

**2022-2023**

**Hay Springs**

**Public Schools**

**STAFF**

**EXPECTATIONS**

**Presented**  
**by**  
**George Clear, Superintendent**  
**Mark J. Hagge, K-12 Principal**

## **Staff Expectations**

Included in this document are policies and procedures that affect staff members at Hay Springs Public Schools. This handbook does not include all policies. Policies regarding staff are in Section 400 of the Hay Springs Board Policy Manual. A complete listing of all policies is available on the district website or is available in print in the office.

## **Mission Statement**

The mission of the Hay Springs Schools, in cooperation with families and community, is to empower students within an emotionally supportive and physically safe environment with the academic, social, physical, and technological skills to achieve success as responsible, self-disciplined citizens of a global society.

## **Vision Statement**

Empower students to achieve lifelong success.

## **Student Goal**

80% of Hay Springs Public School students will meet or exceed projected growth and/or  
80% of students will be proficient on NWEA MAP assessments in Math, Reading,  
Language Arts and Science

## **Staff Goal**

All instructional/certified school staff will be trained in the Danielson  
Framework for Teaching (FFT) instructional model beginning in  
2018-2019 school year.

## **Hay Springs Public School Board Policies**

All staff members will familiarize themselves with Board Policies posted on the district website at [www.hshawks.com](http://www.hshawks.com). Particular attention should be focused on sections 400 (Personnel), 500 (Students) and Policy # 606.06 (Acceptable use of Computers, Technology & Internet).

## **School Day Information**

Middle Level and High School instructional time begins at 8:00 am and ends at 4:15 pm. Elementary instruction begins at 8:00 am and ends at 4:00 pm. Teachers are expected to arrive by 7:30 and stay until 4:30. (9-hour day) Teachers may leave earlier on Thursday (or days immediately preceding a holiday) provided students have left the school grounds.

## **Staff Parking**

Staff members should park in the parking lot located across the street from the Elementary School.

## **Dress**

Professional dress is expected on a daily basis and at school activities. Jeans and Hawk apparel are allowed on Thursdays.

## **Purchase Orders**

Academic, instructional materials, custodial supplies and technology requisitions should be submitted to the building Principal on purchase orders forms available at the office. Activity purchase orders will be submitted to the Activities Director. All purchases must be approved by the District Superintendent prior to being made

## **Grading**

Teachers are expected to take an average of three meaningful grades per week and keep their grades current on Infinite Campus. Grades at the High School should be weighted and include daily work and tests/quizzes. Participation grades may be included for classes such as PE and Music. All grades must be posted by 9:00 am Tuesday morning so that the needs to improve list can be run and posted by 10:30 am.

## **Lesson Plans**

Teachers are required to turn weekly lesson plans in prior to 8:00 am on the first day of the week to the building Principal. Please make sure that your lesson plans are detailed enough that if administration does a walkthrough in your classroom, it will be obvious that you are following your lesson plans for the week.

## **Attendance**

Teachers are to take attendance at the beginning of every period and enter it into Infinite Campus. If a student is marked absent but shows up to class in the first half of the class period change their attendance marking to tardy and note the time they arrived. If they arrive in the second half of class leave the attendance marking as absent, but please note the time they arrived.

Students will be expected to make up time/serve detention with classroom teacher following their third tardy in every classroom. \*\*\*Not applicable to elementary students. Chronic tardies will be referred to the office.

## **Teacher Meetings**

Administration reserves the right to schedule meetings with staff members as needed. Attendance at teacher meetings is important and all teachers are expected to attend unless excused.

## **Student Supervision**

Teachers are responsible for instruction and the supervision of their students at all times during the school day. Students should NEVER be left unsupervised. Students leaving the classroom during instructional time are not only **NOT SUPERVISED**, they are not receiving the instruction they deserve. As teachers you are responsible for your students during your class period, and you need to keep students in the classroom. Middle Level/High School teachers are expected to monitor the halls during passing periods. All teachers are expected to help supervise students during games or outside activities. If you see a student misbehaving, let them know what they are doing wrong and utilize affect “I statements”. If you see students doing the right thing, please make it a point to acknowledge them as well

## **Student Discipline**

Teachers are responsible for maintaining appropriate behavior in their classrooms. Teachers are expected to be consistent in following school policies, such as electronic devices, hats in the building, students leaving the classroom, etc. Any major behaviors should be documented in Infinite Campus in a timely manner. Minor violations should be noted in SWIS. Any action that requires sending a child to the office should be documented in Infinite Campus.

## **Electronic Device Policy**

Personal Laptops, eReaders, music players, cell phones, and other mechanical or electronic devices that are not required for classroom use or for medical reasons, are **not allowed in the classrooms**. Teachers who confiscate a device should send the device to the office. The device will be returned when the parent and student meet with the principal to discuss inappropriate use. Students may use electronic devices during lunch or between classes. This is a privilege. If students abuse the privilege, the privilege will be removed. Teachers are expected to be role models for students especially in the area of cell phone use.

## **In-Service**

Teachers are expected to participate in all District scheduled in-service days. The district may also send staff to appropriate workshops or training outside of district scheduled in-service days. Outside in-service must be approved through the office prior to attendance. If a district owned vehicle is not available, the district will pay mileage. Appropriate expenses may be charged on a district card or reimbursed at the next board meeting.

## **Leave**

Instructional time with our four-day school week is priceless. It is vitally important that student instruction is our top priority during those four days. Please schedule your use of PTO, personal and professional days and medical appointments on Fridays, as much as possible. PTO, personal, professional, and sick leave requests need to be completed and turned in at least 5 days prior to the event when possible. Sick leave should be turned in as soon as you return to school if it was not approved prior to your absence. Sick leave is to be used strictly for illness and doctor or dental appointments for you or your immediate family. In the case where additional leave is necessary, please visit with administration about adjustments to be made. Professional leave requests need to be approved by the building Principal.

## **Substitute Teachers**

The building Principal will find substitutes and keep the substitute calendar current. If you are unable to reach the building Principal, please contact the school secretary. Please notify the appropriate personnel as soon as you know you will be absent. If possible, leave slips should be turned in prior to the absence. If you are sick, the leave slip should be turned in as soon as you return to school.

Coaches are responsible for turning in a leave slip for every game/activity that requires them to be gone during the school day. Do NOT assume that the office knows you need a sub. Coaches and sponsors filling out slips at the beginning of the season is the recommended way to take care of this. Activity leave slips should be turned in no later than one week prior to the event. Rescheduling of events due to weather etc. will need leave requests adjustments as well. This is the coach's responsibility.

## **Transportation**

Transportation requests should be submitted to the office well in advance (**48 hours minimum**) if you need a vehicle for any purpose. The district will provide transportation to school activities and staff professional development activities. If a vehicle is available and you choose to take your own vehicle, you will not be reimbursed. Staff members will be required to keep track of mileage and make certain vehicles are cleaned after use.

## **Friday School and After School Programs**

Staff members interested in working with the students in our Friday School Program and/or the After-School Program need to communicate with the building Principal. Both of these programs provide additional student support and need to hold students accountable for their time if they are going to be cost effective.

## **Extra Duty Hours**

Certified staff turning in extra duty hours i.e. Substitute for other teacher, Friday School, etc. are required to turn in those hours to the Business Office by the first Tuesday of the month for the previous month. (i.e. August hours are due by the first Tuesday of September). Eligible certified staff extra duties hours include: Friday School and After School Programs, and hourly substitution.

## **Fundraisers**

All fundraisers must be approved by the principal and AD. Fundraising forms are available from school secretary. They should be scheduled and approved at least two weeks prior to the start of the fundraiser.

## **Ticket Taking**

Staff members, who do not coach or have other athletic responsibilities, are expected to take tickets for two events in the fall season and two events in the winter season. Staff members will be given a staff pass to events. Please communicate with the building principal on classroom coverage needs if you cannot find coverage during day time games.

## **Confidentiality**

The information below represents only a synopsis of the federal regulations and does not include state requirements. It may be important to view the entire document to fully understand the legal requirements. (see links to full information) [www.ed.gov/policy/gen/guid/fpco/ferpa/students.html](http://www.ed.gov/policy/gen/guid/fpco/ferpa/students.html)  
The Family Educational Rights and Privacy Act (FERPA) of 1974 is a federal law establishing an array of confidentiality rights for students and families. This law is required to be upheld by all school employees. There are significant sanctions and penalties that can be imposed for violating this law. In fact, one of the conditions for receiving federal funds requires procedures and adherence to FERPA.

Examples of violations of FERPA (Note that these are all actual cases of violations with slight modifications to protect those involved)

1. While shopping at the grocery store, a teacher runs into a parent who wishes to discuss the discipline of a child at school who is not her child. The teacher proceeds to tell the parent that the child in question is a child with a Behavioral Disability and that child's IEP requires a different approach to discipline. She then proceeds to also tell the parent what discipline was given.

**Mistakes made:** the statement made by the teacher concerning the child's disability and the discipline are both violations of FERPA.

2. A teacher throws away duplicate educational records that contained due process information on the placement of a special education student. The paper was thrown away next to the office copier. An ecologically minded teacher later comes in to the office and takes the paper out of the trash. The teacher later stated that she believed we should not waste paper and picked up the paper so the back side might be by used by students in her class for an art project. The papers then arrive at various homes in the form of student artwork.

**Mistakes made:** The first teacher should have shredded the unneeded copies. No matter how well intended the second teacher should not have used trashed paper for her student's projects. There was obviously a reason these papers were trashed.

3. An itinerant instructor travels from school to school. After leaving Elm elementary school the teacher travels to Central elementary. A Central teacher has a biological child who attends Elm elementary. Because of recent discipline issues with some of the special education students, the teacher at Central begins to ask the itinerant instructor about the behavior of some of the children at Elm elementary. The itinerant begins to share some of the concerns and specifics about the IEPs of those children who were involved in a recent behavioral incident.

**Mistakes made:** Being a teacher in the same systems gives no official legitimate right for confidential information to be shared. The teacher at Central elementary by asking for that information and the itinerant teacher by sharing confidential information were both in violation of FERPA.

4. A school administrator maintains confidential student data on a laptop computer. During a hosted cheerleading competition, the computer used by the judge's breaks and the school administrator loans their office laptop computer to the judges for the day. The loaned computer is not password protected and the confidential student data is not secure allowing the judges to view discipline records on various students in the building.

**Mistakes made:** Electronic data is afforded the same protection of the law and school personnel are required to safeguard this data with password, encryption, or other protective methods.

5. Teachers at the high school are required to put student attendance data in the computerized tracking system on a period by period basis. In order to preserve instructional time one teacher selected students to put that data into the computer while the teacher continued with instruction. In the attendance data are student's names, addresses, phone numbers, family contact information, social security numbers, grades, health information, discipline reports, etc.

**Mistakes made:** This is a clear violation of FERPA. Students are not allowed access to this type of data. Even though the teacher was well intended students should never have been permitted access to this secured system.

## **Board Policies**

**\*Staff members are expected to should be familiar with all board policies posted on the district website, especially sections 400, 500 and 600 dealing with personnel, students and instruction.**

### **402.15 STAFF CONDUCT WITH STUDENTS**

The Board expects all staff members, including teachers, coaches, counselors, administrators, and others to maintain the highest professional, moral, and ethical standards in their conduct with students. For the purposes of this policy, staff members also include school volunteers. The interactions and relationships between staff members and students should be based upon mutual respect and trust; an understanding of the appropriate boundaries between adults and students in and outside of the educational setting; and consistency with the educational mission of the schools. Staff members are expected to be sensitive to the appearance of impropriety in their conduct with students. Staff members are encouraged to discuss issues with their building administrator or supervisor whenever they are unsure whether particular conduct may constitute a violation of this policy.

#### **Unacceptable Conduct**

Examples of unacceptable conduct by staff members include but are not limited to the following:

- Any type of sexual or inappropriate physical contact with students or any other conduct that might be considered harassment under the Board's policy on Harassment By Employees;
- Singling out a particular student or students for personal attention and friendship beyond the normal teacher-student relationship;
- Associating with students in any situation or activity that includes the presence of alcohol, drugs, or tobacco or that could be considered sexually suggestive;
- For non-guidance/counseling staff, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, staff members are expected to be supportive but to refer the student to appropriate guidance/counseling staff. In either case, staff involvement should be limited to a direct connection to the student's school performance;
- Sending students on personal errands;
- Sexual banter, allusions, jokes, or innuendos with students;
- Asking a student to keep a secret;
- Disclosing personal, sexual, family, employment concerns, or other private matters to one or more students;
- Addressing students with terms of endearment, pet names, or otherwise in an overly familiar manner; and



- Permitting students to address you by your first name, nickname or otherwise in an overly familiar manner.
- Being alone with individual students by closing a room door except when dealing with issues of health by appropriate personnel, or being alone with individual students outside of normal school hours;
- Maintaining personal contact with a student outside of school by phone, email, Instant Messenger or Internet chat rooms, social networking websites, or letters (beyond homework or other legitimate school business);
- Exchanging personal gifts (beyond the customary student teacher gifts); and/or
- Socializing or spending time with students (including but not limited to activities such as going out for meals or movies, shopping, traveling, and recreational activities) outside of school sponsored events or except as participants in organized community activities.

Students and/or their parents/guardians are strongly encouraged to notify the principal if they believe a teacher or other staff member may be engaging in conduct that violates this policy.

Staff members are required to notify promptly the principal or superintendent if they become aware of a situation that may constitute a violation of this policy.

Staff violations of this policy may result in disciplinary action up to and including dismissal. Violations involving sexual or other abuse will also result in referral to the Department of Health and Human Services and/or law enforcement in accordance with the Board's policy on Child Abuse Reporting.

This policy shall be included in future employee, student and volunteer handbooks.

#### **410.03R1 CERTIFICATED EMPLOYEE FAMILY AND MEDICAL LEAVE REGULATIONS**

##### Determining the 12-month previous employment eligibility:

While the 12 months of employment need not be consecutive, employment periods prior to a break in service of seven years or more need not be counted unless the break is occasioned by the employee's fulfillment of his or her National Guard or Reserve military obligation (as protected under the Uniformed Services Employment and Reemployment Rights Act (USERRA)), or a written agreement, including a collective bargaining agreement, exists concerning the district's intention to rehire the employee after the break in service.

##### Spouses employed by the same employer:

Spouses employed by the same employer are limited in the amount of family leave they may take for the birth and care of a newborn child, placement of a child for adoption or foster care, or to care for a parent who has a serious health condition to a combined total of 12 weeks (or 26 weeks if leave to care for a covered service member with a serious injury or illness is also used). Leave for birth and care, or placement for adoption or foster care, must conclude within 12 months of the birth or placement.

##### Serious Health Condition defined:

"Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves either:

1. Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical-care facility, including any period of incapacity (i.e., inability to work, attend school, or perform other regular daily activities) or subsequent treatment in connection with such inpatient care; or
2. Continuing treatment by a health care provider, which includes:
  - A. A period of incapacity lasting more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also includes:
    - 1) treatment two or more times by or under the supervision of a health care provider (i.e., in-person visits, the first within 7 days and both within 30 days of the first day of incapacity); or
    - 2) one treatment by a health care provider (i.e., an in-person visit within 7 days of the first day of incapacity) with a continuing regimen of treatment (e.g., prescription medication, physical therapy); or
  - B. Any period of incapacity related to pregnancy or for prenatal care. A visit to the health care provider is not necessary for each absence; or
  - C. Any period of incapacity or treatment for a chronic serious health condition which continues over an extended period of time, requires periodic visits (at least twice a year) to a health care provider, and may involve occasional episodes of incapacity. A visit to a health care provider is not necessary for each absence; or
  - D. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. Only supervision by a health care provider is required, rather than active treatment; or
  - E. Any absences to receive multiple treatments for restorative surgery or for a condition that would likely result in a period of incapacity of more than three days if not treated.

Intermittent Leave for "Instructional Employees":

Special rules apply if an employee employed "mainly in an instructional capacity" requests intermittent leave or leave on a reduced schedule because of his/her own serious health condition or the serious health condition of a parent, child, or spouse that is foreseeable based on a planned medical treatment and the employee would be gone for more than twenty percent (20%) of the working days during the period of leave. In such cases, the district may require the employee to do the following things:

1. Take leave for periods of a particular duration not to exceed the duration of the planned medical treatment.
2. Transfer temporarily to another position offered by the district for which the employee is qualified, as long as the new position has equivalent pay and benefits and better accommodates the recurring periods of leave.

An instructional employee who takes leave constituting less than twenty percent (20%) of the working days during the leave period would not be subject to transfer to an alternative position, or a requirement to be on leave for the duration of the treatment period.

An employee will be denied intermittent leave or leave on a reduced leave schedule to care for an immediate family member (spouse, child, parent) with a serious health condition or if the employee has a serious health condition, if:

1. The employee, whether requesting leave because of his/her own serious health condition or because of the serious health condition of a parent, child, or spouse fails to establish, through medical

certification, that there is a medical need for such a leave (as distinguished from voluntary treatments and procedures or a continuous treatment schedule).

2. The employee, whether requesting leave for his/her own serious health condition or because of the serious health condition of a family member, fails to establish, through medical certification, that it is medically necessary for the leave to be taken intermittently on a reduced leave schedule.

Intermittent leave or a reduced leave schedule may not be taken for the birth of a child or for the placement of a child for adoption or foster care.

When intermittent leave or leave on a reduced leave schedule is requested based on planned medical treatment, the district also may alter an existing job to better accommodate the employee's need for intermittent or reduced leave. The alternative or altered position must have equivalent pay and benefits.

#### End-Of-Semester Circumstances

In some circumstances, the district may require instructional employees to continue their leave to the end of the academic semester within the FMLA guidelines.

#### Maintenance of Health Benefits

The district is required to maintain group health insurance coverage for an employee on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. If applicable, arrangements will need to be made for employees to pay their share of health insurance premiums while on leave. In some instances, the district may recover premiums it paid to maintain health coverage for an employee who fails to return to work from FMLA leave.

#### Job Restoration

Upon return from FMLA leave, an employee will be restored to the employee's original job, or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment. An employee's use of FMLA leave will not result in the loss of any employment benefit that the employee earned or was entitled to before using FMLA leave, nor be counted against the employee under a "no fault" attendance policy. If a bonus or other payment, however, is based on the achievement of a specified goal such as hours worked or perfect attendance, and the employee has not met the goal due to FMLA leave, payment may be denied unless it is paid to an employee on equivalent leave status for a reason that does not qualify as FMLA leave.

An employee has no greater right to restoration or to other benefits and conditions of employment than if the employee had been continuously employed.

#### Notice and Certification

**Employee Notice:** Employees seeking to use FMLA leave are required to provide 30-day advance notice of the need to take FMLA leave when the need is foreseeable and such notice is practicable. If leave is foreseeable less than 30 days in advance, the employee must provide notice as soon as practicable – generally, either the same or next business day. When the need for leave is not foreseeable, the employee must provide notice to the district as soon as practicable under the facts and circumstances of the particular case. Absent unusual circumstances, employees must comply with the district's usual and customary notice and procedural requirements for requesting leave.

Employees must provide sufficient information for the district reasonably to determine whether the FMLA may apply to the leave request. Depending on the situation, such information may include that

the employee is incapacitated due to pregnancy, has been hospitalized overnight, is unable to perform the functions of the job, and/or that the employee or employee's qualifying family member is under the continuing care of a health care provider.

When an employee seeks leave due to a FMLA-qualifying reason for which the district has previously provided the employee FMLA-protected leave, the employee must specifically reference either the qualifying reason for leave or the need for FMLA leave.

Employer Notice: The district will post a notice approved by the Secretary of Labor explaining rights and responsibilities under FMLA. Additionally, the district will either include this general notice in employee handbooks or other written guidance to employees concerning benefits, or must distribute a copy of the notice to each new employee upon hiring.

When an employee requests FMLA leave or the district acquires knowledge that leave may be for a FMLA purpose, the district shall notify the employee of his or her eligibility to take leave, and inform the employee of his/her rights and responsibilities under FMLA. When the district has enough information to determine that leave is being taken for a FMLA-qualifying reason, the district must notify the employee that the leave is designated and will be counted as FMLA leave.

Certification: The district may require that an employee's request for leave due to a serious health condition affecting the employee or a covered family member be supported by a certification from a health care provider. The district may require second or third medical opinions (at the district's expense) and periodic recertification of a serious health condition. The district may use a health care provider, a human resource professional, a leave administrator, or a management official – but not the employee's direct supervisor – to authenticate or clarify a medical certification of a serious health condition. The district may have a uniformly-applied policy requiring employees returning from leave for their own serious health condition to submit a certification that they are able to resume work. If reasonable safety concerns exist, the district may, under certain circumstances, require such a certification for employees returning from intermittent FMLA leave.

### **415.03R1 SUPPORT STAFF FAMILY AND MEDICAL LEAVE REGULATIONS**

#### **Determining the 12-month previous employment eligibility:**

While the 12 months of employment need not be consecutive, employment periods prior to a break in service of seven years or more need not be counted unless the break is occasioned by the employee's fulfillment of his or her National Guard or Reserve military obligation (as protected under the Uniformed Services Employment and Reemployment Rights Act (USERRA)), or a written agreement, including a collective bargaining agreement, exists concerning the district's intention to rehire the employee after the break in service.

#### **Spouses employed by the same employer:**

Spouses employed by the same employer are limited in the amount of family leave they may take for the birth and care of a newborn child, placement of a child for adoption or foster care, or to care for a parent who has a serious health condition to a combined total of 12 weeks (or 26 weeks if leave to care for a covered service member with a serious injury or illness is also used). Leave for birth and care, or placement for adoption or foster care, must conclude within 12 months of the birth or placement.

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4. Continuing treatment by a health care provider, which includes:
  - F. A period of incapacity lasting more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also includes:
    - 3) treatment two or more times by or under the supervision of a health care provider (i.e., in-person visits, the first within 7 days and both within 30 days of the first day of incapacity); or
    - 4) one treatment by a health care provider (i.e., an in-person visit within 7 days of the first day of incapacity) with a continuing regimen of treatment (e.g., prescription medication, physical therapy); or
  - G. Any period of incapacity related to pregnancy or for prenatal care. A visit to the health care provider is not necessary for each absence; or
  - H. Any period of incapacity or treatment for a chronic serious health condition which continues over an extended period of time, requires periodic visits (at least twice a year) to a health care provider, and may involve occasional episodes of incapacity. A visit to a health care provider is not necessary for each absence; or
  - I. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. Only supervision by a health care provider is required, rather than active treatment; or
  - J. Any absences to receive multiple treatments for restorative surgery or for a condition that would likely result in a period of incapacity of more than three days if not treated.

Intermittent Leave for "Instructional Employees":

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3. Take leave for periods of a particular duration not to exceed the duration of the planned medical treatment.
4. Transfer temporarily to another position offered by the district for which the employee is qualified, as long as the new position has equivalent pay and benefits and better accommodates the recurring periods of leave.

An instructional employee who takes leave constituting less than twenty percent (20%) of the working days during the leave period would not be subject to transfer to an alternative position, or a requirement to be on leave for the duration of the treatment period.

An employee will be denied intermittent leave or leave on a reduced leave schedule to care for an immediate family member (spouse, child, parent) with a serious health condition or if the employee has a serious health condition, if:

3. The employee, whether requesting leave because of his/her own serious health condition or because of the serious health condition of a parent, child, or spouse fails to establish, through medical certification, that there is a medical need for such a leave (as distinguished from voluntary treatments and procedures or a continuous treatment schedule).
4. The employee, whether requesting leave for his/her own serious health condition or because of the serious health condition of a family member, fails to establish, through medical certification, that it is medically necessary for the leave to be taken intermittently on a reduced leave schedule.

Intermittent leave or a reduced leave schedule may not be taken for the birth of a child or for the placement of a child for adoption or foster care.

When intermittent leave or leave on a reduced leave schedule is requested based on planned medical treatment, the district also may alter an existing job to better accommodate the employee's need for intermittent or reduced leave. The alternative or altered position must have equivalent pay and benefits.

#### End-Of-Semester Circumstances

In some circumstances, the district may require instructional employees to continue their leave to the end of the academic semester within the FMLA guidelines.

#### Maintenance Of Health Benefits

The district is required to maintain group health insurance coverage for an employee on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. If applicable, arrangements will need to be made for employees to pay their share of health insurance premiums while on leave. In some instances, the district may recover premiums it paid to maintain health coverage for an employee who fails to return to work from FMLA leave.

#### Job Restoration

Upon return from FMLA leave, an employee will be restored to the employee's original job, or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment. An employee's use of FMLA leave will not result in the loss of any employment benefit that the employee earned or was entitled to before using FMLA leave, nor be counted against the employee under a "no fault" attendance policy. If a bonus or other payment, however, is based on the achievement of a specified goal such as hours worked or perfect attendance, and the employee has not met the goal due to FMLA leave, payment may be denied unless it is paid to an employee on equivalent leave status for a reason that does not qualify as FMLA leave.

An employee has no greater right to restoration or to other benefits and conditions of employment than if the employee had been continuously employed.

#### Notice and Certification

Employee Notice: Employees seeking to use FMLA leave are required to provide 30-day advance notice of the need to take FMLA leave when the need is foreseeable and such notice is practicable. If leave is foreseeable less than 30 days in advance, the employee must provide notice as soon as practicable – generally, either the same or next business day. When the need for leave is not foreseeable,

the employee must provide notice to the district as soon as practicable under the facts and circumstances of the particular case. Absent unusual circumstances, employees must comply with the district's usual and customary notice and procedural requirements for requesting leave.

Employees must provide sufficient information for the district reasonably to determine whether the FMLA may apply to the leave request. Depending on the situation, such information may include that the employee is incapacitated due to pregnancy, has been hospitalized overnight, is unable to perform the functions of the job, and/or that the employee or employee's qualifying family member is under the continuing care of a health care provider.

When an employee seeks leave due to a FMLA-qualifying reason for which the district has previously provided the employee FMLA-protected leave, the employee must specifically reference either the qualifying reason for leave or the need for FMLA leave.

**Employer Notice:** The district will post a notice approved by the Secretary of Labor explaining rights and responsibilities under FMLA. Additionally, the district will either include this general notice in employee handbooks or other written guidance to employees concerning benefits, or must distribute a copy of the notice to each new employee upon hiring.

When an employee requests FMLA leave or the district acquires knowledge that leave may be for a FMLA purpose, the district shall notify the employee of his or her eligibility to take leave, and inform the employee of his/her rights and responsibilities under FMLA. When the district has enough information to determine that leave is being taken for a FMLA-qualifying reason, the district must notify the employee that the leave is designated and will be counted as FMLA leave.

**Certification:** The district may require that an employee's request for leave due to a serious health condition affecting the employee or a covered family member be supported by a certification from a health care provider. The district may require second or third medical opinions (at the district's expense) and periodic recertification of a serious health condition. The district may use a health care provider, a human resource professional, a leave administrator, or a management official – but not the employee's direct supervisor – to authenticate or clarify a medical certification of a serious health condition. The district may have a uniformly-applied policy requiring employees returning from leave for their own serious health condition to submit a certification that they are able to resume work. If reasonable safety concerns exist, the district may, under certain circumstances, require such a certification for employees returning from intermittent FMLA leave.