



Franklin County Schools' Employee Handbook (Revised 7.8.10)

About This Handbook

This handbook represents selected information that should answer many questions about employment-related matters, benefits, and compensation. As a new or returning employee, you should also familiarize yourself with Franklin County Board of Education policies. You can access a copy of the school board policies at your assigned workplace, on the Internet (www.fcschools.net), or at the Franklin County Schools' Central Office, 53 West River Road, Louisburg, N.C. Additional materials, including curriculum guides, school improvement plans, and school policies and procedures are available through your immediate supervisor. This handbook summarizes many detailed provisions related to employment, benefits, and other job-related matters. The Franklin County Schools Policy Manual will always govern when issues are questioned. Finally, there is nothing in this handbook that is intended to create or imply contractual rights.

Title IX Of The Education Amendments Of 1972

It is the policy of Franklin County Schools not to discriminate on the basis of sex in its educational programs, activities, or employment policies as required by Title IX of the Education Amendments of 1972. Inquiries regarding compliance with Title IX may be directed to:

Assistant Superintendent for Human Resources
Franklin County Schools
53 West River Road
Louisburg, North Carolina 27549
Telephone: (919) 496-2600
Fax: (919) 496-2104

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Employee Duties and Responsibilities

Compliance with Board of Education Policies

It is the responsibility of all employees to become knowledgeable of the printed policies of the Board of Education. Employees will be held accountable for compliance with board policies.

Standards of Conduct

Each employee is expected to maintain the highest standards of honesty, integrity, and fairness. Employees shall perform their duties and responsibilities in a competent and ethical manner without violating the public's trust or applicable laws, policies, and regulations.

Licensure

Each professional employee is responsible for establishing and maintaining licensure in his or her area of employment. In cases where the school system has requested a provisional licensure, it is the responsibility of the individual to satisfy the annual requirements for licensure extension.

The Workday

Teachers and teacher assistants shall be at school and at their stations at 8:00 a.m. and remain at their stations until 3:30 p.m., unless needed longer by their principal.

This schedule may be altered to meet the needs of an individual school, but under no circumstances will the length of the workday be less than seven hours and thirty minutes. Other Non-Certified Staff - The normal workday shall be eight (8) work hours with exceptions as specific job requirements may require.

Reporting Child Abuse or Neglect

In accordance with G. S. 115C-400, "Any person who has cause to suspect child abuse or neglect has a duty to report the case of the child to the Director of Social Services of the county, as provided in G.S. 7A-543 to 7A-552." The employee also will report the case immediately to the principal. Any doubt about reporting a suspected situation will be resolved in favor of reporting and the report will be made immediately. A school employee is immune by statute from any civil and/or criminal liability when reporting in good faith suspected child abuse or neglect. Failure on the part of any school employee to report may result in disciplinary action being brought against the employee by the district or civil action under the law.

Solicitations

All solicitations not concerning the school itself are prohibited. All school sponsored fund raising activities and projects shall require the approval of the Franklin County Board of Education.

Resignation

Licensed employees must give a 30-day notice prior to resigning from the school system. The 30 days are counted from the date of receipt of the resignation by the Human Resources office. Failure to give 30 days notice may result in license revocation as outlined in G.S. 115C-325(o). Non-licensed support staff should give at least 14 calendar days notice prior to resigning from the

school system.

Employee Absences

When absent from duty for whatever reason, an employee must notify the appropriate supervisor of his/her inability to report to work by the time designated by the supervisor. If the employee fails to notify the appropriate supervisor of his/her absence, a deduction will be made from his/her salary for the time lost. Unreported absences or leaving the job site without authorization will be considered grounds for termination.

Health Certificate/Physical Examination

In accordance with North Carolina General Statute 115C - 323, all public school employees upon initial employment and those who have been separated from public school employment more than one school year, or who have been absent for more than 40 successive school days because of a communicable disease, shall file a completed North Carolina Public Schools Health Examination Certificate certifying their freedom from any communicable disease, or any disease, physical or mental, which would impair the persons ability to perform his/her job duties. The local board of education or the Superintendent or his/her designee may require any employee to take a physical examination whenever deemed necessary.

Substitute Teachers

Approval Procedure

An approved list of substitute teachers will be kept on file in the Human Resources office. Any substitute teacher whose name is on this list is considered qualified. Minimum requirements for substitute teaching are as follows:

1. Completed application on file in the Human Resources office, including satisfactory evaluations from persons listed on the application as references.
2. High School Diploma.
3. Substitute teacher training or teacher certification.
4. Current Health Certificate.
5. Criminal History Record check.
6. Approval by the Board of Education.

Leave

*Note: All leave requests must be taken in whole or one-half day increments. **Should you have questions regarding leave, please contact the FCS Benefits Specialist at 496-2600.***

Holiday Leave

Twelve-month employees observe 11 or 12 holidays per school year, depending on the day of the week that Christmas falls. Ten-month employees have 10 or 11 holidays per school year, depending on the day of the week that Christmas falls. The Franklin County Board of Education determines when holidays are scheduled.

Annual (Vacation) Leave

All full and part-time permanent employees who work, or are on paid leave (including paid holidays and when on Workers' Compensation) for one-half or more of the work days in a monthly pay period, are entitled to earn annual (vacation) leave at the same rate provided for State employees. Leave for a part-time permanent employee shall be computed on a pro rata basis of the amount earned by a full-time employee in that class of work. Annual leave may be accumulated without any maximum until June 30 of each year. On June 30 of each year, employees with more than 30 days of accumulated leave will have the excess accumulated leave converted to sick leave so that only 30 days are carried forward to the next fiscal year. Request for annual leave must be approved by the employee's supervisor at least one week in advance. Annual leave will be transferred when employees transfer to another local school system and may be transferred to state agencies if they are willing to accept the leave; otherwise, employees leaving the public schools will be paid for up to 30 days of accumulated leave. In case of death, the employee's estate will receive payment for any accumulated vacation leave up to 30 days.

Sick Leave

Permanent employees who are working or on paid leave for half or more of the workdays in a monthly pay period earn sick leave at the rate of one day per month.

Eligible permanent part-time employees earn sick leave equal to their percentage of full-time employment. Sick leave may be granted for: (1) periods of temporary disability caused by personal illness, injury, or other temporary disability, (2) illness in the employee's immediate family that necessitates the employee's attendance, (3) death in the immediate family, and (4) medical appointments. Sick leave may be accumulated indefinitely. It is transferable among local school systems and may be transferred to other state agencies.

The Superintendent may request a statement from a medical doctor or other acceptable proof that the employee was unable to work due to personal illness, medical appointment, illness, or death in the family. In any event, a doctor's certificate must be presented to Human Resources if sick leave absences exceed five consecutive working days. The certificate must be specific in nature and must address the specific illness and/or condition that precludes the employee from performing assigned duties. The certificate must be renewed every ten working days (unless a longer period is stipulated by the medical doctor) until sick leave is exhausted or until the employee no longer requests sick leave. When sick leave is exhausted, any leave of absence without pay must be approved by the Franklin County Board of Education.

Twenty-Day Extended Sick Leave (Teachers)

Teachers are provided 20 days each year of additional sick leave, less the cost of a substitute, for personal illness. This extended sick leave may be used after all accumulated sick leave has been exhausted. Extended sick leave cannot be accumulated.

Personal Leave

Teachers earn two days of personal leave during the ten-month school term with salary deduction for the cost of substitute teachers. These days can be transferred among other local school systems. Personal leave is granted upon authorization of an employee's immediate

supervisor. This type of leave is not normally provided on the first day of school, a required teacher workday, or the last day before or the next day after a holiday or scheduled vacation day. In special situations, supervisors may approve leave which does not conform to the above stipulations.

Special Leaves

Child Involvement Leave

Under the state law passed by the 1993 General Assembly, any employee who is a parent, guardian, or person standing in loco parentis of a school-age child may take up to four hours of unpaid leave per year to attend or otherwise be involved with the child's school. The leave must be taken at a time mutually agreed upon by the supervisor and the employee; the employee must provide the supervisor with a written request for the leave at least 48 hours in advance; and the supervisor may require written verification from the child's school that the employee attended or was otherwise involved at the school during the time of the leave.

Jury Duty

When permanent school employees are absent from work to serve on a jury, no deduction is made from their regular salaries. Employees are entitled to their regular compensation plus any fees received for jury duty.

Court Attendance

No salary deduction is made when permanent employees are absent from work to attend court in connection with their official duty or because they were subpoenaed or directed by proper authority to appear as a witness for another individual. Any fees received when serving in an official capacity as a witness must be returned to the local school system. If, however, an employee is a defendant or a plaintiff in a case and must be absent from work, no salary is to be received unless that time is charged to annual (vacation) leave or personal leave.

Military Leave

Leave with pay is granted to members of reserve components of the U.S. Armed Forces for certain periods of active duty training and for state military duty. Leave with pay is extended to full or part-time permanent school employees, normally not to exceed 15 working days during the Federal fiscal year, beginning October 1 and ending on September 30.

Educational/Professional Leave

Short-term professional leave for participation in staff development training or meetings is available for certified employees, if approved by the principal or supervisor. Teachers should check with the principal or supervisor about the availability of funds to pay for substitutes for professional leave purposes. Long-term professional leave for up to one year may be requested by certified employees. This leave is unpaid and must be approved by the Franklin County Board of Education.

Voluntary Shared Leave

The purpose of voluntary shared leave is to provide economic relief for employees, who by reason of a prolonged absence caused by serious medical conditions of self or immediate family, are likely to suffer financial hardship. Only permanent full and part-time employees are eligible to receive shared leave. To be eligible, an employee must have exhausted all accumulated paid leave.

An employee must have approval from the Superintendent for donated leave. Application may also be made by a third party acting on the employee's behalf. An employee who has in excess of five sick or annual leave days accumulated is eligible to donate leave subject to certain restrictions and approval by the Superintendent. Annual leave may be donated to any employee. Sick leave may be donated only to an employee who is a member of the immediate family (i.e., spouse, children, parents, including "step" relationships and any other dependants residing in the employee's home). Employees may not give or receive compensation in any form for donated leave. Acceptance of compensation for donated leave will result in dismissal. For more information, contact the Personnel office.

Parental/Disability Leave

Male or female school employees are granted a leave of absence without pay for up to one calendar year for the birth or adoption of a child or for disability of the employee. The 12 months of leave may be extended for the remainder of the school year when this leave would otherwise end in the latter half of the school year. An employee on non-paid leave is responsible for paying for health and dental insurance and for flexible benefits on a self-paid basis. Employees do not receive pay for holidays or vacation days scheduled on the calendar during their non-paid leave. If an employee elects not to use any accumulated leave while on a leave of absence, that election may not be changed once the leave of absence without pay has begun.

Family Medical Leave

The Family Medical Leave Act of 1993 (FMLA) allows eligible employees to take twelve (12) work weeks of unpaid, job protected leave for the birth or adoption of a child, or to care for a spouse, son, daughter, or parent who has a serious medical condition. The employee may choose the substitution of eligible paid leave for any or all of their FMLA leave. During the 12 weeks of FMLA, the employer-paid portion of health benefits will be maintained. If an employee fails to return to work after the FMLA entitlement has been exhausted, the Board of Education shall be responsible for recovery of payment of its share of the health plan premium. To be eligible for this leave, an employee must be employed by the school district for the previous twelve months and must have worked for at least 1,250 hours during that 12-month period. It is required that an employee's requested medical leave be supported by a certificate issued by the health care provider of the employee or the employee's ill family member. The employee will obtain and present certification from the health care provider when the employee is able to resume work.

Employee Compensation

Licensed employees are paid according to their licensure level and years of experience determined by the Department of Public Instruction, plus any local supplement approved by the Franklin County Board of Education. Non-licensed and support employees are paid based on the salary schedule assigned to their position. Questions about your salary should be directed to the

office of Human Resources.

Administrative Procedure for Local Teacher Supplement

Purpose:

The local teacher supplement provided by Franklin County Schools is to provide additional compensation to the employees as defined below.

Eligibility:

1. Employees eligible to receive the local teacher supplement are those that are full-time or are part-time permanent in a certified/licensed position. The specific positions are; certified teachers, counselors, media specialists, social workers, school nurses, speech therapists, occupational therapists, and physical therapists.
2. Employees must be designated as permanent full-time or permanent part-time (no minimum hours required) to be eligible. The status cannot be considered temporary, interim, or on an "as needed basis".
3. Local teacher supplement payments will be paid to currently employed certified/licensed employees for the period of time actively worked or on a paid leave.
4. Employees not employed at the time of payment will forfeit any pro-rated portion of the payment.

Payment:

1. Local teacher supplements will be paid on a semi-annual basis (November and June). Actual payment dates are determined at the beginning of each school year.
2. Local teacher supplements will be pro-rated based on the percent of employment for the position. The payment will be pro-rated for those eligible employees that work less than 100% of a regular work week.
3. Those actively employed will receive a pro-rated payment based on time worked or time on a paid leave. If a leave without pay occurs, payment will not be given for unpaid time.

One Time Exception:

1. Payment will be provided to rehired-retirees under employment contracts for the 2009-2010 school year only, provided employed at scheduled time of payment.

Longevity Pay

All permanent full or part-time employees receive longevity pay after completing ten (10) years of qualifying service. Longevity is an annual payment based on a percentage of your yearly base

salary.

Recovery of Salary or Benefits Advanced to Employees

In accordance to state statues for state paid employees, Franklin County Schools will recover from the employee any money paid in advance if the employee leaves the system before earning such salary or contributions. This includes salary or health insurance contributions. Any money paid in error will be recovered from the employee. Contact the payroll department immediately if you suspect you have received an over payment.

Installment Pay

Teachers, teacher assistants, ten-month custodians, ten-month office support, and other ten-month employees may receive their pay in twelve (12) equal installments. The election to receive the twelve equal installments must be made in writing to Payroll by each employee each year on or prior to the first required workday of the school year. Those personnel whose length of employment is other than 10 months are not eligible for the twelve equal installment pay. Extended employment beyond ten months for a ten month employee does not make the employee ineligible for the twelve equal installments. If the ten month employee goes off pay status for any reason during the school year, the twelve equal installments pay status will be canceled and prior deductions will be paid out in full at that time.

Fair Labor Standards Act

It is the intent of the Board of Education to comply with the wage/hour requirements of the Fair Labor Standards Act for all non-exempt employees. School personnel who have been identified as non-exempt under the Fair Labor Standards Act are subject to the Fair Labor Standards overtime requirements.

Definition of “Non-Exempt”

Non-exempt employee groups include the following: teacher assistants, other assistants, office support, food service workers (excluding managers), custodians, maintenance workers, bus drivers, and daycare workers.

Definition of “Overtime”

“Overtime” is any hours worked by “non-exempt” employees beyond 40 hours in any given work week. Lunch breaks are not to be counted as work time provided the employee is completely free of any duty. Breaks of less than 20 minutes will be counted as work time. Any overtime worked must be at the request of, or with the prior approval of, the superintendent or his/her designee. The method of compensation must be determined before the overtime is performed.

Definition of “Work Week”

The work week shall begin on Monday and continue through Sunday.

Employee Benefits

Retirement Benefits

Permanent, full-time employees of the Franklin County School System are covered by the North

Carolina Teachers' and State Employees' Retirement System. Employees contribute 6 percent of their monthly salaries and the employer provides a contribution based on legislation. The Disability Income Plan provides short- and long-term disability benefits at the employer's expense for permanent employees who are members of the Teachers' and State Employees' Retirement System and who meet certain state service requirements. After completing at least one calendar year as a member of the Retirement System, eligible employees are automatically covered by a death benefit while they are being paid a salary and up to 180 days after the last day for which a salary is paid.

Dental Insurance

Franklin County School System provides dental insurance coverage for full-time permanent employees at no cost to the employee. Dependent/spouse coverage is also available, at a cost to the employee. The covered benefits offered through the dental program provides a wide range of dental services.

Health Insurance

All permanent full-time employees are offered group hospital and medical insurance coverage. The employer pays the base amount for individual coverage under the State Health Plan and selected preferred provider organizations. Health coverage for dependents and part-time employees may be added at the employee's expense.

Long Term Disability

Franklin County Schools offers group long term disability income insurance coverage to full-time permanent employees. If group long term disability insurance is elected and a disability occurs, the insurance pays a cash benefit to replace a portion of the earnings lost as a result of the disability.

Cafeteria Benefits and Flexible Spending Accounts

All permanent full-time employees are offered a cafeteria benefits plan. This plan offers employees an opportunity to "purchase" nontaxable benefits by foregoing taxable cash compensation. Cafeteria plans can result in significant savings to employees since salary reductions are tax free for Social Security as well as Federal and State tax purposes. The amount of savings will vary depending upon each employee's marginal tax rates. Products offered through this plan include cancer, intensive care, accident, term life on employee, dental and health insurance. Flexible Spending Accounts (FSA) also allow you to pay certain healthcare and dependent care expenses with pre-tax money.

Life Insurance Plans

FCS provides \$10,000 of Life Insurance to permanent full time employees. Additional coverage can be purchased for optional life insurance plans which vary in length and growth potential. Contact the office of Human Resources for eligibility and enrollment options.

Workers' Compensation

All employees are covered under G. S. 97 regarding Workers' Compensation injuries. This statute covers any injury or disease that is work related and reported within the required time frame. All employees of Franklin County Schools should comply with the following procedures dealing with a Workers' Compensation claim.

1. Immediately report to the principal or immediate supervisor any injury sustained while performing their duties and responsibilities.
2. The injury shall be reported within 5 days on Form 19 which is the employer's record and report of injury. The front side of Form 19 shall be completed by the school secretary or administrator. The completed form should be forwarded to the Office of Human Resources, with one copy retained by the employee.
3. If medical attention is necessary, the primary medical provider selected by FCS should be made aware that the illness or injury is being filed as a Workers' Compensation claim.

Supplemental Retirement Plans

Each full-time permanent employee has the opportunity to participate in the State 401K plan which allows for retirement savings through a variety of investment options; or any part-time or full-time employee may participate in a board approved 403B tax sheltered annuity. Additional information can be obtained by contacting the office of Human Resources.

State Employees' Credit Union

Each Franklin County Schools employee who works 80 or more hours per month is eligible to become a member of the State Employees' Credit Union which offers a wide variety of financial services.

Selected Policies and Procedures

Professional Dress

All Franklin County Schools employees serve as role models for the students with whom they work. It is the expectation of the Franklin County Board of Education that all employees dress professionally and appropriately relative to their specific job duties and responsibilities. The Board desires that employees respect and adhere to the guidelines for employee dress and appearance established by this policy. The overriding principle is that all employees, while on duty, are representatives of Franklin County Schools. Supervisors and school level administrators are authorized to interpret and enforce this policy. Any employee in violation of this policy may be asked by his or her supervisor to go home and change clothes and/or refrain from wearing such clothing in the future. Repeated problems with an employee's inappropriate dress or appearance may result in disciplinary action, up to and including dismissal. Reasonable accommodations shall be made by their appropriate supervisor for those employees who, because of religious belief, cultural heritage, or medical reason request a waiver of part of this policy for dress or appearance. Reasonable accommodations to this policy may also be made by the appropriate supervisor to accommodate staff members who are engaged in specialized duties, including but not limited to, physical education, vocational education, field trips, or work

days. The wearing of uniforms is required as a condition for employment in particular positions. Uniforms shall be required for Franklin County Schools' employees in the following areas: School Food Service, Maintenance, Transportation, and Custodial Services. An employee's dress or appearance may not be so unusual, inappropriate or lacking in cleanliness that clearly disrupts the learning or working environment. The following attire, although not all-inclusive, is considered inappropriate:

- Jewelry affixed to an employee's nose, tongue, cheek, lip, eyebrow or other areas of the body if the jewelry so worn disrupts classroom or educational activities.
- Clothing which is disruptive, provocative, revealing, indecent, vulgar, or obscene:
- Shorts must be no higher than mid-thigh.
- Skirts and dresses may be no higher than three inches above the top of the knee.
- Low necklines, bare midriffs, and overly tight clothing are not appropriate dress for school system employees.
- Clothing which promotes alcoholic beverages, tobacco, or the use of controlled substances by words or symbols, or is of a disruptive nature.
- Clothing that contains profanity, vulgarity or nudity; depicts violence or is sexual in nature by words or symbols.
- Flip-flops.
- Undergarments worn as an outer garment or any see-through clothing.
- Hats, sweatbands, bandannas, or sunglasses inside school buildings.

Board Policy 7350, Dress Code for Employees, adopted 12/10/01

Policy for an Alcohol/Drug-Free Workplace

It is the policy of Franklin County Schools that all employees shall have the right to a workplace which is free of alcohol and other drugs. This policy is established to ensure the safety and well-being of employees and students of Franklin County Schools.

All permanent full-time and temporary employees will be covered by this policy.

It is the responsibility of administrators, supervisors, and employees to become familiar with the expectations of Franklin County Schools and to comply with the provisions of this policy.

Alcohol and other drug abuse is a legitimate concern of the Franklin County Schools Board of Education when it impacts on the workplace. Abuse can directly affect the safety, productivity, and general well-being of everyone concerned. Therefore, the Board of Education has adopted the following policy to address this concern.

Section I

Alcohol and Drug Abuse in the Workplace

A. Illegal Drug Activity

1. The manufacture, distribution, dispensing, possession, or use of an illegal substance and alcohol is prohibited. An employee who violates this provision at the workplace is subject to

disciplinary action up to and including dismissal. Any illegal drug activity on the job will be dealt with as deemed appropriate by school officials. This may include notifying the appropriate law enforcement authority.

2. Any employee arrested and/or indicted for any criminal drug statute violation occurring in the workplace must notify the appropriate supervisor promptly. Failure to do so will be addressed as a performance of duty requirement that has not been met. Any employee convicted of any criminal drug statute violation occurring in the workplace must notify the appropriate supervisor no later than five (5) calendar days after such conviction. Failure to provide notification may result in the immediate initiation of dismissal procedures.

B. Impairment on the Job

1. No employee shall report to the workplace impaired by alcohol or other drugs, including drugs prescribed by a doctor or over-the-counter medications. Impairment is determined by the supervisor when in his/her opinion the employee's performance is adversely affected by alcohol or other drugs. Such impairment is determined by physical observation of employee's performance, communication, and other job-related functions. If an employee reports to the workplace while impaired by any of the above, he/she shall be placed on "Suspension Without Pay" or "Suspension With Pay," as deemed appropriate. For those employees covered by the "tenure law," G.S. 115C-325 (f) and (f1) shall apply. As required by applicable general statutes and acceptable personnel administrative procedures, an investigation will be conducted relating to the matter. Following the investigation, the appropriate supervisor or administrator shall schedule a conference with the employee to review the results of the investigation and to give the employee the opportunity to respond. When the findings of the investigation reveal abuse, referral to an appropriate community substance abuse treatment and/or counseling program will be a condition for consideration of continued employment. Clearance through the substance abuse/counseling program will be a requirement for continued employment. Reporting to the workplace while impaired is deemed personal conduct for which disciplinary action up to and including dismissal may be imposed.

2. Any employee using prescribed medication under a doctor's direction or over-the-counter medication that could alter the employees ability to perform the duties and responsibilities of his/her position must notify the appropriate supervisor. Failure to notify the supervisor shall be deemed personal conduct which shall be cause for disciplinary action up to and including dismissal. Such employee is responsible for finding out from a health care professional the effects of any drug being taken. Failure to obtain such information will not be a bar to disciplinary action under this policy. If, in the opinion of the employee's supervisor, an employee's actions and/or behaviors are considered unsafe as a result of using the medication, the employee may be sent home on sick leave.

Section II

Alcohol and Drug Abuse as a Personal Problem

The Franklin County Board of Education recognizes that alcohol and other drug abuse can affect

an employee's personal and family life and can contribute to problems on the job. Without appropriate intervention, an employee presents a problem not only to himself/herself but to his/her family and to the employer as well. It is also recognized that alcohol and drug abuse are treatable illnesses. Franklin County Schools has a commitment to assist any employee who voluntarily asks for help in locating community resources through which assistance can be obtained. Such action on the part of the employee shall be viewed as responsible and shall be supported.

A supervisor or administrator who knowingly tolerates or ignores information and events as described in this policy, or who otherwise fails to act appropriately in accordance with this policy concerning information and events, is considered to be acting irresponsibly in carrying out the intent of this policy. Such a supervisor or administrator shall be subject to disciplinary action in accordance with applicable statutes and policies.

Section III Program Procedures

A. Employees' Responsibilities

Employees are expected to report to the workplace prepared to perform their duties and assignments. Actions and behaviors that either discredit the school system or endanger the people and resources of the organization will be viewed as personal conduct which shall be cause for disciplinary action up to and including dismissal. Responsible use of legal drugs (to include prescription and over-the-counter medications) is expected of employees. Use of illegal drugs or abuse of alcohol or legal drugs is deemed personal conduct for which disciplinary actions up to and including dismissal could be initiated.

Employees who are experiencing alcohol or other drug problems should seek help before the problem is discovered at the workplace. Such action on the part of the employee shall be viewed as responsible and shall be supported. Efforts by the employee to obtain help will be respected and will be handled in confidence.

An employee who witnesses or has reasonable cause to suspect illegal alcohol or drug abuse or impairment by another employee while on the job shall report such to the immediate supervisor as soon as possible. If it is not practical or if it is inadvisable to report to the immediate supervisor, an appropriate central office administrator shall be notified. This may be in the form of an unsigned written statement if the employee wishes. Such reports by employees will be investigated by appropriate personnel in order to verify the information. To the extent possible, the identity of the source of the information will remain confidential.

B. Supervisors' and Administrators' Responsibilities

The responsibility of the supervisors and administrators is to see that the schools and operations within Franklin County Schools are run safely and efficiently.

Therefore, a primary responsibility is to concentrate on job performance and fitness for duty by those being supervised. It is important for supervisors and administrators to become informed about alcohol and other drugs as they impact on the workplace. This may be accomplished by understanding the contents of this policy and by attending training programs related to this

subject. Supervisors and administrators are not expected to become “detectives” or “medical diagnosticians.” The following steps should be taken if any employee is suspected of being impaired by alcohol or other drugs, or if any illegal drug activity occurs in the workplace. Illegal Drug Activity in the Workplace Procedures are to contact the assistant superintendent, or other designated person, who will contact appropriate law enforcement personnel.

On The Job Impairment

Inform the personnel office as soon as possible of the situation and seek guidance and/or assistance. Confront the employee about the behavior and advise that he/she does not appear to be “ready for duty.” Point out the behavior of concern. Do not accuse the employee of alcohol or drug abuse until reasonable confirmation is made. Have an appropriate “third party” present as witness to the conference. With central office assistance, initiate a “Suspension Without Pay” or “Suspension With Pay” form as deemed appropriate. Take steps to remove the employee from the workplace as soon as possible. Ask him/her to leave or, if necessary, use law enforcement to escort the employee from the work area. Such an impaired person should not drive home. Assist the person in making arrangements to have someone else drive. If refused, explain that you will notify the proper authorities that he/she is impaired and should not be driving. In writing, document the events leading up to and including your action. Include dates, times, and other specifics. The personnel office shall initiate due process procedures leading to a resolution of the situation. Included may be a referral to an appropriate community substance abuse treatment and/or counseling program as a condition for consideration of continued employment. Clearance through such an agency shall be required before possible return to work.

C. Management/Administrative Responsibilities

The superintendent of Franklin County Schools (or designee) is responsible for implementing this policy and procedures to ensure an alcohol/drug-free workplace.

Responsibilities shall include:

1. Accumulate data and information as necessary to prepare reports and information certifying a good faith effort to continually maintain an alcohol/drugfree workplace.
2. Coordinate with appropriate community substance abuse treatment and/or counseling programs on matters and activities necessary to implement this policy.
3. Schedule and coordinate Alcohol and Drug Abuse Awareness Training Programs for all administrators and supervisors in order to accomplish the following objectives:
 - To increase awareness about alcohol and other drug problems in the workplace;
 - To be able to identify unsatisfactory job performance and work habits caused by the alcohol/drug-using employees; and
 - To understand the supervisory role in dealing with alcohol and other drug problems.
4. Provide for Drug Orientation Sessions for employees to increase awareness of alcohol and other drug problems in the workplace to include the following:
 - The school systems policy on alcohol and other drugs in the workplace;

- The dangers of alcohol and other drugs in the workplace;
- Responsibilities regarding the use/abuse of alcohol and other drugs; and
- The availability of professional help for personal problems with alcohol and other drugs.

(In the event of a conflict between the provisions of this policy and related federal and state laws or policies, the federal and state laws or policies shall control.)

Drug and Alcohol Testing Policy for Employees

The use of illegal drugs and the abuse of prescription drugs and alcohol by a significant segment of the American workforce has major adverse effects on the welfare of all citizens and results in the loss of considerable money and productivity each year. As an employer, the Board of Education is committed to provide, within its means, a healthy and safe environment and the best possible services to the students.

The Board of Education is also committed to maintain the public's confidence in its employees and to protect the school system from the economic losses that can occur because of alcohol and drug abuse. There is no reason to believe that illegal drug use or the abuse of prescription drugs and alcohol is greater in the school system than any other workplace; nevertheless, the safety and well-being of the students demand that the school system take the actions necessary to ensure that the use of illegal drugs and the abuse of prescription drugs and alcohol are absent within its workforce.

The purpose of this policy is to promote and maintain a drug-free environment in the workplace and to protect employees, students, and the public by ensuring that employees of the Board of Education are physically and mentally fit to perform their assigned duties. Employees are expected and required safely and effectively to perform their duties throughout the workday. The public has a right to expect that those persons working for the Board of Education are physically and mentally prepared to assume their assigned duties.

When there are reasonable grounds to believe that an employee is in violation of the Board's Alcohol/Drug-Free Workplace Policy, the Superintendent may require that the employee submit to a medical examination, including a drug or alcohol assessment.

The drug or alcohol assessment will be conducted to determine whether the employee has been under the influence of illegal drugs or alcohol while on duty or impaired by the use of prescription or nonprescription drugs while on duty. If the drug or alcohol assessment is positive and there is no legitimate medical explanation for the results, the employee may be subject to disciplinary action, including termination of employment. Due to the critical need for the safe operation of school vehicles, all applicants for bus driver, bus mechanic, or other transportation positions directly involving the safe transportation of students will be required to submit to a drug and alcohol assessment prior to final consideration for employment. If the results of the drug or alcohol assessment indicate illegal drug use, or excessive use of alcohol or prescription or nonprescription drugs, the applicant will be disqualified from employment.

All bus drivers, bus mechanics, and other employees directly involved in the safe transportation of students may be required to submit to an annual drug and alcohol assessment. In addition, in order to ensure the ongoing safety of school students, these employees may be required to submit to a drug or alcohol assessment at any time without cause. If the results of the

assessment indicate the excessive use of alcohol, prescription or nonprescription drugs, or the presence of illegal drugs, the employee will be subject to discipline. The Superintendent shall develop regulations and procedures for implementation of this policy. These procedures shall ensure the accuracy of the test results and that the drug and alcohol testing program adequately limits the discretion of the officials implementing the testing program. Information obtained through implementation of this policy is intended to be used solely for the purpose of protecting the health and safety of students and the integrity of the educational program. The confidentiality of all test results shall be strictly maintained, to the extent allowed by law, with only those persons having a need to know being informed of the results.

Procedures for New Employee Alcohol/Drug Screening

1. All applicants for positions as bus drivers, bus mechanics, and other transportation positions directly involving the safe transportation of students will review and sign the “New Employee Drug Screening” statement found in the application and return it with the completed application to the Personnel Department.
2. Application screening and preliminary interviews will be conducted according to current Board of Education procedures.
3. Applicants will be instructed to complete an Applicant Drug Screening Acknowledgement form.
4. Final candidates for employment shall take the completed “Applicant Drug Screening” form to the testing site and shall be tested at the expense of the employer.
5. Positive test results shall be communicated directly from the testing facility to the Medical Review Officer for verification.
6. The Medical Review Officer will notify the applicant of a positive test result and discuss the result with the applicant. If the Medical Review Officer determines that there is a justifiable and medically acceptable reason to believe that the applicant had not used illegal drugs or alcohol, or if the result of the drug test is negative, then the test results shall not be used as a basis for denied employment. If the applicant tests positive for illegal drug use, then the applicant shall be informed that he/she is ineligible for employment by the Board of Education for one year. Any subsequent retest of the sample shall be conducted at the applicant’s expense.
7. Any exception must be deemed an emergency and must be approved by the Superintendent prior to an offer of employment.

Bloodborne Pathogens

The purpose of this directive is to limit occupational exposure of employees to blood and other

potentially infectious body fluids and materials that transmit bloodborne pathogens and lead to disease or death.

All employees who, as the result of performing require job duties, could be “reasonably anticipated” to face contact with blood or other potentially infectious materials are covered by the OSHA Bloodborne Pathogens Standard and by this policy directive.

“Occupational exposure” includes any reasonable anticipated skin, eye, mucous membrane, or parental (brought in the body through some way other than the digestive tract) contact with blood or other potentially infectious materials that may result from the performance of an employee’s duties. According to the North Carolina Department of Labor’s Occupational Safety and Health Bloodborne Pathogens Standard (printed 5/92), “Good Samaritan” acts such as assisting a co-worker or student with a nose bleed would not be considered “reasonably anticipated occupational exposure.”

Universal precautions shall be in force at all times as follows: in dealing with the cleaning or decontamination of any blood or body fluids. All blood, body fluids, and potentially infectious materials shall be handled as if infected. The agency shall adhere to the program standards for the control of potential exposure to HIV and HBV as outlined in the proposed OSHA Rule “Occupational Exposure to Bloodborne Pathogens” standard 1910.1030 or the most current standards available.

The superintendent will ensure that:

1. All elements of the Exposure Control Plan, including but not limited to exposure determination, work practice standards, Hepatitis B vaccination procedures, training requirements, and record keeping are met.
2. All employees have access to a copy of the agencies Policy Directive and Exposure Control Plan.
3. This policy is reviewed and updated annually.

An employee who suspects that he/she has a blood or body fluid exposure may request to be tested at the department’s expense, provided that the suspected exposure poses a significant risk of exposure as defined in the rules of the Health Services Commission. The source individual’s test results will be made available to the exposed employee with or without the source individual’s permission, as long as significant risk of exposure has occurred (Communicable Disease Control Measure 15A NCAC 19A.0202(4) adopted by the North Carolina Health Services Commission).

The agency shall strictly adhere to existing confidentiality rules and laws regarding employees with communicable diseases, including HIV or HIV associated conditions.

The agency shall not discriminate against any applicant or employee who has or is suspected of having HIV infection or AIDS. An employee with HIV infection or AIDS may continue to work as long as the employee is able to satisfactorily perform the duties of the job and there is no medical evidence indicating that the employee’s condition is a health threat to co-workers, students, or the public.

Ref: Bd. Policy 7260, Bloodborne Pathogens

Smoking Policy

Effective August 1, 2008, no student, staff member or school visitor is permitted to use any

tobacco product at any time, including non-school hours:

In any building, facility, or vehicle owned, leased, rented or chartered by FCS;

On any school grounds and property — including athletic fields and parking lots—owned, leased, rented or chartered by FCS; At any school-sponsored or school-related event on campus or off campus.

Tobacco products may be included in instructional or research activities in public school buildings if the activity is conducted or supervised by the faculty member overseeing the instruction or research and the activity does not include smoking, chewing or otherwise ingesting the tobacco product.

Consequences for employees who violate the tobacco use policy will be in accordance with personnel policies and may include verbal warning, written reprimand or termination.

Reference FCS policy 6770

Criminal History Record Check of New Employees and Contractors (Policy 6105)

The board of education believes that a safe and secure learning and working environment should be provided for all students and employees. The board further believes that employees should be role models for students and should positively represent the schools in this district. These beliefs reflect the fundamental principle that any employee who has significant contact with children is in a unique position of trust.

A criminal history check is required of all new employees of Franklin County Schools. Criminal convictions against, or pleas of guilty or nolo contendere by an applicant or employee, may be considered in hiring and dismissal decisions. The criminal history check will be conducted at the expense of the school district for employees. Any applicant who refused to consent will not be considered for a school personnel position.

A criminal history check is also required for independent contractors who are performing the duties of a school personnel position and who have significant access to students. FCS will conduct independent contractor searches at the expense of the school district. All school daycare workers will be fingerprinted in accordance with state law and those fingerprints will be used to check the criminal history records of both the State Bureau of Investigation and the Federal Bureau of Investigation. Final candidates will be required to be fingerprinted and to provide any other information necessary to conduct the criminal history check.

Falsification of information on an employment application regarding criminal history will be a basis for denying employment or for immediate dismissal.

The superintendent will forward to the State Board, in accordance with State Board rules, the criminal history of any final candidate or contractor who is licensed or certified by the State Board. (*G.S. 114-19-2(a), 115C-332; 16 NCAC 6C 0101,0300*)

Distribution of Medication To Students

The Board of Education is cognizant of the fact that students may often require medication that must be administered during the course of the school day. No medication may be administered by any school employee unless complying with FCS Policy 6125.

Note: Check with your immediate supervisor for specific medication distribution guidelines.
Reference: Franklin County Schools Policy No. 6125.

Grievance Policy for Employees

It is the policy of the Board, in keeping with the ultimate goal of serving the educational welfare of children, to develop and practice reasonable and effective methods of resolving difficulties which may arise among employees. The intent is to reduce potential areas of grievances and to establish and maintain recognized channels of communications between staff and administration. The purpose of this procedure is to secure, at the lowest possible level, equitable solutions to the problems which arise from time to time and affect employees.

A. INFORMAL RESOLUTION

It is desirable for an employee and his or her immediate supervisor to resolve problems through free and informal communication. In those circumstances where informal procedures fail or are inappropriate or where the employee requests formal procedures, a grievance will be processed pursuant to the steps set forth below.

B. DEFINITIONS

Days: the working days, exclusive of Saturdays, Sundays, vacation days or holidays, as set forth in the aggrieved employee's employment calendar. In counting days, the first day will be the first full working day following receipt of the grievance. When a grievance is submitted on or after May 1, time limits will consist of all weekdays (Monday - Friday) so that the matter may be resolved before the close of the school term or as soon thereafter as possible.

Grievance: a formal written claim by an employee against another employee or the school district that: a. there has been a violation, misapplication, or misinterpretation of state or federal law or regulation, school Board policy or administrative procedure; or b. an employee has been subject to discrimination on the basis of race, religion, sex, national origin, age or disability; or c. there exists a physical condition which jeopardizes an employee's health or safety, or which interferes with an employee's ability to discharge his or her responsibilities properly and effectively. The term "grievance" will not apply to any matter for which the method of review is prescribed by law, for which there is a more specific Board policy providing a process for addressing the concern, or the Board of Education is without authority to act.

Grievant: The employee(s) making the claim.

Official: The person hearing and responding to the grievant.

Parties in Interest: The grievant and the person against whom the grievance is filed.

C. TIMELINESS OF PROCESS

Failure by the official at any step to communicate a decision within the specified time limit will permit the grievant to appeal the grievance to the next step unless the official has notified the grievant of the delay and the reason for the delay, such as the complexity of the investigation or report. The official will make reasonable efforts to keep the grievant apprised of progress being made during any period of delay. Delays may not impermissibly interfere with the exercise of any legal rights.

Failure by the grievant at any step to appeal a grievance to the next step within the specified time limit will be considered acceptance of the decision at that step, unless the grievant has notified

the official of a delay, the reason for the delay and the official has consented in writing to the delay.

D. GENERAL REQUIREMENTS

1. All parties in interest and their representatives in any grievance filed pursuant to this policy will conduct themselves in a professional manner at all times during the investigation and hearing of the grievance.
2. No reprisals of any kind will be taken by the Board or by an employee of the school district against any party in interest or other employee on account of his or her participation in a grievance filed and decided pursuant to this policy.
3. Each decision will be in writing, setting forth the decision and reasons therefore, and will be transmitted promptly to all parties in interest.
4. All meetings and hearings conducted pursuant to this policy will be private.
5. The Board and school district will consider requests to hear grievances from a group of grievants, but the Board and officials have the discretion to respond to an individual grievant.
6. The Board and administration will cooperate with the employee(s) and his or her representative in the investigation of any grievance and will furnish the employee or his or her representative information pertinent to the grievance without cost to the grievant employee or the employee against whom the grievance is filed.
7. The employee may have a representative, including an attorney, at any stage of the grievance. The employee may have an attorney present at any stage of the formal grievance process.
8. Should, in the judgment of the Superintendent or designee, the investigation or processing of any grievance require the absence of the grievant and/or representative from regular work assignments, such absences will be excused without loss of pay or benefits.

E. PROCESS FOR GRIEVANCE

Reporting a Grievance

1. A grievance must be filed as soon as possible but no longer than 30 days after disclosure or discovery of the facts giving rise to the grievance. For a grievance submitted after 30 days which claims a violation, misapplication or misinterpretation of state or federal law, including discrimination, the Superintendent or designee will determine whether the grievance will be investigated after considering factors such as the reason for the delay; the extent of the delay; the effect of the delay on the ability of the school district to investigate and respond to the complaint; and whether the investigation of the complaint is necessary to meet any legal obligations.
2. All grievances will be in writing and the written statement of grievance will remain the same throughout all steps of the grievance procedure. The written grievance will name the employee(s) against whom the grievance is filed and will set forth the facts constituting the grievance and the specific laws, regulations, policies, procedures or physical conditions involved.

3. The employee(s) will present the grievance in writing to his or her immediate supervisor or the supervisor's designee (hereinafter "official"), unless the grievance alleges unlawful discrimination in which case the grievance may be presented instead to the Executive Director of Human Resources.

Response by Official

1. The official will arrange for a grievance file number to be assigned by the Human Resource office.
2. In the event the official determines at the outset that review by the official is inappropriate, the formal grievance will be investigated and a response given at the first stage of appeal provided below.
3. A meeting will take place at a mutually agreed-upon time within five days after receipt of the grievance.
4. The official will conduct any investigation of the facts necessary before rendering a decision.
5. The immediate supervisor or his or her designee will provide the aggrieved employee(s) with a written response to the grievance within ten days after the meeting.

Response by Superintendent

1. If the grievant is dissatisfied with the official's response, the grievant may appeal in writing the decision to the Superintendent for review by the Superintendent or designee within five days of receipt of the official's response.
2. The Superintendent or designee will arrange for a meeting with the employee(s) to take place within five days of the receipt of the appeal.
3. The Superintendent or designee will conduct any investigation necessary before arriving at a decision. The Superintendent or designee will provide the aggrieved employee(s) with a written decision within ten days after the meeting.

Response by the Board

1. If the grievant is not satisfied with the Superintendent's response, the grievant may appeal in writing the decision to the Board within five days of receiving the Superintendent's response.
2. A hearing will be conducted pursuant to Board Policy 2500, Hearings Before the Board.
3. The Board will provide a final written decision within 30 days of receiving the appeal unless further investigation is necessary or the hearing necessitates that more time be taken to respond.

F. RECORDS

Records on discrimination grievances will be maintained as required by Board Policy 1710.

Ref: Board Policy 1750

Sexual Harassment

The Franklin County Board of Education is committed to providing a work environment in which all employees have the right to be free from sexual harassment. The

Board of Education is strongly opposed to sexual harassment in any form anywhere in the school system. Sexual harassment includes all un-welcomed sexual advances, requests for sexual favors, and any verbal or physical expression that is either an implicit or explicit condition or basis of an employment decision, or that has the effect of interfering with an individual's work performance, or creates an intimidating work environment.

Such harassment by supervisors and/or employees will not be tolerated and may lead to immediate dismissal. It shall be the duty of supervisors to be sensitive to harassing behavior or conditions and to initiate corrective action immediately when these behaviors are suspected or actually known. If an employee believes that he or she is a victim of sexual harassment, the employee is to immediately, without fear of recrimination, file a complaint in accordance with Board Policy 1755, Sexual Harassment Grievance Procedure for Employees.

Reference: Discrimination Because of Sex Under Title Section 703 of VII of the Civil Rights Act of 1964, as amended.

Sexual Harassment Grievance Procedure for Employees

The board takes seriously all complaints of discrimination. Any employee with a complaint of discrimination on the basis of race, religion, national origin, disability or sex (except sexual harassment), is encouraged to notify school officials and seek either an informal resolution or submit a grievance in accordance with policy 1750, Grievance Procedure for Employees. The process provided in this policy, 1755, is available for employees who believe they may have been sexually harassed. It is the policy of the Board to maintain a positive environment for its employees that is free of sexual harassment. No employee of the district shall be subjected to sexual harassment. No form of sexual harassment will be tolerated.

A. INFORMAL RESOLUTION

The board acknowledges that reports of harassment, including sexual harassment, may be addressed informally through such methods as conferences or mediation, and the board encourages the use of such procedures to the extent possible. If an informal process is used, the school system official responding to the complaint must notify the complainant of his or her option to request formal procedures at any time and must make a copy of this policy and other relevant policies available. In those circumstances where informal procedures fail or are inappropriate or where the complainant requests formal procedures, the complaints will be investigated promptly, impartially and thoroughly according to the following procedure.

B. DEFINITIONS

Accused harasser: the employee, student or visitor alleged to have harassed the complainant.

Complainant: employee complaining of being sexually harassed.

Days: The working days, exclusive of Saturdays, Sundays, vacation days or holidays, as set forth in the aggrieved employee's employment calendar. In counting days, the first day will be the first full working day following receipt of the grievance. When a grievance is submitted on or after May 1, time limits will consist of all weekdays (Monday - Friday) so that the matter may be resolved before the close of the school term or as soon thereafter as possible.

Investigator: the school system official responsible for investigating and responding to the complaint (which may be the assistant superintendent for human resources or other designated school system official).

Sexual Harassment: Sexual Harassment is unwelcome advances , request for sexual favors, and other verbal or physical conduct of a sexual nature. Sexual harassment may have occurred when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or advancement.
2. Submission to or rejection of such conduct by an employee is used as the basis for decisions affecting the employee.
3. Such conduct has the purpose or effect of unreasonably interfering with an employee's performance or creating an intimidating hostile or offensive work environment.

C. TIMELINESS OF PROCESS

The number of days indicated at each level should be considered a maximum and every effort should be made to expedite the process.

Failure by the official at any step to communicate a decision within the specified time limit will permit the grievant to appeal the grievance to the next step unless the official has notified the grievant of the delay and the reason for the delay, such as the complexity of the investigation or report. The official will make reasonable efforts to keep the grievant apprised of progress being made during any period of delay. Delays may not impermissibly interfere with the exercise of any legal rights. Failure by the grievant at any step to appeal a grievance to the next step within the specified time limit will be considered acceptance of the decision at that step, unless the grievant has notified the official of a delay, the reason for the delay and the official has consented in writing to the delay.

D. GENERAL REQUIREMENTS

1. No reprisals of any kind will be taken by the board or by an employee of the school district against any party in interest or other employee on account of his or her participation in a complaint filed and decided pursuant to this policy. False charges will be treated as a serious offense resulting in disciplinary action up to and including termination and/or legal action.
2. All meetings and hearings conducted pursuant to this policy will be private.
3. The board and school district will consider requests to hear grievances from a group of grievants, but the board and officials have the discretion to respond to individual complainants.
4. The complainant may have a representative, including an attorney, at any stage of the complaint.
5. Should, in the judgment of the superintendent or designee, the investigation or processing of any complaint require the absence of the complainant and/or representative from regular work assignments, such absences will be excused without loss of pay or benefits.

E. PROCESS FOR GRIEVANCE

Reporting a Grievance

1. An employee or job applicant who believes he or she has been sexually harassed may make a complaint orally or in writing with either the immediate supervisor or the assistant superintendent for human resources. A grievance must be filed as soon as possible but no longer than 30 days after disclosure or discovery of the facts giving rise to the grievance. For a grievance submitted after 30 days which claims a violation, misapplication or misinterpretation of state or federal law, including discrimination, the superintendent or designee will determine whether the grievance will be investigated after considering factors such as the reason for the delay; the extent of the delay; the effect of the delay on the ability of the school district to investigate and respond to the complaint; and whether the investigation of the complaint is necessary to meet any legal obligations. However, complaints should recognize that delays in reporting may significantly impair the ability of the school district to investigate and respond effectively to such complaints.
2. Any supervisor who receives a sexual harassment complaint, or has reason to believe an employee is being sexually harassed should notify the assistant superintendent for human resources immediately.

Investigation

1. Upon receiving notification of a harassment complaint, the assistant superintendent of human resources (hereinafter referred to as the investigator) will notify the Superintendent of the complaint and investigate the complaint.
2. The investigator will impartially, promptly and thoroughly investigate the complaint. The investigator will interview (1) the complainant; (2) the accused harasser; and (3) any other persons the investigator has reason to believe may have relevant knowledge concerning the complaint.
3. Information will be shared only with individuals who need the information in order to appropriately investigate and address the complaint.
4. The investigator will review the factual information gathered through the investigation to determine whether the alleged conduct constitutes harassment giving consideration to all factual information, the totality of the circumstances, including the nature of the verbal, physical, visual or sexual conduct, and the context in which the alleged incidents occurred.

Investigator's Report

1. The investigator will make a written report of the findings of the investigation. The investigator will notify the complainant of the results of the investigation within 15 days of receiving the complaint unless additional time is necessary to conduct an impartial, thorough investigation. The report to the complainant will specify the following:

- A. whether the complaint was substantiated;
- B. whether the accused harasser violated relevant law or board policy by his or her

actions (regardless of whether the complaint as submitted is substantiated);

C. if the investigator determines that sexual harassment has occurred, the investigator also will specify:

- reasonable, timely, effective corrective action intended to end the harassment;
- if needed, reasonable steps to address the effects of the harassment on the complainant;
- and if needed, reasonable steps to protect the complainant from retaliation as a result of communicating the complaint.

Information regarding disciplinary action imposed on the accused harasser will not be given to the complainant unless the information relates directly to the complainant (e.g., an order requiring the accused harasser not to have contact with the complainant)

2. If the corrective steps involve actions outside the scope of the investigators responsibilities, the superintendent also will be notified so that responsibility for the corrective steps can be delegated to the appropriate individual.

3. The accused harasser will be informed of the results of the investigation in regard to whether the complaint was substantiated, whether the accused harasser violated board policy or law (regardless of whether the complaint was substantiated), and what, if any, disciplinary actions or consequences will be imposed upon the accused harasser in accordance with board policy. The accused harasser may appeal any disciplinary action or consequences in accordance with board policy and law.

Appeal

1. If the complainant is dissatisfied with the investigators report, the complainant may appeal the report to the superintendent. The appeal must be in writing within five days of receiving the investigators report. The superintendent will review the documents, conduct any further investigation necessary, or any other steps the superintendent determines to be appropriate in order to respond to the complaint. The superintendent will provide a written response within 10 days after receiving the complaint, unless further investigation is necessary.

2. If the complainant is dissatisfied with the superintendent's response, the complainant may appeal the decision to the board within five calendar days of receiving the superintendent's response. The board will review the documents, direct any further investigation be conducted before making a determination or any other steps the board determines to be appropriate in order to respond to the complaint. The board will hold a hearing upon the request of the complainant or at the Boards' discretion.

The Board will provide a written response within 30 days after receiving the complaint, unless further investigation is necessary or the hearing necessitates that more time be taken to respond.

F. RECORDS

Records on discrimination grievances will be maintained as required by Board Policy 1710.

Ref: Board Policy 1755, adopted 12/10/01

Technology Acceptable Use Policy (3225)

Introduction

Franklin County Schools is committed to providing access to technology resources including computers, Internet, Intranet, electronic mail, and other telecommunication and technology equipment to both staff and students.

These technology resources are provided to:

- support the North Carolina Standard Course of Study,
- promote education excellence in 21st Century skills by facilitating resource sharing, innovation, and communication,
- enhance and extend learning opportunities, and
- provide for efficient communications between users.

The provision of this policy shall apply to employee, parent, and student use of technology resources provided by Franklin County Schools which are governed by federal and state laws and Board of Education policies, procedures, and guidelines. The Acceptable Use Policy addresses the ethical, legal, appropriate, and efficient use of technical resources, the security of the network, and the safety of students. All users are responsible for their actions and activities involving computers and/or other technical resources.

Ethics

In accordance with the North Carolina State Law, the general ethics standard requires that any use of a state resource other than official state business purposes needs to be brief in duration and frequency to ensure there is little or no cost to the state, and the use does not interfere with the performance of official duties or classroom work. This applies to all technology resources including computers, personal e-mail and Internet use by employees, parents, and/or students. The use of Franklin County Schools' computers and other technology resources for personal profit is a violation of North Carolina State Law.

Monitoring

FCS network administrators, school administrators, and teachers will actively monitor the use of computers and other technology resources to help ensure that uses are secure and in conformity with this policy. Administrators reserve the right to examine, use, and/or disclose any data found on any and all computers and or other technology resources owned by Franklin County Schools. Franklin County Schools will provide reasonable precaution to limit access to controversial and/or offensive materials by using content filtering software and by providing students with adult supervision. ***Students are prohibited from accessing the Internet at school without teacher***

and/or authorized adult supervision. The adult supervisor must be in the same room as the student and actively monitoring the students' Internet activities. This includes before school and after school hours. Lab environments (mobile and fixed) should be locked and secured if adult supervision is not provided.

Network Security

Franklin County Schools will provide reasonable precautions to provide network and Internet security by use of a firewall, Internet filtering, anti-virus software, anti-spam software, and network security policies and procedures. Due to the nature of the K-12 educational environment, the Franklin County Schools network is not a highly secure network, and as such, the following personal use is not recommended by employees or students:

- online personal banking,
- use of personal credit cards for online purchases,
- transmission of any personal information.

All Franklin County Schools business related files should be stored on network servers and not on local computer hard drives to provide additional security, backup, and disaster recovery. Confidential files should be stored only on network servers and should not be transmitted by electronic mail or posted to any web servers.

School Records

As with other school records, electronic data files are subject to disclosure to law enforcement, government officials, or to third parties through subpoena or other lawful process. The Franklin County Schools Board of Education reserves the right to disclose employee or student electronic mail, Internet records, and data files without notification to or permission from the employees or student sending, receiving, or storing the material.

Software

All software used on Franklin County Schools' equipment will be subject to license restrictions. Only legal software licensed to Franklin County Schools, except as authorized by the software vendor in writing, will be installed on computers owned by Franklin County Schools. Teachers, students, and parents are expressly prohibited from downloading from the Internet and/or installing any software programs on any networked or stand-alone computer in Franklin County Schools. All applications needing installation must go through an approval process by the Technology Department for legality of license, ability to run safely on the Franklin County Schools' network, and the educational/business value of the software. Borrowing of software from others is prohibited.

Vandalism

Vandalism is defined as any malicious attempt to change, harm or destroy computer or other technology equipment owned by Franklin County Schools or destroy the data of another user. This

includes, but is not limited to, physical damage, the changing of computer configuration settings, circumventing safety configurations, uploading, creating, and/or transmission of a computer virus, and setting of inappropriate desktop backgrounds. Also, hacking, theft, or unauthorized intrusion of a computer or intentional modification of computer software code. These actions are strictly prohibited.

Electronic Mail (Email)

Electronic mail is subject to North Carolina Freedom of Information laws and as such is archived for seven years. Authorized users have no right or expectation of privacy in material stored, accessed, or transmitted on Franklin County Schools' computers and other technology resources. All employees conducting Franklin County Schools business are required to use their Franklin County Schools account to conduct school business. Employees should not use their Franklin County Schools account to conduct personal business. Employee and student Internet mail accessed on Franklin County School computers is also subject to monitoring and disclosure.

Students and employees should not open or forward any high risk unsolicited electronic mail, such as jokes, advertisements for free merchandise, photos/pictures, or inheritances.

Unacceptable Use

The following are unacceptable uses of district technology resources. This list does not reflect every possible unacceptable use, but attempts to provide a framework for activities, which fall into the category of unacceptable use.

- engaging in activities that violate federal, state, or local laws or Student/Employee conduct codes (gambling, Copyright infringement, gang violence, hate literature, etc)
- accessing, displaying, or transmitting material of threatening, obscene, discriminating, profane, lewd, vulgar, rude, inflammatory, disrespectful, or pornographic materials,
- harassing, bullying, insulting, or attacking others,
- accessing of chat room, wikis, blogs, forums, social networking sites and other Web 2.0 tools except in a controlled, teacher supervised, and valid instructional setting,
- playing of non-educational local or internet games,
- posting information that could be disruptive, cause damage, or endanger students or staff,
- posting false or defamatory information about a person, school, or organization,
- posting, use, and uploading or downloading of unauthorized copyrighted material including software and music,
- forwarding confidential communications without the author's prior consent,

- promoting and posting of religious, political, and/or commercial information,
- attempting to gain unauthorized access to computer or internet resources including the use of another person's username and password or internet proxies to bypass blocked internet sites,
- unauthorized access or destruction of electronic data files,
- wastefully using computer and other technology resources for personal purposes (file space, distribution of mass electronic mail messages and jokes, excessive bandwidth consumption, participating in chain letter, creation of and participation in unauthorized newsgroups, and storage of electronic data files without proper authorization),
- modifying infrastructure or attaching unauthorized equipment including personal laptops, wireless access points, or network monitoring devices.

Training

Prior to receiving a network user name and password, all Franklin County School employees must review the FCS Acceptable Use Policy. This may be done as a group or individually, and should be repeated once per year before the start of each school year.

Prior to receiving a student network user name and password, a teacher or administrator must review the FCS Acceptable Use Policy with students and review consequences of violations. This may also be done as a group or individually and should be repeated once per year at the beginning of each school year.

All teachers should provide age appropriate training annually in the proper and ethical use of technology, according to the North Carolina Computer and Information Skills Standard Course of Study available at: <http://www.dpi.state.nc.us/curriculum/> .

Consequences

Teachers and all other staff who violate this policy may face disciplinary actions ranging from a letter of reprimand to termination; restitution of cost incurred through damage, including loss and/or repair, limitation or cancellation of user privileges, and/or criminal prosecution.

All users will annually sign a statement of understanding and compliance with this Acceptable Use Policy. View FCS policy 3225 for complete details at www.fcschools.net.

POLICY 1760 – Prohibition Against Retaliation

The board of education prohibits and will not tolerate any form of reprisal, retaliation or discrimination against any employee who (1) in good faith, has made or intends to make a report that there has been a violation of federal, state or local law, regulation or public policy due to a practice, policy, act or omission of the board of education, of a school system employee or of an entity/person with whom the school system has a business relationship; or (2) has refused to

carry out a directive which may constitute a violation of state or federal law, rule or regulation or poses a substantial or specific danger to public health and safety.

An employee who reasonably believes that any such violation exists may file a grievance in accordance with policy 1750, Grievance Procedure for Employees.

The provisions of this policy apply only to those situations in which an employee brings the alleged unlawful activity, policy or practice to the attention of school officials or the board and provides school officials or the board with a reasonable opportunity to investigate and correct the alleged unlawful activity. If necessary, school officials or the board may specify reasonable steps to protect the complaining employee from retaliation.

Inclement Weather Guide

In case of school cancellation or early dismissal due to inclement weather, it is important that all staff members clearly understand the options related to the workday.

The school system respects your right to make the best decision for yourself. If you decide not to go to work when school is canceled, you have several options available. In some situations, however, the principal or supervisor may require employees to report to work. In most cases, the following information should serve as your guide.

If school is dismissed early:

A. Inclement Weather

1. Teachers and other school-based employees may be dismissed by the principal after all buses have departed and arrangements have been made for the welfare of students who have not been picked up.

2. Central Office personnel may be dismissed at the discretion of the Superintendent or designee.

B. Mechanical Failure (such as heating, air conditioning, water, etc.)

When school is dismissed for mechanical failure, employees may be dismissed at the discretion of the Superintendent or designee.

If school is delayed

In the event school is delayed, report to work according to the announced delay. For example, if you normally arrive at 7:30 a.m. and work is delayed two hours, report to work at 9:30 a.m. The delayed time does not have to be made up.

If school is canceled for students during inclement weather:

A) If school is closed for students and staff, you may exercise one of the following options below:

1. Arrange to make up time with the principal/supervisor (the Superintendent or designee)

will establish the procedures and timeline for make-up time).

2. Take an annual leave day (vacation) or personal leave day (teachers only). To exercise this option, the employee must have a sufficient balance available.
3. If none of the options above are exercised, the day will be considered a day without pay.

If school is closed for students, and staff has an optional workday and the employee chooses not to work, the employee can exercise the same options as above.

B. Hourly employees (Cafeteria, Before and After School, Bus Drivers) do not have to work on days when students are not in school. Cafeteria Managers may exercise inclement weather options #2 or #3.

C. Eleven-month and twelve-month employees (including Central Office personnel) shall report to work or choose one of the available inclement weather options listed above when school is closed.

Balance your options with safety!

Your safety is our number one concern. In the event of inclement weather, the Superintendent will decide the schedule for students. Each staff member must make his or her own responsible decision whether to report to work when weather conditions are hazardous. The worst consequence of choosing not to travel would be the loss of a day's pay. This is a small price to pay for safety and continued health. Your principal, supervisor and Superintendent will work with you within these guidelines, but you are in the position to balance your options with safety.

TV/Radio Announcements

Television and radio announcements will be made early on mornings of inclement weather (the night before when weather conditions dictate the next day's outcome).

Announcements will be made on the following locations:

Franklin County Schools' Website (www.fcschools.net)
WRAL TV 5 (www.wral.com)
WTVD-Channel 11
WNCN NBC 17
News 14 Carolina
Radio WHLQ-102.5 FM
Radio WRAL-101.5 FM
Radio WPTF—(680 AM)

If no announcement is made, schools will operate on a regular schedule.