

## **STAFF PROTECTION PERSONAL SECURITY AND SAFETY**

### **Threats**

The Superintendent shall establish regulations that provide for the protection of any ~~employee~~ staff member who is threatened with harm by an individual or a group while carrying out assigned duties.

### **Eye Protective Devices**

The Superintendent shall establish regulations for every student, teacher ~~staff member~~, and visitor in ASDB [MM1] that shall require the wearing of appropriate eye protective ware while participating in or when observing vocational, technical, industrial arts, art, or laboratory science activities.

The ASDB Board [MM2] shall equip the schools with eye protective ware.

ASDB may receive and expend federal, state, and local monies to provide eye protective devices.

*Adopted:*

~~LEGAL REF.: A.R.S. 13-1203  
13-1204  
13-2911  
15-151  
15-507  
15-1323~~

## ~~STAFF HEALTH AND SAFETY~~<sup>[MM1]</sup> ~~SAFETY AND EXPOSURE~~

All ~~employees-staff members~~ shall be eligible for worker's compensation insurance for any accident while on assignment, including an accident on school property or while on official business off ~~school~~ASDB property. ~~An employee~~ A staff member must report any such accident immediately, as prescribed by Administrative Procedure EBBB-R, since a report on the time of the accident, persons involved, and how it happened is required.<sup>[MM2]</sup>

~~Employees—Staff members~~ may be required by the Superintendent, for purposes of employment or retention, to submit to such tests or examinations as a licensed physician deems appropriate.

When, in the opinion of the Superintendent, the ~~employee's staff member~~ physical or emotional condition warrants, ~~the Schools~~ASDB may require a complete examination, at ~~the Schools~~ASDB's expense, by a licensed physician selected by ~~the Schools~~ASDB.

The Superintendent shall have procedures for complying with the requirements of the Occupational Safety and Health Administration (OSHA), including an exposure-control plan, methods of compliance, work-practice controls, post-exposure evaluation and follow-up, and administering vaccine to employees exposed to Hepatitis B virus.

All ~~employees-staff members~~ who as a result of their employment have had significant exposure to blood-borne pathogens (Hepatitis B/Human Immunodeficiency Virus) are required to report the details of the exposure in writing to ~~the Schools~~ASDB and are required to follow post-exposure evaluation and follow-up activities in accordance with Arizona and federal laws. ~~An employee~~ A staff member who chooses not to complete these reporting requirements will be at risk of losing any claim to rights.

Adopted: ~~August 25, 1994~~

LEGAL REF.: ~~A.R.S. 15-505~~  
~~23-901(5)~~  
~~23-902~~  
~~23-906~~  
~~23-908(D)~~  
~~23-961~~  
~~23-962~~

CROSS REF.: EBBB—Accident Reports  
GBGD – Workman's Compensation

## STAFF HEALTH AND SAFETY

### Measles (Rubeola)

It shall be a condition of continued employment that, unless exempted, all ~~employees~~staff members, including substitutes, ~~born after January 1, 1957~~, shall present proof of immunity to rubeola (measles) prior to reporting for work.

Evidence of immunity to measles shall consist of:

- A record of immunization against measles with a live virus vaccine given on or after the first birthday; or
- A statement, signed by a licensed physician or a state or local health officer, that affirms serologic evidence of having had measles.
  - Anyone born prior to January 1, 1957 shall be considered to be immune to measles (Rubeola).

### German Measles (Rubella)

Similarly, unless exempted, all ~~employees~~staff members, including substitutes, shall present proof of immunity to rubella (German measles) prior to reporting for work. [MM1]

Evidence of immunity to rubella shall consist of:

- A record of immunization against rubella given on or after the first birthday; or
- A statement, signed by a licensed physician or a state or local health officer, that affirms serologic evidence of having had rubella.
  - ~~Attaining age 45 (presumed immunity).~~

### General Information

Exempted ~~employees~~staff members include those with medical contraindications for receiving vaccines and those who refuse immunization for religious reasons. ~~Such employees shall be excluded should an outbreak occur. During such exclusion, such employees will be on leave without pay unless they have accrued vacation available and elect to use it.~~

~~Any other Nonimmune employees~~staff members, including those who utilize the exemption, shall, in the event of an outbreak of either disease, shall be put on leave without pay, or they may use accumulated leave, including sick leave, during the period ~~when~~ they are excluded from work due to ~~an~~ the outbreak. If any staff member~~employee~~ does not have any earned leave, a salary deduction of one (1) scheduled work day will be made for each day of authorized leave used. Exceptions may be approved by the Superintendent.

Adopted: August 25, 1994

LEGAL REF.:	AR.S.	36-624
	<u>AR.S.</u>	<u>15</u>
	AAC:	R9-6-729
		<u>R9-6</u>
		<u>R9-6</u>
		<u>R9-6</u>
		<u>R9-6-704</u>
		<u>R9-6-347</u>
		<u>R9-6</u>
	AG.O.	188-037

## WORKERS' COMPENSATION

All ~~employees~~ staff members shall be covered by workers' compensation insurance for any accident while on assignment, including an accident on ASDB property or while on official business off ASDB property. ~~An~~ employee A staff member must report any such accident to the supervisor's office immediately, since a report on the time of the accident, persons involved, and how it happened is required.

*Adopted:* ~~April 5, 2007~~

~~LEGAL REF.: A.R.S. 15-~~  
~~505~~<sup>[MM1]</sup>

~~23-901~~

~~23-902~~

~~23-906~~

~~23-908~~

~~23-961~~

~~23-962~~

~~CROSS REF.: EBBB - Accident Reports~~  
~~GBGC - Employee Assistance~~

## PERSONNEL RECORDS AND FILES

Professional staff member~~employees~~ are required to supply ASDB with current and complete official transcripts of all college credits.

It is the duty and responsibility of each certificated/credentialed/licensed staff member ~~employee~~ to keep such certifications/credentials/licenses current.

~~The Schools~~ASDB will maintain a complete and current official personnel file for each ~~employee~~staff member. ~~Employees~~Staff member will be advised of, and will be permitted to review and comment on, all information of a derogatory nature to be placed in their respective personnel files. The employee~~staff~~ member may prepare a written reply to such information, and such reply, if any, will be appended to the information in the file.

Records reasonably necessary or appropriate to maintain an accurate knowledge of disciplinary actions regarding staff members and the staff members' responses will be maintained. Disciplinary action records shall be open to inspection and copying unless such inspection and disclosure of records or information in the records is contrary to law.

All documents within an official personnel file are confidential, and ASDB may create such subfiles within a personnel file as are appropriate to ensure confidentiality and the efficient use of the file. An ~~employee's~~ ~~confidential file will be available only to authorized individuals and to the employee.~~ Access to official personnel files will be limited to authorized ASDB officials and employees~~staff members.~~ Individual Board members shall have access to confidential records only when specifically authorized by the Board, as evidenced by action of a quorum of the Board in a legal meeting properly noticed.

~~The employee's~~EmployeesStaff members may review their own personnel files ~~may be reviewed~~ by making a written request to ~~the Superintendent~~Human Resources. Confidential information obtained prior to employment shall not be available for review by the ~~employee~~staff member.

Unless otherwise specifically provided by law, ASDB may not:

- Use an individual's social security number on forms of identification.
- Transmit to another individual material that contains both the individual's social security number and the individual's financial institution account number. This does not preclude the transmission of documents for enrollment, amendment, termination, or contracting for financial services nor does it preclude transmitting documents confirming the accuracy of the numbers previously submitted.

The Superintendent shall prepare regulations to implement this policy and A.R.S. 44-1373, which restricts use of personal identifying information.

Documents within an official personnel file may be reviewed by the public only to the extent that disclosure is compelled as a public record.

~~Information will not be entered or filed in the employee's personnel folder unless the employee is given notice and an opportunity to review the information and comment thereon. The employee will have the right to append a reply to the statement, and the employee's response, if any, will be included in the folder.~~

~~Professional employees will be required to supply current and complete transcripts of credit or evidence of degrees earned as appropriate.~~

~~It is the duty and responsibility of each teacher, the superintendent, principal, educational director, assistant educational director, credentialed specialist and any other employee required to have a certificate, as outline in Policy GCBA, to keep such certification current. Teachers must record their certificates with the Schools Superintendent's office.~~

*Adopted: August 25, 1994*

~~LEGAL REF.: ARS. 15-  
1323-1326~~

~~23-926~~

~~23-1361(B)(C)(D)(E)~~

~~23-1362~~

~~38-233(D)~~

~~39-121 et seq.~~

~~41-1346 et seq.~~

~~41-1461~~

~~41-1482~~

~~CROSS REF.: DKA Payday  
Schedules Payroll  
Procedures/Schedules~~

~~KDB~~

~~Public's Right to Know/Freedom of  
Information~~

~~REPORTS TO THE  
BOARD<sup>(MM1)</sup>~~

~~A. An employee is encouraged to report to the Board of Directors a violation of any law, a gross waste of monies or an abuse of authority on the part of the Superintendent at ASDB by sending a letter or email to the Board. The Board will review the letter/email and take appropriate action at the next regular Board meeting, or will schedule a special meeting to review and act in the matter;~~

~~If an employee believes there has been a violation of any law, a gross waste of monies or an abuse of authority on the part of any other employee at ASDB, except the Superintendent, the employee is encouraged to use the employee grievance process to report the concerns.~~

~~B. It is considered misconduct for any ASDB employee who has control over personnel actions to retaliate against any ASDB employee for sending a letter as allowed by Section A. Any employee who is found to have retaliated will be subject to disciplinary action.~~

~~C. An employee who knowingly makes a false accusation that the Superintendent or other employee who has control over personnel actions has engaged in a violation of any law, a gross waste of monies or an abuse of authority is subject to termination from employment.~~

~~Adopted: November 2, 2009~~

~~LEGAL REF.: A.R.S. 15-1321  
15-1323  
15-1326~~

~~CROSS REF.: GBK Grievances~~

## PROFESSIONAL / SUPPORT STAFF POSITIONS

~~Management and supervisory~~ Professional/Support positions under contract are created only with the approval of the ASDB Board. All other positions can be established by the Superintendent based upon the needs of ~~the Schools~~ ASDB within limitations of the budget ~~and periodic review and justification to the Board of Directors.~~ ~~The Schools~~ ASDB will attempt to activate a sufficient number of positions to accomplish ~~the Schools'~~ ASDB's goals and objectives.

Before recommending the establishment of any new ~~management or supervisory~~ contract position, the Superintendent will present a job description for the position that specifies the qualifications, the performance responsibilities, and the method by which the ~~position performance of such~~ responsibilities will be evaluated. The establishment of any new contract position will require Board approval.

The Superintendent will maintain a comprehensive and up-to-date set of ~~job~~ position description questionnaires of all ~~positions in the schools~~ ASDB positions.

*Adopted:* ~~August 25, 1994~~

~~LEGAL REF.:~~ AR.S. 15-1301  
15-1323  
15-1325  
15-1329

CROSS REF.: CCB—Line and Staff Relations



**PROFESSIONAL / SUPPORT STAFF  
CONTRACTS AND COMPENSATION PLANS  
AND FRINGE BENEFITS**

Salaries in ~~the Schools~~ASDB will be differentiated in relationship to duties and responsibilities as described in the position description questionnaire.

The Superintendent or designee will provide recommendations on salaries salary ranges and fringe benefits to the ASDB Board each year when changes are deemed necessary by the Executive Director, Human Resources.

After receipt of the Superintendent or designee's recommendations, the ASDB Board will annually establish the salary ranges ~~ies and benefits~~ for all employees—staff members within the budgetary constraints of ~~the Schools~~ASDB.

The ASDB Board at any time may reduce salaries or eliminate professional and/or support staff positions in order to effectuate economies in the operation of ASDB or to improve the efficient conduct and administration of ASDB. Notice of a general salary reduction shall be given to each staff member affected. These provisions do not apply to salary reductions affecting professional staff which come from classroom site fund money.

Staff members must work at least 20 hours per week ~~of at least 6 months duration (or 1/2 the school year)~~ to be eligible for fringe benefits offered by the Arizona Department of Administration Benefit Options Division and the Arizona State Retirement System.

*Adopted:* ~~August 25, 1994~~

LEGAL REF: — AR.S. 15-502(A)(B)(H)  
15-952

**PROFESSIONAL / SUPPORT STAFF  
SUPPLEMENTARY PAY/~~OVERTIME~~  
PLANS  
(~~EXTRA-DUTY~~  
PAY)**

Professional Staff:

The Superintendent or designee will recommend to the ASDB Board an extra-duty pay schedule when changes are deemed necessary by the Executive Director, Human Resources, each year for its review and action.

Support Staff:

The Superintendent or designee will recommend an extra-duty pay schedule for the ASDB Board's review and action when changes are deemed necessary by the Executive Director, Human Resources.

Whenever applicable, pay for extra duty must be coordinated with regular pay in accord with the requirements of the Fair Labor Standards Act.

*Adopted:* ~~August 25, 1994~~

~~LEGAL REF.: AR.S. 15-1323  
29 C.R.R., Fair Labor Standards Act (FLSA) of 1985~~

**PROFESSIONAL / SUPPORT STAFF  
FRINGE BENEFITS**<sup>[MM1]</sup><sub>[LM2]</sub>

~~The Board will review professional staff fringe benefits each year during the budget process.  
Staff members must work at least 20 hours per week in a contract, permanent, or limited  
term appointment of at least 6 months duration (or 1/2 the school year) to be eligible for  
fringe benefits.~~

*Adopted:* August 25, 1994

LEGAL REF.: AR.S. 15-1323

CROSS REF.: DKB—Salary Deductions

**PROFESSIONAL/SUPPORT STAFF  
PERSONAL / EMERGENCY /  
RELIGIOUS LEAVE**<sub>[MM1][LM2]</sub>

Personal leave is an approved period of absence with pay which when approved may be used by an eligible employeestaff member for personal business matters which cannot be handled at any other non-duty time.

An employeestaff member is eligible for personal leave if the employeestaff member is scheduled to work less than twelve (12) months and does not accrue vacation leave.

Use of personal leave must be requested and approved six (6) working days in advance of need. Except under extenuating circumstances and with prior approval of the Supervisor, personal leave will not be granted during the following periods:

- On the day immediately preceding or following a holiday or vacation.
- During the first two (2) weeks of school or the last two (2) weeks of school.

Eligible employeestaff members shall be granted up to sixteen (16) hours of

personal leave at

the beginning of each school year based on the employeestaff member's normal work schedule. Example: An employeestaff member normally working forty (40) hours per week will receive sixteen (16) hours of personal leave; an employeestaff member normally working twenty (20) hours per week will receive eight (8) hours, et cetera. Personal leave will be prorated if less than full year.

Personal leave is advanced according to the following schedule:

	HOURS WORKED PER WEEK		
	1/2 Time	3/4 Time	Full Time
	<u>20-26 Hrs.</u>	<u>27-34 Hrs.</u>	<u>35-40 Hrs.</u>
Hours advanced each SY:	8.00	12.00	16.00

Any unused personal leave at the end of the school year as of the employeestaff member's last scheduled workday will convert to sick leave.

Upon termination of employment, all current year unused personal leave is forfeited and will not be paid to the employeestaff member.

~~Adopted: April 14, 2011~~

~~LEGAL REF.: A.R.S. 15-1323  
15-1326  
15-1329~~

## PROFESSIONAL / SUPPORT STAFF ANNUAL LEAVE AND HOLIDAYS

### Leave

Annual leave is accrued only by twelve (12) month staff members. A twelve-month staff member is a staff member who works a year-round schedule or 260 days per year. Annual leave shall be used with proper approvals for ~~vacation-annual~~ time and all other periods of approved absences with pay from regularly scheduled work which are not properly chargeable to some other category of leave accrued by staff members.

Annual leave is accrued based on years of service, position, and FLSA status, and is prorated on scheduled daily work hours. Leave is credited biweekly.

Years of service is determined by the number of complete calendar months of service to the state from the staff member's original start date of work unless there are interruptions in continuous service that affect the start date count for accrual.

The maximum amount of unused ~~vacation-annual~~ leave that may be accumulated by a twelve-month staff member is 320 hours. Excess annual leave must be used by the staff member ~~Unused annual leave projected to be in excess of the maximum amount by the end of December shall be paid to the staff member~~ by the second pay period of December, unless an exception is approved by the Superintendent or designee in the form of an extension, to be memorialized in a written plan to use the excess annual leave.

Annual leave shall *not* be advanced to staff members.

With approval of the Superintendent or designee, annual leave may be used prior to retirement or resignation. If not used, the annual ~~vacation~~ leave balance will be paid upon termination of employment.

### Holiday Leave

Staff members who work a twelve-month schedule (year round), shall receive thirteen (13) paid holidays per year. The 13 paid holidays shall be prorated based upon daily work hours and will include five (5) required state and national holidays and 8 days to be determined by the Superintendent.

A twelve-month staff member who is on leave without pay status on the –staff member’s scheduled work days immediately preceding or following the day on which the holiday is observed will not receive holiday compensation.

A twelve-month staff member may be absent with pay for any holiday provided in the appropriate holiday schedule unless the staff member is required to work in order to maintain essential services.

Any twelve-month staff member who is required to work on a holiday who has not been in a leave without pay status the day before or the day after the holiday, will be compensated for such holiday worked on one of the following bases:

- Hour for hour of additional pay (not to exceed eight (8) hours per day) at the staff member's current hourly rate; or
- Hour for hour of an altered holiday schedule, or banked to use at a later date. Altered holiday schedules may be required for exempt employee classifications and certain non- exempt employee classifications, such as Facilities Maintenance staff and Security Officers. Altered holiday leave must be used in the fiscal year in which the altered scheduled holidays occur.

Maximum amount of compensation: A staff member may not receive more than eight (8) hours of holiday compensation for any holiday. Other holidays will be established by the school calendar.

*Adopted:* ~~June 9, 2016~~

## EVALUATION OF EMPLOYEESSTAFFMEMBERS

### Purpose

This policy applies to certificated, credentialed and support employees-staff members who are employed on a limited time, probationary or permanent basis, (part-time or full-time), and staff members on contract, ~~except live-ins~~. The ~~employees and~~ staff members on contract to which this policy applies are hereinafter referred to as "employeestaff member(s)."

A formal process of evaluating employees-staff members will be implemented. The purpose of evaluation for employees-staff members shall lead to the improvement of the quality of Schools'-ASDB's operational support and instructional programs, as well as the strengthening of the abilities of employee-staff members to carry out the mission of ~~the~~ SchoolsASDB.

The following elements in effective evaluation shall be emphasized:

- Evaluation shall be a cooperative endeavor between evaluator and evaluatee
- Open communication shall be considered essential.
- The agreed-upon purpose of evaluation shall be to work toward common goals to carry out the mission of ~~the~~ SchoolsASDB.
- Evaluation shall be continuous, flexible, and sensitive to need for revision.
- The result of evaluation(s) shall be courses of action for the improvement of operational support and instructional programs to meet the mission of ~~the~~ SchoolsASDB.
- Evaluations shall be considered one aspect of effective management, rather than a discrete entity.
- Effective evaluation depends on accurate information; therefore, input from all appropriate sources shall be used.

- Evaluations provide the basis for motivation and for self-improvement, permitting ~~employee-staff members~~ to be aware of their strengths and weaknesses in order to improve.

### Evaluation of ~~Employee~~Staff Members.

~~The Schools~~ASDB shall involve its ~~employee-staff members~~ in the development and the periodic evaluation of the performance evaluation system. The following elements will be a part of the evaluation system:

- A copy of the evaluation system shall be given to each ~~employee-staff members~~ of the ~~Schools~~ASDB.
- The ASDB Board shall receive from the Superintendent or designee recommendations for qualified evaluators and shall designate qualified evaluators by ~~name or~~ position as appropriate.

### ~~Inadequate~~Ineffective Performance

~~Employee~~A staff member whose performance is ~~inadequate-ineffective~~ will be notified in accordance with procedures established by the Superintendent. ~~An employee's staff member's~~ performance is ~~Inadequate~~Ineffective if the ~~employee-staff member~~ receives a rating of ~~Unsatisfactory~~Ineffective in one or more of the responsibilities/competencies set forth in ~~the Schools~~ASDB's performance evaluation system. ~~A employee performance is also inadequate if the employee received a rating of Needs Improvement in three or more of the responsibilities/competencies set forth in the Schools performance evaluation system.~~

Adopted: ~~August 7, 2003~~

~~LEGAL REF: A.R.S. 15-1325~~

~~A.A.C. R7-2-605~~

~~CROSS REF: GCQF~~



## PROFESSIONAL / SUPPORT STAFF HIRING

### (FINGERPRINTING REQUIREMENTS)

#### New Hires

All ~~personnel~~ staff members without a valid fingerprint clearance card hired by ~~the Schools~~ ASDB shall be fingerprinted as a condition of employment. The candidate's fingerprints shall be subm—itted, along with the form—prescribed in GCFC-EA, im—mediately upon being —notified of pending em—ployment and not more than seven days after beginning work.

Offers of em—ployment can be extended to—any candidate pending com—pletion of the fingerprint check. ~~The Schools will~~ ASDB may assum—e the cost of fingerprint checks but ~~will~~ may assess the ~~employee~~ staff member for charges incurred.

An expired fingerprint clearance card may be used to satisfy the fingerprint requirements of section 15-183, 15-512, 15-534, 15-782.02, 15-1330 or 15-1881 if the person signs an affidavit stating both of the following:

- The person submitted a completed application to the Finger Printing Division of the Department of Public Safety for a new fingerprint clearance card within ninety (90) days before the expiration date on the person's current fingerprint clearance card.
- The person is not awaiting trial on and has not been convicted of a criminal offense that would make the person ineligible for a fingerprint clearance card.

This does not apply to a fingerprint clearance card that has been denied, suspended or revoked or to a person who has requested a good cause exception hearing.

The candidate shall certify on the prescribed—~~notarized~~ forms whether they are awaiting trial on or have ever been convicted of or—admitted in open court pursuant to a plea agreement com—mitting any of the f—ollowing crim—inal of—fenses in Arizona or sim—ilar offenses in any other jurisdiction:

- —Sexual abuse of a minor.

- Incest.
- First- or second-degree murder.
- Kidnapping.
- Arson.
- Sexual assault.
- Sexual exploitation of a minor.
- Felony offenses involving contributing to the delinquency of a minor.
- Commercial sexual exploitation of a minor.
- Felony offenses involving sale, distribution, or transportation of, offer to sell, transport, or distribute, or conspiracy to sell, transport, or distribute marijuana or dangerous or narcotic drugs.
- Felony offenses involving the possession or use of marijuana, dangerous drugs, or narcotic drugs.
- Misdemeanor offenses involving the possession or use of marijuana or dangerous drugs.

- Burglary in the first degree.
- Burglary in the second or third degree.
- Aggravated armed robbery.
- Robbery.
- A dangerous crime against children as defined in A.R.S. 13-604.01.
- Child -abuse.
- Sexual conduct with a minor.
- Molestation of a child.
- ~~Voluntary~~ [MM3][m14] manslaughter.
- Aggravated -assault.
- Assault
- Exploitation of minors involving drug offenses.

The Superintendent or designee shall develop and implement procedures that include the following in the employment process:

- ~~Documented, good faith efforts to contact previous employers of a person to obtain information and recommendations that may be relevant to the person's fitness for employment.~~
- ~~For certificated personnel the Schools are ASDB is required to contact the Department of Education to obtain information contained in the person's certification record that may be relevant to the person's fitness for employment.~~ [MM5][m6][MM7][m8]
- Provide for fingerprinting of employees-staff members covered under this policy.
- Provide for fingerprint checks pursuant to A.R.S. 41-1750(G).
- ~~The Schools~~ ASDB may shall assume the cost of fingerprint checks and ~~will~~ may charge those costs to fingerprinted employees-staff members.

Adopted: ~~September 7, 2000~~

~~LEGAL REF.: A.R.S. 15-512  
15-534  
15-1330  
41-1750~~