



BAUGO
COMMUNITY
SCHOOLS

Small School Feel ~ World Class Education

2022/2023 Employee Handbook

We Promise to nurture, encourage, guide, and instill hope in each child as we educate them today, to prepare them for tomorrow.

Board Approved September 26, 2022
Effective July 1, 2022

Jimtown Promise Statement

We promise to nurture, encourage, guide, and instill hope in each child as we educate them today, to prepare them for tomorrow.

Jimtown Belief Statements

- We put our children's physical and emotional safety first.
- We champion the diverse learning needs of each child, aspiring to excellence.
- We treat each other with respect and lead by example.
- We aspire to act with transparency and integrity.
- We partner with our school-community to prepare our children to be productive adults.

Jimtown Vision Statement

We offer a small-school feel and aspire to provide a world-class education.

Jimtown Mission Statement

We commit to:

- a competitive educational system that empowers our graduates for college, careers, and life.
- student support systems that meet the needs of our students.
- financial stability and fiscal responsibility.
- attract, develop, and retain the best people to serve our students and families.

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FOREWORD

Whether you have just joined our staff or have been at Baugo Community Schools (BCS) for a while, we are confident that you will find our school corporation a dynamic and rewarding place in which to work, and we look forward to a productive and successful association. We consider the employees of BCS to be one of its most valuable resources. This handbook has been written to serve as a guide for the employer/employee relationship.

There are several things to keep in mind about this handbook. First, it contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit or the applicability of a policy or practice, please address your specific questions to the Educational Service Center.

The procedures, practices, policies, and benefits described here may be modified or discontinued from time to time. BCS will inform you of any changes as they occur.

The policies in this handbook are not intended to alter or alleviate any requirement created by federal, state, or local law, and any such law takes precedent over a contradictory policy in this handbook. All BCS employees are responsible for complying with applicable federal, state, and local laws. Any penalty imposed for violating a policy in this handbook is disciplinary in nature and in no way affects any obligation or penalty that may be imposed under the law.

Some subjects described in this handbook are covered in detail in official policy documents. Copies of all policies may be obtained at <https://go.boarddocs.com/in/baugo/Board.nsf/Public?open&id=policies>. Refer to these documents for specific information because the handbook only briefly summarizes those guidelines and benefits.

DIVERSITY

Equal Employment Opportunity Statement

Baugo Community Schools (BCS) provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty or status as a covered veteran following applicable federal, state and local laws. BCS complies with applicable state and local laws governing nondiscrimination in employment in every building location. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, non-renewal, reduction in force (RIF), transfers, leaves of absence, compensation, and training.

BCS expressly prohibits any form of unlawful employee harassment based on race, color, religion, gender, sexual orientation, national origin, age, genetic information, disability, or veteran status. Improper interference with the ability of BCS employees to perform their expected job duties is absolutely not tolerated.

Anti-harassment Policy and Complaint Procedure

BCS is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, BCS expects that all relationships among persons in the offices and schools will be business-like and free of bias, prejudice, and harassment.

It is the policy of BCS to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty, or status as a covered veteran. BCS prohibits any such discrimination or harassment.

BCS encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of BCS to promptly and thoroughly investigate such reports. BCS prohibits retaliation against any individual who reports discrimination or harassment or who participates in an investigation of such reports.

Definitions of Harassment

Sexual harassment constitutes discrimination and is illegal under federal, state, and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example, a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling, or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Harassment based on any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written, or physical conduct that denigrates or shows hostility or aversion toward an individual because of that person's race, color, religion, gender, sexual orientation, national origin, age, disability, marital status, citizenship, genetic information or any other characteristic protected by law or that of the employee's relatives, friends or associates, and that a) has the purpose or effect of creating an intimidating, hostile or offensive work environment; b) has the purpose or effect of unreasonably interfering with an individual's work performance; or c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes epithets, slurs, or negative stereotyping; threatening, intimidating, or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on corporation time or using corporation equipment via e-mail, phone (including voice messages), text messages, tweets, blogs, social networking sites or other means.

Individuals and Conduct Covered

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to BCS.

Conduct prohibited by these policies is unacceptable in the workplace and any work-related setting outside the workplace, such as during business trips, business meetings, and business-related social events.

Complaint Process

Individuals who believe they have been the victims of conduct prohibited by this policy statement or who believe they have witnessed such conduct should discuss their concerns with their school principal, Superintendent, or the BCS Compliance Officers as listed below:

Carol Deak
Assistant Superintendent
29125 County Road 22 West
Elkhart, IN 46517
574-293-8583
cdeak@baugo.org

When possible, BCS encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that their behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. BCS recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

BCS encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Any corporation employee who directly observes unlawful harassment of a student is obligated to report such observations to one of the Compliance Officers within two (2) business days.

Any reported allegations of harassment, discrimination, or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed. Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately.

If a party to a complaint does not agree with its resolution that party may appeal to Baugo Community Schools Superintendent.

False and malicious complaints of harassment, discrimination, or retaliation may be the subject of appropriate disciplinary action.

Title IX Notice of Nondiscrimination

Title IX of the Education Amendments of 1972 protects people from discrimination based on sex in education programs or activities that receive federal financial assistance. Title IX broadly prohibits sex discrimination in recruitment, admissions, employment, retention, and access to educational programs or activities. Sex discrimination encompasses sexual harassment, sexual assault, dating violence, domestic violence, and stalking. Sex discrimination is prohibited by Baugo Community Schools (BCS) Policy and will not be tolerated.

Title IX requires BCS to investigate reports of sex discrimination and to provide internal grievance procedures. These procedures offer persons reporting misconduct an internal avenue for holding violators accountable for their actions. Title IX also requires BCS to appoint a Title IX Coordinator. The Title IX Coordinator is charged with monitoring compliance with Title IX; providing education and training; tracking and reporting annually on all incidents of sex discrimination; and coordinating BCS's investigation, response, and resolution of all such reports within our campus to ensure a fair and equitable process for all parties involved.

BCS's Title IX Coordinator is available to assist you if you have questions or concerns regarding our Title IX Policy if you have questions about or wish to file a formal complaint and to invoke internal grievance procedures.

Cassidy Disselberger, Title IX Coordinator, Baugo Community Schools, Education Service Center, 29125 County Road 22 West, Elkhart, IN 46517, 574-293-8583 ext. 1013, confidential@baugo.org

For more information about your rights under Title IX, please visit www.baugo.org. Questions about Title IX and its implementing regulations may also be addressed to the United States Department of Education, Office for Civil Rights, at OCR@ed.gov or (800) 421-3481.

Americans with Disabilities Act (ADA) and the ADA Amendments Act (ADAAA)

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act, known as the ADAAA, are federal laws that prohibit employers with 15 or more employees from discriminating against applicants and individuals with disabilities and that when needed provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

It is the policy of BCS to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is our corporation's policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment.

The corporation will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation and/or if the accommodation creates an undue hardship to BCS. Contact the Educational Service Center with any questions or requests for accommodation.

EMPLOYMENT

Background and Reference Checks

To ensure that individuals who join BCS are well qualified and to ensure that BCS maintains a safe and productive work environment, it is our policy to conduct an expanded background check with Department of Child Services report on all applicants who accept an offer of employment, school volunteers and anyone with contact to students. Background checks may include verification of any information on the applicant's resume or application form.

All offers of employment are conditioned on receipt of a background check report that is acceptable to BCS. All background checks are conducted in conformity with the Federal Fair Credit Reporting Act, the Americans with Disabilities Act, and state and federal privacy and antidiscrimination laws. Reports are kept confidential and are only viewed by individuals involved in the hiring process.

If the information obtained in a background check would lead BCS to deny employment, a copy of the report will be provided to the applicant, and the applicant will have the opportunity to dispute the report's accuracy. Background checks may include a criminal record check, although a criminal conviction does not automatically bar an applicant from employment.

Additional checks such as a driving record or credit report may be made on applicants for particular job categories if appropriate and job-related.

BCS will conduct a background check for current employees every 5 years in accordance with Indiana State HEA 1079.

Internal Transfers/Promotions

Employees with more than twelve months of service may request consideration to transfer to other jobs as vacancies become available and will be considered along with other applicants. At the same time, the corporation may initiate transfers of employees between departments and facilities to meet specified work requirements and reassignment of work requirements.

BCS offers employees promotions to higher-level positions when appropriate. The corporation prefers to promote from within and may first consider current employees with the necessary qualifications and skills to fill vacancies above the entry-level unless outside recruitment is considered to be in the corporation's best interest.

To be considered, employees must have held their current position for at least 12 months, have a satisfactory performance record, and have no disciplinary actions during the last 12 months. The corporation retains the discretion to make exceptions to the policy.

Nepotism, Employment of Relatives and Personal Relationships

BCS wants to ensure that corporate practices do not create situations such as conflict of interest or favoritism. This extends to practices that involve employee hiring, promotion, and transfer. Close relatives, partners, those in a dating relationship, or members of the same household are not permitted to be in positions that have a reporting responsibility to each other. Close relatives are defined as husband, wife, domestic partner, father, mother, father-in-law, mother-in-law, grandfather, grandmother, son, son-in-law, daughter, daughter-in-law, uncle, aunt, nephew, niece, brother, sister, brother-in-law, sister-in-law, step-relatives, cousins and domestic partner relatives.

If employees begin a dating relationship or become relatives, partners, or members of the same household and if one party is in a supervisory position, that person is required to inform the Educational Service Center of the relationship.

BCS reserves the right to apply this policy to situations where there is a conflict or the potential for conflict because of the relationship between employees, even if there is no direct-reporting relationship or authority involved.

Separation of Employment

Return of Corporation Property

The separating employee must return all corporation property at the time of separation, including uniforms, cell phones, keys, laptops, and identification cards. Failure to return some items may result in deductions from the final paycheck.

Health insurance terminates the last day of the month of employment unless an employee requests immediate termination of benefits. Information for Consolidated Omnibus Budget Reconciliation (COBRA) continued health coverage will be provided. Employees will be required to pay their share of the dependent health, vision, and dental premiums through the end of the month.

Rehire

Former employees who left BCS in good standing and were classified as eligible for rehire may be considered for reemployment. An application must be submitted to the Educational Service Center, and the applicant must meet all minimum qualifications and requirements of the position, including any qualifying exam, when required.

Supervisors must obtain approval from the Educational Service Center or designee before rehiring a former employee. Rehired employees begin benefits just as any other new employee. The previous tenure will not be considered in calculating longevity, leave accruals, or any other benefits.

An applicant or employee who is terminated for violating policy or who resigned instead of termination from employment due to a policy violation will be ineligible for rehire.

WORKPLACE SAFETY

Drug-Free Workplace

Baugo Community Schools (BCS) has a longstanding commitment to provide a safe and productive work and school environment. Alcohol and drug abuse pose a threat to the health and safety of employees and students, plus the security of our equipment and facilities. For these reasons, BCS is committed to the elimination of drug and/or alcohol use and abuse in the workplace.

This policy outlines the practice and procedure designed to correct instances of identified alcohol and/or drug use in the workplace. This policy applies to all employees and all applicants for employment at BCS. The Educational Service Center is responsible for policy administration.

Employee Assistance and Drug-Free Awareness

Illegal drug use and alcohol misuse have several adverse health and safety consequences. Information about those consequences and sources of help for drug/alcohol problems is available from the Educational Service Center, whose members have been trained to make referrals and assist employees with drug/alcohol problems.

BCS will assist and support employees who voluntarily seek help for such problems before becoming subject to discipline and/or termination under this or other policies. Such employees may be allowed to use accrued paid time off, placed on leaves of absence, referred to treatment providers, and otherwise accommodated as required by law. Such employees may be required to document that they are successfully following prescribed treatment and to take and pass follow-up tests if they hold jobs that are safety-sensitive or that require driving.

Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely and promptly disclose any work restrictions to their supervisor. Employees should not, however, disclose underlying medical conditions unless directed to do so.

Work Rules

The following work rules apply to all employees:

- Whenever employees are working, are operating any corporation vehicle, are present on corporation premises, or are conducting related work off-site, they are prohibited from:
 - Using, possessing, buying, selling, manufacturing, or dispensing an illegal drug (to include possession of drug paraphernalia).
 - Being under the influence of alcohol or an illegal drug as defined in this policy.

- The presence of any detectable amount of any illegal drug or illegal controlled substance in an employee's body while performing corporation business or while in a corporation facility is prohibited.
- BCS will not allow any employee to perform their duties while taking prescribed drugs that are adversely affecting the employee's ability to safely and effectively perform their job duties. Employees taking prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce it if asked.
- Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

Required Testing

The corporation retains the right to require the following tests:

- **Reasonable suspicion:** Employees are subject to testing based on observations by a supervisor of apparent workplace use, possession, or impairment. Human Resources must be consulted before sending an employee for reasonable suspicion testing.
- **Post-accident:** Employees are subject to testing when they cause or contribute to accidents that seriously damage a corporation vehicle, machinery, equipment, or property and/or result in an injury to themselves or another employee requiring off-site medical attention. In any of these instances, the investigation and subsequent testing must take place within two (2) hours following the accident, if not sooner.

Consequences

Employees who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture or dispense an illegal drug in violation of this policy will be terminated.

Confidentiality

Information and records relating to positive test results, drug and alcohol dependencies, and legitimate medical explanations provided to the medical review officer (MRO) shall be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files.

Inspections

BCS reserves the right to inspect all portions of its premises for drugs, alcohol, or other contraband. All employees, contract employees, and visitors may be asked to cooperate in inspections of their persons, work areas, and property that might conceal a drug, alcohol, or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline up to and including discharge.

Crimes Involving Drugs

BCS prohibits all employees from manufacturing, distributing, dispensing, possessing, or using an illegal drug in or on corporation premises or while conducting corporation business. Employees are also prohibited from misusing legally prescribed or over-the-counter (OTC) drugs. Law enforcement personnel shall be notified, as appropriate, when criminal activity is suspected.

Workplace Bullying

BCS defines bullying as "repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment." Such behavior violates the corporation Code of Ethics, which clearly states that all employees will be treated with dignity and respect.

The purpose of this policy is to communicate to all employees, including supervisors, managers, and executives, that the corporation will not tolerate bullying behavior. Employees found in violation of this policy will be disciplined up to and including termination.

Bullying may be intentional or unintentional. However, it must be noted that where an allegation of bullying is made, the intention of the alleged bully is irrelevant and will not be given consideration when meting out discipline. As in sexual harassment, it is the effect of the behavior upon the individual that is important. BCS considers the following types of behavior examples of bullying:

- **Verbal bullying:** Slandering, ridiculing, or maligning a person or that person's family; persistent name-calling that is hurtful, insulting, or humiliating; using a person as the butt of jokes; abusive and offensive remarks.
- **Physical bullying:** Pushing, shoving, kicking, poking, tripping, assault, or threat of physical assault; damage to a person's work area or property.
- **Gesture bullying:** Nonverbal threatening gestures or glances that convey threatening messages.
- **Exclusion:** Socially or physically excluding or disregarding a person in work-related activities.

Violence in the Workplace

All employees, students, volunteers, vendors, and business associates must be treated with courtesy and respect at all times. Employees are expected to refrain from conduct that may be dangerous to others.

Conduct that threatens, intimidates or coerces another employee, student, volunteer, vendor, or business associate will not be tolerated. BCS resources may not be used to threaten, stalk or harass anyone at the workplace or outside the workplace. BCS treats threats coming from an abusive personal relationship as it does other forms of violence.

Indirect or direct threats of violence, incidents of actual violence, and suspicious individuals or activities should be reported as soon as possible to a supervisor, security personnel, principal, Educational Service Center, or superintendent. When reporting a threat or incident of violence, the employee should be as specific and detailed as possible. Employees should not place themselves in peril, nor should they attempt to intercede during an incident.

Employees should promptly inform the Educational Service Center of any protective or restraining order that they have obtained that lists the workplace as a protected area. Employees are encouraged to report safety concerns concerning intimate partner violence. BCS will not retaliate against employees making good-faith reports. BCS is committed to supporting victims of intimate partner violence by providing referrals to BCS's employee assistance program (EAP) and community resources and providing time off for reasons related to intimate partner violence.

BCS will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. BCS will not retaliate against employees making good-faith reports of violence, threats, or suspicious individuals or activities. In order to maintain workplace safety and the integrity of its investigation, BCS may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation.

Anyone found to be responsible for threats of or actual violence or other conduct that violates these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

BCS encourages employees to bring their disputes to the attention of their supervisors or Educational Service Center before the situation escalates. BCS will not discipline employees for raising such concerns.

Safety

It is the responsibility of each employee to conduct all tasks in a safe and efficient manner complying with all local, state, and federal safety and health regulations and program standards, and with any special safety concerns for use in a particular area or with a client.

Although most safety regulations are consistent throughout each department and program, each employee has the responsibility to identify and be familiarized with the emergency plan for the employee's work area. Each facility shall have posted an emergency plan detailing procedures in handling emergencies such as fire, weather-related events, and medical crises.

It is the responsibility of the employee to complete an Accident and Incident Report for each safety and health infraction that occurs by an employee or that the employee witnesses. Failure to report such an infraction may result in employee disciplinary action, including termination.

Furthermore, the school corporation requires that every person in the organization assumes the responsibility of individual and organizational safety. Failure to follow corporation safety and health guidelines or engaging in conduct that places the employee, client, or corporation property at risk can lead to employee disciplinary action and/or termination.

The Health and Safety Committee and the safety director shall have the responsibility to develop and the authority to implement the safety and health program in the interest of a safer work environment.

Tobacco-Free Workplace

It is the policy of Baugo Community Schools (BCS) to prohibit tobacco on all corporation premises to provide and maintain a safe and healthy work and school environment for all employees, students, and guests. For purposes of this policy, "use of tobacco" shall mean all uses of tobacco, including a cigar, cigarette, pipe, snuff, or any other matter or substance that contains tobacco, as well as electronic, "vapor," or other substitute forms of cigarettes.

The tobacco-free workplace policy applies to:

- All areas of corporation buildings.
- All school-owned property.
- All corporation-sponsored off-site conferences and meetings.
- All vehicles owned or leased by the corporation.
- All visitors (customers and vendors) to the corporation premises.
- All contractors, consultants, and/or their employees working on the corporation premises.
- All employees, temporary employees, students, and volunteers.

Employees who violate the tobacco-free policy will be subject to disciplinary action up to and including immediate discharge.

WORKPLACE EXPECTATIONS

Liability of Staff for Student Welfare

Professional and support staff members shall maintain a standard of care for the supervision, control, and protection of students commensurate with their assigned duties and responsibilities and are expected to establish and maintain professional staff-student boundaries that are consistent with their legal, professional, and ethical duty of care for students. Please refer to policy 3213/4213 for further details; Copies of all policies may be obtained at <https://go.boarddocs.com/in/baugo/Board.nsf/Public?open&id=policies>. Each staff member:

- Should not leave students unattended;
- Should not leave an unqualified person in charge of students;
- Should accompany students whenever they are assigned and remain with them until supervision is assumed by another responsible person;
- Should ensure students do not use non-corporation owned and/or maintained equipment or other equipment which may be potentially dangerous or use facilities or equipment except for the intended purpose;
- Should organize classroom materials and equipment to minimize the danger of injury to students and self.

According to the laws of the State and Board Policy 8462, each staff member employed by this Corporation shall be responsible for reporting immediately every case, whether ascertained or suspected, of abuse, abandonment, cruelty, or neglect resulting in physical or mental injury to a student other than by accidental means. If a staff member has a reason to believe a child is a **victim of abuse or neglect**, the staff member shall immediately make a report to the Department of Child Services (“DCS”) by calling the Indiana Child Abuse and Neglect Hotline at 1-800-800-5556 or the local law enforcement agency. After making the report, the staff member shall notify the appropriate building administrator of the circumstance that led to the report that that the staff member made to DCS or the police.

NOTE: Sexual conduct/relationships with students by Corporation employee or any other adult member of the School Corporation community is prohibited, and any teacher, administrator, coach or other school authority, or staff member who engages in certain sexual conduct with a student may be disciplined up to and including termination and may also be guilty of the criminal charge of "sexual battery" as set forth in Indiana Code 35-42-4-8. In the case of a child under fourteen (14) years of age, the person may also be guilty of "child molesting" under Indiana Code 35-42-4-3. In the case of a child between the ages of fourteen (14) and sixteen (16), the person may also be guilty of "sexual misconduct with a minor" under Indiana Code 35-42-4-9. The issue of consent is irrelevant in regard to the latter two (2) criminal charges. Any employee accused of sexual relations with a student may be placed on leave with pay until school administrative proceedings are completed. Proven sexual relationships with a student regardless of the age of the student will initiate the termination process for the employee.

Confidentiality

Our students and parents with whom we interact entrust the school corporation with important information. It is our policy that all information considered confidential will not be disclosed to external parties or employees without a “need to know.” If an employee questions whether certain information is considered confidential, the employee should first check with their immediate supervisor.

This policy is intended to alert employees to the need for discretion at all times and is not intended to inhibit normal business communications.

Outside Employment

Employees are permitted to engage in outside work or to hold other jobs, subject to certain restrictions as outlined below.

Activities and conduct away from the job must not compete with, conflict with, or compromise the corporation interests or adversely affect job performance and the ability to fulfill all job responsibilities. Employees are prohibited from performing any services for customers on nonworking time that are normally performed by Baugo Community Schools (BCS). This prohibition also extends to the unauthorized use of any corporation tools or equipment and the unauthorized use or application of any confidential information. In addition, employees are not to solicit or conduct any outside business during paid working time.

Employees are cautioned to carefully consider the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. If BCS determines that an employee’s outside work interferes with performance, the employee may be asked to terminate the outside employment.

Employees who have accepted outside employment may not use paid sick, vacation, and/or personal business leave to work on the outside job. Fraudulent use of sick, vacation, and/or personal business leave will result in disciplinary action up to and including termination.

Attire and Grooming

The School Board believes that staff members are an important and integral part of the Corporation and should at all times be well dressed and groomed. Staff members who understand this precept and adhere to it enlarge the importance of their task, present an image of dignity and encourage respect.

The Board retains the authority to specify the following dress and grooming guidelines for staff. All staff members shall when assigned to Corporation duty:

- A. be physically clean, neat, and well-groomed;
- B. dress in a manner consistent with their support responsibilities;
- C. dress in a manner that communicates to others pride in personal appearance;
- D. dress in a manner that does not cause damage to Corporation property;
- E. be groomed in such a way that their dress or hairstyle does not disrupt the educational process or cause a health or safety hazard.

Any employee who is improperly dressed will be counseled or in severe cases may be sent home to change clothes. Continued disregard of this policy may be a cause for disciplinary action.

Inclement Weather

Unless notified, employees are to report to work on all regularly scheduled work days, regardless of weather conditions. In the event of any disaster conditions, Baugo Community Schools will operate under conditions that will require certain personnel to report to work.

Attendance/Punctuality Policy

It is expected that all BCS employees be reliable and punctual. Employees should report for work on time and as scheduled. If one is planning to be absent from work due to illness or personal business, the employee must record the absence through the automated sub-calling system. Unplanned absences can disrupt work, inconvenience other employees, and affect productivity. It is the responsibility of the employee to record these unscheduled time off. Failure to record time off properly may result in disciplinary action up to and including termination.

Cell Phone Use

The use of personal cell phones is discouraged, as it is disruptive to the learning process. Personal cell phones should be turned to "silent" mode during working hours. Use of your cell phone is permitted during your lunch break. It is a violation of cell phone policy for cell phones to be used for personal business during class time. Violations may result in disciplinary action.

Parking

Employees should park only in designated areas and have their parking pass visible. If traffic codes are not followed, while on campus, law enforcement has the authority to ticket violators. The organization is not liable for theft or damage to your personal property. Vehicles should be locked and suspicious behavior should be reported to building level administration.

STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY

Technology has fundamentally altered the ways in which information is accessed, communicated, and transferred in society. As a result, educators are continually adapting their means and methods of instruction, and the way they approach student learning, to incorporate the vast, diverse, and unique resources available through the Internet. The School Board provides Technology Resources and Information Resources (as defined by Bylaw 0100) to support the educational and professional needs of its staff and students. The Board provides staff with access to the Internet for limited educational purposes only and utilizes online educational services/apps to enhance the instruction delivered to its students and to facilitate the staff's work. The Corporation's computer network and Internet system do not serve as a public access service or a public forum, and the Board imposes reasonable restrictions on its use consistent with its limited educational purpose.

The Board regulates the use of Corporation Technology Resources and Information Resources by principles consistent with applicable local, State, and Federal laws, and the Corporation's educational mission. This policy, its related administrative guidelines, and any applicable employment contracts and collective bargaining agreements govern the staffs' use of the Corporation's Technology Resources and Information Resources and staff's personal communication devices when they are connected to the Corporation's computer network, Internet connection and/or online educational services/apps, or when used while the staff member is on Corporation-owned property or at a Corporation-sponsored activity (see Policy 7530.02).

Users are prohibited from engaging in actions that are illegal (such as libel, slander, vandalism, harassment, theft, plagiarism, inappropriate access, and the like) or unkind (such as personal attacks, invasion of privacy, injurious comment, and the like) when using Corporation Technology Resources and Information Resources. Because its Technology Resources are not unlimited, the Board also has instituted restrictions aimed at preserving these resources, such as placing limits on the use of bandwidth, storage space, and printers.

Users have no right or expectation to privacy when using Corporation Technology Resources and Information Resources (including, but not limited to, privacy in the content of their personal files, e-mails, and records of their online activity when using the Corporation's computer network and/or Internet connection).

Staff members are expected to utilize Corporation Technology Resources and Information Resources to promote educational excellence in our schools by providing students with the opportunity to develop the resource sharing, innovation, and communication skills and tools that are essential to both life and work. The Board encourages the faculty to develop the appropriate skills necessary to effectively access, analyze, evaluate, and utilize these resources in enriching educational activities. The instructional use of the Internet and online educational services will be guided by Board Policy 2520 – Selection of Instructional Materials and Equipment.

The Internet is a global information and communication network that provides students and staff with access to up-to-date, highly relevant information that will enhance their learning and the education process. Further, Corporation Technology Resources provide students and staff with the opportunity to communicate with other people from throughout the world. Access to such an incredible quantity of information and resources brings with it, however, certain unique challenges and responsibilities.

The Corporation may not be able to limit access technologically through its Technology Resources to only those services and resources that have been authorized for the purpose of instruction, study, and research related to the curriculum. Unlike in the past, when educators and community members had the opportunity to review and screen materials to assess their appropriateness for supporting and enriching the curriculum according to adopted guidelines and reasonable selection criteria (taking into account the varied instructional needs, learning styles, abilities, and developmental levels of the students who would be exposed to them), access to the Internet, because it serves as a gateway to any publicly available file server in the world, opens classrooms and students to electronic information resources which may not have been screened by educators for use by students of various ages.

Pursuant to Federal law, the Corporation has implemented technology protection measures that protect against (e.g., filter or block) access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors, as defined by the Children's Internet Protection Act. At the discretion of the Board or

Superintendent, the technology protection measures may be configured to protect against access to other material considered inappropriate for students to access. The Board also utilizes software and/or hardware to monitor the online activity of students to restrict access to child pornography and other material that is obscene, objectionable, inappropriate, and/or harmful to minors. The technology protection measures may not be disabled at any time that students may be using Corporation Technology Resources if such disabling will cease to protect against access to materials that are prohibited under the Children's Internet Protection Act.

Any staff member who attempts to disable the technology protection measures without the express written consent of an appropriate administrator will be subject to disciplinary action, up to and including termination.

The Superintendent or Technology Director may temporarily or permanently unblock access to websites or online educational services/apps containing appropriate material if access to such sites has been blocked inappropriately by the technology protection measures. The determination of whether material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material, not on the protection actions of the technology protection measures. The Superintendent or Technology Director may also disable the technology protection measures to enable access for bona fide research or other lawful purposes.

Staff members will participate in professional development programs in accordance with the provisions of law and this policy. Training shall include:

- A. the safety and security of students while using e-mail, chat rooms, social media, and other forms of direct electronic communications;
- B. the inherent danger of students disclosing personally identifiable information online;
- C. the consequences of unauthorized access (e.g., "hacking", "harvesting", "digital piracy", "data mining", etc.), cyberbullying and other unlawful or inappropriate activities by students online; and
- D. unauthorized disclosure, use, and dissemination of personally identifiable information regarding minors.

Furthermore, staff members shall provide instruction for their students regarding the appropriate use of technology and online safety and security and specified above, and staff members will monitor students' online activities while at school.

Monitoring may include, but is not necessarily limited to, visual observations of online activities during class sessions; or the use of specific monitoring tools to review browser history and network, server, and computer logs.

The disclosure of personally identifiable information about students online is prohibited.

Building principals are responsible for providing training so that users under their supervision are knowledgeable about this policy and its accompanying guidelines. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of the Corporation Technology Resources. All users of Corporation Technology Resources are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying guidelines.

Staff will be assigned a school email address that they are required to utilize for all school-related electronic communications, including those to students, parents, and other staff members.

With prior approval from the Superintendent or Technology Director, staff may direct students who have been issued school-assigned email accounts to use those accounts when signing up/registering for access to various online educational services, including mobile applications/apps that will be utilized by the students for educational purposes under the teacher's supervision.

Staff members are responsible for good behavior on Corporation Technology and Information Resources, i.e., behavior comparable to that expected when they are in classrooms, in school hallways, on other school premises, and at school-sponsored events.

Communications on Education Technology are often public in nature. The Board does not approve any use of its Technology Resources and Information Resources that is not authorized by or conducted strictly in compliance with this policy and its accompanying guidelines.

Staff members may use Corporation Technology Resources to access or use social media only if it is done for Corporation educational or business-related purposes.

General school rules for behavior and communication apply.

Users who disregard this policy and its accompanying guidelines may have their use privileges suspended or revoked, and disciplinary action taken against them. Users are personally responsible and liable, both civilly and criminally, for uses of Technology Resources not authorized by this Board Policy and its accompanying guidelines.

The Board designates the Superintendent and the Technology Director as the administrators responsible for initiating, implementing, and enforcing this policy and its accompanying guidelines as they apply to staff members' use of Corporation Technology and Information Resources.

Social Media Use

An employee's personal or private use of social media may have unintended consequences. While the Board respects its employees' First Amendment rights, those rights do not include permission to post inflammatory comments related to matters of private concern that could compromise the Corporation's mission, undermine staff relationships, or cause a substantial disruption to the school environment. This warning includes staff members' online conduct that occurs off school property including from the employee's private computer. Postings to social media should be done in a manner sensitive to the staff member's professional responsibilities.

In addition, Federal and State confidentiality laws forbid schools and their employees from using or disclosing student education records without parental consent (see Board Policy 8330). Education records include a wide variety of information, and posting personally identifiable information about students is not permitted. Staff members who violate State and Federal confidentiality laws or privacy laws related to the disclosure of confidential student or employee information may be disciplined.

Nothing in this policy is intended to interfere with any school employee's rights under applicable law with respect to union organizing or collective bargaining.

Solicitations, Distributions, and Posting of Materials

BCS prohibits the solicitation, distribution, and posting of materials on or at corporation property by any employee or nonemployee, except as may be permitted by this policy. The sole exceptions to this policy are charitable and community activities supported by BCS and school-sponsored programs.

Provisions:

- Nonemployees may not solicit employees or distribute literature of any kind on corporation premises at any time.
- Employees may only admit nonemployees to work areas with management approval or as part of a school-sponsored program. These visits should not disrupt workflow. An employee must accompany the nonemployee at all times. Former employees are not permitted onto corporation property except for official corporation business.
- Employees may not solicit other employees during work times, except in connection with a corporation-approved or sponsored event.
- Employees may not distribute literature of any kind during work times or in any work area at any time, except in connection with a corporation-sponsored event.
- The posting of materials or electronic announcements are permitted with approval from Educational Service Center.

Violations of this policy should be reported to Educational Service Center.

Employee Personnel Files

Employee files are maintained by the human resources office and are considered confidential. Principals and supervisors may only have access to personnel file information on a need-to-know basis.

A principal or supervisor must not maintain original documents or separate employee files. All paperwork related to an employee's employment must be sent to the Education Service Center for security and confidentiality compliance.

A principal or supervisor considering the hire of a former employee or transfer of a current employee may be granted access to the file, or limited parts of it, in accordance with antidiscrimination laws.

Personnel file access by current employees and former employees upon request will generally be permitted within three days of the request unless otherwise required under state law. Personnel files are to be reviewed in the human resources office. Personnel files may not be taken outside the office.

Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to file information.

Internal Controls

The Superintendent shall establish and maintain effective internal control standards and procedures for all funds received by the School Corporation, including financial grants and awards from Federal and State sources, that provide reasonable assurance that the program and funds are managed in compliance with applicable Federal and State statutes, Federal and State regulations, and the terms and conditions of grants and awards made to the Corporation. Please see policy 6111 for further details.

COMPENSATION

Payment of Wages

Paydays are usually biweekly on every other Wednesday. It is the corporation's policy that employee payroll checks will be available through Doculivery. Employees will be paid only through direct deposit of funds to either a savings or checking account at the financial institution of their choice.

If the normal payday falls on a corporation-recognized holiday, paychecks will be available one workday before the aforementioned schedule. Certified employees will have their pay annualized to 26 pays per year. Extra-Curricular Agreements during the season.

If an employee's marital status changes or the number of exemptions previously claimed increases or decreases, a new Form W-4 must be submitted to the payroll department.

No salary advances will be made.

Lunch Period

The employee is guaranteed a 30 minute uninterrupted lunch period. Employees are not permitted to forgo the lunch period to shorten the workday. Employees are not permitted to leave campus without first notifying the office.

Employee Travel and Reimbursement

Employees will be reimbursed for reasonable expenses (per-diem rates apply) incurred in connection with approved travel on behalf of the corporation. Meals are not reimbursed for a one (1) day conference.

Travelers seeking reimbursement should incur the lowest reasonable travel expenses and exercise care to avoid the appearance of impropriety. If a circumstance arises that is not specifically covered in the travel policies, the most conservative course of action should be adopted.

Travel for staff must be authorized in advance. Travelers should verify that planned travel is eligible for reimbursement before making travel arrangements. Upon completion of the trip, and within 30 days, the traveler must submit a Travel Reimbursement Form and supporting documentation to obtain reimbursement of expenses. For more details, refer to the corporation policy for detailed travel policies, procedures, and authorization and reimbursement forms.

Exempt employees will be paid their regular salary for weeks in which they travel. Nonexempt employees will be paid for travel time in accordance with federal and state wage payment laws.

LEAVES OF ABSENCES

Family and Medical Leave Act

Upon hire, Baugo Community Schools (BCS) provides all new employees with notices required by the U.S. Department of Labor (DOL).

The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

If you have any questions, concerns, or disputes with this policy, you must contact the Human Resources & Communication Coordinator in the Educational Service Center.

General Provisions

Under this policy, BCS will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid, or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

Eligibility

To qualify to take family or medical leave under this policy, the employee must meet the following conditions:

- The employee must have worked for the corporation for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement, including a collective bargaining agreement, stating the employer's intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.
- The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.
- The employee must work in a work site where 50 or more employees are employed by the corporation within 75 miles of that office or work site. The distance is to be calculated by using available transportation by the most direct route.

Type of Leave Covered

To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

- The birth of a child and in order to care for that child.

- The placement of a child for adoption or foster care and to care for a newly placed child.
- To care for a spouse, child, or parent with a serious health condition (Under the FMLA, a “spouse” means a husband or wife as defined under the law in the state where the employee resides, including same-sex marriages in states that legally recognize such civil unions).
- The serious health condition (described below) of the employee.

An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position.

A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice, or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or as a condition that requires continuing care by a licensed health care provider.

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity with the first visit to the health care provider within seven days of the onset of the incapacity and a second visit within 30 days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.

If an employee takes paid sick leave for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, the corporation may designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.

- Qualifying exigency leave for families of members of the National Guard or Reserves or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.

An employee whose spouse, son, daughter, or parent has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member’s call-up or service. The qualifying exigency must be one of the following: a) short-notice deployment, b) military events and activities, c) child care and school activities, d) financial and legal arrangements, e) counseling, f) rest and recuperation, g) post-deployment activities, and h) additional activities that arise out of active duty, provided that the employer and employee agree, including the agreement on timing and duration of the leave.

Covered active duty means:

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

The leave may commence as soon as the individual receives the call-up notice. (*Son* or *daughter* for this type of FMLA leave is defined the same as for *child* for other types of FMLA leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee’s 12-week maximum of FMLA leave in a 12-month period.

- Military caregiver leave (also known as covered service member leave) to care for an injured or ill service member or veteran.

An employee whose son, daughter, parent, or next of kin is a covered service member may take up to 26 weeks in a single 12-month period to take care of leave to care for that service member. *Next of kin* is defined as the closest blood relative of the injured or recovering service member. The term *covered service member* means:

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

The term *serious injury or illness* means:

- o In the case of a member of the Armed Forces (including a member of the National Guard or Reserves), an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating.
- o In the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered service member, a qualifying (as defined by the Secretary of Labor) injury or illness that was incurred by the member in line of duty on an active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

Amount of Leave

An eligible employee may take up to 12 weeks for the first five FMLA circumstances above (under heading "Type of Leave Covered") under this policy during any 12-month period. The corporation will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the corporation will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount of time the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA military caregiver leave circumstance above during a single 12-month period. For this military caregiver leave, the corporation will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

If a husband and wife both work for the corporation and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave. If a husband and wife both work for the corporation and each wishes to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 weeks of leave.

Employee Status and Benefits During Leave

While an employee is on leave, the corporation will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

Employee Status After Leave

An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from the health care provider.

Use of Paid and Unpaid Leave

All paid vacation, personal and sick leave runs concurrently with FMLA leave.

Disability leave for the birth of a child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA.

Intermittent Leave or a Reduced Work Schedule

The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced-hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member over a 12-month period).

Certification for the Employee's Serious Health Condition

The corporation will require certification for the employee's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

Certification for the Family Member's Serious Health Condition

The corporation will require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

Certification of Qualifying Exigency for Military Family Leave

The corporation will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

Certification for Serious Injury or Illness of Covered Service Member for Military Family Leave

The corporation will require certification for the serious injury or illness of the covered service member. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

Recertification

The corporation may request recertification for the serious health condition of the employee or the employee's family member when circumstances have changed significantly, or if the employer receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the corporation may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence.

Procedure for Requesting FMLA Leave

All employees requesting FMLA leave must provide the human resources office with verbal or written notice of the need for the leave. Within five business days after the employee has provided this notice, the human resources & communications coordinator will provide the employee with the DOL Notice of Eligibility and Rights.

When the need for leave is foreseeable, the employee must provide the employer with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the corporation's usual and customary notice and procedural requirements for requesting leave.

Designation of FMLA Leave

Within five business days after the employee has submitted the appropriate certification form, the human resources & communications coordinator will provide the employee with a written response to the employee's request for FMLA leave.

Intent to Return to Work from FMLA Leave

The corporation may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Maternity/Adoption/Parent Leave

Maternity Leave

Maternity leave shall be granted to employees in accordance with the provisions of the applicable State law with respect thereto. The use of the employee's available paid leave time will be limited to 6 weeks (30 working days) for natural childbirth and 8 weeks (40 working days) for C-section delivery.

Adoption Leave

Except in the case of a child sought to be adopted by a step-parent, a employee who adopts a preschool child shall be entitled to a leave of absence. The use of the employee's available paid leave time will be limited to 6

weeks (30 working days) The employee, concurrently with the adoption application, shall notify the Superintendent of the expected length of this leave and attach thereto a statement from a duly licensed child placing agency, or the applicable county department of public welfare, certifying that the employee has made an adoption application. If there are two employees in the family, up to five (5) days leave shall be available for the second employee for the purpose of adoption. These days of absence with pay must take place within five (5) working days of the adoption. Used adoption leave days for the second employee will be deducted from the employee's available paid leave time.

Parent Leave

Up to five (5) days of paternity leave shall be available to an employee immediately following the birth or adoption of a child. These days must take place within five (5) working days of the birth or return home from the hospital. Used parent leave will be deductible from the illness leave.

Military Leave of Absence

Baugo Community Schools are committed to protecting the job rights of employees absent on military leave. In accordance with federal and state law, it is the corporation's policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied employment, reemployment, promotion, or other benefits of employment based on such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because such a person has exercised the right under applicable law or corporation policy. If any employee believes that they have been subjected to discrimination in violation of corporation policy, the employee should immediately contact the Education Service Center.

Employees taking part in a variety of military duties are eligible for benefits under this policy. Such military duties include leaves of absence taken by members of the uniformed services, including Reservists and National Guard members, for training, periods of active military service and funeral honors duty, as well as time spent being examined to determine fitness to perform such service. Subject to certain exceptions under the applicable laws, these benefits are generally limited to five years of leave of absence.

Employees requesting leave for military duty should contact the personnel and benefits coordinator to request leave as soon as they are aware of the need for leave.

BENEFITS

Medical, Dental, and Vision Insurance

The corporation currently offers full-time employees regularly scheduled to work a minimum of 30 hours per week enrollment in medical, dental, and vision insurance coverage options on the first of the month following their date of employment.

Employees have up to 30 days from their date of hire to make medical, dental, and vision plan elections. Once made, elections are fixed for the remainder of the plan year. Changes in family status, as defined in the Plan document, allow employees to make midyear changes in coverage consistent with the family status change. Please contact the human resources office to determine if a family status change qualifies under the Plan document and IRS regulations.

At the end of each calendar year during open enrollment, employees may change medical, dental, and vision elections for the following calendar year.

Group Life Insurance

BCS currently offers regular full-time employees regularly scheduled to work a minimum of 30 hours per week, enrollment in life insurance on the first of the month following their date of employment. This is an employer-

paid basic group term life policy along with accidental death and dismemberment policy. Each policy generally pays a death benefit of \$35,000 for classified staff and \$50,000 for certified staff.

Long-Term Disability Benefits

BCS currently offers regular full-time employees regularly scheduled to work a minimum of 30 hours per week, enrollment in a Long Term Disability plan effective on the first of the month following their date of employment. This plan provides for monthly LTD benefits of 66 2/3% of the employee's basic monthly earnings to a maximum benefit of \$3,889 per month for certified staff and \$4,167 for classified staff, less any other offsets. Eligible employees are automatically enrolled as of the first day of the calendar month following their date of hire. Long-term disability coverage terminates on the last day of employment.

403(b) Plan

BCS offers a voluntary pre-tax or post-tax salary reduction plan in which all employees, who are 18 years of age or older, may elect to participate beginning with the first payroll period administratively feasible after employment. Please see the Universal Availability Notice for additional information.

Section 125

A cafeteria plan is a separate written plan maintained by an employer for employees that meets the specific requirements of and regulations of section 125 of the Internal Revenue Code. It provides participants an opportunity to receive certain benefits on a pretax basis. Participants in a cafeteria plan must be permitted to choose among at least one taxable benefit (such as cash) and one qualified benefit.

A qualified benefit is a benefit that does not defer compensation and is excludable from an employee's gross income under a specific provision of the Code, without being subject to the principles of constructive receipt. Qualified benefits include the following:

- Accident and health benefits
- Adoption assistance
- Dependent care assistance
- Group-term life insurance coverage
- Health Savings Accounts

Workers' Compensation Benefits

It is the goal of Baugo Community Schools that all employees receive prompt medical treatment if they have sustained a work-related injury. We have designated Beacon Occupational Health as our occupational provider for prompt and compassionate treatment for our employees.

If you have sustained a work-related injury, the following steps must be followed:

1. Complete a **Worker's Compensation Employee Statement**. This may be obtained from your building principal, supervisor, or Educational Service Center representative.
2. Authorization for care will be completed by an Educational Service Center building representative. This **must** be done with Beacon Occupational Health to receive medical treatment.

Beacon Occupational Health

Monday thru Friday - 9:00 am to 5:00 pm

- 4630 Vistula Road, Mishawaka 574-318-4291
- 1104 West Bristol Street, Elkhart 574-333-2986
- 22818 Old US 20, Elkhart 574-389-1231

MedPoint Urgent Care

Monday thru Sunday 8:00 a.m. to 8:00 pm

- 3301 CR 6 East, Elkhart 574-266-5342
- 1815 E Ireland Road, South Bend 574-647-1750
- 6913 N Main Street, Granger 574-647-1550

Authorized Emergency Care Only
Elkhart General Hospital

• 600 East Blvd

574-294-2621

3. Return all paperwork received by Beacon Occupational Health or Elkhart General Hospital to the Educational Service Center as soon as possible after receiving treatment.

If the Workers Compensation Carrier does not believe the injury entitles the employee to receive worker compensation benefits, it shall so notify the employee and the Worker Compensation Board within thirty (30) days of the date at which the alleged disability begins, in accordance with the procedures prescribed by the Board. (I.C. 22-3-7)

Employee Assistance Program (EAP)

Through the employee assistance program (EAP), BCS provides confidential access to professional counseling services. The EAP, available to all employees and their immediate family members, offers problem assessment, short-term counseling, and referral to appropriate community and private services. This service is provided on behalf of the Baugo Community Schools. Perspectives just call 1-800-456-6327 or log in to perspectivesltd.com with the username of "BCS100", and password of "perspectives".

The EAP is strictly confidential and is designed to safeguard an employee's privacy and rights. There is no cost for an employee to consult with an EAP counselor. If further counseling is necessary, the EAP counselor will outline community and private services available. The counselor will also let employees know whether any costs associated with private services may be covered by their health insurance plan. Costs that are not covered are the responsibility of the employee.

MEDICAL NOTIFICATIONS

Women's Health and Cancer Rights Act Notice

The Women's Health and Cancer Rights Act of 1998 (WHCRA) was signed into law on October 21, 1998. The WHCRA which amends ERISA, requires group health plans that provide coverage for mastectomies to also provide coverage for reconstructive surgery and prostheses following mastectomies. Because your group health plan offers coverage for mastectomies, WHCRA applies to your plan. The law mandates that a participant who is receiving benefits, on or after the law's effective date, for a covered mastectomy and who elects breast reconstruction in connection with the mastectomy will also receive coverage for:

1. Reconstruction of the breast on which the mastectomy has been performed
2. Surgery and reconstruction of the other breast to produce a symmetrical appearance; and
3. Prosthesis and treatment of physical complications of all stages of mastectomy, including lymphedemas

This coverage will be provided in consultation with the patient and the patient's attending physician and will be subject to the same annual deductible, coinsurance, and/or copayment provisions otherwise applicable under the policy/plan.

**Important Notice from Baugo Community Schools About
Your Prescription Drug Coverage and Medicare**

Please read this notice carefully and keep it where you can find it. This notice has information about your current prescription drug coverage with Baugo Community Schools and about your options under Medicare's prescription drug coverage. This information can help you decide whether or not you want to join a Medicare drug plan. If you are considering joining, you should compare your current coverage, including which drugs are covered at what cost, with the coverage and costs of the plans offering Medicare prescription drug coverage in your area. Information about where you can get help to make decisions about your prescription drug coverage is at the end of this notice.

There are two important things you need to know about your current coverage and Medicare's prescription drug coverage:

1. Medicare prescription drug coverage became available in 2006 to everyone with Medicare. You can get this coverage if you join a Medicare Prescription Drug Plan or join a Medicare Advantage Plan (like an HMO or PPO) that offers prescription

drug coverage. All Medicare drug plans provide at least a standard level of coverage set by Medicare. Some plans may also offer more coverage for a higher monthly premium.

2. Baugo Community Schools has determined that the prescription drug coverage offered by Aetna is, on average for all plan participants, expected to pay out as much as standard Medicare prescription drug coverage pays and is therefore considered Creditable Coverage. Because your existing coverage is Creditable Coverage, you can keep this coverage and not pay a higher premium (a penalty) if you later decide to join a Medicare drug plan.

When Can You Join A Medicare Drug Plan?

You can join a Medicare drug plan when you first become eligible for Medicare and each year from October 15th to December 7th. However, if you lose your current creditable prescription drug coverage, through no fault of your own, you will also be eligible for a two (2) month Special Enrollment Period (SEP) to join a Medicare drug plan.

What Happens To Your Current Coverage If You Decide to Join A Medicare Drug Plan?

If you decide to join a Medicare drug plan, your current medical coverage will be affected. Contact the person listed below for further information about what happens to your coverage if you enroll in a Medicare Part D prescription drug plan. If you do decide to join a Medicare drug plan and drop your current Baugo Community School coverage, be aware that you and your dependents will be able to get this coverage back.

When Will You Pay A Higher Premium (Penalty) To Join A Medicare Drug Plan?

You should also know that if you drop or lose your current coverage with Baugo Community Schools and don't join a Medicare drug plan within 63 continuous days after your current coverage ends, you may pay a higher premium (a penalty) to join a Medicare drug plan later. If you go 63 continuous days or longer without creditable prescription drug coverage, your monthly premium may go up by at least 1% of the Medicare base beneficiary premium per month for every month that you did not have that coverage. For example, if you go nineteen months without creditable coverage, your premium may consistently be at least 19% higher than the Medicare base beneficiary premium. You may have to pay this higher premium (a penalty) as long as you have Medicare prescription drug coverage. In addition, you may have to wait until the following October to join.

For More Information About This Notice Or Your Current Prescription Drug Coverage...

Contact the person listed below for further information. **NOTE:** You'll get this notice each year. You will also get it before the next period you can join a Medicare drug plan, and if this coverage through Baugo Community School changes. You also may request a copy of this notice at any time.

For More Information About Your Options Under Medicare Prescription Drug Coverage...

More detailed information about Medicare plans that offer prescription drug coverage is in the "Medicare & You" handbook. You'll get a copy of the handbook in the mail every year from Medicare. You may also be contacted directly by Medicare drug plans.

For more information about Medicare prescription drug coverage:

- Visit www.medicare.gov
- Call your State Health Insurance Assistance Program (see the inside back cover of your copy of the "Medicare & You" handbook for their telephone number) for personalized help
- Call 1-800-MEDICARE (1-800-633-4227). TTY users should call 1-877-486-2048.

If you have limited income and resources, extra help paying for Medicare prescription drug coverage is available. For information about this extra help, visit Social Security on the web at www.socialsecurity.gov, or call them at 1-800-772-1213 (TTY 1-800-325-0778).

Remember: Keep this Creditable Coverage notice. If you decide to join one of the Medicare drug plans, you may be required to provide a copy of this notice when you join to show whether or not you have maintained creditable coverage and, therefore, whether or not you are required to pay a higher premium (a penalty).

Contact--Position/Office: Cassidy Disselberger, Human Resource Coordinator
Address: 29125 County Road 22 West, Elkhart, IN 46517
Phone Number: 574-293-8583

Premium Assistance Under Medicaid and the Children’s Health Insurance Program (CHIP)

If you or your children are eligible for Medicaid or CHIP and you’re eligible for health coverage from your employer, your state may have a premium assistance program that can help pay for coverage, using funds from their Medicaid or CHIP programs. If you or your children aren’t eligible for Medicaid or CHIP, you won’t be eligible for these premium assistance programs but you may be able to buy individual insurance coverage through the Health Insurance Marketplace. For more information, visit www.healthcare.gov.

If you or your dependents are already enrolled in Medicaid or CHIP and you live in a State listed below, contact your State Medicaid or CHIP office to find out if premium assistance is available.

If you or your dependents are NOT currently enrolled in Medicaid or CHIP, and you think you or any of your dependents might be eligible for either of these programs, contact your State Medicaid or CHIP office or dial **1-877-KIDS NOW** or www.insurekidsnow.gov to find out how to apply. If you qualify, ask your state if it has a program that might help you pay the premiums for an employer-sponsored plan.

If you or your dependents are eligible for premium assistance under Medicaid or CHIP, as well as eligible under your employer plan, your employer must allow you to enroll in your employer plan if you aren’t already enrolled. This is called a “special enrollment” opportunity, and **you must request coverage within 60 days of being determined eligible for premium assistance**. If you have questions about enrolling in your employer plan, contact the Department of Labor at www.askebsa.dol.gov or call **1-866-444-EBSA (3272)**.

If you live in one of the following states, you may be eligible for assistance paying your employer health plan premiums. The following list of states is current as of January 31, 2021. Contact your State for more information on eligibility –

| INDIANA – Medicaid |
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| Healthy Indiana Plan for low-income adults 19-64 Website: http://www.in.gov/fssa/hip/ Phone: 1-877-438-4479 |
| All other Medicaid Website: https://www.in.gov/medicaid/ Phone 1-800-457-4584 |

To see if any other states have added a premium assistance program since January 31, 2021, or for more information on special enrollment rights, contact either:

U.S. Department of Labor
Employee Benefits Security Administration
www.dol.gov/agencies/ebsa
1-866-444-EBSA (3272)

U.S. Department of Health and Human Services
Centers for Medicare & Medicaid Services
www.cms.hhs.gov
1-877-267-2323, Menu Option 4, Ext. 61565

Paperwork Reduction Act Statement

According to the Paperwork Reduction Act of 1995 (Pub. L. 104-13) (PRA), no persons are required to respond to a collection of information unless such collection displays a valid Office of Management and Budget (OMB) control number. The Department notes that a Federal agency cannot conduct or sponsor a collection of information unless it is approved by OMB under the PRA, and displays a currently valid OMB control number, and the public is not required to respond to a collection of information unless it displays a currently valid OMB control number. See 44 U.S.C. 3507. Also, notwithstanding any other provisions of law, no person shall be subject to penalty for failing to comply with a collection of information if the collection of information does not display a currently valid OMB control number. See 44 U.S.C. 3512.

The public reporting burden for this collection of information is estimated to average approximately seven minutes per respondent. Interested parties are encouraged to send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Labor, Employee Benefits Security Administration, Office of Policy and Research, Attention: PRA Clearance Officer, 200 Constitution Avenue, N.W., Room N-5718, Washington, DC 20210 or email ebsa.opr@dol.gov and reference the OMB Control Number 1210-0137.