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## PERSONNEL POLICIES GOALS

The personnel employed by the Board are a very important resource for effectively conducting a quality educational program. The Findlay Digital Academy's program functions best when it contracts with the Findlay City School District and/or the Hancock County Educational Service Center for the purchased services of employees who are highly qualified personnel, conducts appropriate staff development activities and establishes policies and working conditions which are conducive to high morale and enable each staff member to make the fullest contribution to the Findlay Digital Academy program and services.

The goals of the personnel program include:

1. Developing and implementing those strategies and procedures for personnel recruitment, screening and selection which result in employing the best available candidates; those with the highest capabilities, strongest commitment to quality education and greatest probability of effectively implementing the educational program.
2. Developing a general assignment strategy, which makes the greatest contribution to the educational program, and using it as the primary basis for determining staff assignments.
3. Providing positive programs of staff development designed to contribute both to improvement of the educational program and to each staff member's career development aspirations.
4. Providing for a genuine team approach to education, including staff involvement in planning, decision-making and evaluation.
5. Developing and using personnel evaluation positive processes which contribute to the improvement of staff capabilities and assist in making employment decisions.
6. Encouraging all employees to be cognizant of their roles in instilling ethical principles and democratic ideals in all students.

[Adoption date: May 10, 2005]

[Revision date: December 4, 2014]

LEGAL REFS.: ORC 124.11  
3313.602  
3319.01; 3319.02; 3319.081; 3319.11; 3319.111  
Chapter 4117

## STAFF CONFLICT OF INTEREST

An effective educational program requires the services of individuals with integrity, high ideals, and human understanding. The Board expects staff members to conduct themselves in a manner which not only reflects credit to the district but also presents a model worthy of emulation by students.

All staff members have a responsibility to make themselves familiar with, and abide by, the laws of the State of Ohio, the policies of the Board, and the administrative procedures designed to implement them.

Staff members will not engage in, nor have a personal financial interest in, any activity that conflicts with their duties and responsibilities in the academy. Staff members are expected to refuse compensation from any source other than the Board for the performance of the duties of his/her public employment or any other act or service in his/her public capacity as an academy staff member. *Unless expressly approved by the Executive Director/Superintendent*, staff members may not accept compensation from any source other than the Board for instructional services provided to their current students.

In order that there be no conflict of interest in the selection and evaluation of employees, at no time may any administrator be responsible for the selection and/or evaluation of an employee to whom he/she is directly related.

The Board expects all staff members to maintain high standards in the performance of their professional duties. Essential to the success of the academy's instructional program and other ongoing school operations are the following specific responsibilities which will be expected of all staff members:

- Recognize and respect the basic dignity of all individuals with whom they interact in the performance of their duties.
- Exercise due care to protect the physical safety and emotional health of students, colleagues, and school visitors.
- Support and enforce policies of the Board of Directors and regulations of the school administration.
- Respect the confidentiality of privileged information.
- Be faithful and prompt in attendance at work.
- Be diligent in submitting required reports promptly.
- Represent their own qualifications accurately.

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- Refuse to accept anything of value offered by another for the purpose of influencing judgment.
- Refrain from using his/her position or any public property placed in his/her care, or permitting another person to use the staff member's position or public property, for political or religious purposes. This will in no way limit constitutionally or legally protected rights as a citizen.
- Refrain from selling textbooks, instructional supplies, equipment, reference books, or any other school products to the schools in the district, or furnishing the names of students or parents to anyone selling such materials.

[Adoption date: May 10, 2005]

[Revision date: December 4, 2014]

LEGAL REFS.: ORC 2921.42  
3313.811  
3319.21  
3329.10  
4117.20

## STAFF HEALTH AND SAFETY

Through its overall safety program and various policies pertaining to Findlay Digital Academy personnel, the Board attempts to ensure the safety of employees during their working hours and assist them in the maintenance of good health.

All employees are expected to observe commonly recognized practices which promote the health and safety of Findlay Digital Academy personnel.

An employee with an infectious or otherwise serious disease may continue to work so long as the employee does not jeopardize the health of the employee, other students, or other employees.

It is highly advised for employees to report infectious or otherwise serious diseases or illnesses to the Executive Director/Superintendent. The School will maintain confidentiality to the extent permitted by law.

The Board may require an individual examination of an employee whenever, in its judgment, it is necessary to protect the health and safety of students or other employees. Whenever the Board requires an employee to submit to a physical examination other than those required by law, the Board assumes the cost of the examination. All health examinations required of employees are to be conducted by one of the physicians approved for this purpose by the Board.

Should the School determine that an employee's disease places others in imminent, serious danger, the School may also request that the employee undergo testing, or may place the employee on an involuntary leave. Certain diseases identified by the Ohio Department of Health may require the employee to be placed in isolation. Prior to return, the School may require a physician's medical certification indicating that the employee's disease no longer poses a danger to the health of others.

If an employee is concerned about contracting another's disease or illness, the employee is first required to discuss his/her concerns with the Executive Director/Superintendent or his/her designee. The Executive Director/Superintendent will determine if there is a real risk of contracting the disease. Should it be determined there is no or minimal risk of infection, the employee will be required to continue working. Employees that refuse to work despite this policy may be disciplined.

This Policy does not affect an eligible employee's ability to use the Family and Medical Leave Act.

### Injury

Should an employee be injured while performing their duties at the Findlay Digital Academy or during a Findlay Digital Academy sponsored event (i.e., graduation ceremony), the employee is to fill out an injury form.

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Workers' Compensation

In case of injury while pursuing duties in keeping with the employee's contract, the employee may be eligible for payment of medical expenses under the Workers' Compensation Act of Ohio.

Any employee who is injured while at work should immediately report such injury to the Executive Director/Superintendent and request the necessary forms to make application for payment under this act.

[Adoption date: May 10, 2005]

[Revision date: December 4, 2014]

LEGAL REFS.: ORC 3313.643; 3313.71; 3313.711

3327.10

4113.23

4123.01 et seq.

4123.54

Asbestos School Hazard Abatement Act; 20 USC 4011 et seq.

Asbestos Hazard Emergency Response Act; 15 USC 2641 et seq.

Comprehensive Environmental Response, Compensation and Liability Act;

42 USC 9601 et seq.

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REPORT OF INJURY

Employee Information

Full Name:

SS#:

Date of Birth:

Home Mailing Address:

Home Phone #:

City, State, Zip Code:

Cell phone #:

Injury Information

Date of Injury:

Time of Injury:

Date Reported:

To Whom:

Names of Witnesses:

Accident/Injury Location (be specific):

Detailed Description of How Injury Occurred:

Detail Description of the Injury (be specific):

Have you or do you plan to see a doctor regarding this problem?

Treating Physician:

Phone #:

Address:

Do you work any place else other than Findlay Digital Academy?

Return the completed form to Larry Grove. If medical treatment is sought, it is the employee's responsibility to provide copies of all medical documentation to the Personnel Office. Your doctor should provide you with a MEDCO-14 "Physician's Report of Work Ability" indicating what restrictions, if any, apply in order for you to return to work.

## TUTORING FOR PAY

Tutorial assistance to students is generally a normal responsibility of teachers. Therefore, except as provided herein or expressly approved by the Superintendent, no teacher will accept payment to tutor a student who is a member of his/her class or under his/her supervision.

This policy shall not apply to the assigned duties of a teacher who has been approved for Board-paid home instruction for one of his/her students.

A district teacher may tutor other students on school premises for pay only in accordance with the following conditions:

- Tutoring will be done outside the teacher's regular work day, unless otherwise approved by the Superintendent.
- Tutoring by a District teacher on school premises must have the approval of the principal.
- When tutoring by a District teacher on school premises is approved, it will be performed for no more than the hourly rate of pay received by home instruction tutors employed by the Board, and accordingly, no rental fee will be charged to either the teacher or the student for classroom use.



## STAFF PARTICIPATION IN POLITICAL ACTIVITIES

The Board recognizes the right of employees, as citizens, to engage in political activity. The Board also recognizes, however, that school property and school time shall not be used for partisan political purposes except as provided for in laws and policies pertaining to the use of school buildings by civic or political organizations.

For purposes of this policy, “partisan political purposes” is narrowly defined as activities such as the posting of political circulars or petitions, collection and/or solicitation of campaign funds, solicitation of campaign workers, the use of pupils in writing or addressing campaign materials, or the distribution of campaign materials to pupils on District property during school time in any manner which would indicate that a school employee is using a position in the school to further personal partisan views on candidates for office or unresolved questions of public policy in the political arena.

Nothing in this policy is intended to prohibit teachers from conducting appropriate activities which encourage students to become involved in political processes or to prohibit the use of political figures as resource persons in classrooms.

Employees have the same fundamental civic responsibilities and privileges as other citizens. Among these are campaigning for an elective public office and holding an elective or appointive public office.

The terms and conditions under which the employee may continue employment as he/she seeks or holds such office is determined by the Board and law.

Employees are not permitted to use Findlay Digital Academy time, money, facilities, equipment or supplies to campaign nor are the employees to actively campaign while on duty.

[Adoption date: May 10, 2005]

[Revision date: December 4, 2014]

LEGAL REFS.: Intergovernmental Personnel Act; 42 USC 4701 et seq.  
ORC 124.57  
3315.07

## STAFF-STUDENT RELATIONS

The relationship between the Findlay Digital Academy's staff and students must be one of cooperation, understanding and mutual respect. Staff members have a responsibility to provide an atmosphere conducive to learning and to motivate each student to perform to his/her capacity.

Staff members should strive to secure individual and group discipline, and should be treated with respect by students at all times. By the same token, staff members should extend to students the same respect and courtesy that they, as staff members, have a right to demand.

Although it is desired that staff members have a sincere interest in students as individuals, partiality and the appearance of impropriety must be avoided. Excessive informal and/or social involvement with individual students is prohibited. Such conduct is not compatible with professional ethics and, as such, will not be tolerated.

Staff members are expected to use good judgment in their relationships with students both inside and outside of the Findlay Digital Academy context including, but not limited to, the following guidelines:

- Staff members shall not make derogatory comments to students regarding the Findlay Digital Academy and/or its staff.
- The exchange of purchased gifts between staff members and students is discouraged.
- Staff-sponsored parties at which students are in attendance are prohibited.
- Staff members shall not fraternize, written or verbally, with students except on matters that pertain to Findlay Digital Academy-related issues.
- Staff members shall not associate with students at any time in any situation or activity which could be considered sexually suggestive or involve the presence or use of tobacco, alcohol or drugs.
- Dating between staff members and students is prohibited.
- Staff members shall not use insults or sarcasm against students as a method of forcing compliance with requirements or expectations.
- Staff members shall maintain a reasonable standard of care for the supervision, control and protection of students commensurate with their assigned duties and responsibilities.
- Staff members shall not send students on personal errands.

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- Staff members shall not attempt to counsel, assess, diagnose or treat a student's personal problem relating to sexual behavior, substance abuse, mental or physical health and/or family relationships but, instead, should refer the student to the appropriate individual or agency for assistance.
- Staff members shall not disclose information concerning a student, other than directory information, to any person not authorized to receive such information. This includes, but is not limited to, information concerning assessments, ability scores, grades, behavior, mental or physical health and/or family background.
- Staff members are required by Ohio law to report immediately any signs of abuse or neglect to the Head Administrator and/or his designee.
- Staff members must provide proper instruction on safety matters.
- Staff members must report all threats of violence, abuse, or neglect.
- Staff members must report all accidents or safety hazards.
- Staff members must not assume responsibility for duties the staff member cannot perform.

[Adoption date: May 10, 2005]

[Revision date: December 4, 2014]

CROSS REFS.: GBCA, Staff Conflict of Interest  
GBCB, Staff Conduct  
GBI, Staff Gifts and Solicitations  
JHG, Reporting Child Abuse  
JO, Student Records  
KBA, Public's Right to Know

## STAFF GIFTS AND SOLICITATIONS

### Gifts

The Board authorizes the expenditure of public funds to purchase meals, refreshments and favors for employees and Board members in the completion of their responsibilities. The Board believes that such expenditures are necessary, on occasion, to further a public purpose in the general operation of the Findlay Digital Academy. Such public purpose includes, but may not be limited to, employee development activities, employee recognition activities and certain routine meetings that may be enhanced by such amenities.

Such expenditures shall be consistent with the Board's purchasing policy and within the appropriate limits established by the Board.

Presentation of gifts to, and the arrangement of social affairs for, employees leaving the system are governed by the following:

- The administration appoints, or employees may volunteer for, a small social committee to plan social affairs such as luncheons.
- Any gifts to be presented to departing employees by their respective groups are at the discretion of the group involved.

### Travel Vendor Compensation

District employees shall not accept gifts or other inducements of significant value from sales representatives who do, or wish to do, business with the District. Employees shall not accept gifts, other than single remembrances or tokens expressive of affection or gratitude for services given, from students, parents or other District residents.

Any compensation paid by a private travel vendor to a Findlay Digital Academy official or employee, after the official or employee has participated in selecting the vendor to provide a field trip, is considered "public money" and must be returned to the Findlay Digital Academy.

All travel arrangements must be in compliance with Findlay Digital Academy regulations and approved by the Executive Director/Superintendent or his/her designee.

### Solicitations

The Executive Director/Superintendent annually approves all solicitations which are to be permitted in the Findlay Digital Academy. No organization may solicit funds of staff members in the Findlay Digital Academy, nor may anyone distribute flyers or other materials related to fund drives through the Findlay Digital Academy without the prior approval of the Executive Director/Superintendent.

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[Adoption date: May 10, 2005]

[Revision date: December 4, 2014]

LEGAL REFS.: ORC 117.10  
3313.81; 3313.811  
3315.15  
3329.10

## SMOKING ON SCHOOL PROPERTY BY STAFF MEMBERS

The Board is dedicated to providing a healthy, comfortable and productive environment for its staff, students and citizens. Health professionals have determined that smoking poses health hazards not only for the smoker, but for the nonsmoker as well.

Recognizing these health issues, the Board prohibits smoking in any Findlay City School District buildings used by the Findlay Digital Academy where routine or regular kindergarten, elementary, secondary or library services are offered to children.

The Board directs the Executive Director/Superintendent to educate all staff members concerning the mandate of this policy, as well as implementing, as appropriate, educational programming concerning smoking and, if needed, resources available to those who wish to discontinue their smoking habit.

A notice to this effect is posted at the entrance to all Findlay City School District buildings.

[Adoption date: May 10, 2005]

[Revision date: December 4, 2014]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.  
Goals 2000: Educate America Act; 20 USC 6081-6084  
ORC 3313.20  
OAC 3301-35-02; 3301-35-05

## PERSONNEL RECORDS

The Executive Director/Superintendent develops and implements a comprehensive and efficient system of personnel records. The Treasurer or his/her designee is hereby designated as the employee directly responsible for the personnel records system. The following guidelines govern such records:

- Personnel files contain records and information relative to hiring information, employment information compensation, payroll deductions, evaluations and such information as may be required by the state or federal government or considered pertinent by the Executive Director/Superintendent. Anonymous material, or material from an unidentified source, are not placed in a staff member's file. Personal information shall only be kept if it is necessary for the School to maintain Personal Information shall not be placed in an interconnected or combined system, or use information is such a system unless the interconnected or combined system will contribute to the efficiency of the School in implementation of its programs... When such personal information is not longer needed, the information should be destroyed securely.
- A personnel file for each employee is accurately maintained in the Findlay Digital Academy office in accordance with administrative regulations incorporating the requirements set forth under the Ohio Privacy Act for the protection of employees. Employees will be notified whenever personal information concerning them is placed in their file. Personnel files are the property of the School, and access to the information they contain is restricted. To the extent permitted by law, the School restricts access to the Personnel File and all personal information found in the file. In the following circumstances, access may be granted:
  - Ohio law requires access to the documents,
  - The Governing Authority of directors requests access and has reason to request access,
  - Employees need access to the data because they work with the data and files,
  - At the Head Administrator's discretion

Generally, if the Schools's Governing Authority has a legitamte reason to review information in a file, then it is allowed to do so.

- Ohio law requires that all public records be promptly prepared and made available for inspection to any member of the general public at all reasonable times during regular business hours. Upon request, the person directly responsible for the personnel records is required to make copies available, at cost, within a reasonable period of time.
- The public has access to all records in the personnel file with the following exceptions:
  - medical records
  - records pertaining to adoption, probation or parole proceedings

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- trial preparation records
  - confidential law enforcement investigative records
  - social security number
  - records of which Ohio or Federal law prohibits the release
- 
- Each employee has the right, upon written request, to review the contents of his/her own personnel file. If a document is not disclosed to the employee because it is determined by a physician, psychiatrist or psychologist to be likely to have an adverse effect upon the employee, the document will be released to the designated medical authority. Requests are made to the Executive Director/Superintendent and scheduled for a time convenient for the parties involved.
  
  - Employees may make written objections to any information contained in the file. Any written objection must be signed by the staff member and becomes part of the employee's personnel file after the appeal procedure outlined in the Ohio Revised Code. The appeal procedure permits any employee who disputes the accuracy, relevance, timeliness or completeness of information maintained in his/her file to compel the school to investigate the current status of the information.
  
  - Personnel records should be reviewed only within the confines of the Executive Director/Superintendent's office or the Board's office.

[Adoption date: May 10, 2005]

[Revision date: December 4, 2014]

[Revision date: February 1, 2018]

LEGAL REFS.: ORC 9.01; 9.35  
149.41; 149.43  
1347.01 et seq.  
3317.061  
4113.23  
OAC 3301-35-03(A)(10)



## DRUG-FREE WORKPLACE

No employee shall unlawfully manufacture, distribute, dispense, possess or use any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcohol or any other controlled substance, as defined in Federal and Ohio law.

“Workplace” is the site for the performance of work done in connection with the Findlay Digital Academy. The workplace includes any school building, property, vehicles or Board-approved vehicle used to transport students to and from Findlay Digital Academy activities (at other sites off school property) or any Findlay Digital Academy-sponsored activity, event or function in which students are under the jurisdiction of Findlay Digital Academy authorities.

As a condition of employment, each employee shall notify his/her supervisor, in writing, of his/her conviction of any criminal drug statute for any violation, not later than five days after such conviction.

Employees are given a copy of the standards of conduct and the statement of disciplinary sanctions and are notified that compliance with the standards of conduct is mandatory. Employees who violate the policy shall be subject to disciplinary proceedings in accordance with prescribed administrative regulations, local, Ohio and Federal laws and/or the negotiated agreement, up to and including termination. Any employee in violation of this policy may be required to participate in a drug-abuse assistance or rehabilitation program approved by the Board.

Employees are provided the opportunity to participate in a drug-free awareness program to inform them of requirements, services and penalties.

A list of local drug and alcohol counseling, rehabilitation and re-entry programs and services offered in the community is made available to employees.

Findlay City School District and/or Findlay Digital Academy-supplied lockers, desks, filing cabinets, files, computers, the computer system and all other property remain the property of Findlay Digital Academy and may be subject to search at any time and without notice.

[Adoption date: May 10, 2005]

[Reviewed: December 4, 2014]

LEGAL REFS.: Drug-Free Workplace Act of 1988; 41 USC 701 et seq.;  
20 USC 3474, 1221e-3(a)(1)  
Drug-Free Campus and Schools Act; 20 USC 3224(a)

CRIMINAL RECORD CHECK

The district of employment from which Findlay Digital Academy enters into a purchased service agreement for an employee will be responsible for completing a satisfactory Criminal Records Check for that employee in accordance with Ohio Revised Code 3319.39.

[Adoption date: May 10, 2005]

[Reviewed: December 4, 2014]

## STAFF POSITIONS

All staff positions are created only with the approval of the Board. It is the Board's intent to maintain a sufficient number of positions to accomplish its goals and objectives.

Before any new position is established, the Executive Director/Superintendent presents for the Board's approval a job description for the position.

Although a position may remain temporarily vacant or the number of persons holding the same type of position may be reduced in the event of staff reductions, only the Board may abolish a position which it has created.

The Executive Director/Superintendent keeps all job descriptions current and presents recommended changes to the Board for approval.

[Adoption date: May 10, 2005]

[Reviewed: December 4, 2014]

LEGAL REFS.: ORC 3319.02; 3319.03; 3319.09; 3319.10; 3319.22  
4117.01  
OAC 3301-35-01; 3301-35-03

## STAFF HIRING

The Executive Director/Superintendent determines the Findlay Digital Academy's personnel needs and recommends to the Board suitable candidates for employment. The Executive Director/Superintendent recruits and recommends to the Board the employment and retention of personnel. Personnel are acquired through a Contracted Service Agreement with the Findlay City School District, Hancock County Educational Service Center or with META SOLUTIONS/TRECA/TDA.

It is the duty of the Findlay Digital Academy to see that persons nominated for employment in the academy meet all certification/licensure requirements and the requirements of the Board for the type of position for which the nomination is made.

The following guidelines are used in the selection of personnel:

1. There is no unlawful discrimination in the hiring process.
2. The quality of instruction is enhanced by a staff with widely varied backgrounds, educational preparation and previous experience. Concerted efforts are made to maintain a variation in the staff.
3. Interviewing and selection procedures ensure that the administrator who is directly responsible for the work of a staff member has an opportunity to aid in the selection process. The final recommendation to the Board is made by the Executive Director/Superintendent.
4. No candidate is hired without an interview and a criminal record check.
5. All candidates are considered on the basis of their merits, qualifications and the needs of the Findlay Digital Academy. In each instance, the Executive Director/Superintendent and others having a role in the selection process seek to recommend the best-qualified applicant for the job.

While the Board may accept or reject a nomination, an appointment is valid only if made with the recommendation of the Executive Director/Superintendent. In the case of a rejection, it is the duty of the Executive Director/Superintendent to make another nomination.

### Employment of Retired Administrators

The Board recognizes that recruiting and retaining highly qualified administrative personnel has become increasingly difficult in Ohio's competitive marketplace. Therefore the Board will, under appropriate circumstances, offer to enter into administrative employment agreements with qualified retired administrators whenever practical and when such action appears to be in the best

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interests of the Findlay Digital Academy. Retired administrators may be employed as administrators on a part-time or full-time basis.

For purposes of this policy, a “retired administrator” is an individual who has retired pursuant to STRS or SERS rules and regulations.

[Adoption date: May 10, 2005]

[Revision date: December 4, 2014]

LEGAL REFS.: Fair Credit Reporting Act; 15 USC 1681 et seq.

ORC 3313.53

3319.02; 3319.07; 3319.11; 3319.21; 3319.22-3319.31; 3319.39

3323.06

OAC 3301-35-03(A)

## PART-TIME AND SUBSTITUTE STAFF EMPLOYMENT

All personnel serving as substitute or in part-time positions are recommended by the Executive Director/Superintendent for appointment by the Board. The rates of pay for such employment are recommended by the Executive Director/Superintendent and established by the Board.

Administrators assume responsibility for the scheduling of substitutes from the approved list as needed. Administrators develop regulations for substitute teachers to guide them in the performance of their duties. The Executive Director/Superintendent approves the regulations.

[Adoption date: May 10, 2005]

[Reviewed: December 4, 2014]

LEGAL REFS.: ORC 3317.13  
3319.08; 3319.10; 3319.13

## STAFF DEVELOPMENT OPPORTUNITIES

Staff members are encouraged to pursue, and are provided with, opportunities for the development of increased competencies beyond those which they may attain through the performance of their assigned duties and assistance from supervisors.

Opportunities for professional growth may include:

1. Planned in-service programs and workshops offered within the Findlay Digital Academy from time to time.
2. Released time or compensated time for attendance at conferences, workshops and other professional meetings.

The Executive Director/Superintendent has the authority to approve released time for conferences and visitations, and reimbursements for expenses, provided that such activities are within budget allocations for that purpose.

[Adoption date: May 10, 2005]

[Reviewed: December 4, 2014]

LEGAL REFS.: ORC 3313.20  
3315.07  
3319.131  
OAC 3301-35-03

## EVALUATION CONTRACTED SERVICES

To assist employees in the development of their professional abilities, to provide information for employment decisions and to comply with mandates of state law, the following procedures are employed by the Executive Director/Superintendent/Designee in evaluating personnel:

- The evaluator employs the evaluation criteria which are designed to measure the employee's effectiveness in performing the duties set forth in his/her written job description. All employees will be evaluated annually. The evaluator will also assess the employee's progress in meeting plans and objectives set for that school year. Areas of outstanding, satisfactory and poor performance will be noted. The Executive Director/Superintendent/Designee will meet with each employee to discuss the written evaluation. The evaluatee is given a copy of the evaluation and has an opportunity to discuss it with the evaluator at this second meeting.
- A written copy of the final evaluation must be provided to the employee at least five days prior to the Board's action to renew or nonrenew the employee's employment. All employees are hired through purchased services from the Findlay City School District and/or Hancock County Educational Service Center.
- The employee may request a meeting with the Board prior to any Board action on his/her employment. The employee may have a representative of his/her choice at the meeting.
- All evaluation criteria, procedures and written job descriptions are reviewed annually by the Executive Director/Superintendent/Designee and revised as necessary.

[Approval date: May 10, 2005]

[Revision date: December 4, 2014]



## SUSPENSION AND TERMINATION OF STAFF MEMBERS

### Suspension

The Board may suspend a staff member pending final action to terminate his/her employment if, in its judgment, the character of the charges warrants such action.

### Termination

The contract of a staff member may be terminated for gross inefficiency or immorality, for willful and persistent violations of reasonable regulations of the Board or for other good and just cause. Before terminating any employment, the Board furnishes the professional staff member a written notice signed by the Treasurer of its intention to consider termination of his/her contract and specification of the grounds for such consideration. The Board informs the professional staff member of his/her right to request a hearing by the Board or by an independent referee. At such a hearing, both parties may be represented by counsel and present and cross-examine witnesses. A stenographic record of the proceedings is made. After the hearing, the Board makes its determination by majority vote. Any order of termination of employment states the grounds for termination.

If the suspension or termination is based in whole or in part on the results of a consumer report (as that term is used in the Fair Credit Reporting Act), the Board furnishes the professional staff member with pre-adverse action and adverse action notices required by the Fair Credit Reporting Act.

[Adoption date: May 10, 2005]

[Reviewed: December 4, 2014]

LEGAL REFS.: Fair Credit Reporting Act; 15 USC 1681 et seq.

ORC 124.36

3319.02; 3319.11; 3319.16; 3319.161; 3319.17

## RESIGNATION OF STAFF MEMBERS

Any staff member may terminate his/her employment with the Findlay Digital Academy by filing a written notice with the Treasurer two weeks prior to the effective date of termination.

[Adoption date: May 10, 2005]

[Reviewed: December 4, 2014]

LEGAL REF.: ORC 3319.081

## Family &amp; Medical Leaves of Absence (FMLA)

The function of this policy is to provide employees with a general description of their rights under the Family Medical Leave Act of 1993 (FMLA). In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

An employee who has worked for the District for at least 12 months is eligible for 12 work weeks (or up to 26 work weeks of military caregiver leave to care for a covered servicemember with a serious injury or illness) of FMLA leave during a 12-month period, provided the employee worked at least 1,250 hours in the 12 months preceding the beginning of the leave.

- the birth and first-year care of a child;
- the adoption or foster placement of a child;
- to care for an employee's spouse, parent or child with a serious health condition;
- the employee's own serious health condition that keeps the employee from performing the essential functions of his/her job;
- any qualifying exigency (as defined in applicable Federal regulations) arising out of the fact that the staff member's spouse, son, daughter, or parent is on covered active duty (or has been notified of an impending call or order to active duty) in the Armed Forces. Covered active duty means duty during deployment with the Armed Forces to a foreign country;
- Military caregiver leave (also known as covered servicemember leave) to care for an injured or ill servicemember or veteran.
  - An employee whose spouse, son, daughter, parent or next of kind (closest blood relative of the injured or recovering servicemember) may take up to 26 weeks in a single 12-month period to take care of an injured or ill servicemember or veteran.
  - The term "covered servicemember" means:
    1. a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
    2. 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 (5) years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

The term "serious injury or illness":

(a) in the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and

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(b) 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 servicemember, means 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 existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

In cases in which the Board employs both spouses, the total amount of FMLA leave is twelve (12) weeks for the couple, except when the leave is due to the serious health condition of either spouse or a child. If both spouses wish to take leave to care for a covered injured or ill servicemember, the husband or wife may only take a combined total of 26 weeks of leave.

Twelve (12) month period is defined as the twelve (12) month period measured forward from the date the staff member's first FMLA leave begins (i.e. the "leave year" is specific to each individual staff member). An eligible employee can take up to 12 weeks leave for the reasons above. An eligible employee can take up to 26 weeks for reason F above during a single 12 month period. FMLA already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

Serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves:

- 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
- Continuing treatment by a healthcare provider, including:
  - (A) a period of incapacity of more than three (3) consecutive calendar days and any subsequent treatment or period of incapacity relating to the same condition, that also involves either treatment two (2) or more times, within thirty (30) days of the first day of incapacity, by a healthcare provider, or treatment by a healthcare provider on at least one (1) occasion which results in a regimen of continuing treatment under the supervision of a healthcare provider;
  - (B) any incapacity due to pregnancy or for prenatal care;
  - (C) any period of incapacity or treatment for such incapacity due to a chronic serious health condition;
  - (D) a period of incapacity, which is permanent or long-term due to a condition for which treatment may not be effective;
  - (E) any period of absence to receive multiple treatments by a healthcare provider either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).
- Conditions for which cosmetic treatment are administered are not "serious health conditions" unless inpatient hospital care is required or complications develop. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomachs, minor ulcers, headaches other than migraines, routine dental or

## Findlay Digital Academy

orthodontia problems, periodontal disease, etc., are conditions that do not meet this definition and do not qualify for FMLA leave.

## Notice

Whenever the need for FMLA leave is foreseeable, the staff member shall provide the Superintendent with thirty (30) day's notice. If there is insufficient time to provide such notice because of the need for treatment, the staff member shall provide such notice within 15 days of the request or provide a reasonable explanation for the delay. The employee must make a reasonable effort to schedule the leave so as not to unduly disrupt the regular operation of the District.

## Certification

The District may require the employee to provide certification from a health care provider containing specific information required under the law if he/she requests a medical leave. At the District's expense a second, and third (if necessary), opinion may be required. Upon the employee's return to work, the District will require that the employee present a fitness statement from the employee's health care provider certifying that the employee is able to return to work.

## Recertification

Recertification may be required for the serious health condition of the employee or the employee's family member no more frequently than every 30 days and only 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 District 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. Finally, staff members must provide a new medical certification each leave year for medical conditions that last longer than one (1) year.

## Benefits

During FMLA leave, the Board shall maintain the staff member's current coverage under the Board's group health insurance program on the same conditions, as coverage would have been provided if the staff member had been continuously working during the leave period. If the staff member was paying all or part of the premium payments prior to going on FMLA leave, the staff member must continue to pay his/her share during the leave. However, FDA usually does not provide health insurance as most employees are part-time and not eligible for health insurance. The use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of the staff member's leave, but the employee is not entitled to accrue employment benefits during the unpaid leave period. The staff member shall not accrue any sick leave, vacation, or other benefits during a period of unpaid FMLA leave.

## Intermittent and Reduced Leave

## Governing Authority Board Policy

## Findlay Digital Academy

A staff member may take FMLA leave on an intermittent or reduced-leave schedule for reasons A and B on page one, when medically necessary as indicated in reasons C, D, and F on page one, or for Qualifying Exigency Leave (reason (E) on page one). Regardless, the taking of such leave results in the total reduction of the twelve (12) or twenty-six (26) weeks only by the amount of leave actually taken. If the intermittent or reduced-leave schedule is foreseeable based on planned medical treatment, the Superintendent may require the staff member to transfer temporarily to an available alternative position, which better accommodates recurring periods of leave. The alternative position shall have equivalent pay and benefits but not necessarily equivalent duties.

## Instructional Employees

Instructional staff members (i.e. individuals whose principal function is to teach and instruct students in a class, a small group, or an individual setting) who request intermittent leave or a reduced-leave schedule which would exceed twenty percent (20%) of the total number of working days over the period of anticipated leave must elect either to: take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or transfer temporarily to an available alternative position offered by the Superintendent for which the instructional staff member is qualified, and that has equivalent pay and benefits and that better accommodates the recurring periods of leave than the staff member's regular position.

Any leave or return from leave during the last five (5) weeks of an academic term shall be reviewed individually by the Superintendent to minimize disruption to the students' program.

## Restoration

Upon return from any FMLA leave, the Board will restore the staff member to his/her former position or to a position with equivalent employment benefits, pay and conditions of employment.

## Failure to Return

If the staff member fails to return to work at the end of the leave for reasons other than the continuation, recurrence, or onset of a serious health condition of the staff member or of the staff member's immediate family member, or for circumstances beyond the control of the staff member, the staff member shall reimburse the Board for the health insurance premiums paid by the Board during the unpaid FMLA leave period.

A staff member who fraudulently obtains FMLA leave is not protected by this policy's job restoration or maintenance of health benefits provisions.

[Adoption date: April 3, 2017]

### Bodily Fluid Exposure Control

All School Staff members and other employees should take proper precautions when exposed to bodily fluids. It should be assumed that all bodily fluids are potentially infectious. Accordingly, when dealing with all bodily fluids and excrements, such as vomit, blood, feces, and urine, the following procedures should be adhered to at all times:

- Staff members, cleaning personnel, and other employees shall wear disposable latex gloves at all times when coming into contact with bodily fluids.
- Any Staff member or other employee who is pregnant or may be pregnant shall wear a surgical face mask when coming into contact with bodily excrement.
- Staff members and employees shall wash their hands thoroughly after coming into contact with bodily fluids, even if disposable latex gloves were worn at all times.
- All cuts, sores, and other skin lesions shall be covered at all times.
- After removing bodily fluids from a hard surface, the surface should be scrubbed with soap and water and then disinfected using a proper disinfectant formula (either MATAR or a solution with similar ingredients) and in accordance with the manufacturer's instructions.
- When cleaning bodily fluids, disposable materials should be whenever possible. When finished cleaning, such disposable materials (gloves, paper towels, etc.) shall be double-bagged and properly disposed of as a hazardous waste. All re-usable materials, such as mops and towels, shall be soaked and rinsed in a disinfecting solution.

After any incident involving exposure to a bodily fluid, a Bodily Fluid Exposure Report, included as GS Form, shall be completed and returned to the Superintendent/Executive Director as soon as possible.

[Adoption date: April 3, 2017]

Bodily Fluid Exposure Report

*Note: This report shall be completed by any Staff member who is exposed to bodily fluids.*

**Individuals Involved**

Staff Member Name: \_\_\_\_\_

Source of Bodily Fluid Name: \_\_\_\_\_

Status: \_\_\_\_\_ Student \_\_\_\_\_ Staff Other \_\_\_\_\_

Phone Number: \_\_\_\_\_

Location: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_ am / pm

Type of Bodily Fluid(s) Involved: \_\_\_\_\_

Description of the Event: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Witnesses**

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

*This Form should be completed and returned to the Head Administrator.*



### **Lead Poisoning Prevention**

The School shall avoid the use of any materials or techniques which would result in lead exposure. If lead-based materials were previously used in the School's construction, the Superintendent/Executive Director shall develop and implement procedures for the monitoring and properly maintaining the materials.

The Superintendent/Executive Director shall designate a staff member to be responsible for developing and implementing a parent-outreach program, designed to educate parents and legal guardians about the dangers of lead poisoning in children. As part of this outreach program, the Superintendent/Executive Director may find it helpful to distribute an informational brochure. A brochure developed by the EPA is provided in Form **2550.1**, Lead Poisoning Prevention Brochure.

[Adoption date: April 3, 2017]

*Ohio: R.C. 3742. Cross-Reference: Form GT, Lead Poisoning Prevention Brochure.*

**Lead Poisoning Prevention Brochure**

The Lead Poisoning Prevention Brochure found below is from the Ohio Department of Health.

The Brochure may be linked to by visiting:

<http://www.odh.ohio.gov/~media/ODH/ASSETS/Files/cfhs/lead%20poisoning%20-%20children/cfhs%20%20healthy%20homes/Keep%20Your%20Child%20Safe.ashx>

[Adoption date: April 3, 2017]

## **Hand Washing Requirements**

The School recognizes that hand washing is a simple and effective way to decrease the spread of illness and disease. By decreasing the spread of illness and disease, the School can more effectively protect and educate its students. Accordingly, the following rules, guidelines, and procedures apply to all School members. Any employee or other individual who participates in food preparation or service are subject to additional rules stated in this policy. Findlay Digital Academy is an eschool and does not provide the traditional food service; however, from time-to-time, the academy does hold events that involve refreshments.

### Hand Washing Stations

Hand washing is only permitted in designated hand washing stations. A waste container shall be provided directly near the hand washing station or, if the hand washing station is in a restroom, near the restroom door.

### Hand Washing Technique and Requirements

The proper hand washing technique is as follows:

1. rinse hands and forearms under warm, clean running water (at least 100o F);
2. apply soap and scrub all surfaces of the hands, fingers, and forearms vigorously for at least fifteen (15) to twenty (20) seconds, paying particular attention to the area under the fingernails and between fingers;
3. rinse thoroughly with clean, warm running water (at least 100o F) for five (5) to twenty (20) seconds;
4. thoroughly dry the hands and forearms either by using a single-use paper towel or placing hands under heated-air hand-drying device for at least thirty (30) seconds; and
5. use a paper towel to turn off the faucet and open the restroom door as you leave.

Hands shall be washed:

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9. after using the toilet;
10. before and after eating;
11. after changing a diaper-wash the diaper-wearer's hands, too;
12. after touching animals or animal waste;
13. before and after preparing food, especially before and immediately after handling raw meat, poultry, or fish;
14. after blowing your nose;
15. after coughing or sneezing into your hands;
16. before and after treating wounds or cuts;
17. before and after touching a sick or injured person;
18. after handling garbage;

before inserting or removing contact lenses;

entering a food preparation area;

after any cleanup activity;

putting on clean, single-use gloves for working with food and between glove changes;

handling soiled dishes, equipment, or utensils;

touching bare human body parts other than clean hands and forearms (e.g. hair, face);

handling money; and

any other activity that contaminates the hands.

## Hand Sanitizers

With the one exception indicated below, hand sanitizers shall not be used to replace effective hand washing, but may be used in addition to proper hand washing to further inhibit the

## Findlay Digital Academy

spread of disease and illness. Hand sanitizers shall be used in the manner prescribed by the manufacturer, and only those hand sanitizers that are approved by a Food Contact Substance Notification shall be permitted for use. If soap and water are not readily available, and hands are not visibly soiled, hand sanitizer gel or wipes may be used instead of proper hand washing techniques.

### Food Service Operators/Preparation

While the items below really do not apply to Findlay Digital Academy at this time because it is an eshool without daily food service, they are included in the policy in the event that the academy should become involved in food service.

All individuals who prepare or serve food shall be trained in the proper hand washing technique. This training shall demonstrate the proper hand washing technique, and may be presented as a video, live demonstration, or in any other effective manner.

Hand washing stations shall be made available to food service employees at all times. All food service individuals shall only use designated hand-washing stations and shall wash their hands in use food preparation, utility, and dishwashing sinks.

A hand washing sign, in a language understood by all food service employees, shall be posted at each hand washing station, restroom, or food preparation area. The sign shall remind food service employees to wash their hands and should include information on the proper hand washing technique.

The Superintendent/Executive Director or the contracted food service operator may designate an individual as hand washing monitor. This individual shall be responsible for ensuring that hand washing stations are fully equipped and properly functioning at all times. The monitor shall also be responsible for ensuring that all food service employees wash their hands at all appropriate times using the appropriate hand washing technique.

If a food service employee is seen not washing their hands at the required time or using the appropriate technique, the employee will be asked to wash or re-wash their hands using the appropriate technique. Refusal or failure to adhere with this Policy may result in disciplinary action, up to and including termination.

[Adoption date: April 3, 2017]

IMMIGRATION LAW COMPLIANCE – 8 U.S. Code 1324a

The Findlay Digital Academy Board will not hire or recruit an un authorized alien as outlined in 8 United State Code 1324 a and will follow all guidelines set forth in 8 U. S. Code 1324a.

[Adoption date: April 3, 2017]

Reference: [law.cornell.edu](http://law.cornell.edu) - 8 U.S. Code 1324a

## SCHEDULING AND WORK HOURS & OVERTIME

As an educational institution, the School's schedule and work hours are designed to facilitate student learning. The School shall release a general schedule and work hours at the beginning of each academic year. The schedule is subject to change to ensure the School's mission is achieved.

Overtime pay will be in compliance with guidelines set forth in Ohio Revised Code.

[Adoption date: April 3, 2017]

References: ORC 4111.03, 29 CFR 531

LOCAL PROFESSIONAL DEVELOPMENT COMMITTEE

Findlay Digital Academy does not have its own Local Professional Development Committee (LPDC) as all of its employees are acquired by a purchased service agreement. The LPDC at the organization that the employee is employed through provides the avenue for the staff member to renew his/her license. The employee is responsible for working directly with the institution of employment and following all the state and local guideline for renewal of his/her license.

[Adoption date: April 3, 2017]



PROFESSIONAL DEVELOPMENT, JURY DUTY & OTHER LEAVES

Each employee may take professional leave for attendance at professional meetings, workshops and/or school visitations in areas of his/her licensure or in areas relating to the instruction of students. Members must submit their requests to the Superintendent through their building principals.

Excused absence with full pay, not chargeable against any other leave, shall be granted for the following:

1. Absence for jury service. The employee's regular salary shall be reduced by the amount he/she received for court services.
2. Court appearance when subpoenaed as a witness. (Employees must use personal leave/unpaid leave if subpoenaed as a witness for volunteer activities or second job.)
3. Attendance at functions when so directed by the Administration.

Employees may request Personal Leave days by making a request of the Executive Director/Superintendent. Employees will not be paid for personal leave days, as employees are purchased services and their employment agreements don't allow for paid Personal Leave days.

[Adoption date: April 3, 2017]

Reference: ORC 2313.18; 3313.211

## **OSHA/PERRP Compliance/Risk Reduction Program**

The School believes that the employees and students of the School, as well as visitors, are entitled to function in an environment as free from hazards as can reasonably be provided. In this regard and in accordance with law, the School will provide reasonable and adequate protection to the lives, safety, and health of its employees and students, in compliance with all applicable federal and state laws and regulations.

### Public Employment Risk Reduction Program (PERRP) Compliance

The Executive Director/Superintendent or his/her designee shall be responsible for the maintenance of standards in the facilities to prevent accidents and to modernize their consequences. She/he shall designate an employee who shall conduct periodic audits of health and safety conditions within the facilities of the School and take appropriate action on any violations thereof to the Executive Director/Superintendent or his/her designee.

The Executive Director/Superintendent or his/her designee shall ascertain that the employees and students of the School are aware of their rights to an environment free of recognized hazards, that they are properly trained in safety methods, that protective devices and equipment are available to meet safety standards, and that proper rules and records are maintained to meet the requirements of the law and the regulations of PERRP.

The Executive Director/Superintendent or his/her designee shall post and keep posted a notice informing employees of the protections and obligations provided under PERRP. The Executive Director/Superintendent or his/her designee shall annually post on February 1 and keep posted until April 30 a copy of the summary of all work-related incidents from the following year. Postings shall be in a conspicuous place where notices to employees are customarily posted.

The Executive Director/Superintendent or his/her designee shall comply with any mandatory recordkeeping requirements. Such records shall include the following:

1. An incident report for all work-related injuries and illnesses, which shall be completed no later than six working days after receiving information that a recordable incident has occurred (Form GC);
2. An incident report for any employee death or the in-patient hospitalization of three (3) or more employees due to a work-related incident, which shall be completed within ten (10) days of orally reporting the death or in-patient hospitalization to PERRP (Form GC);
3. A log and summary of all work-related injuries and illnesses, which shall be updated as early as practicable following the injury or illness, but no later than six (6) working days after receiving information that a recordable injury or illness has occurred;
4. A record of public employee exposure to potentially toxic and/or carcinogenic materials and/or harmful physical agents that are required to be monitored under any Ohio Public Employment Risk Reduction Standard and

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5. A record of all incidents where a public health care worker employed by the School is exposed to blood or other material potentially containing blood borne pathogens through a needle stick or other sharp (Form GT).

Records shall be maintained on a calendar year basis and shall be retained for at least five years following the end of the year to which the records relate. All records required to be maintained shall be made available for inspection by the Ohio Bureau of Workers Compensation and any employee, former employee, or employee representative for examination and copying at reasonable times.

The following mandatory reporting requirements shall be complied with by the Executive Director/Superintendent or his/her designee:

1. The School shall submit the annual summary of all work-related injuries and illnesses no later than February 1 of the following year to which the records relate;
2. The School shall orally report the incident within eight (8) hours after the death of any employee or the in-patient hospitalization of three or more employees as a result from a work-related incident, or within eight (8) hours of learning of the death or in-patient hospitalization; and
3. The School shall submit the sharps injury form within ten (10) business days of any incident where a public health care worker employed by the School is exposed to blood or other material potentially containing blood borne pathogens through a needle stick or other sharp.

All reports shall be made to:

Public Employment Risk Reduction Program

Division of Safety and Hygiene

13430 Yarmouth Drive

Pickerington, OH 43147

Fax: 614-621-5754

Phone: 614-644-2246 or 800-671-6858

Website: <https://www.bwc.ohio.gov/employer/programs/safety/sandhperrp.asp>

In the event an inspection is made by a representative of the State, the Executive Director/Superintendent or his/her designee shall report the results thereof to the Board at the meeting following the receipt of the State report.

### Occupational Safety and Health Administration (OSHA) Compliance

The School believes that the employees and students of the School, as well as visitors, are entitled to function in an environment as free from hazards as can reasonably be provided. In this regard and in accordance with law, the School will provide reasonable and adequate protection to the lives, safety, and health of its employees and students, in compliance with Federal and State laws and regulations.

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The Executive Director/Superintendent or his/her designee shall be responsible for the maintenance of standards in the facilities to prevent accidents and to modernize their consequences. She/he shall designate an employee who shall conduct periodic audits of health and safety conditions within the facilities of the School and take appropriate action on any violations thereof to the Executive Director/Superintendent or his/her designee.

The Executive Director/Superintendent or his/her designee shall comply with any mandatory reporting requirements. Such reporting shall include reporting to OSHA (a) within eight hours, the death of an employee as a result of a work-related accident, and (b) within twenty-four (24) hours, the in-patient hospitalization, amputation, or loss of an eye of an employee as a result of a work-related accident. The School shall maintain any injury or illness records that may be required by OSHA and shall provide access to employees, former employees, or appropriate representatives consistent with OSHA regulations.

All staff members have the right and obligation to report work-related injuries or illnesses. Employers, including the School or Management Company, if any, are prohibited from discharging or in any manner discriminating against employees for reporting work-related injuries or illnesses.

Staff members shall complete an incident report (Form GC) for all work-related injuries and illnesses within six working days after receiving information about a recordable incident, injury, or illness. If an injury or illness has latent symptoms and is not immediately apparent, the staff member shall complete an incident report within six working days of identification of the injury or illness.

The Executive Director/Superintendent or his/her designee shall post and keep posted a notice informing employees of the protections and obligations provided under OSHA as required by law. Postings shall be in a conspicuous place where notices to employees are customarily posted and all copies of the posting shall be at least 8.5 inches by 14 inches in size with at least 10 point type.

The Executive Director/Superintendent or his/her designee shall ascertain that the employees and students of the School are aware of their rights to an environment free of recognized hazards, that they are properly trained in safety methods, that protective devices and equipment are available to meet safety standards, and that proper rules and records are maintained to meet the requirements of the law and the regulations of OSHA. In the event an inspection is made by a representative of OSHA, the Executive Director/Superintendent or his/her designee shall report the results thereof to the Board at the meeting following the receipt of the State report.

[Adoption date: April 3, 2017]

References: *O.R.C. 4167 et seq.*; *OAC Chapter 4167*; *29 CFR 1903.2*; *29 CFR 1904.2*; *29 CFR 1904.35*; *29 CFR 1904.39*

### Salary Deduction Policy

It is our policy to comply with the “salary basis” requirements of the Fair Labor Standards Act. Therefore, we prohibit the School from making any improper deductions from the pay of exempt employees. We want employees to be aware of this policy and that the School does not allow deductions that violate the FLSA.

Deductions from pay are permissible when an exempt employee: is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees, or for military pay; or for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions. Also, the School is not required to pay the full salary in the initial or terminal week of employment; for penalties imposed in good faith for infractions of safety rules of major significance, or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. In these circumstances, either partial day or full day deductions may be made.

If you believe that an improper deduction has been made from your salary, you should immediately report this information to the Executive Director. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

[Adoption date: April 3, 2017]

*Reference: 29 C.F.R. 531, et. seq.*

### Hazard Review and Inspection

The Governing Authority shall periodically review its Policies and procedures to ensure that students, Staff members, and other persons using the School building are safe from any known hazards in the School building or on School grounds that, in the judgment of the Governing Authority, pose an immediate risk to health or safety. The Governing Authority shall further ensure that its policies and procedures comply with all federal laws and regulations regarding health and safety applicable to School buildings.

In accordance with state law, the local health department shall inspect all School buildings for sanitary conditions. This inspection shall be conducted at least semi-annually, but may be conducted more often if, in the opinion of the local health department, it is necessary. This inspection will be conducted according to standards established by the local health department.

If the local health department finds any condition that is detrimental to health or well-being, the local health department may serve upon the School an order for the abatement of such nuisance or condition. When the School receives such an order, the respective nuisances shall be abated or the detrimental conditions corrected within a reasonable time as specified on the order.

[Adoption date: April 3, 2017]

*Ohio:* R.C. 3313.86, R.C. 3707.03, R.C. 3707.26.

## USE OF PRIVATE VEHICLES ON SCHOOL BUSINESS

The Board recognizes the need for some school employees to use their own automobiles for school purposes regularly or occasionally. To safeguard the District, employees, and students in matters of liability, particularly as this relates to an employee transporting a student or students, the following policy shall be observed:

1. To use a private vehicle for school purposes, the employee must have the written permission of the Executive Director/Superintendent or his/her designee.
  - This permission may be in the form of a standing permit for employees who use their own cars regularly for school purposes. The permit shall state the particular purpose, and whether it includes transportation of students.
  - For all special trips involving students, including field trips, a special permit must be obtained in advance for the special trip.
2. The Board specifically forbids any employee to transport students for school purposes without prior authorization by the Executive Director/Superintendent or his/her designee.
3. No student shall be sent on school errands with his/her own automobile, an employee's automobile.

[Adoption date: April 3, 2017]

PERMIT FOR USE OF PRIVATE VEHICLE ON SCHOOL BUSINESS

NOTIFICATION OF LIABILITY:

School employees are hereby notified that Ohio law stipulates that liability accompanies each vehicle. Any person using his/her private vehicle for school purposes thus assumes personal liability. Use of a private vehicle for school business is voluntary on the part of the employee.

Purpose for which permit is requested (Include departure and return times and dates, destination, reason for trip)

If permit includes transportation of students, attach signed parent/guardian permission form for each student.

\_\_\_\_\_  
Date: \_\_\_\_\_

Employee's signature

\_\_\_\_\_ Approved

\_\_\_\_\_ Denied

\_\_\_\_\_  
Date: \_\_\_\_\_

Superintendent or Designee

[Adoption date: April 3, 2017]



Authorized Driver Form

The School permits students to be transported by an Authorized Driver’s private vehicle for limited transportation to the School, School field trips, or other School activities. You have identified yourself as a willing driver. To be permitted to drive the students you must complete this form and certify all the information as true. Your ability to drive will be subject to approval by the School’s Head Administrator or his/her designee.

To be an Authorized Driver, you must hold a valid Ohio driver’s license, the license must have no pending charges, you must possess automobile liability insurance, and you must hold the following relationship with the School: a school employee; an approved volunteer; or the parent/guardian of a student enrolled at the School.

In addition, your vehicle must be mechanically sound and fully operable.

The School will not pay or reimburse you for any transportation expenses. Additionally, you may not collect any fee from riders.

*Please staple a copy of your liability insurance to this form.*

I have read this form and certify the following:

- 6. I have a valid driver’s license and have no pending charges.
- 7. I have liability insurance.
- 8. My vehicle is mechanically sound and operable.
- 9. I am voluntarily choosing to drive instead of using the School’s transportation.
- 10. I am assuming all liability and responsibility for the students I am transporting.
- 11. While transporting students, I will retain a copy of each student’s Medical Authorization Forms.
- 12. While transporting students, I am not act as an agent of the School.
- 13. I will return all student Medical Authorization Forms.

14. Authorized Driver’s Name: \_\_\_\_\_

Authorized Driver’s Signature: \_\_\_\_\_ Date:  
\_\_\_\_\_

Telephone: \_\_\_\_\_

[Adoption date: April 3, 2017]

## SALARY

### Payment of Salary

For salaried employee's their salary will in twenty-four (24) equal payments. The payments shall be distributed twice a month. Hourly employees will be paid for the pay periods in which they work. Should the payday fall on a weekend or holiday, the payday will be the last regular workday before the weekend or holiday. All employees are hired through a Purchased Service Agreement from several different sources, so pay periods will vary.

### Recording Time

The Executive Director/Superintendent or his/her designee will explain to hourly employees the procedure for completing time sheets. All hourly employees are responsible for keeping accurate time. The School prohibits any employee from completing or directing another to complete another's time sheet.

### Overtime

Federal law excludes exempt employees from receiving pay for working overtime. Non-exempt employees receive overtime pay when non-exempt employees work over forty (40) hours in a workweek.

A workweek is defined as Sunday through Saturday.

Overtime pay is defined as pay at one and one-half (1 1/2) the regular pay.

Exempt Employees are defined as executive, administrative, professional and outside sales. Exempt employees are required to work as many hours as needed to complete their job requirements.

### Exempt Employee Salary Deductions

In compliance with the Fair Labor Standards Act, the School prohibits improper deductions from the pay of exempt employees.

Deductions from an exempt employee's pay *may be* made for the following reasons:

15. the employee is absent from work for one or more full days for personal reasons other than sickness or disability;

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16. the employee is absent from work for one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness;
  17. to offset amounts employees receive as jury or witness fees, or for military pay; or
- for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions.

Also, the School is not required to pay the full salary of an exempt employee and may make either partial day or full day deductions in these circumstances:

19. in the initial or terminal week of employment;
20. for penalties imposed in good faith for infractions of safety rules of major significance;  
or
21. for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act.

Employees who believe that an improper deduction has been made to their salary should immediately report this information to their direct supervisor or to the Head Administrator.

Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, employees will be promptly reimbursed for any improper deduction made.

[Adoption date: April 3, 2017]

*Federal:* 29 U.S.C. 201. *Ohio:* R.C. 4113.15.

## WHISTLEBLOWER POLICY

Employees of the School are covered by Ohio's Whistleblower Laws. The Law protects employees who report violations of certain federal, state, and local laws from disciplinary or retaliatory acts.

Employees, in the course of their of employment, are required to report violations of federal, state or local law which the School has the authority to correct and reasonably believe is (1) a criminal offense likely to result in physical harm to persons or a hazard to public health and safety, (2) a felony, or (3) an improper solicitation for a campaign contribution.

To be covered by the law and this policy, an employee must orally notify the School of the violation and then file a written report describing the violation. The written report must be sufficiently detailed for corrective action to be taken. The employee must give the School twenty-four (24) hours after the report to make a good faith effort to correct the violation.

If the School does not make a good faith effort to correct the violation, the employee may file a written report with a prosecuting attorney, law enforcement officials or other appropriate persons identified by Section 4113.52 of the Revised Code.

The School will take no disciplinary or other retaliatory act against any employee who reports violations provided the employee makes a good faith effort to determine the accuracy of any information report. Any employee who initiates disciplinary action against a whistleblower shall be disciplined for their retaliatory conduct pursuant to the requirements of Ohio law and School policies.

Reports that are unreasonable or not made in good faith may be subject to disciplinary action.

Employees that believe they have been retaliated against should report the incident directly to the President of the Governing Authority of Directors.

*Ohio:* O.R.C. 4113.51, et seq.

[Adoption date: October 5, 2017]

**ALCOHOL AND DRUG-FREE SCHOOLS**

- A. The Board of Directors believes that quality education is not possible in an environment affected by drugs. The Board will, therefore, establish and maintain an educational setting which meets the requirements of the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1986 and any amendments thereto as they relate to employees and students.
  
- B. To establish and maintain an environment free of drugs, the Board, as it has in the past, prohibits the manufacture, possession, use, distribution, or dispensing of any controlled substances, marijuana, hemp or hemp products, as defined in R.C. 928.01, as well as alcohol, by any member of the Board's staff or by any student at any time while on Board property or while involved in any School-related activity or event.
  
- C. Employees
  - 1. Employees are prohibited from being under the influence of alcohol, controlled substances, marijuana, hemp or hemp products, as defined in R.C. 928.01, during work hours or when they are representing the Board at meetings or in the community.
  - 2. An employee who must use prescribed drugs which could impair his/her ability to perform the job duties must report this fact to his/her supervisor along with acceptable medical documentation. A determination will then be made as to whether the employee is able to perform his/her job safely and properly.
  - 3. The Board will not employ an individual whose current use of alcohol prevents him from performing the job duties or who constitutes a direct threat to the property or safety of himself/herself or others. The Board will not employ an individual who is currently using illicit drugs.
  - 4. An employee convicted of any criminal drug violation occurring in the workplace must report such conviction to the Superintendent within five (5) days. The Superintendent shall notify those agencies required by the Drug-Free Workplace Act of 1988 of an employee's conviction within ten (10) days of receiving notice from an employee or otherwise receiving actual notice. A conviction means a finding of guilt or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes.
  - 5. The Superintendent shall take one or a combination of the following actions within thirty (30) days of receiving notice from the employee as set forth in paragraph 4 of this policy:

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- a. Appropriate personnel action against such employee, up to and including termination;
  - b. Requiring the employee to complete a drug assistance or rehabilitation program approved for such purposes by the Federal, State, or local health, law enforcement or other appropriate agency.
6. A drug-free awareness program shall be created to inform the employees about:
- a. The dangers of drug abuse in the workplace;
  - b. The Board's policy of maintaining a drug-free workplace;
  - c. Any available drug counseling, rehabilitating and employee assistance programs; and
  - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
7. Information on illicit drug or alcohol counseling and/or rehabilitation programs is available from the Superintendent or his/her designee.
8. Disciplinary sanctions consistent with local, State, and Federal law up to and including termination of employment and referral for prosecution will be imposed on employees who violate the standards of conduct required by this policy.
9. Federal law requires that employees comply with the standards of conduct set forth in this policy.
10. Employees shall be given a copy of the standards of conduct required under this policy as well as a statement of disciplinary sanctions described herein.
- D. This policy and the Board's Drug Prevention Program shall be reviewed biennially.

LEGAL REFS: 20 U.S.C. §7101; 20 U.S.C. §3171; 20 U.S.C. §701

[Adopted: December 5, 2019]