC holds all employees accountable in terms of substance use but also supports getting help for employees. Employees who come forward voluntarily to identify that they have a substance problem will receive ESC support and assistance (as described and limited in policy 3170.01). However, if an employee has a substance problem and does not come forward, and the employee then tests positive for drug or alcohol use in violation of this Policy, the Licking County ESC reserves the right to terminate employment for violation of this work rule. Employees whose jobs are subject to any special law or regulation may face additional requirements in terms of substance use. Other consequences that apply to all employees who violate this Policy are spelled out within this document.

This program will go into effect within 30 days of the announcement of our Drug-Free EZ Program and this Policy that describes our Drug-Free EZ Program. Our policy covers five key parts of the Governing Board’s program. The five parts are:

- policy that clearly spells out the program rules and how everyone benefits
- annual substance awareness education for all employees
- training for supervisors regarding their responsibilities
- drug and alcohol testing, the most effective way to change harmful behaviors related to substance use
- employee assistance (see policies 3170.01 & 4170.01)

Employees will have the opportunity to receive information about how substance use is a problem affecting the workplace. You will learn the signs and symptoms, dangers of use, and how and where to get help for yourselves and your families. Trent Montgomery will be our Drug-Free Workplace Program Administrator so everyone knows who to go to for information or help. He will be responsible for arranging drug and alcohol testing, as needed, and will have a list of places that employees can turn to for help for themselves and/or their families. He will also arrange to get knowledgeable presenters to educate our employees about substance use through the PublicSchoolWORKS on-line course programs.

Protections for Employees

This program is designed to protect employees from the behaviors of substance users. Some of the protections built into the program are the following:

- Employee records like testing results and referrals for help will be kept confidential. Information will be on a need-to-know basis. Any violation of confidentiality rights is subject to disciplinary action up to and including termination of employment.
- The LCESC is committed to employees who have a substance problem getting help. Each situation will be reviewed individually. Employee assistance (as described in policy 3170.01) is available for employees and their families. A list of resources may be available by calling the 1-800 number on the back of your medical health benefits card. We want you to come forward if you have a substance problem and not wait. If you test positive, you’re risking losing your job. We don’t want that to happen.

- All supervisors will be trained in their duties related to testing before this program begins.
- All employees will receive awareness education every year to help identify problems and learn where they can go for help. (Public School WORKS)
- Collection of urine specimens and breath testing will be done at a local clinic, and a laboratory certified by the federal government will analyze urine drug test specimens. These labs use the highest level of care in ensuring that results are accurate, and the process that's used is 100% accurate in detecting the substances that the Licking County ESC is concerned about, substances that are present in the employee in sufficient quantity to lead to behaviors that may hurt the person or other employees. The lab will work closely with our local clinic to ensure fairness and accuracy of every test, and we also have a Medical Review Officer (called an MRO) at the agency doing the testing, a trained physician responsible for checking whether there's a valid reason for the presence of the substance in the employee's system. The MRO is an expert in drugs and alcohol. When the MRO receives positive test results, the MRO will contact the employee and any appropriate health care provider to determine whether there is a valid reason for the presence of the drug in the person's system.
- The testing program consists of an initial screening test. If the initial results are positive, then a second test is used. Cut-off levels for each drug and for alcohol are established for what will be considered a positive test. These levels show that the employee didn't just have a little of the substance in his or her system but enough to affect workplace safety and the ability to do the job.

These cut-off levels come from federal guidelines and are fair for all employees.

Employee Awareness Education

Every employee will be required to complete an on-line course through PublicSchoolWORKS in which this policy is discussed. You will have a chance to ask questions. Access to our written Policy is available through our website at www.lcesc.org (go to pull down tab on Staff Resources and click onto policies – certified employees use the 3000 section and classified employees use the 4000 section), and everyone will be expected to sign that they reviewed such policy. Later, we'll have a qualified person explain why and how substance use is a workplace problem, the effects, signs/symptoms of use, effects of commonly used drugs in the workplace, and how to get help. There will be a minimum of **two (2) hours** of substance online education annually for all employees. New employees will hear about the program during orientation and will receive substance education as soon as possible thereafter.

Supervisor Training

Supervisors will be trained to recognize substance problems that may endanger the employee and others as well as violate this Policy. This training is in addition to the employee education session. Supervisors will be trained about testing responsibilities, how to recognize behaviors that demonstrate an alcohol/drug problem and how to make referrals for help.

Drug and Alcohol Testing

Testing will be used to detect problems, get employees not to use substances in a way that they violate our Policy and then allow us to take appropriate action to correct the situation. In addition to alcohol, the drugs that we are testing for are the following:

- Amphetamines (speed, uppers)
- Cocaine (including crack cocaine)
- Marijuana
- Opiates (codeine, heroin, morphine)
- Phencyclidine (PCP, “angel dust”)

Employee Assistance (see policies 3170.01 or 4170.01)

The Licking County ESC believes in offering assistance to employees with a substance problem. We don't have a rehabilitation program and can't afford to pay for someone to attend a program, but we are supportive of employees taking action on their own behalf to address a substance problem. For employees who come forward voluntarily to seek help, we have a list of local community resources available by calling the appropriate 1-800 number through our Health Insurance provider or calling LCAPP. The list is of places to go for a confidential assessment and for treatment. When an employee has a substance problem, we'll meet with the employee to discuss the problem and any violation of this Policy. The Licking County ESC Governing Board reserves the right to terminate based on a positive test.

When Will a Test Occur?

Employees will be tested for the presence of drugs in the urine and/or alcohol on the breath under any and/or all of the conditions outlined below:

A. Post-Offer, Pre-Employment Medical Examination and Drug Testing

B.

As part of the Licking County ESC's employment procedures, all final applicants considered for hiring will be required to undergo a post-offer, pre-employment medical examination and a drug screen/test that is conducted by a contractor designated by the ESC

Any offer of employment depends upon satisfactory completion of this examination and/or screening, and the determination by the ESC and its examining physician that the person is capable of performing the responsibilities of the position that has been offered.

C. Reasonable Suspicion Testing

Reasonable suspicion testing will occur when management has reason to suspect that an employee may be in violation of this Policy. The suspicion will be documented in writing prior to the release of the test findings.

D. Post-Accident Testing

Post-accident testing will be conducted whenever an accident occurs, regardless of whether there's an injury. We consider an accident an unplanned, unexpected or unintended event that occurs on our property, during the conduct of our business, or during working hours, or which involves one of our motor vehicles or motor vehicles that are used in conducting LCESC business, or is within the scope of employment, and which results in any of the following:

1. A fatality of anyone involved in the accident;
2. Bodily injury to the employee and/or another person that requires off-site medical attention away from the ESC's place of employment;
3. Vehicular damage in apparent excess of \$1,000.00; or
4. Non-vehicular damage in apparent excess of \$1,000.00.

E. Follow up Testing after Return-to-Duty from Assessment or Treatment

This test occurs when an employee who has previously tested positive and the decision is made to not terminate the employee under a "last-chance" agreement. A negative return-to-duty test is required before the employee will be allowed to return to work. If the employee fails this test, this will lead to termination of employment. Once an employee passes the drug and/or alcohol test and returns to work, management may choose to do additional unannounced tests for as long as we deem necessary. Any employee with a second positive test result will be terminated.

F. Random Drug Testing

Random drug testing will include all employees and is conducted on an unannounced basis. A non-company testing organization uses computer software that ensures a truly random selection process in which all employees in the testing pool have an equal statistical likelihood of being selected for testing. When the next random draw is conducted, all employees are again included in the pool with an equal chance of selection, regardless of whether an employee was previously selected. Random testing is designed to deter drug use in violation of the Policy and ensure that we maintain confidence in our employees' abilities to perform their duties. The Licking County ESC has contracted with an outside vendor to perform the periodic selection of employees for inclusion in the random testing pools. The contractor selects employees at random for drug testing at any time during each calendar year. The ESC will provide employee identification numbers to be used in the random selection drawings. The contractor will, in turn, furnish the ESC with a list of individuals to be tested at the beginning of each selection period. It shall be the responsibility of the ESC to notify each employee who was selected with the date, time and location that random testing will be performed. When notified, it shall be the responsibility of the individual employee to report to the company doing the testing within **32 hours** to provide a urine specimen for drug testing and or breath alcohol test. An employee's failure to comply with the request for a specimen for random testing will result in termination of employment.

SUBSTANCES TO BE TESTED FOR AND METHODS OF TESTING

The procedure that we're relying on is called systems presence testing. This is how qualified testing professionals identify the presence of one or more of prohibited controlled substances or alcohol that may be present in the employee. There is an initial screening test. If it's negative, then a negative test is declared. If the initial test is positive (comes in at or higher than the cut-off level), a second test called a "confirmatory" test is done. This is a different test and is considered accurate by experts and in court. Cut-off levels are standards that have been established for each of the tested drugs after years of research. These levels will be used to interpret all drug screens/tests, whether for a pre-employment examination, reasonable suspicion test, and post-accident test or follow up test.

SPECIMEN COLLECTION PROCEDURE

Urine specimens and breath testing will be conducted by trained collection personnel who meet standards for urine collection and breath alcohol testing. Confidentiality is required from our collection sites and labs. Employees are permitted to provide urine specimens in private, but subject to strict scrutiny by collection personnel so as to avoid any alteration or substitution of the specimen. Breath alcohol testing will likewise be done in an area that affords the individual privacy. In all cases, there will only be one individual tested at a time. Failure to appear for testing within **32 hours** when scheduled shall be considered refusal to participate in testing, and will subject an employee to the range of disciplinary actions, including dismissal, and an applicant to the cancellation of an offer of employment. An observed voiding will only occur if there are grounds for suspecting manipulation of the testing process.

EMPLOYEES' RIGHTS WHEN THERE IS A POSITIVE TEST RESULT

An employee who tests positive under this Policy will be given an opportunity to explain the findings to the MRO prior to the issuance of a positive test result to the Licking County ESC. Upon receipt of a confirmed positive finding, the MRO will attempt to contact the employee by telephone or in person. If contact is made by the MRO, the employee will be informed of the positive finding and given an opportunity to rebut or explain the findings. The MRO can request information on recent medical history and on medications taken within the last thirty days by the employee. If the MRO finds support in the explanation offered by the employee, the employee may be asked to provide documentary evidence to support the employee's position (for example, the names of treating physicians, pharmacies where prescriptions have been filled, etc.). A failure on the part of the employee to provide such documentary evidence will result in the issuance of a positive report by the MRO with no attendant medical explanation. A medical disqualification of the employee will result. If the employee fails to contact the MRO as instructed, the MRO will issue a positive report to the Licking County ESC.

REPORTING OF RESULTS

All test results will be reported to the MRO prior to the results being issued to the Licking County E.S.C. The MRO will receive a detailed report of the findings of the analysis from the testing laboratory. Each substance tested for will be listed along with the results of the testing. The ESC will receive a summary report, and this report will indicate that the employee passed or failed the test. All of these procedures are intended to be consistent with the most current guidelines for Medical Review Officers, published by the federal Department of Health and Human Services.

STORAGE OF TEST RESULTS AND RIGHT TO REVIEW TEST RESULTS

All records of drug/alcohol testing will be stored separately and apart from the employee's general personnel documents. These records shall be maintained under lock and key at all times. Access is limited to designated ESC officials. The information contained in these files shall be utilized only to properly administer this Policy and to provide to certifying agencies for review as required by law. Designated ESC officials that shall have access to these records are charged with the responsibility of maintaining the confidentiality of these records. Any breach of confidentiality with regard to these records may be an offense resulting in termination of employment.

Any employees tested under this Policy have the right to review and/or receive a copy of their own test results. An employee may request from the Drug-Free Coordinator, in writing, presenting a duly notarized Employee Request for Release of Drug Tests Results Form, requesting that a copy of the test be provided. The ESC will use its best efforts to promptly comply with this request and will issue to the employee a copy of the results personally or by U.S. Certified Mail, Return Receipt Requested.

POSITIVE TEST RESULTS

Employees who are found to have a confirmed positive drug or alcohol test will be immediately taken off safety-sensitive duties and are subject to discipline up to and including termination.

TERMINATION NOTICES

In those cases where substance testing results in the termination of employment, all termination notices will list “misconduct” as the reason. Termination shall be deemed “for cause”.

Sexual Harassment (policies 3362 & 4362)

The Governing Board recognizes that a professional staff member has the right to work in an environment untainted by sexual or other forms of harassment or discrimination. Offensive conduct which has the purpose or effect of unreasonably interfering with work performance or creating an intimidating, hostile, discriminatory, or offensive educational environment disrupts the educational process and impedes the legitimate pedagogical concerns of the Educational Service Center (ESC).

Sexual harassment includes all unwelcome sexual advances, requests for sexual favors, and verbal or physical contacts of a sexual nature whenever submission to such conduct is made a condition of employment or a basis for an employment decision.

Other prohibited (Harassment) conduct includes that which has the purpose or effect of creating an intimidating, hostile, discriminatory, or offensive educational environment on the basis of gender, religion, race, color, ethnicity, age, and/or disability.

The harassment of a staff member or student of this ESC is strictly forbidden. Any professional / classified staff member or agent of the Board who is found to have harassed a professional staff member, student, or other employee of the District will be subject to discipline and/or consideration for filing charges against such individual.

Confidential reports may be made to **Jason Hankinson (349-6095) or Kareen Robbins (349-4986)**, as the official Compliance Officers.

NOTE: Any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of the criminal charge of "sexual battery" as set forth in Ohio revised Code 2907.03. The issue of consent is irrelevant in regard to such criminal charge.

Conflict of Interest – Private Practice (policies 1130, 3211, & 4211)

The proper performance of school business is dependent upon the maintenance of unquestionably high standards of honesty, integrity, impartiality, and professional conduct by Governing Board employees. Further, such characteristics are essential to the Board's commitment to earn and keep the public confidence in the Educational Service Center. For these reasons, the Board adopts the following guidelines to assure that conflicts of interest do not occur. These guidelines are not intended to be all-inclusive, nor to substitute for good judgment on the part of all employees.

- A. No employee shall engage in or have a financial interest, directly or indirectly, in an activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities in the school system.

- B. Employees shall not engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship they may have with any student, client, or parents of such students or clients in the course of their employment with the Educational Service Center.
Included by way of illustration rather than limitation are the following:
 - 1. the provision of any private lessons or services for a fee;
 - 2. the use, sale, or improper divulging of any privileged information about a student or client gained in the course of the employee's employment or through his/her access to Educational Service Center records;
 - 3. the referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration for such referrals;
 - 4. the requirement of students to purchase any private goods or services provided by an employee or any business or professional practitioner with whom any employee has a financial relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations.

- C. Employees shall not make use of materials, equipment, or facilities of the Educational Service Center in private practice. Examples would be the use of facilities before, during, or after regular business hours for service to private practice clients, or the checking out of items from an instructional materials center for private practice.

The Superintendent shall approve exceptions to this policy before an employee begins entering into any private relationship of question.

Confidentiality (policies 3213 & 4213)

Confidentiality is the basis for all personal relationships and it involves trust, respect, and confidence. In our educational programs, it is a must! Please read these guidelines listed in our policy

- 1. Last name (of student) should never be used outside of the school setting to anyone.
- 2. The school district or address of a student is not to be given to anyone other than school personnel.
- 3. No one should know the "educational status" of the student for example: disabled, typical, at risk, etc.

4. The family status or any other personal information regarding a student is not to be discussed with anyone, for example: foster student, divorce situations, welfare or income status, etc. A student should only be discussed if it pertains to the student's educational performance. **Any information shared between staff is strictly confidential.*
5. Student should not be discussed with other parents of students in your class. Do not give out the last name of a student to a person who is not employed within the programs of the LCESC. Any questions or concerns regarding a student should be addressed to the teacher.
6. When asking about a student or announcing a student over the public address system use first name and only the last name's initial.
7. If a parent calls, writes a note, or comes to school and has questions or concerns about a student that cannot be addressed by that student's teacher, contact your direct supervisor or the Director. Please do not give out any information to the parent unless previously arranged by the teacher and assistant.
8. If any individual calls the school and asks whether a student attends the school or wants to verify information about the student, do not provide information. It is best to say, "I cannot confirm or deny that the child is a student at our school. If you wish to come to the school and provide documentation as to who you are and the need to know, we will be happy to assist you. I hope you appreciate our need to protect the confidentiality/privacy of our families."

Information discussed between a teacher and aide or other personnel regarding a specific student is strictly confidential.

Any student enrolled or under evaluation falls under these confidentiality rules:

Individual students are not to be discussed with any person outside of the program.

- A. All medical information
- B. Personal information of the student or parents.
- C. The determination outcome of the student
- D. Issues or incidents, which occur in the classroom or during evaluation in regards to a student.

You are not to discuss any information to a parent that calls in and asks questions regarding the particular student, unless, the parent can provide documentation that he/she has **full custody** of the student. There needs to be a **signed and dated** letter from the custodial parent saying that any information can be released to the non-custodial parent.

If a non-custodial parent shows up at the classroom:

You need to say to the parent: "I cannot allow you to enter the classroom and release any information to you regarding this student. You will need to contact your spouse concerning authorization to speak with you."

Any information pertaining to individuals or families enrolled in any component of the Licking County Educational Service Center is considered private and shall remain confidential. In addition, the information will only be released with the written permission of his or her guardian, or the parent of the child. His or her guardian, or parent of the child may revoke permission for the release of information at any given time. Strict adherence to this policy is necessary in order to preserve individual rights under the Family Educational Records Privacy Act (FERPA) and the Individuals with Disabilities Education Improvement Act (IDEA). Failure to honor this policy could result in immediate dismissal of duties as well as possible legal action.

Mandated Reporting of Child Abuse (policies 3213 & 4213)

The State of Ohio requires the reporting of any suspected child abuse and/or mistreatment to the Children Service agency of the local law enforcement in your county. Mandated reporters include:

Dentists	Nurses
Psychologists	Day Care Staff
Social Workers	Children Services Staff
School Personnel	Any person rendering spiritual treatment

Mandated reporters who fail to report suspected maltreatment may be charged with a fourth degree misdemeanor. You can file reports anonymously. If you choose to do so, document the date and time of the call, the name of the person to whom you spoke and a brief description of the information you provided. This can be placed with the actual report if your attempt to report is called into question.

In September 1996, an amendment to the Ohio Revised Code Abuse Reporting Law (O.R.C.2151.421) required mandated reporters to personally make the abuse/neglect report to the applicable county children service's or law enforcement agency. In other words, it is unlawful for a mandated reporter to ask another person to make the report for them.

More New Policies & Policy Revisions

Every employee of the LCESC shall be required to confirm acceptance of the A.U.P. as posted through LACA's permission of use annually. Each employee will read the policy updates through PublicSchoolWORKS online program periodically.

New & Revised Policies:

Group Health Insurance: 1619.02 Privacy, 3421.01.4421.01,
Positive Behavior Intervention and Limited Use of Restraint and Seclusion Policy 55630.01
Health Services 5310, 5330 Use of Meds; Student Accidents 5340 (student accidents–concussions), 5350
Student Suicide; 5336 Care for Diabetes; 5830 Fund Raising (sale of food); 8500 Food Services
Administrative Evaluations and Contracts 1520. 1530/ Incidental Transportation of Students 8660
Procurement and Use of Epinephrine in Emergency Situations 5330.02
Prohibition against Disability Discrimination (updated) 1623, 3123, 4123
Access to Equal Educational Opportunity 2260 (updated)
Electronic Fund Transfers (new) 6108
Revised Comp Time, Personal, Sick Leave reporting – 3432, 3436, 3250.01, 3250 & 4250
ADA Updates: 1623,
Anti-Harassment – 1662, 3362, 4462; Career Advising -2413
Student/Staff Education Technology Acceptable Use Policy 7540.02, & .03; Center Web 7540.04
Receiving legal Documents – 8325; Center Support Org 9210;
Sick Leave/Personal Leave – reporting on Kiosk – 3432/4432/3436/4436

Cellular Phones (policy 7531)

District (LCESC) -owned cellular phones may be issued to the following staff members:

- Administrators
- Teachers
- School Psychologists
- Custodial/Maintenance Staff

The phones are to be used primarily for:

- Emergency situations;
- Communicating with the administration, other staff members, or parents concerning classroom, school, or ESC or local districts activities.
- These phones shall be collected and stored for the summer from individuals who have completed their contract time as 185, 200 and/or 220 day until they return for duty at the start of next school year.

Telephones are not to be used:

- to transact personal business or non-school-related business during class time/work hours;
- during classroom time unless it is for an emergency or is an integral part of a learning activity;
- by students at any time unless specifically authorized by the teacher or supervisor for school related purposes only;
- for long distance personal calls.

Classroom staff members should not be using personal cell phones during student time. Personal cell phones should be turned off and stored during this time.

CERTIFICATION & PROFESSIONAL DEVELOPMENT (policies 1530 & 4242)

Annual Professional Development Goals (policy 3220 & 4220)

Each year all LCESC classified staff are required to create professional development goals. These goals should be related to improving job related skills or knowledge. The goals need to be put into written form on the LCESC **Form Goals + school year** document. This form is updated each year by the superintendent and distributed to the supervisory staff.

According to the **LCESC Evaluation Document: Timeline and Procedures for Evaluation** the following are important dates relating to the development of annual professional goals:

- September 30 Pre-conference (individual or group) with evaluator
- September 30 Establish annual goals with evaluator approval

Once established, staff may choose to add professional development goals at any time during the contract period. Additionally, supervisors may add to staff annual professional goals at any time during the contract period. OTES Guidelines to align with Policy 3220 for **teaching staff** will be implementing the State Teacher Evaluation process of OTES. **Administrators** will follow new OPES procedures outlined in Policy 1530.

Professional Development (policies 3242 & 4242)

All LCESC staff are encouraged to seek professional development opportunities that will assist them in meeting professional development goals. These opportunities might include but are not limited to professional workshops, seminars, and college coursework. A staff member wishing to participate in a professional development activity during their scheduled work hours must fill out an LCESC Leave Request through **the Kiosk system**. This form indicates the date, purpose, location, and estimated costs of registration, mileage, lodging, meals and parking. Any registration form required should be attached to the leave request document. A request for professional leave must be approved first by the immediate

supervisor and also by the Superintendent and Treasurer. This process may take up to two weeks or longer. It is recommended that staff turn in these requests approximately one month in advance of the workshop or seminar date. Additionally, if the workshop or seminar will take place **out-of-state**, **the request must be pre-approved by the LCESC Governing Board at least the month in advance of the meeting**. The governing board meets the second Tuesday of each month.

Certification Renewal (policies 3124, 3242, & 4124)

Each staff member is responsible for maintaining his/her certificate/license. Failure to do so is grounds for termination. It is not the responsibility of the ESC to remind staff of pending expiration dates.

Unless you are licensed by another State of Ohio entity (Speech Board, Physical Therapy Board, etc.) or you hold a *permanent* license, you will work with the Local Professional Development Committee to renew your license. The **first step** is to submit your Individual Professional Development Plan (IPDP) as soon as possible. Beginning in January, 2014, all renewals will be done on-line through the Ohio Department of Education website (<http://education.ohio.gov/>). Your application will then be forwarded to your LPDC for an approval signature.

Tuition Reimbursement (policies 3421.02 and 4421.02)

Any full time certificated employee who earns college credit from an approved college or university in an area of education as approved by the Superintendent in advance of taking the course and presents evidence that such course work has been satisfactorily completed, shall be paid at the rate of (\$125) per semester hour, (\$75) per quarter hour. This is contingent upon funds in the pool each year. Under no circumstances will such employee be reimbursed more than the actual cost of tuition for the course. Graduate courses must fall in one of the following categories:

- courses directly related to employee's assignment
- courses which relate to any certification area on an individual's certificate
- courses in the field of education approved on an individual's IPDP
- courses which deal with teacher's area of extra curricular employment
- other course work specifically approved by the superintendent

Guidelines:

- The employee must receive a "B" or better or pass a pass/fail course to be considered for reimbursement.
- Reimbursement is limited to 6 semester hours or 9 quarter hours.
- Request for reimbursement must be approved by the superintendent before the course is taken.
- A form is available for making this request under staff resources at www.lcesc.org.
- Course work will be reimbursed following treasurer's receipt of official grades or transcript.
- An employee who does not return to the district the following year shall reimburse the board for tuition reimbursed courses during the last year of employment.

The maximum obligation of the board shall not exceed \$20,000. It is awarded on a first come, first served basis as determined by the date the request for reimbursement was submitted to the Superintendent on the appropriate forms.

Staff Discipline Procedures (policies 3139)

The Board retains the right and the responsibility to manage the work force. When the discipline of a staff member becomes necessary, such action shall be in proportion to the employee's offense or misconduct, consistent with appropriate procedural and substantive due process and State law. All matters that could involve discharge from the Center must be dealt with in accordance with R.C.3319.16.

The Superintendent will file a report with the Ohio Department of Education, in accordance with Policy 8141 and State law, concerning the professional member's pleading guilty to or conviction of certain specified crimes and/or where it is reasonably determined that the professional staff member has engaged in conduct which is unbecoming the teaching profession under certain specific circumstances as defined therein.

Concern and Complaint Procedures (policies 3364 & 4364)

It is in all LCESC employees' best interest to solve problems as quickly as possible. In view of this, the Governing Board has developed a procedure designed to open channels of communication to allow staff members to express their concerns and complaints to the appropriate levels of authority. A concern about a working condition should be expressed on an informal level by an employee to his or her immediate supervisor. A complaint is the formal acknowledgment of a perceived misinterpretation or misapplication of any provisions of the rules, orders, regulations and established by policy. The complaint/concern procedure involves three levels.

Level One

1. The employee puts into writing his or her concern or complaint and schedules a meeting with his or her immediate supervisor to discuss and resolve the issue informally. The written complaint and meeting should occur within 20 days of the staff member's complaint or concern.
2. If the staff member is not satisfied with the disposition of the concern or complaint discussed at the initial meeting, he or she may file a written complaint with his or her supervisor within 10 days of the initial meeting. A copy of this written complaint is also given to the Superintendent. The supervisor evaluates the complaint and communicates in writing to the employee and Superintendent his or her decision regarding the complaint.

Level Two

1. A staff member may appeal the decision of the Supervisor to the Superintendent within 10 days of receipt of the written decision. The appeal shall include a copy of the decision and the grounds for appeal.
2. The Superintendent will schedule a hearing within 10 days of receiving the appeal. The employee and any administrator who has previously been involved in the complaint will be given written notice of the time and place of the hearing at least five days prior to the hearing.

3. The Superintendent will provide the employee and any administrator who has previously been involved in the complaint his or her written decision, including supporting reasons, within five days of hearing the appeal.

Level Three

1. If the action taken by the Superintendent does not resolve the complaint to the satisfaction of the employee, the employee may appeal in writing to the Governing Board. The notice of appeal is sent to the Superintendent and a copy is filed with the President of the Governing Board. The Superintendent places the matter on the agenda for the next regular meeting of the Governing Board. The employee has the right to be represented at the meeting by counsel. The administration may also have representation at the Board meeting.
2. The Governing Board will act upon the appeal at that meeting. The Governing Board's act shall be based upon the recommendation of the Superintendent and the arguments presented by or on behalf of the employee. Copies of the final action and supporting reasons will be sent to the employee, Superintendent, and Supervisor.

Additional procedures to consider in the resolution of complaints and concerns are as follows:

- Time limits may only be extended by mutual agreement of all parties concerned.
- The administration and employee will cooperate in the investigation of any work related complaints and both parties will furnish each other with such information, as it is necessary for the processing of any complaint.
- Complaints should be processed after the regular workday has ended or at other times which do not interfere with assigned duties.

Termination and Resignation (policies 3140 & 4140)

Termination

An employment contract may be suspended or terminated, upon a majority vote of the Governing Board, for reasonable and just cause such as gross inefficiency, immorality, willful and persistent violations of Board policy or LCESC guidelines and/or failure to perform essential and other functions of his/her job description, or for disclosing a question to a student on a State Proficiency test. In such cases, the Board shall abide by due process and statutory procedures.

Resignation

A staff member may resign by filing a written resignation with the Superintendent at least 30 days prior to the effective date of the resignation. However, the Board may not accept the staff member's resignation after July 10 if a replacement is not available.

A resignation, once accepted by letter of the Superintendent and later by action of the Board, does not have to be rescinded, if such is requested by the resigning employee.

Mandatory Reporting of Misconduct by All Employees (policy: 8141)

The Governing Board recognizes its responsibility to effectively address employee misconduct and, where determined appropriate, to provide a measured disciplinary response consistent with due process. In addition, with respect to licensed professional staff members (defined as employees who hold an educators license or certification with the Ohio Department of Education (ODE) including the Treasurer, Business Manager, educational aides with a permit and paraprofessionals with a license from ODE, individuals holding a one (1) year conditional teaching permit in the area of intervention specialist or seeking an alternative educator license, and those individuals who do not hold a valid educator's license but who are employed under a Pupil Activity Program Permit), matters of misconduct including conviction of certain crimes enumerated by law and/or conduct which is unbecoming to the teaching profession, will be reported by the Superintendent to the Ohio Department of Education.

Conduct unbecoming to the teaching profession is defined to mean:

- Crimes or misconduct involving minors;
- Crimes or misconduct involving school children;
- Crimes or misconduct involving academic fraud;
- Crimes or misconduct involving the school community;
- Making, or causing to be made, any false or misleading statement or concealing a material fact in obtaining the issuance or renewal of any educator licensing documents;
- The violation of the terms and conditions of a consent agreement with the State Board of Education;
- A plea of guilty to or a finding of guilt or conviction upon any offense enumerated under ORC 3319.39

Reporting Professional Misconduct

The Governing Board and/or Superintendent will file a report to the Ohio Department of Education on forms provided for that purpose, on matters of misconduct on the part of licensed professional staff members, under any of the following circumstances:

- When the Superintendent obtains knowledge that a professional staff member had plead guilty, has been found guilty, or has been convicted of a crime specified in ORC 3319.31(B)(2) or 3319.39(B)(1), including but not limited to any felony, any misdemeanor sex offense, any offense of violence, any theft offense, and any drug abuse offense that is not a minor misdemeanor;
- When the Governing Board has initiated termination or non-renewal proceedings against a professional staff member who is reasonably believed to have committed an act that is unbecoming to the teaching profession;
- When the professional staff member has resigned under threat of termination or non-renewal for any reason set forth in the first two bullet points above;

- When the professional staff member has resigned during the course of an investigation of alleged misconduct, which is reasonably believed to be unbecoming to the teaching profession.

Reports of any investigation regarding whether or not a professional staff member has committed an act or offense for which the Governing Board is required to make a report to the Ohio Department of Education, as set forth above, shall be kept in the personnel file of the professional staff member. Should the Ohio Department of Education determine that the results of the investigation do not warrant initiating an action suspending, revoking or otherwise limiting that professional staff member's license or permit, the report(s) of any investigation will be moved to a separate public file.

Additionally, effective May 4, 2012, the State of Ohio has established a reporting system whereby public employees can file complaints of fraud or misuse of public funds by public offices or officials. Complaints can be made using any of the following methods:

1. Mail a written complaint to:

Ohio Auditor of State's Office
Special Investigation Unit
88 East Broad Street
Columbus, OH 43215

2. Report a complaint online by going to:

www.FraudOhio.com then click on "Report Fraud online"

3. Report a complaint by telephone by calling:

1-866-FRAUD-OH (866-372-8364)

Reduction in Force (policies 1540, 3131, & 4131)

The reasons for which the Governing Board will consider suspending an employee's contract are the following:

- A. a decrease in the ESC's enrollment
- B. a return to duty of a staff member after a leave of absence
- C. the suspension of schools or territorial changes affecting the ESC
- D. financial concerns affecting the ESC. (including reduction in level of service contracts by participating districts)
- E. reorganization and/or consolidation of administrative functions

For further and in depth explanation refer to Governing Board Policies. (Refer to Policy 1000-Administrators, 3000 Teachers, 4000 Classified)

MISCELLANEOUS FORMS

Leave Requests

An Absence Request through the online **Kiosk system** should be used for all absences that are not compensatory leave requests. Examples of when you use the appropriate leave request are professional leave, personal leave, sick leave and vacation. Additionally, a Professional Leave Request should be completed for any meeting outside of your normal routine (i.e., out of county).

Sick Leave (policies 3432 & 4432)

All full-time employees of the Licking County Educational Service Center will receive fifteen (15) sick days annually at the rate of one and one-quarter (1 & 1/4) a month. Unused sick leave shall be accumulated up to 200 days. Sick leave may be used for the following purposes and must have the approval of the Superintendent: personal illness, injury, pregnancy, and exposure to a contagious disease which could be communicated to other employees or students. Sick leave may be used due to the illness or injury of a parent, spouse, or child. Any legal dependent living in the employee's household may be considered immediate family. Details of severance payment for those who qualify for retirement are set in policies 3415 and 4415. (one-fourth of unused accumulated sick leave will be reimbursed at the time of retirement)

Up to three days of sick leave may also be used for a death in the immediate family of an employee. Immediate family is defined as the employee's parents, spouse, child, sibling, grandparent, aunt, uncle, in-laws bearing any of these relationships or any dependent living in the employee's household. A leave request must be completed and the absence report phone number must be called.

If the absence is not reported properly on the online Kiosk System within ten (10) days following the return to work, the employee shall be docked for that/those days on their next pay date.

PROFESSIONAL LEAVE (policies 3243 & 4243)

All requests to attend professional meetings shall be made at least three days in advance of the meeting, using the leave request through the online **Kiosk System**. Determination of appropriateness and authority to grant permission for attendance at the meeting will rest with the Superintendent. The number of staff attending the same meeting will be determined by the financial status of the office, as well as the availability of substitutes. Permission to attend professional meetings outside of the State of Ohio shall be submitted to the Governing Board for approval. Not more than three employees from the general fund per year may attend out of state conferences. Approval from the Board needs to take place at a regularly scheduled meeting at least two months prior to the professional meeting. Please keep this in mind when considering processing time for registration.

PERSONAL LEAVE (policies 3436 & 4436)

Personal leave is defined as leave for necessary business, religious holidays, or emergencies beyond an employee's control. The leave request through the online **Kiosk System** must be completed 24 hours in advance of the leave, except in the event of an emergency. Personal leave cannot be used prior to or following a holiday or vacation period. Personal leave may not be used in combination with compensatory time use, sick leave or vacation days (days before or after). Personal leave shall not be used for the last two (2) weeks of school, the last week before winter break, nor for required inservice meetings at opening of school and last teacher workday. Extreme exceptions will be considered by the Superintendent on a one by one basis.

In accordance with Policy 2426, 4436 – Personal Leave, “Employees who have any unused personal days by June 30 of each year shall have the unused personal leave converted to sick leave and added to their sick leave accumulation. Such conversion will be for no less than half (1/2) day. Personal leave cannot be used for less than ½ day.”

ADMINISTRATIVE/TEACHER COMPENSATORY TIME 1550/3250.01/4250

The Governing Board provides programs and services to meet the needs of teachers, students and parents. This service-oriented approach requires activity during times which are best suited to the needs of our customers, not necessarily during regularly scheduled office hours. Those hours typically for teachers are seven and half hours, matching the hours of the district hosting programs or at the Phoenix or Flying Colors sites. The expectation for salaried employees is to commit whatever hours of work are needed to meet the complete required duties of the position.

Teachers with the Licking County Educational Service Center are salaried employees who work toward the completion of goals without strict adherence to an hourly time schedule. It is expected that they will occasionally need to come early, stay late, or work outside regularly scheduled hours to carry out responsibilities. However, there may be times when special approval can be given for additional hours to be earned as comp time for 185/190/200 day contracted employees.

The Governing Board of Education honors compensatory time when approved in advance by the administrator in charge awaiting a final approval by the Superintendent. The Superintendent is authorized to make exceptions if acceptable reasons are presented for use of earned comp time in advance.

Administrative Guidelines:

1. Compensatory time will be requested only in half and full hour amounts. The request for compensatory time will be made via an approved comp-time sheet and must have prior approval of the immediate supervisor. (Last minute emergency needs can be addressed by phone with written requests to follow as soon as possible);
2. A maximum of 40 hours of compensatory time may be earned in a **Fiscal Year**. The Superintendent may approve additional hours on specific projects as needs arise as long as the comp time can be scheduled and encouraged to be used by January 15 for hours earned in the first semester and those hours earned in the second semester be used by June 30 at year’s end. If the comp time is not used within such framework, it shall be lost;
3. Compensatory time shall not be earned for doing regular planning/record keeping/making reports that are expected duties of the position;
4. Compensatory time may only be used with the approval of the immediate supervisor and may not conflict with the successful completion of job responsibilities. Final approval of all compensatory time to be earned and/or used shall rest with the Superintendent.

Compensatory time may be approved for activities such as after-hours meeting with teachers, parents, students, or community members; teaching workshops only if not being paid the instructor fee; student/parent home visitations; special projects which have been agreed on with the immediate supervisor.

Unpaid Leave of Absence (policies 3431 & 4431)

A full-time employee with at least five years of service at the LCESC may, with Board approval, be granted an unpaid leave of absence. During this time, the employee will not be paid salary, wages, or receive Board paid fringe benefits. Before unpaid leave is approved, a written application must be made to the Superintendent that states the purpose of the leave, the approximate beginning and ending dates of the requested leave, and a signed

statement regarding the need for or desirability of the leave. This application is available in the superintendent's office.

The following conditions apply to unpaid leave:

1. Unpaid leave is normally in school-year blocks or semester blocks.
2. Request for unpaid leave must be submitted at least 90 calendar days in advance. The Superintendent, however, may waive this requirement in unusual circumstances.
3. Employees on an unpaid leave of absence may continue to receive Board provided insurance benefits by paying the Board's share of the cost.
4. Any use of an unpaid leave of absence for a purpose other than that stated in the approved application may be grounds for termination of the employee's contract.
5. The employment contract of the employee on unpaid leave of absence continues to run during the period of the leave, and is therefore subject to renewal, non-renewal, or suspension as otherwise provided by law.
6. The unpaid leave of absence cannot exceed a period of two years.
7. The time spent on an approved leave of absence does not count toward seniority or count toward salary schedule increments or retirement. However, an approved leave of absence is not considered an interruption of continuous service for the purpose of determining seniority.
8. At the end of the unpaid leave of absence, the employee assumes the contract status held at the time the leave was granted.

Family Leave of Absence (policies 3437 & 4437)

The Governing Board shall provide up to 12 work weeks of unpaid FMLA leave in any twelve (12) month period to eligible professional staff members for one of the following reasons: birth or care of a newborn child within one year of the child's birth, the adoption or foster care of a child within one year of the child's arrival or, a serious health condition of the staff member. Professional staff members are eligible if they have worked for the Licking County Educational Service Center Board for at least 12 months and for at least 1,250 hours over the twelve months prior to the leave request. All full time professional staff members are deemed to meet the 1,250 hour requirement. The **Family Leave Request Form** must be completed. This form is available in the treasurer's office.

Unrequested Leave of Absence

It is the policy of the Governing Board to protect students and employees from the effects of professional staff members unable to perform their duties.

The Board, through the Superintendent, may place a staff member on **unrequested leave of absence** for physical or mental disability when the staff member is unable to perform assigned duties in conformance with his or her job description.

In the case of a staff member who, in the opinion of the Superintendent, is unable to function properly by reason of physical or mental condition, the staff member will be offered the opportunity for a hearing.

If the staff member fails to comply with the Superintendent's recommendation or fails to request an appearance before the Board within the time allowed, the Board will order the staff member to submit to an appropriate examination by a physician designated and compensated by the Board.

If the physician designated by the Board disagrees with a physician designated by the staff member, the two physicians will agree in good faith on a third impartial physician who will examine the staff member and whose medical opinion will be conclusive and binding on the issue of the physical and mental capacity of the staff member to perform his or her assigned duties. The expenses of a third examination will be paid by the Board. If as a result of the examination, the staff member is found to be unable to perform assigned duties, the staff member will be placed on unpaid involuntary leave of absence until proof of recovery, satisfactory to the Superintendent, is furnished or for a period not to exceed one year.

Mileage Reimbursement (policies 3440 & 4440)

Job-Related Expenses

The LCESC may provide for the payment of the actual and necessary expenses, including travel expenses of any professional staff member of the district incurred in the course of performing services for the district, whether within or outside the district under the direction of and in accordance with administrative guidelines. The mileage reimbursement amount effective **July 1, 2015** is **\$0.50** per mile. The validity of expenses shall be determined by the superintendent and have proper receipt documentation. Receipts must be attached to the appropriate LCESC form when submitted. Mileage forms should be turned in for reimbursement during the first week of the following month to your supervisor. Reimbursement checks are not processed until the amount of reimbursement equals or exceeds \$20.00.

Guidelines for Reimbursable Mileage Costs:

- All mileage between the first and last worksite is reimbursable. If the first and/or last worksite is farther than the distance from the employee's home to the office, the excess of that distance from the employee's home to the office is reimbursable. Forms are available at www.lcesc.org.
- Mileage shall be reimbursed at a rate determined annually.
- Travel shall be by the most direct and economical route.

Purchase Orders (policy 6410)

Whenever you need to request an item or service to be purchased on behalf of your program, please pay close/strict attention to the following extractions from the ESC policies.

- 1.) Complete requisition (formal documented request) for impending and/or possible purchase is submitted prior to purchase never after the fact.
- 2.) The key word(s) are complete and accurate – supply all information requested on **Purchase Order Request form** including all addresses, and sign your name on requested by line. (save a copy for your records)
- 4.) Send original requisition form to your supervisor to continue processing.
- 5.) Once the requisition has been properly signed and approved it moves to the treasurer's office for processing.

- 6.) Upon arrival in the treasurer's office the requisition is typed onto a purchase order to be communicated to the vendor.
- 7.) When the materials or service has been properly rendered to you (requestor) you must forward the approved packing slip and/or receipt to the treasurer's office. You must sign, date, and return the slip within 3 work days of receiving the item(s). Notation must be made of any shortages, back orders, or damages.

Purchase Orders may be used to purchase items only by the person indicated on the Purchase Order. When you are completing the requisition for a Purchase Order please indicate by name the person who will be using the Purchase Order to obtain the merchandise/service. Once the treasurer's office receives completed and proper information it is then legal for payment to be made to the vendor. At this point the equipment, furniture, etc. becomes a **Fixed Asset**.

Please Note: No item, etc. can be requested of a vendor prior to completion of the proper forms/procedures with the intent of the E.S.C. paying. If the aforementioned steps are not properly pursued you may legally be responsible for payment.

Fixed Assets (policy 6411)

There are four forms available on the ESC web site (www.lcesc.org), they are as follows:

Fixed Asset Disposition – is a form to be used for the disposal of materials. Several methods of disposal are listed on the form. It is imperative that the form be completed prior to the legal disposal of any fixed asset. You are not allowed to dispose of unwanted materials without completing this form and following procedures.

Fixed Asset Acquisition – the only time a teacher fills this form out is in the event that someone donated materials or furniture to your class.

Fixed Asset Relocation – This form must be completed when furniture or equipment is moved. Give the original to the treasurer's office (currently to **Sheryl Johnson, Asst. Treasurer**).

Fixed Asset on Loan – this form is completed and filed only after the approval of your supervisor. This form has been used on several occasions for the summer housing of computers. All information must be recorded on the top portion of the form. The Out section is completed in the presence of your supervisor and returned to the treasurer's office. When returning an item procure the original from the treasurer's office. The In portion is to be completed upon the return of this item to the classroom in a timely fashion and a supervisory signature for this form.

Note: It is helpful for you to keep a copy, and then send the *Original* to the treasurer's office.

Risk Reduction Program (policies 7430)

Safety is our first priority! While education and quality are our core business value, we will not compromise safety for their sake. We will maintain a safety and health program conforming to the best standards and practices of the Ohio Educational Service Centers and Ohio Schools.

Safety is everyone's responsibility! Management accepts responsibility for providing a safe working environment and employees are expected to take responsibility for performing work in accordance with safe standards and practices. Safety and health in our Educational Service Center must be a part of every operation. Without question, it is every employee's responsibility at all levels.

All employees will be expected to take on-line courses to maintain as high a level of safety preparedness as possible through PublicSchoolWORKS programs as relayed to each employee by work classification via emails.

Infectious Disease/Universal Precautions (policies 7420)

It is quite possible that during the course of your work within one of the classrooms operated by the ESC you may come into contact with blood and/or other body fluids resulting in an increased susceptibility to infectious diseases. As a matter of course each individual employee is expected to be aware of the importance of Universal Precautions and blood borne pathogens (yearly training is required); hand washing after contact with blood, bodily fluids, after the need to use gloves, after using the restroom, prior to food preparation, etc.; wearing of gloves during procedures when in contact with blood or bodily fluids (i.e., diaper changing, clean up of blood spills and/or vomit).

Vaccination against Hepatitis B is offered at the expense of the ESC. Arrangements for vaccination are completed through the Treasurer's department in conjunction with the County Health Department.

Bullying and Other Forms of Aggressive Behavior (policies 5517.01)

The Governing Board is committed to providing a safe, positive, productive, and nurturing educational environment for all of its students. The Board encourages the promotion of positive interpersonal relations between members of the school community. Aggressive behavior toward a student, whether by other students, staff, or third parties is strictly prohibited and will not be tolerated. This prohibition includes physical, verbal, and psychological abuse. The Board will not tolerate any gestures, comments, threats or actions which cause or threaten to cause bodily harm or personal degradation. This policy applies to all activities in the Center, including activities on school property or while enroute to or from school and those occurring off school property if the function, such as field trips or athletic events where students are under the school's control or where an employee is engaged in school business.

Bullying is defined as a person willfully and repeatedly exercising power or control over another with hostile or malicious intent (i.e., repeated oppression, physical or psychological, of a less powerful individual by a more powerful individual or group). Bullying can be physical, verbal (oral or written), electronically transmitted, psychological (e.g., emotional abuse), through attacks on the property of another, or a combination of any of these. Some examples of bullying are:

- Physical – hitting, kicking, spitting, pushing, pulling, taking and/or damaging belongings or extorting money, blocking or impeding student movement, unwelcome physical contact.
- Verbal – taunting, malicious teasing, insulting, name calling, making threats.
- Psychological – spreading rumors, manipulating social relationships, or engaging in social exclusion/shunning, extortion, or intimidation.
- Cyber-bullying (electronic acts)– the use of information and communication technologies such as e-mail, cell phone, and pager text messages, instant messaging (IM), defamatory personal web sites, and defamatory online personal polling web-sites, to support deliberate, repeated, and hostile behavior by an individual or group that is intended to harm others.

Prevention strategies are a part of our comprehensive approach. Along with prevention, early interaction is stressed. Specific rules against bullying include no physical violence of any kind and no deliberate shunning, excluding or tormenting.

EQUAL EMPLOYMENT OPPORTUNITY (policies 3122 & 4122)

The Governing Board shall comply with all Federal laws and regulations prohibiting discrimination and with all requirements and regulations of the U.S. Department of Education. It is the policy of the Board that no professional staff member or candidate for such a position in this District shall, on the basis of race, color, religion, national origin, creed or ancestry, age, gender, marital status, or disability, be discriminated against, excluded from participation in, denied the benefits of, or otherwise be subjected to, discrimination in any program or activity for which the Board is responsible or for which it receives financial assistance from the U.S. Department of Education.

The Superintendent shall appoint compliance officers **Jason Hankinson (349-6095)** and **Kareen Robbins (349-4986)** whose responsibility it will be to ensure that Federal and State regulations are complied with and that any complaints are dealt with promptly in accordance with law. S/he shall also ensure that proper notice of nondiscrimination for Title II, Title VI, and Title VII of the Civil Rights Act of 1964, Title XI of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Act is provided to staff members and the general public. Any sections of the District's procedures and guidelines dealing with hiring, promotion, and tenure need to contain a statement of nondiscrimination similar to that in the Board's statement above.

Teacher Evaluation Guidelines

The Licking County Educational Service Center's (LCESC) teacher evaluation program is based on the *Ohio Standards for the Teaching Profession* and conforms to the Ohio Department of Education's (ODE) Ohio Teacher Evaluation System (OTES).

All evaluators will complete State-sponsored evaluation training and pass the online credentialing assessment.

Each teacher will be evaluated at least once per school year unless rated Accomplished the previous year. Teachers rated Accomplished will be evaluated once every two (2) years.

A Mid-Year Conference will be held between teacher and evaluator by January 30th to discuss progress. The *Final Summative Rating of Effectiveness* will be provided to each teacher by May 10th.

Evaluations will be based in equal part upon **Teacher Performance** and **Student Growth**:

Evidence of **Teacher Performance** on the standards will be combined for a holistic score using the *Performance Rubric*. Teachers will receive one of the following cumulative **Teacher Performance** scores:

Accomplished Skilled Developing Ineffective

Data from **Student Growth Measures** will be scored on five (5) levels and converted to a score in one of three (3) levels of **Student Growth**:

Above Expected Growth Expected Growth Below Expected Growth

The Final Summative Rating of Teacher Effectiveness will be determined by combining the **Teacher Performance** and **Student Growth** scores on the table below.

TEACHER PERFORMANCE

STUDENT GROWTH		Accomplished	Skilled	Developing	Ineffective
	Above	Accomplished	Accomplished	Skilled	Developing
	Expected	Skilled	Skilled	Developing	Developing
	Below	Developing	Developing	Ineffective	Ineffective

Teacher Performance (50% of Evaluation)

Self-Assessment Summary Tool

- To be completed by September 1st by all teachers
- Teachers document evidence of strength and areas for growth for each teaching standard
- This data is used to create a *Professional Growth Plan* or *Improvement Plan*

Professional Growth Plan – for teachers rated Accomplished, Skilled, or Developing

- To be completed by September 15th
- Plan is self-directed for teachers rated Accomplished or meeting Above-Expected Levels of student growth
- Plan is written collaboratively with evaluator for teachers rated Skilled or Developing
- Plan includes goal statements and evidence indicators reflective of:
 - Student Achievement/Outcomes for Students
 - Teacher Performance on the *Ohio Standards for the Teaching Profession*
 - LCESC / Program / Building / Team Assignment
- Teachers submit Progress Review & Supporting Evidence to Evaluator by December 1st
- Teachers submit final Progress Review & Supporting Evidence to Evaluator by April 1st

Improvement Plan – for teachers rated Ineffective or meeting Below-Expected Levels of student growth

- To be completed by September 15th
- Plan is developed by the teacher's credentialed evaluator
- Plan will include:
 - Specific areas for improvement as related to the *Ohio Standards for the Teaching Profession*
 - Specific measureable goals to improve performance
 - Specific plan of action to be taken by the teacher to improve his/her performance
 - Specific support that will be provided
 - Schedule for follow-up and evaluation

Formal Observations –at least 30 minutes in length

- Each evaluation will consist of 2 *Formal Observation Cycles* (Teachers on a Limited or Extended Limited Contract – See Below**)
 - Cycle 1 to be completed September 1st – November 20th
 - Cycle 2 to be completed January 15th – April 15th
- Formal Observation Summary will be given to the teacher no later than 10 days after each observation

- ****Teachers on a Limited or Extended Limited Contract under consideration for non-renewal:**
 - Will have 3 Formal Observations
 - At least one (1) observation will be completed during the first semester
 - *Formal Observation Summary* will be given to the teacher no later than 10 days after each observation

Periodic Informal/Walkthrough Observations – 10-20 minutes in length

- Feedback given to teacher within 2 work days following the observation

Student Growth Measures (50% of Evaluation)

Categories to determine student growth measures:

- Category A1: Teachers instructing in value-added subjects exclusively
- Category A2: Teachers instructing in value-added subjects, but not exclusively
- Category B: Teachers instructing in areas with ODE approved vendor assessments
- Category C: Teachers instructing in areas where no teacher-level value-added or approved vendor assessment is available\

Weight of student Growth Measures in Teacher Evaluation:

- Category A1: The entire student growth measure will be based upon the Value-Added Measure
- Category A2: Value-Added measures and Student Learning Objectives (SLOs) will be used proportionately to each teacher’s schedule. Value-Added measures will account for at least 10% of the student growth measure.
- Category B: ODE approved vendor assessments and Student Learning Objectives (SLOs) will be used proportionately to each teacher’s schedule. These vendor assessments will account for at least 10% of the student growth measure.
- Category C: Teachers will create two (2) Student Learning Objectives (SLOs) for the 2013-14 school year which will combine for the entire student growth measure.

Students Included in Student Growth Measures

- Rosters for student growth measures should include all students for which the teacher provides instruction in the content area identified.
- A committee will determine if a student is unable to be assessed in an academic content area and therefore will not be included in the determination of student academic growth.
- A student who enrolls in the class two (2) weeks after the SLO is approved will not be included in the determination of student academic growth.
- A student who has forty-five (45) or more excused or unexcused absences will not be included in the determination of student academic growth.

Extended Leave

- For Value-Added: teachers will participate in the Link Roster Verification process
- For Approved Vendor Assessments: the ESC will follow the vendor-provided guidance
- SLOs will be developed if the teacher will be instructing students for at least one (1) semester

Late Hires

- For Value-Added: teachers will participate in the Link Roster Verification process
- For Approved Vendor Assessments: the ESC will follow the vendor-provided guidance
- For SLOs: SLOs will be developed if the teacher will be instructing students for at least one (1) semester

Minimum Student Number – Growth measures must include a minimum of six (6) students

- When appropriate, SLOs may be written across grade bands to capture the minimum number of students

Lack of a Student Growth Measure – In some limited cases; teachers may not have student growth data and will utilize only the teacher performance measures in the evaluation.

Implementing the Student Learning Objective (SLO) Process

Teachers will use the *Student Learning Objective (SLO) Template* and *SLO Template Checklist* when writing each SLO.

Creating the SLO: (August – Mid September)

- Gather & analyze baseline and trend data
- Determine specific content and standards to be addressed
- Choose assessments – Complete the *Checklist for Selecting Appropriate Assessments*
- Develop growth targets

SLO Approval Process

- Teachers submit SLOs for approval by October 1st
 - Required Documents:
 - *Student Learning Objective (SLO) Template with Checklist* included
 - *Checklist for Selecting Appropriate Assessments*
- Evaluators will use the *Student Learning Objectives Checklist* to evaluate the SLO
 - By November 1st – teachers receive feedback on SLOs
 - By November 15th – revisions completed, if necessary

Final Assessments for SLOs – will be given and scored between April 1st and April 15th

Scoring the SLO

- Teachers will complete the *SLO Scoring Template* to determine the percentage of students meeting or exceeding the established growth targets
- Teachers will submit the *SLO Scoring Template* to their evaluator by May 1st

Evaluation Timeline

T=Teacher E=Evaluator

August/Early September	T	Pre-Assessments for <i>Student Learning Objectives (SLOs)</i>
By September 1 st	T	Complete <i>Self-Assessment & Summary Tool</i>
By September 15 th	T	Complete <i>Professional Growth Plans</i>
By September 15 th	E	Complete <i>Improvement Plans</i>
Early-Mid September	T	<i>SLO</i> Development
September – Nov. 20 th	E	Formal Observation Cycle 1
By October 1 st	T	Submit <i>SLOs</i> for Approval
By November 1 st	E	Send <i>SLO</i> feedback to teachers
By November 15 th	T	Revise <i>SLO</i> if needed
By December 1 st	T	<i>Professional Growth Plan: Mid-Year Progress Review</i> to Evaluator
By January 30 th	T/E	Mid-Year Conference
After Mid-Year Conference – April 15 th	E	Formal Observation Cycle 2
Early-Mid April	T	Final Assessments for <i>SLOs</i>
By April 1 st	T	<i>Professional Growth Plan: Final Progress Review</i> to Evaluator
By May 1 st	E	Complete the <i>Performance Rubric</i>
By May 1 st	T	<i>SLO Scoring Template</i> submitted to Evaluator
By May 10 th	E	<i>Final Summative Rating of Effectiveness</i> provided for each teacher

Policy

GOVERNING BOARD OF EDUCATION
LICKING COUNTY EDUCATIONAL SERVICE CENTER

OPERATIONS
2453.02/page 1 of 1

STUDENT EXPOSURE TO BLOOD-BORNE PATHOGENS

The Licking County Educational Service Center Governing Board seeks to provide a safe environment for students and take appropriate measures to protect those students who may be exposed to blood-borne pathogens and other potentially-infectious materials in the school environment and/or during their participation in school-related activities. While the risk to students being exposed to blood-borne pathogens may be low, students must assume that all body fluids are potentially infectious and must take precautions to follow universal procedures in order to reduce such risks and minimize and/or prevent the potential for accidental infection.

In order to reduce the risk of students being exposed to blood-borne pathogens, the Superintendent shall implement administrative guidelines and procedures reviewed and updated each year in LCESC Student Handbooks that include the following requirements:

- A. identify potential situations where students may be exposed to blood and other infectious materials;
- B. require proper training for staff in the universal precautions against student or staff exposure and/or contamination including the provision of appropriate protective supplies and equipment;
- C. establish appropriate procedures for the reporting, evaluation, and follow-up to any and all incidents of student exposure;
- D. provide for record-keeping of all of the above.

R.C. 3703.03; 3703.26; 3313.67; 3313.68; 3313.71, 3319.321

A.C. 3301-35-03

Adopted: August 14, 2007

Revised: June 7, 2016

Licking County Educational Service Center Bloodborne Pathogens Control Plan

A. Exposure Determination

Staff members in the following job classifications have responsibilities for which they could reasonably anticipate exposure to blood and other potentially-infectious materials.

1. School nurses
2. Custodians
3. Teachers and aides who work with students who are prone to biting, scratching, and other such actions that can cause bleeding or exposure to saliva and other body fluids.
4. Teachers in vocational/technical education whose students work with equipment that can cause cuts or other injuries that produce bleeding.
5. Members of a school staff who have been designated to provide first aid when and if necessary.
6. Coaches
7. Bus drivers
8. Athletic trainers

B. Inoculation

Each of the staff members in the above-named categories shall be offered free vaccination with the Hepatitis B vaccine after training and within ten (10) days after reporting for duty at the start of the school year, or when employed.

If the staff member declines, s/he shall complete a form which shall be placed in the staff member's confidential file.

If the staff member chooses to be vaccinated, s/he shall sign a form and report to the selected vaccine provider in accordance with the schedule or provide vaccination documentation from personal family practitioner.

C. Precautions

A plan should be developed to identify the likely situations where staff members could be exposed, to describe how such situations can be minimized, and the ways in which exposure will be managed. Each of the staff members are to be trained in these procedures when employed and at the beginning of each school year. The instructor is to be someone knowledgeable about blood-borne pathogens and other potentially-infectious materials, how they may be transmitted in a school setting, vaccinations, and the precautionary procedures. (Bloodborne pathogens online & communicable disease online, as well as provided by the district nurse-flying colors).

D. Post-exposure Evaluation and Follow-Up Staff

Whenever a staff member has contact with blood or other potentially-infectious material, s/he shall immediately contact their supervisor and complete an incident form.

The parents of the student who caused the exposure are to be contacted promptly to obtain permission for the testing of the student's blood for Hepatitis B and HIV viruses either in cooperation with their physician or by a District selected health service provider.

The exposed staff member or student is to be informed of the test results, if available, with the parents' consent and in accordance with Federal and State laws concerning confidentiality.

The staff member's blood should be tested with his/her consent. The staff member shall also receive post exposure treatment, if so indicated by the Public Health Service or treating physician.

The healthcare professional conducting the evaluation is to be provided:

1. A copy of the Federal regulations concerning the Exposure Control Plan;
2. A copy of form of staff training on blood borne pathogens and control.
3. A copy of the staff member's job responsibilities vis-a-vis the exposure;
4. The results of the student's blood test, if available;
5. A copy of the staff member's medical records.

The healthcare professional shall within five (5) days after the evaluation provide the District with a written opinion containing:

1. A possible recommendation for Hepatitis B vaccination, if the staff member has not already been vaccinated;
2. Confirmation that the staff member has been adequately informed of the evaluation results and any further evaluation or treatment deemed necessary.

The staff member is to be given a copy of the written opinion within fifteen (15) days after receipt by the District. The original opinion is to be filed in the staff member's confidential file.

E. Post-exposure Evaluation and Follow-Up Student

Whenever a student (student A) has contact with blood or other potentially-infectious material, the teacher or staff member shall immediately contact their supervisor and complete an incident form. The District shall offer the student a confidential medical evaluation.

The parents of the student who caused the exposure (Student B) ,or staff member, are to be contacted promptly to obtain permission for the testing of the student's blood for Hepatitis B and HIV viruses either in cooperation with their physician or by a District selected health service provider.

The exposed staff member or student is to be informed of the test results, if available, with the parents consent and in accordance with Federal and State laws concerning confidentiality.

Student A's blood should be tested with his/her consent. The student shall also receive post exposure treatment, if so indicated by the Public Health Service or treating physician. The healthcare professional conducting the evaluation is to be provided:

1. A copy of the Federal regulations concerning the Exposure Control Plan;
2. The results of the student B's blood test, if available.

The healthcare professional shall within five (5) days after the evaluation provide the District with a written opinion containing:

1. A possible recommendation for Hepatitis B vaccination, if the staff member or student has not already been vaccinated;
2. Confirmation that the staff member or student has been adequately informed of the evaluation results and any further evaluation or treatment deemed necessary.

The staff member/parent is to be given a copy of the written opinion within fifteen (15) days after receipt by the District. The original opinion is to be filed in the staff member's/student's confidential file.

I have read and received a copy of the LCESC Bloodborne Pathogen Control Plan.

Confirmation Signature:

Date:

Policy
BOARD OF EDUCATION
LICKING COUNTY EDUCATIONAL SERVICE CENTER

OPERATIONS
8453/page 1 of 1

CONTROL OF NONCASUAL-CONTACT COMMUNICABLE DISEASES

The Governing Board seeks to provide a safe educational environment for both students and staff. It is the Board's intent to ensure that any student or member of the staff who contracts a communicable disease that is not communicated through casual contact will have his/her status in the Educational Service Center (ESC) examined by an appropriate panel of resource people and that the rights of both the affected individual and those of other staff members and students will be acknowledged and respected. For purposes of this policy, "noncasual-contact communicable disease" shall include:

- A. AIDS - Acquired Immune Deficiency Syndrome;
- B. ARC - AIDS Related Complex;
- C. persons infected with HIV (human Immunodeficiency);
- D. Hepatitis B; and
- E. other like diseases that may be specified by the State Board of Health.

In its effort to assist in the prevention and control of communicable diseases of any kind, the Board has established policies on Immunization, Hygienic Management, and Control of Casual-Contact Communicable Diseases. The purpose of this policy is to protect the health and safety of the students, ESC personnel, and the community at large from the spread of the above-mentioned diseases. The Board seeks to keep students and staff members in school unless there is definitive evidence to warrant exclusion. When the Superintendent learns that a student or ESC employee may be infected with a Noncasual-contact communicable disease, the Superintendent shall convene a review panel as soon as practicable consisting of appropriate staff members and the Licking County Health Department to determine if the initial evidence warrants exclusion. If the evidence is not sufficient to justify exclusion, the person shall remain in his/her current school environment unless there exists a threat to the person's health or safety through exposure to other communicable diseases.

If the Licking County Health Officer and the review panel determine that the evidence indicates the person should be excluded from the school environment, the person shall be temporarily excluded, following proper notice. The ESC shall provide an alternative education program for any student excluded from the school setting as a consequence of the review panel's decision. Such a program shall be in accordance with the Board's policy and guidelines on Homebound Instruction.

The rights of any affected student, as well as those of any affected staff member, shall be protected in accordance with Federal and State laws on privacy, confidentiality, and due-process. In addition, the exclusion of any staff member from the District by the County Health Officer's decision will be done in accord with relevant sections of Ohio statutes concerning sick leave. Further, it is the Board's policy that all students and staff members should maintain normal contact with an affected student or staff member whose continued presence in the school was determined by this process.

The Board directs the Superintendent to develop an educational program that will prepare staff annually on use of "Universal Precautions" in dealing with all students in reacting to anybody spills, thereby preventing spread or contact with such noncasual communicable diseases.

Adopted: December 14, 1999

Revised: March 8, 2011

8450/page 1 of 1

CONTROL OF CASUAL-CONTACT COMMUNICABLE DISEASES

The Governing Board recognizes that control of the spread of communicable disease spread through casual contact is essential to the well-being of the school community and to the efficient Educational Service Center (ESC) operation.

For purposes of this policy, "casual-contact communicable disease" shall include:

- A. diphtheria;
- B. scarlet fever and other strep infections;
- C. whooping cough;
- D. mumps;
- E. measles;
- F. rubella; and
- G. others designated by the Ohio Department of Public Health.

In order to protect the health and safety of the students, Center personnel, and the community at large, the Governing Board shall follow all State statutes and Health Department regulations which pertain to immunization and other means for controlling communicable disease spread through normal interaction in the school setting.

The teacher may remove from the classroom and the building administrator may exclude from the building or isolate in the school any student who appears to be ill or has been exposed to a communicable disease. If a student exhibits symptoms of a casual-contact disease, the Principal will

isolate the student in the building and contact the parents/guardians. Protocols established by the County Health Department shall be followed.

R.C. 3313.67, 3313.671, 3313.68, A.C. 3301-35-03
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Policy

**GOVERNING BOARD OF EDUCATION
LICKING COUNTY EDUCATIONAL SERVICE CENTER**

STUDENTS
5630.01/page 1 of 7

POSITIVE BEHAVIOR INTERVENTION AND SUPPORTS AND LIMITED USE OF RESTRAINTS AND SECLUSION

The Governing Board is committed to the Educational Service Center-wide use of Positive Behavior Intervention and Supports (PBIS) with students. Student Personnel shall work to prevent the need for the use of restraint and/or seclusion. PBIS emphasizes prevention of student behavior problems through the use of non-aversive techniques, which should greatly reduce, if not eliminate, the need to use restraint and/or seclusion.

Professional staff members and support staff determined appropriate by the Superintendent are permitted to physically restrain and/or seclude a student, but only when there is immediate risk of physical harm to the student and/or others, there is no other safe and effective intervention possible, and the physical restraint or seclusion is used in a manner that is age and developmentally appropriate and protects the safety of all children and adults at school.

All restraint and seclusion shall only be done in accordance with the Policy, which is based on the standards adopted by the State Board of Education regarding the use of student restraint and seclusion.

Training methods of PBIS and the use of restraint and seclusion will be provided to all professional staff and support staff determined appropriate by the Superintendent. Training will be in accordance with the State's Standards. Only school staff who are trained in permissible seclusion and physical restraint measures shall use such techniques.

Every use of restraint and seclusion shall be documented and reported in accordance with this Policy.

This Policy shall be made available to parents annually and shall be published on the Center's website.

DEFINITIONS

Abusive behavioral interventions means an intervention that is intended to induce pain or discomfort to a student for the purpose of eliminating or reducing maladaptive behaviors, including such interventions as application of noxious, painful, and/or intrusive stimuli, including any form of noxious, painful or intrusive spray, inhalant, or taste.

Chemical restraint means a drug or medication used to control a student's behavior or restrict freedom of movement that is not:

- A. Prescribed by a licensed physician, or other qualified health professional acting under the scope of the professional's authority under Ohio law, for the standard treatment of a student's medical or psychiatric condition; and
- B. Administered as prescribed by the licensed physician or other qualified health professional acting under the scope of the professional's authority under Ohio law.

De-escalation techniques are strategically employed verbal or non-verbal interventions used to reduce the intensity of threatening behavior before a crisis situation occurs.

Functional behavior assessment ("FBA") is a collaborative problem-solving process that is used to describe the "function" or purpose that is served by a student's behavior. Understanding the "function" that an impeding behavior serves for the student assists directly in designing educational programs and developing behavior plans with a high likelihood of success.

Mechanical restraint means any method of restricting a student's freedom of movement, physical activity, or normal use of the student's body, using an appliance or device manufactured for this purpose. Mechanical restraint does *not* mean devices used by trained school personnel, or used by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed, including:

- A. restraints for medical immobilization;
- B. adaptive devices or mechanical supports used to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; or
- C. vehicle safety restraints when used as intended during the transport of a student in a moving vehicle.

Parent means:

- A. a biological or adoptive parent;
 - B. a guardian generally authorized to act as the child's parent, or authorized to make decisions for the child (but not the State if the child is a ward of the State);
 - C. an individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare;
 - D. a surrogate parent who has been appointed in accordance with Ohio Administrative Code 3301-51-05 E; or
 - E. any person identified in a judicial decree or order as the parent of a child or the person with authority to make educational decisions on behalf of the child.
-

Physical escort means the temporary touching or holding of the hand, wrist, arm, shoulder, waist, hip, or back for the purpose of inducing a student to move to a safe location.

Physical restraint means the use of physical contact that immobilizes or reduces the ability of a student to move his/her arms, legs, body, or head freely. Physical restraint does *not* include a physical escort, mechanical restraint, or chemical restraint. Physical restraint does *not* include brief physical contact for the following or similar purposes to:

- A. break up the fight;
- B. knock a weapon away from a student.
- C. calm or comfort;
- D. assist a student in completing a task/response if the student does not resist the contact; or
- E. prevent an impulsive behavior that threatens the student's immediate safety (e.g., running in front of a car).

Positive Behavior Intervention Supports ("PBIS") means a school-wide systematic approach to embed evidence-based practice and data-driven decision making to improve school climate and culture in order to achieve improved academic and social outcomes, and increase learning for all students. PBIS encompasses a range of systemic and individualized positive strategies to reinforce desired behaviors, diminish reoccurrences of challenging behaviors, and teach appropriate behaviors to students.

Positive Behavior Support Plan means the design, implementation, and evaluation of an individual or group instructional and environmental modifications, including programs of behavioral instruction, to produce significant improvements in behavior through skill acquisition and the reduction of problematic behavior.

Prone restraint means physical or mechanical restraint while the student is in the face-down position for an extended period of time.

Seclusion means the involuntary isolation of a student in a room, enclosure, or space from which the student is prevented from leaving by physical restraint or by a closed door or other physical barrier.

Student means a child or adult aged three (3) to twenty-one (21) enrolled in the Center.

Student Personnel means teachers, principals, counselors, social workers, school resource officers, teacher's aides, psychologists, bus drivers, or other Center staff who interact directly with students.

Timeout means a behavioral intervention in which the student, for a limited and specified time, is separated from the class within the classroom or in a non-locked setting for the purpose of self-regulating and controlling his or her own behavior. In a timeout, the student is not physically restrained or prevented from leaving the area by physical barriers.

POSITIVE BEHAVIOR INTERVENTION AND SUPPORTS

Positive Behavior Intervention and Supports (“PBIS”) creates structure in the environment using a non-aversive effective behavioral system to improve academic and behavior outcomes for all students.

The PBIS prevention-oriented framework or approach shall apply to all students and staff, and in all settings. PBIS shall include:

- A. school staff trained to identify conditions such as where, under what circumstances, with whom, and why specific inappropriate behavior may occur;
- B. preventive assessments that include:
 1. review of existing data;
 2. interviews with parents, family members, and students; and
 3. examination of previous and existing behavioral intervention plans.
- C. development and implementation of preventative behavioral interventions, and the teaching of appropriate behavior, including:
 1. modification of environmental factors that escalate inappropriate behavior;
 2. supporting the attainment of appropriate behavior; and
 3. use of verbal de-escalation to defuse potentially violent dangerous behavior.

SECLUSION

Seclusion may be used only when a student’s behavior poses an immediate risk of physical harm to the student or others and no other safe and effective intervention is possible. Seclusion may be used only as a last resort safety intervention that provides the student with an opportunity to regain control of his/her actions. Seclusion must be used in a manner that is age and developmentally appropriate, for the minimum amount of time necessary for the purpose of protecting the student and/or others from physical harm, and otherwise in compliance with this Policy and the Ohio Department of Education’s (“ODE”) corresponding policy.

Seclusion shall be implemented only by Student Personnel who have been trained in accordance with this Policy to protect the care, welfare, dignity and safety of the student.

Additional requirements for the use of seclusion:

If Student Personnel use seclusion, they must:

- A. continually observe the student in seclusion for indications of physical or mental distress and seek immediate medical assistance if there is a concern;
- B. use verbal strategies and research-based de-escalation techniques in an effort to help the student regain control as quickly as possible;
- C. remove the student from seclusion when the immediate risk of physical harm to the student and/or others has dissipated;
- D. conduct a debriefing including all involved staff to evaluate the trigger for the incident, staff response, and methods to address the student’s behavioral needs; and
- E. complete all required reports and document their observations of the student.

Requirements for a room or area used for seclusion:

A room or area used for seclusion must provide for adequate space, lighting, ventilation, clear visibility, and the safety of the student. And a room or area used for seclusion *must not be locked* or otherwise prevent the student from exiting the area should staff become incapacitated or leave the area.

Additional prohibited seclusion practices:

Seclusion shall never be used as a punishment or to force compliance. Seclusion shall not be used:

- A. for the convenience of staff;
- B. as a substitute for an educational program;
- C. as a form of discipline or punishment;
- D. as a substitute for less restrictive alternatives;
- E. as a substitute for inadequate staffing;
- F. as a substitute for staff training in positive behavior supports and crisis prevention and intervention;
- G. as a means to coerce, retaliate, or in a manner that endangers a student; or
- H. if it deprives the student of basic needs.

Seclusion of preschool-aged children is prohibited, except that a preschool-age child may be secluded from his or her classmates, either in the classroom or in a safe, lighted, and well-ventilated space, for an amount of time that is brief in duration and appropriate to the child's age and development, if the child is always within sight and hearing of a preschool staff member.

RESTRAINT

There are different types of restraint, as defined above, including physical restraint, prone restraint, mechanical restraint, and chemical restraint. The use of restraint other than physical restraint is prohibited. Physical restraint may be used only when the student's behavior poses an immediate risk of physical harm to the student and/or others and no other safe and/or effective intervention is possible. The physical restraint must be implemented in a manner that is age and developmentally appropriate, does not interfere with the student's ability to communicate in his/her primary language or mode of communication, and otherwise in compliance with this Policy and the ODE's corresponding policy.

Physical restraint shall be implemented only by Student Personnel who have been trained in accordance with this Policy to protect the care, welfare, dignity and safety of the student, except in the case of rare and unavoidable emergency situations when trained personnel are not immediately available.

Additional requirements for the use of physical restraint:

If Student Personnel use physical restraint, they must:

- A. continually observe the student in restraint for indications of physical or mental distress and seek immediate medical assistance if there is a concern;
- B. use verbal strategies and research-based de-escalation techniques in an effort to help the student regain control as quickly as possible;
- C. remove the student from physical restraint immediately when the immediate risk of physical harm to the student and/or others has dissipated;
- D. conduct a debriefing including all involved staff to evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs; and
- E. complete all required reports and document their observations of the student.

Physical restraint shall not be used for punishment or discipline, or as a substitute for other less restrictive means of assisting a student in regaining control.

Prohibited Restraint Practices

The following restraint practices are prohibited under all circumstances, including emergency safety situations:

- A. prone restraint as defined in Executive Order 2009-13 (which defines prone restraint to mean “all items or measures used to limit or control the movement or normal functioning or any portion, or all, of an individual’s body while the individual is in a face-down position for an extended period of time”);
- B. physical restraint that restricts the airway of a student or obstructs the student’s ability to breathe;
- C. physical restraint that impacts the student’s primary mode of communication;
- D. restraint of preschool-age students, except for holding a child for a short period of time, such as in a protective hug, so that the child may regain control;
- E. restraint that deprives the student of basic needs;
- F. restraint that unduly risks serious harm or needless pain to the student, including physical restraint that involves the intentional, knowing, or reckless use of any of the following techniques:
 - 1. using any method that is capable of causing loss of consciousness or harm to the neck or restricting/obstructing respiration in any way;
 - 2. pinning down the student by placing knees to the torso, head and/or neck of the student;
 - 3. using pressure points; pain compliance, or joint manipulation;
 - 4. dragging or lifting of the student by the hair or ear or by any type of mechanical restraint;
 - 5. using other students or untrained staff to assist with the hold or restraint; or
 - 6. securing the student to another student or to a fixed object.
- G. Mechanical restraint (that does not include devices used by trained Student Personnel, or by a student for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed); or
- H. Chemical restraint (which does not include medication administered as prescribed by a licensed physician).

ADDITIONAL PROHIBITED PRACTICES

The following practices are prohibited under all circumstances, including emergency safety situations:

- A. corporal punishments;
 - B. child endangerment as defined by Ohio Revised Code 2919.22; and
 - C. aversive behavioral intervention.
-

FUNCTIONAL BEHAVIORAL ASSESSMENT AND BEHAVIOR INTERVENTION PLAN

If a student repeatedly engages in dangerous behavior that leads to instances of restraint and/or seclusion, Center personnel shall conduct a functional behavioral assessment to identify the student's needs and more effective ways of addressing those needs. If necessary, Center personnel shall also develop a behavior intervention plan that incorporates positive behavioral interventions.

TRAINING AND PROFESSIONAL DEVELOPMENT

The Center shall provide training as follows:

- A. all Student Personnel, as defined in this Policy, shall be trained annually on the requirements of the Ohio Department of Education's Policy of Positive Behavior Intervention and Supports, and Restraint and Seclusion; Ohio Administrative Code 3301-51-15; and this Policy.
- B. the Superintendent, in consultation with each school building's principal and/or assistant principal, shall identify which Center employees should receive additional training so that an adequate number of personnel in each building are trained in crisis management and de-escalation techniques, including the use of restraint and seclusion. Center employees who receive such additional training must keep their training current in accordance with the requirements of the provider of the training.
- C. the Superintendent shall develop a plan to provide training to school personnel, as defined in this Policy, so that Positive Behavior Intervention and Supports are implemented on a Center-wide basis. Implementation of PBIS throughout the Center may be a multi-year process, with training taking place over several years.

The Center shall maintain written or electronic documentation on training provided and lists of participants in each training.

Only individuals trained in accordance with this Policy in the appropriate use of restraint and seclusion may use those techniques.

MONITORING AND COMPLIANT PROCEDURES

The Superintendent shall develop a monitoring procedure to ensure that this Policy is appropriately implemented.

Any parent of a child enrolled in school in the Center may submit a written complaint to the Superintendent regarding an incident of restraint or seclusion. The Superintendent shall investigate each written complaint and respond in writing to the parent's complaint within thirty (30) days of receipt of the complaint. If the parent is not satisfied with the response provided, the parent may request to meet with the Board in executive session to address the situation.

REQUIRED DATA AND REPORTING

Each use of restraint or seclusion shall be:

- A. documented in writing;
- B. reported to the building administration immediately;
- C. reported to the parent immediately; and
- D. documented in a written report.

A copy of the written report shall be made available to the student's parent or guardian within twenty-four (24) hours of the use of restraint or seclusion. A copy of the written report shall also be maintained in the student's file.

All written documentation of the use of restraint or seclusion are educational records pursuant to the Family Educational Right to Privacy Act ("FERPA"), and Center personnel are prohibited from releasing any personally identifiable information to anyone other than the parent, in accordance with FERPA's requirements.

The Superintendent shall develop a process for the collection of data regarding the use of restraint and seclusion.

The Superintendent shall report information concerning the use of restraint and seclusion annually to the Ohio Department of Education as requested by that agency, and shall make the Center's records concerning restraint and seclusion available to the staff of the Ohio Department of Education upon request.

*Adapted from the Ohio Department of Education's Policy on Positive Behavior Intervention and Supports, and Restraint and Seclusion, adopted January 15, 2013.

O.R.C. 2919.22, Family Education Right to Privacy Act (FERPA)

Approved: June 11, 2013

USE OF POLICIES:

0000	Board Bylaws	Board Governance
1000	Administration	Rules for Supt. Treasurer & Admin.
2000	Programs	Mission, Vision, and Programs
3000	Professional Staff	Guidelines for Certificated Staff
4000	Classified Staff	Rules for Non-Certificated Staff
5000	Students	Guidelines and Rules for Students
6000	Finance	Purchase and Payroll Rules
7000	Property	Rules for Property
8000	Operations	Safety and Public Records
9000	Relations	Public Relations and Community

2018-19 LCESC Board of Education

Board President - Forest Yocum

Board Vice-President - Joseph Shannon

Board Member - Matthew Clark

Board Member - Staci Evans

Board Member - Marc Guthrie

Superintendent - Dale Lewellen

Treasurer - Julio Valladares

Have a great and successful school year in 2018-19!

(The Staff Manual will be a course presented through the PublicSchoolWORKS safety program; the test will include one question – did you read it, and do you agree to abide by it?)
