

2021-22

Okeechobee County School Board

# EMPLOYEE HANDBOOK

ACHIEVING EXCELLENCE





OKEECHOBEE COUNTY SCHOOL BOARD

# Employee Handbook

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Welcome to Okeechobee County Schools! We are delighted that you have chosen to join our school district and hope that you will enjoy a long and successful career with us as you become familiar with our culture and mission.

Please take time to review the policies and procedures contained in this handbook. If you have questions, feel free to ask your supervisor or to contact the Human Resources Department. This handbook is designed to identify expectations of Okeechobee County Schools. It is not a contract and is not intended to be. Nothing herein should be relied upon by the employee as altering the nature of his/her employment relationship with the District or creating an entitlement to benefits.

## Mission and Vision

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### Mission

Instilling excellence and determination so every student can achieve tomorrow's possibilities.

### Vision

Together, Achieving Excellence: Putting Students First

## POLICIES

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### Board Policies

Policies enacted by the School Board of Okeechobee County govern the operation of our schools. Topics not covered in this handbook may be located in related Board Policy. For an updated list of current Board policies, visit our website at <http://www.okee.k12.fl.us/board-policies>.

### Principles of Professional Conduct for the Education Profession in Florida

Florida educators shall be guided by the following ethical principles:

- The educator values the worth and dignity of every person, the pursuit of truth, devotion to excellence, acquisition of knowledge, and the nurture of democratic citizenship. Essential to the achievement of these standards are the freedom to learn and to teach and the guarantee of equal opportunity for all.
- The educator's primary professional concern will always be for the student and for the development of the student's potential. The educator will therefore strive for professional growth and will seek to exercise the best professional judgment and integrity.
- Aware of the importance of maintaining the respect and confidence of one's colleagues, of students, of parents, and of other members of the community, the educator strives to achieve and sustain the highest degree of ethical conduct.

In addition, all employees of Okeechobee County Schools regardless of whether serving as a teacher, administrator or support staff member, are also responsible for conducting themselves according to the ethical principles provided in Appendix A. Violation of any of these principles shall subject the individual to discipline, up to and including termination, revocation or suspension of the individual educator's certificate, or other penalties as provided by law.

District staff members are required to report to the principal/supervisor of their school location and the Director of Human Resources alleged misconduct by district employees which affects the health, safety or welfare of a student. If the alleged misconduct to be reported is regarding the Director of Human Resources, the employee shall report the alleged misconduct to the Assistant Superintendent of Administrative Services. Failure to report such alleged misconduct shall result in appropriate disciplinary action. All employees are required to read the document on Professional Misconduct in its entirety. Please see Appendix B.

**For the complete text of the relevant policy, see OCSB School Board Policies 6.56 and 6.58.**

## Confidentiality

The Family Educational Rights and Privacy Act (FERPA) and Health Insurance Portability and Accountability Act (HIPAA) require that student education records, including health records, be confidential. State law also exempts certain information and records from public disclosure. Individuals who have access to student education records may not remove them from school district property without express permission from their building principal or supervisor. An individual authorized to remove student education records from school property is responsible for the safety and security of the records and for returning them to the District intact.

A student's educational record and all personally identifiable information shall not be properly released except on the condition that the information being transferred will not be subsequently released to any other party without either first obtaining the consent of the parent or adult/eligible student, or as otherwise expressly permitted by law. The disclosed information may be used by the appropriate officials of the agency or institution to which the information was properly released, but only for the purpose for which the disclosure was made.

Individuals who have access to confidential information and records while employed by the School Board are reminded that their legal obligation to maintain such confidences extends beyond their term of employment in the District and they are prohibited from releasing, disclosing, or otherwise disseminating confidential information or records subsequent to leaving the School Board's employ.

**For the complete text of the relevant policy, see OCSB School Board Policies 3.50 and 6.70.**

## Code of Ethics for Public Officers and Employees

The Code of Ethics for Public Officers and Employees adopted by the Legislature is found in Chapter 112 (Part III) of the Florida Statutes. The Code applies generally to all public officers and employees, state and local.

The Florida Commission on Ethics functions as an independent commission responsible for enforcing the Code, including investigating and issuing public reports on complaints of breaches of the public trust by public officers and employees. The Commission publishes a booklet that generally describes the provisions in Florida's ethics laws as well as the processes of the Commission, entitled "Guide to the Sunshine Amendment and the Code of Ethics for public Officers and Employees", which may be found on-line at <http://www.ethics.state.fl.us/>. Section III, B of the Guide provides information on Prohibited Employment and Business Relationships for public officers and employees.

The Commission also renders legally binding advisory opinions interpreting the ethics laws. A searchable database of Commission advisory opinions is available on the Commission's website at <http://www.ethics.state.fl.us/>. Any public officer, candidate for public office, or public employee in Florida who is in doubt about the applicability of the standards of conduct or disclosure laws to himself or herself, or anyone who has the power to hire or terminate another public employee, may seek an advisory opinion from the Commission about himself or herself or that employee. For more information on requesting an advisory opinion, please refer to the Commission's website or call the Commission at 850-488-7864.

Although it is a public employee's responsibility to know and comply with the Code, for questions regarding whether a particular situation presents a prohibited employment or business relationship, you may also direct questions to your principal or direct supervisor, who will contact legal counsel as needed. However, for a legally binding opinion, you must contact the Commission for an advisory opinion.

## Antifraud Policy

The School Board of Okeechobee County will not tolerate fraud or the concealment of fraud. This policy applies to any fraud, suspected or observed, involving District employees, outside support organizations, vendors, contractors, volunteers, outside agencies doing business with the School Board, and any other persons or parties in a position to commit fraud on the School Board.

Fraud includes, but is not limited to, knowingly misrepresenting the truth or concealment of a material fact in order to benefit personally or to induce another to act to his/her detriment. Actions constituting fraud include but are not limited to:

- A. Falsifying or unauthorized altering of District documents such as timesheets, student records, safety reports, maintenance records, or financial documents;
- B. Knowingly misrepresenting a fact;
- C. Accepting or offering a bribe, gifts, or other favors under circumstances that indicate that the gift or favor was intended to influence an employee's decision-making;
- D. Disclosing to other persons the purchasing/bidding activities engaged in, or contemplated by the District in order to give any entity, person, or business an unfair advantage in the bid process;
- E. Causing the District to pay excessive prices or fees where justification is not documented;
- F. Unauthorized destruction, theft, tampering, or removal of records, furniture, fixtures, or equipment;
- G. Using District equipment or work time for any outside private business activity.

Any perceived fraud that is detected or suspected by any staff member or other person shall be reported immediately to the Superintendent or designee for guidance as to whether pursuit of an investigation is warranted. If the perceived fraudulent activity involves a School Board member or the Superintendent, the report should be made to the School Board Attorney. The obligation to report fraud includes instances where an employee knew or should have known that an incident of fraud occurred. Reports of known or suspected fraud may be made anonymously by telephone, email, inter-office mail, or U.S. Postal Service. Any investigation required shall be conducted without regard to the suspected wrongdoer's length of service, position/title, or relationship. Investigations shall be conducted in a confidential manner.

Violation of this policy may result in disciplinary action, termination of employment, termination of contract, or legal action.

Individuals who, in good faith, report suspected fraudulent activity will not be subject to retaliation as a result of reporting the actual or suspected misconduct. The Superintendent, a Board member or any District official shall not sign and/or transmit any report regarding employee misconduct to a state official that

he/she knows to be false or incorrect. An individual who knowingly makes a false or incorrect report shall be subject to disciplinary action as prescribed by Florida Statute.

**For the complete text of the relevant policy, see OCSB School Board Policy 7.65.**

## Conflict of Interest

Okeechobee County Schools is committed to the proper performance of school business and is dependent upon the high standards of honesty, integrity, impartiality, and professional conduct by District employees. To demonstrate the proper performance of school business as well as to earn and keep public confidence in the District:

1. Employees shall not engage in or have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with their duties and responsibilities in the school system.
2. Employees shall not engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship they may have with any student, client, or parents of such students of clients in the course of their employment with the District. This includes, but is not limited to:
  - a. Providing private lessons or services for a fee;
  - b. The use, sale, or improper divulging of any privileged information about a student or client gained in the course of the employee's employment or through access to District records;
  - c. The referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration for such referrals;
  - d. The requirement of students or clients to purchase any private goods or services provided by an employee or any business, or professional practitioner with whom any employee has a financial relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations.
3. Employees shall not make use of materials, equipment, or facilities of the District in private practice.
4. Employees may not participate in the selection, award, or administration of a contract supported by a Federal grant/award if s/he has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, any member of his/her immediate family, his/her partner, or an organization which employs or is about to employ any of the parties described in this section, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.
5. Employees may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.

**For the complete text of the relevant policy, see OCSB School Board Policies 6.501 and 7.31.**

## Prohibition of District Employees Doing Business in Their Official or Private Capacity with the District

District employees in their official capacity may not directly or indirectly purchase, rent, or lease any realty, goods, or services for the District from any business entity of which the employee or employee's spouse or child is an officer, partner, director, or proprietor, or otherwise has a material interest. Nor shall District employees in their private capacity rent, lease or sell any realty, goods, or services to the District.

## Prohibition on Conflicting Employment or Contractual Relationship

District employees shall not have or hold any employment or contractual relationship with any business or agency which is subject to the regulation of, or is doing business with, the District (this prohibition does not apply to those organizations and their employees who, when acting in their official capacity, enter into or negotiate a collective bargaining contracts with the District). Nor shall District employees have or hold any employment or contractual relationship that will create a continuing or frequently recurring conflict between his or her private interest and the performance of his or her District duties or that would impede the full and faithful discharge of his or her District duties. Exemption to this prohibition: A District employee is not prohibited from practicing in a particular profession or occupation when such practice is required or permitted by law.

In addition, no person shall be held in violation of the prohibitions above if:

1. Within a city or county the business is transacted under a rotation system whereby the business transactions are rotated among all qualified suppliers of the goods or services within the city or county.
2. The business is awarded under a system of sealed, competitive bidding to the lowest or best bidder and:
  - a. The official or the official's spouse or child has in no way participated in the determination of the bid specifications or the determination of the lowest or best bidder;
  - b. The official or the official's spouse or child has in no way used or attempted to use the official's influence to persuade the agency or any personnel thereof to enter such a contract other than by the mere submission of the bid; and
  - c. The official, prior to or at the time of the submission of the bid, has filed a statement with the Department of State, if the official is a state officer or employee, or with the supervisor of elections of the county in which the agency has its principal office, if the official is an officer or employee of a political subdivision, disclosing the official's interest, or the interest of the official's spouse or child, and the nature of the intended business.
3. The purchase or sale is for legal advertising in a newspaper, for any utilities service, or for passage on a common carrier.
4. An emergency purchase or contract which would otherwise violate a provision of the prohibitions above must be made in order to protect the health, safety, or welfare of the citizens of the state or any political subdivision thereof.
5. The business entity involved is the only source of supply within the political subdivision of the officer or employee and there is full disclosure by the officer or employee of his or her interest in the business entity to the governing body of the political subdivision prior to the purchase, rental, sale, leasing, or other business being transacted.
6. The total amount of the transactions in the aggregate between the business entity and the agency does not exceed \$500 per calendar year.

7. The fact that a county or municipal officer or member of a public board or body, including a district school officer or an officer of any district within a county, is a stockholder, officer, or director of a bank will not bar such bank from qualifying as a depository of funds coming under the jurisdiction of any such public board or body, provided it appears in the records of the agency that the governing body of the agency has determined that such officer or member of a public board or body has not favored such bank over other qualified banks.
8. The public officer or employee purchases in a private capacity goods or services, at a price and upon terms available to similarly situated members of the general public, from a business entity, which is doing business with his or her agency.
9. The public officer or employee in a private capacity purchases goods or services from a business entity which is subject to the regulation of his or her agency and:
  - a. The price and terms of the transaction are available to similarly situated members of the general public; and
  - b. The officer or employee makes full disclosure of the relationship to the agency head or governing body prior to the transaction.

**For the complete text of the relevant policy, see OCSB School Board Policy 7.40.**

## Supervision of Family Members

In order to promote a more open, productive environment for education where all students, parents, faculty, and staff can feel free to take their concerns or questions to their administrative personnel, no worksite shall have a person with administrative responsibilities supervising one of their family members. Further, no person shall be hired or transferred into a position, which will cause that employee to directly supervise or be directly supervised by another family member.

For purposes of this rule, “family member” shall be defined as: mother, father, son, daughter, brother, sister, spouse, and in-laws of the same.

**For the complete text of the relevant policy, see OCSB School Board Policy 6.41.**

## Reporting Child Abuse and Neglect

As a public employee and a role model to students, instructional personnel, support personnel, and school administrators have a duty, at all times, to immediately report known or suspected child abuse or neglect to the Florida Department of Children and Families Toll-Free Hotline (**1-800-962-2873**).

In accordance with Section 39.201, Florida Statutes, any person who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child’s welfare, or that a child is in need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care shall report such knowledge or suspicion to the Department of Children and Families (DCF) Central Abuse Hotline at **1-800-962-2873** or <https://reportabuse.dcf.state.fl.us/>.

Instructional personnel, support personnel, and school administrators may report such information to DCF in unison, but reporting to another school employee does not fulfill the legal obligation to report to DCF. A

person who is required by statute to report known or suspected abuse or neglect and fails to do so, is subject to disciplinary action by the employer, by the State Department of Education and/or through criminal prosecution. Failure of a professionally mandated reporter (i.e. teachers and other school officials) to report child abuse to DCF is a third degree felony.

In Section 39.01(2), Florida Statutes, the term “abuse” means any willful act or threatened act that results in any physical, mental, or sexual injury or harm that causes or is likely to cause the child’s physical, mental, or emotional health to be significantly impaired. Abuse of a child includes acts or omissions. Corporal discipline of a child by a parent or legal custodian for disciplinary purposes does not in itself constitute abuse when it does not result in harm to the child.

In Section 39.01(50), Florida Statutes, an act of “neglect” occurs when a child is deprived of, or is allowed to be deprived of, necessary food, clothing, shelter, or medical treatment or a child is permitted to live in an environment when such deprivation or environment causes the child’s physical, mental, or emotional health to be significantly impaired or to be in danger of being significantly impaired.

In Section 39.01(54), Florida Statutes, “other person responsible for a child’s welfare” includes the child’s legal guardian or foster parent; an employee of any school, public or private child day care center, residential home, institution, facility, or agency; a law enforcement officer employed in any facility, service or program for children that is operated or contracted by the Department of Juvenile Justice; or any other person legally responsible for the child’s welfare in a residential setting; and also includes an adult sitter or relative entrusted with the child’s care.

In accordance with Section 39.203, Florida Statutes, any person who reports in good faith any instance of child abuse, abandonment, or neglect to the Department of Children and Families or any law enforcement agency, shall be immune from any civil or criminal liability which might otherwise result by reason of such action.

**For the complete text of the relevant policy, see OCSB School Board Policies 5.325, 6.57, and 6.58.**

## Bloodborne Pathogen & Infection Control

In concern for the well-being of each employee and student, the School Board of Okeechobee County has mandated bloodborne pathogen training for all new employees. Staff should be knowledgeable about the conditions that spread Hepatitis B, HIV, and other infectious diseases and be aware of their rights and the rights of others when disease is involved.

Certain positions within the school district have been identified as having a somewhat greater hazard of contracting Hepatitis B or other infectious diseases. These positions are:

1. Exceptional Student Education (ESE) teachers and paraprofessionals
2. Health paraprofessionals and school nurses
3. Custodians
4. All maintenance workers
5. Bus drivers and bus assistants who transport ESE students
6. All athletic coaches

Those persons in the above six (6) categories are obligated to take initial training upon hire and annual training thereafter in Safe Schools for Biomedical Waste Program or BBP. Contact the Administrative Services Office at 863-462-5000 ext. 1061 for additional information on the vaccine and Safe Schools training programs.

**For the complete text of the relevant policy, see OCSB School Board Policy 6.90.**

### Arrest/Conviction Self-Reporting Requirements

It is a condition of your continued employment with the School Board of Okeechobee County that you comply with School Board policies requiring all employees to self-report within forty-eight (48) hours to the Director of Human Resources or Director of Human Resources any arrest or criminal charges including “criminal traffic violations” and provide a copy of the charging/arrest documentation. In addition, all employees shall self-report in writing to the Director of Human Resources any conviction, finding of guilt, withholding of adjudication, or commitment to a pretrial diversion program or entering a plea of guilty or nolo contendere for any criminal offense other than a minor traffic violation within forty-eight (48) hours after the final judgment and provide a copy of the final disposition.

Under penalty of perjury, any person who is certified under Chapter 1012, Florida Statutes, must agree to inform his or her employer within 48 hours if convicted of any disqualifying offense as delineated under Florida Statute Section 1012.315 while he or she is employed in a position for which certification is required.

**For the complete text of the relevant policy, see OCSB School Board Policy 6.57.**

### Drug and Alcohol Free Workplace

It is a violation of the policy of The School Board of Okeechobee County for any employee to manufacture, distribute, dispense, possess or use on or in the workplace any alcoholic substance, any intoxicating or auditory, visual or mental altering chemical or substance, or any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or other controlled substance, as defined by Federal or Florida law or rule, or any counterfeit of such drug or substance; all being collectively referred to as drugs.

It is a condition of your continued employment with the School Board of Okeechobee County, that you will comply with School Board policies 6.45 and 6.57 and that you will notify your supervisor of your conviction of any criminal drug statute for a violation occurring in the workplace, no later than 48 hours after such conviction. Any employee who violates the terms of the School Board’s Drug-Free Workplace Policy may be non-renewed or his or her employment may be suspended or terminated. However, at the discretion of the School Board, any such employee may be allowed to satisfactorily participate in and complete a drug abuse assistance or rehabilitation program approved by the School Board in lieu of non-renewal, suspension, or termination. Sanctions and discipline against employees, including non-renewal, suspension and termination shall be in accordance with prescribed District procedures and shall be commenced within thirty (30) days of receiving notice of an employee’s conviction. Within ten (10) days of receiving notice of an employee’s conviction in violation of this rule, the Superintendent shall notify the State and Federal Department of Education.

The School Board of Okeechobee County is required to report an employee conviction of drug violations occurring in the workplace to the State and Federal Department of Education within ten (10) days of receiving such notice and is also required to commence disciplinary action against such employees within thirty (30) days of receipt of the notice of violation.

1. A drug-free awareness program is hereby established, and is to be implemented by the Superintendent, to inform employees of the dangers of drug abuse in the workplace, of the School Board's policy of maintaining a drug-free workplace, of available drug counseling, rehabilitation, and assistance programs, and of the penalties to be imposed upon employees for drug abuse violations occurring in the workplace. As part of this program, all employees and applicants for employment shall be given notice of the School Board's policy regarding the maintenance of a drug-free workplace.
2. No employee of the School Board shall manufacture, distribute, dispense, possess or use on or in the workplace any alcoholic substance, any intoxicating or auditory, visual, or mental altering chemical or substance or narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance, as defined by Federal or State law or rule or any counterfeit of such drugs or substances all being collectively referred to as drugs.

“Workplace” is defined to mean the site for the performance of work done in connection with employment. That includes any school building or any school premises; any vehicle used to transport students to and from school and school activities off school property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the School District.

- a. **Prescribed medications** - The use of prescribed medications is not a violation of this policy; however, any use of prescribed medications that could foreseeably interfere with the safe and effective performance of duties or operation of equipment must be brought to the attention of the employee's immediate supervisor. Failure to notify the employee's supervisor could result in disciplinary action, up to and including termination. In the event there is a question regarding the employee's ability to safely and effectively perform assigned duties while using such medication, clearance from a qualified physician may be required.
- b. **Search of School Board property** - The School Board reserves the right to search, without employee consent, all areas and property in which the School Board maintains control or joint control with the employee. The Board may also notify the appropriate law enforcement agency that an employee may have illegal drugs in his/her possession.
- c. **Refusal to be tested** - Refusal to submit immediately to an alcohol or drug analysis when requested by appropriate administrative or law enforcement personnel, or refusal to submit to a search of personal properties if requested by law enforcement personnel, may constitute insubordination and may be grounds for discipline up to and including termination.
- d. **Under the influence** - Employees reasonably believed to be under the influence of alcohol or drugs shall be prevented from engaging in further work and shall be detained for a reasonable time until he/she can be safely transported from the work site.
- e. **Handicapped status** - The Board is committed to providing reasonable accommodations to those employees whose drug or alcohol problem classifies them as handicapped under federal or state law.
- f. **Employee assistance** - The Board has established a voluntary Employee Assistance Program (EAP) to assist those employees who voluntarily seek help for alcohol or drug problems. Employees should contact their immediate supervisor, Risk Management/Employee Benefits or an EAP counselor for additional information.

- 3. Applicants for Employment** - Pre-employment drug screening will be required of all applicants prior to being awarded employment with the Okeechobee County School Board. The term “applicant” refers to a person who has applied for a position with the Okeechobee County School Board and has been offered employment conditioned upon successfully passing a drug test.
- a. Applicants will be referred to a School Board approved, independent, certified collection site. The School Board will not accept results from any laboratory or collection site that is not on its approved list.
  - b. It will be the responsibility of the applicant to pay for any and all costs related to these tests.
  - c. A positive result from a drug analysis will result in the applicant not being hired unless the applicant can produce verification of a valid current prescription for the drug identified in the drug screen.
  - d. In the absence of a valid current prescription, or the ability to provide evidence to satisfactorily explain the test results, applicants testing positive will not be eligible for employment with Okeechobee County Schools for one year from the date the drug screen results are received by the Board.
  - e. Refusal to submit to a drug screening will be grounds to refuse to hire the applicant.
- 4. Administrative Responsibilities and Guidelines:**
- a. Administrative personnel are responsible for reasonable enforcement of this policy.
  - b. Administrative personnel may request that an employee submit to a drug or alcohol test when he/she has a reasonable suspicion that an employee is intoxicated or under the influence of drugs or alcohol while on the job.
  - c. “Reasonable suspicion” is a belief based on objective facts sufficient to lead a reasonably prudent administrator to suspect that an employee is under the influence of drugs or alcohol so that the employee's ability to perform the functions of the job is impaired or so that the employee's ability to perform his/her job safely is reduced.  
Reasonable suspicion includes, but is not limited to, the following examples:
    - i. Observable phenomena while at work, such as direct observation of alcohol or drug use or of the physical symptoms or manifestations of being under the influence of alcohol or a drug. Physical symptoms or manifestations include, but are not limited to, slurred speech, alcohol odor on breath, unsteady walking and movement, physical altercations, verbal altercations, or unusual behavior.
    - ii. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
    - iii. A report of alcohol or drug use provided by a reliable and credible source.
    - iv. Evidence that an individual has tampered with an alcohol or drug test during their employment.
    - v. Information that an employee has caused, contributed to, or was involved in an accident while at work.
    - vi. Evidence that an employee has used, possessed, sold, solicited or transferred drugs or attempted to use, possess, sell, solicit or transfer drugs.
  - d. Any administrator requesting an employee to submit to a drug or alcohol test should document in writing the facts constituting reasonable suspicion.
  - e. Any administrator encountering an employee who refuses an order to submit to a drug or alcohol analysis upon request shall remind the employee of the requirements and disciplinary consequences of this policy. Where there is reasonable suspicion that the

employee is under the influence of alcohol or drugs, the administrator should arrange for the employee to be safely transported to a collection site or home.

- f. Administrators shall not physically search the person of employees, nor shall they search the personal possession of employees without their freely given written consent, and in the presence of the employee.
- g. Administrators shall notify the Superintendent or their designee when they have reasonable suspicion to believe that an employee may have illegal drugs in his/her possession or in an area not jointly or fully controlled by the School Board. If the Superintendent or her designee concurs that there is reasonable suspicion of illegal drug possession, he/she shall notify the appropriate law enforcement agency.

**5. Results of Drug or Alcohol Analysis:**

- a. A positive result from a drug or alcohol analysis may result in employee disciplinary action, up to and including termination.
- b. If a drug or alcohol screen is positive, the employee shall receive a second analytical procedure run on a sample that was positive on the initial screening test.
- c. If an alcohol or drug test is positive, the Superintendent or their designee shall conduct an investigation to gather all facts. The decision to discipline shall be based on this investigation.
- d. Within five (5) working days after receiving notice of a positive confirmed test result, the employee shall be allowed to submit information explaining or contesting the test results. If the employee's explanation is unsatisfactory, the Superintendent or her designee will provide a written explanation as to why, along with a copy of the report of positive results within fifteen (15) working days of receipt of explanation or challenge. All such documentation shall be kept confidential by the School Board and shall be retained for at least one year.

- 6. Confidentiality** - Laboratory results or test results shall not appear in an employee's general personnel records. Information of this nature will be contained in a separate confidential medical file that will be appropriately maintained by the Director of Human Resources. The reports or test results may be disclosed to School Board administrators on a strictly need-to-know basis and to the tested employee upon request. Disclosures without employee consent may also occur when; (1) the information is compelled by law or by judicial or administrative process; (2) the information has been placed at issue in a formal dispute between the employer and employee; (3) the information is to be used in administering an employee assistance program; (4) the information is needed by medical personnel for the diagnosis or treatment of the employee in the event the employee is unable to authorize disclosure.

**For the complete text of the relevant policy, see OCSB School Board Policies 6.111, 6.45, and 6.57.**

## Drug and Alcohol Testing for Holders of Commercial Drivers' Licenses

Any applicant or School Board employee, who will be driving in the capacity of a safety sensitive function as defined in the Federal Motor Carrier Safety Regulation 395.2, will follow School Board Policy 6.45 with regard to pre-employment and post-employment drug and alcohol screening.

## Gun/Weapon Free Workplace

No person may possess or bring a firearm on School District property, excluding those selected by the Superintendent to function as school guardians. Employees not selected to function as a school guardian who possess or bring a firearm on School District property shall be terminated.

No person who has a firearm in their vehicle may park their vehicle on School District property. Employees who park on School District property, with a firearm in their vehicle, will be subject to disciplinary action up to and including termination.

Except to the extent allowed by law, any visitor found to have brought a firearm on School District property shall be notified that all subsequent visits to School District property will be by appointment only, and that visits without prior appointment may result in a criminal action for trespass.

**For the complete text of the relevant policy, see OCSB School Board Policies 3.29, 3.31, and 5.32.**

## Violence in the Workplace

No person shall commit any act of violence, intimidation, abuse or harassment in the workplace.

No persons shall engage in behavior, whether verbal or non-verbal, that is reasonably interpreted as primarily motivated to harass, intimidate, unreasonable annoy, or threaten another in the work place. Without limiting the types of behavior that may violate the harassment and bullying policies of the School Board, examples include prolonged staring or other behaviors that are unusual and are not explainable by medical conditions or other outside factors that are beyond the control of the employee (and where such prolonged staring is reasonably interpreted as primarily being for improper purpose) bumping or other unwelcome or unwarranted touching, prolonged hovering in close proximity to another, where it may be reasonably interpreted that the primary purpose of hovering over the other person is for an improper purpose, and absurd or unusual facial expressions where it may be reasonably interpreted that the primary motivation is an improper purpose.

The rules of behavior outlined in all existing school Board policies and laws apply to workplace violence. The workplace violence shall supplement existing school board policies and not replace them. Accordingly, all rules, laws and regulations governing equity, equal employment opportunity, job performance, and behavior shall apply and will be enforced. The term workplace shall apply in the broadest sense to any place the job performance is implicated including but not limited to, any owned facility or operated by the Board; travel to and from school facilities or approved professional leave or attendance at any school sponsored function. The term “person” applies to any natural person, whether an employee, student, parent or guardian or otherwise.

Any potentially dangerous situations of workplace violence must be immediately reported to:

Director of Human Resources  
Equity Officer  
700 SW 2<sup>nd</sup> Avenue  
Okeechobee, Florida 34974  
Phone: (863) 462-5000, Ext. 1022  
Fax: (863) 462-5013

**For the complete text of the relevant policy, see OCSB School Board Policies 3.33 and 5.321**

## Tobacco-Free Workplace

The School Board is committed to providing students, staff, and visitors with an indoor/outdoor tobacco-free environment. The negative health effects of tobacco use for both users and nonusers, particularly in connection with second hand smoke, are well established. Further, providing an indoor/outdoor tobacco-free environment is consistent with the role-modeling responsibilities of teachers and staff for our students.

For purposes of this policy, "use of tobacco" shall mean all uses of tobacco, including cigars, cigarettes, pipe tobacco, chewing tobacco, snuff, clove cigarettes, blunts, hookah, or any other matter or substances that contain tobacco and the possession of papers used to roll cigarettes. Electronic cigarette (e-cigarette) means any oral device that provides a vapor of liquid nicotine, lobelia, and/or other substance and the use or inhalation of which simulates smoking. The term shall include any such devices, whether they are manufactured, distributed, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vapes, or under any other product name or descriptor.

To protect students and staff who choose not to use tobacco from an environment noxious to them, and because the School Board does not condone the use of tobacco, the School Board prohibits the use of tobacco or electronic cigarettes at any time within any indoor/outdoor facility owned or leased or contracted for by the School Board.

The School Board also prohibits the use of tobacco or electronic cigarettes anywhere on the campus of any facilities owned or leased or contracted for by the School Board, including, but not limited to, practice fields, playgrounds, football fields, baseball fields, softball fields, pool areas, soccer fields, tennis courts, and all open areas.

**For the complete text of the relevant policy, see OCSB School Board Policy 2.90.**

## Use of Technology in the Workplace

The District is pleased to provide Network/Internet service to its staff. The District's Network/Internet system has a limited educational purpose. Okeechobee County Schools encourages staff to utilize the Network/Internet in order to promote educational excellence in our schools by providing them with the opportunity to develop resource sharing, innovation, communication skills and tools that are essential to both life and work.

Staff use of the District's computers, network and Internet services ("Network") will be governed by School Board Policies, the related administrative guidelines, and any applicable employment contracts and collective bargaining agreements. Access must be used in a responsible, efficient, ethical and legal manner. Failure to adhere to District policies and guidelines for the use of telecommunication resources may result in suspending or revoking the right to access the resources and subject employee to discipline. It is also important to remember that all electronic communications are subject to public records laws.

When accessing the District's network, you are responsible for the protection of student and employee data (including data stored on flash drives, optical and removable media.) Files containing protected data should be stored in appropriate locations to ensure its protection, integrity and confidentiality.

You are responsible for all activity associated with your network login, therefore you **should not** share your password. You are also responsible for the appropriate use of technology and use should be consistent with

the mission, goals, policies and priorities of Okeechobee County Schools. Violations include but are not limited to:

- Personal email
- Selling goods or services
- Personal shopping
- Jokes, holiday greetings, chain letters
- Cyberbullying
- Anything in violation of Children's Internet Protection Act (access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors.)

Employees are not permitted to connect non-district computers, laptops, printers, hubs, wireless access points, or any other equipment to the District network or PCs. The Information Technology (IT) Department must approve any network, other devices, and/or software prior to using it on the District's network or computers.

## Electronic Communications and Social Networking Sites

All employees of Okeechobee County Schools shall use caution and good judgment when using electronic communications and social networking sites. Any information relayed to students via electronic communications shall be professional in nature and related to a student's academic progress. Any information posted to or communicated through a social networking site shall not bring disfavor, embarrassment or condemnation to the employee, student or District.

District employees shall not engage students in social media and online networking media, such as Facebook, Twitter, Instagram, etc., without the prior approval of the Principal.

## Use of Wireless Communication Devices by OCSB School Bus/District Vehicle Operators

It is the policy of the School Board that wireless communication devices (WCD), including mobile phones equipped with ear pieces, ear buds, headsets, and/or Bluetooth, shall **not** be used for any purpose, including, but not limited to, placing or receiving phone calls, sending or receiving text messages, or sending or receiving e-mails, anytime the operator is actively driving a District school bus, with or without students on board.

A School Board employee must also not operate a District motor vehicle at any time, or a personal vehicle while driving to/from any location on school business, while manually typing or entering into a wireless communications device or while reading or sending messages on such a device, including, but not limited to, texting, e-mailing, instant messaging, tweeting, snap chatting, etc.

## The Americans with Disabilities Act (ADA) and Reasonable Accommodation

Section 504 and Americans with Disabilities Act (ADA) and ADA Amendments Act of 2008 (ADAAA) are laws which prohibit discrimination/harassment against any person with a disability by any program receiving federal financial assistance. To ensure equal employment opportunities to qualified individuals with a disability, Okeechobee County Schools will make reasonable accommodations for the known disability of an otherwise qualified individual, unless undue hardship on the operation of the business would result. Employees who may require a reasonable accommodation should contact the Director of Human Resources (contact information on following page).

Director of Human Resources  
504 Compliance Officer/ADA Coordinator  
700 SW 2<sup>nd</sup> Avenue  
Okeechobee, Florida 34974  
Phone: (863) 462-5000, Ext. 1022  
Fax: (863) 462-5031

## Equal Opportunity and Commitment to Diversity

Okeechobee County Schools is committed to creating and maintaining a workplace in which all employees have an opportunity to participate and contribute to the success of the school district and are valued for their skills, experience, and unique perspectives.

Okeechobee County Schools provides equal employment opportunities to all employees and applicants for employment without regard to race, color, ancestry, national origin, gender, sexual orientation, marital status, religion, age, disability, gender identity, results of genetic testing, or service in the military. Equal employment opportunity applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation, and training.

Okeechobee County Schools expressly prohibits any form of unlawful employee harassment or discrimination based on any of the characteristics mentioned above. Improper interference with the ability of other employees to perform their expected job duties is absolutely not tolerated.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of the Director of Human Resources. Okeechobee County Schools will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. If an employee feels he or she has been subjected to any such retaliation, he or she should bring it to the attention of the Director of Human Resources.

Retaliation means adverse conduct taken because an individual reported an actual or perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process described below. "Adverse conduct" includes but is not limited to:

1. Shunning and avoiding an individual who reports harassment, discrimination or retaliation;
2. Express or implied threats or intimidation intended to prevent an individual from reporting harassment, discrimination or retaliation; or
3. Denying employment benefits because an applicant or employee reported harassment, discrimination or retaliation or participated in the reporting and investigation process.

Complaints of discrimination should be filed according to the procedures described in the Anti-Harassment Policy 3.33. Contact person:

Director of Human Resources  
Equity Officer  
700 SW 2<sup>nd</sup> Avenue  
Okeechobee, Florida 34974  
Phone: (863) 462-5000, Ext. 1022  
Fax: (863) 462-5013

## Harassment and Bullying

Sexual and other unlawful harassment is a violation of Title VII of the Civil Rights Act of 1964, as amended, as well as many state laws. Harassment based on a characteristic protected by law, such as race, color, ancestry, national origin, gender, sex, sexual orientation, gender identity, marital status, religion, age, disability, veteran status, or other characteristic protected by state or federal law, is prohibited.

It is Okeechobee County Schools' policy to provide a work environment free of sexual and other harassment. To that end, harassment of Okeechobee County Schools' employees by management, supervisors, coworkers, or nonemployees who are in the workplace is absolutely prohibited. Further, any retaliation against an individual who has complained about sexual or other harassment or retaliation against individuals for cooperating with an investigation of a harassment complaint is similarly unlawful and will not be tolerated. Okeechobee County Schools will take all steps necessary to prevent and eliminate unlawful harassment.

**Definition of Unlawful Harassment.** "Unlawful harassment" is conduct that has the purpose or effect of creating an intimidating, hostile, or offensive work environment; has the purpose or effect of substantially and unreasonably interfering with an individual's work performance; or otherwise adversely affects an individual's employment opportunities because of the individual's membership in a protected class.

Unlawful harassment includes, but is not limited to, epithets; slurs; jokes; pranks; innuendo; comments; written or graphic material; stereotyping; or other threatening, hostile, or intimidating acts based on race, color, ancestry, national origin, gender, sex, sexual orientation, marital status, religion, age, disability, veteran status, or other characteristic protected by state or federal law.

**Definition of Sexual Harassment.** While all forms of harassment are prohibited, special attention should be paid to sexual harassment. "Sexual harassment" is generally defined under both state and federal law as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where:

- Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of any individual's employment or as a basis for employment decisions; *or*
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Other sexually oriented conduct, whether intended or not, that is unwelcome and has the effect of creating a work environment that is hostile, offensive, intimidating, or humiliating to workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct that, if unwelcome, may constitute sexual harassment depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwanted sexual advances, whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life, comments about an individual's body, comments about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, or cartoons;
- Unwelcome leering, whistling, brushing up against the body, sexual gestures, or suggestive or insulting comments;

- Inquiries into one's sexual experiences; *and*
- Discussion of one's sexual activities.

All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment and retaliation against individuals for cooperating with an investigation of sexual harassment complaint is unlawful and will not be tolerated in Okeechobee County Schools.

**Complaint Procedure.** Any employee who believes he or she has been subject to or witnessed illegal discrimination, including sexual or other forms of unlawful harassment, has the ability to make a complaint. You may complain directly to your immediate supervisor or department manager, the Director of Human Resources, the Assistant Superintendent of Administrative Services, or any other member of management with whom you feel comfortable bringing such a complaint. Any employee of the Okeechobee County School Board must make a report when he or she has notice of sexual harassment, including sexual assault. The requirement for an employee to make such a report extends to all aspects of the school's education program or activity and applies to any building owned or controlled by the Okeechobee County School Board.

No reprisal, retaliation, or other adverse action will be taken against an employee for making a complaint or report of discrimination or harassment or for assisting in the investigation of any such complaint or report. Any suspected retaliation or intimidation should be reported immediately to one of the persons identified above. Survivors are protected against retaliation when they choose to report sexual misconduct or not, file a formal complaint or not, participate in a grievance process or not. Furthermore, survivors are protected against bullying or harassment throughout the grievance process.

All complaints will be investigated promptly and, to the extent possible, with regard for confidentiality. If the investigation confirms conduct contrary to this policy has occurred, Okeechobee County Schools will take immediate, appropriate, corrective action, including discipline, up to and including immediate termination.

**For the complete text of the relevant policy, see OCSB School Board Policies 3.33 and 5.321.**

## Employee Complaint Procedure (Discrimination & Harassment)

This grievance procedure exists to provide formal resolution of complaints. It does not prohibit the informal adjustment of any complaint. Although pursuit of an informal adjustment is not a valid reason for missing a filing deadline, a timely filed complaint may be continued by consent of the parties in order to allow pursuit of an informal adjustment.

The School Board will vigorously enforce its prohibition against discrimination/harassment based on race, color, national origin, religion, sex, age, disability marital status, sexual orientation, or genetic information (and any other protected classes), and encourages those within the District community as well as third parties, who feel aggrieved to seek assistance to rectify the problems. The Board will investigate all allegations of discrimination/harassment and in those cases where unlawful discrimination/harassment is substantiated the Board will take immediate steps to end the discrimination/harassment. Individuals who are found to have engaged in unlawful discrimination/harassment will be subject to appropriate disciplinary action.

**Confidentiality.** The right to confidentiality, both of the complainant and of the accused, will be respected, consistent with the Board’s legal obligations, and with the necessity to investigate allegations of misconduct and take corrective action when this conduct has occurred, to the extent possible.

**For the complete text of the relevant policy, see OCSB School Board Policies 6.55, 3.33, 5.321 and 6.43.**

## Florida’s Anti-Bullying Law

Florida Statute section 1006.147 prohibits bullying and/or harassment of any student or employee of a public K-12 educational institution during any education program or activity conducted by a public educational institution; during any school- related or school-sponsored program or activity or on a school bus; or through the use of data or computer software that is accessed through a computer, computer system or computer network of a public K-12 educational institution.

“Bullying” includes cyberbullying and means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees and may involve:

1. Teasing
2. Social exclusion
3. Threat
4. Intimidation
5. Stalking;
6. Physical violence
7. Theft
8. Sexual, religious or racial harassment
9. Public or private humiliation
10. Destruction of property.

“Cyberbullying” means bullying through the use of technology or any electronic communication, which includes, but is not limited to, any transfer of signs, signals, writing, images, sounds, data.

“Harassment” means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student or school employee that:

1. Places a student or employee in reasonable fear of harm to his or her person or damage to his or her property;
2. Has the effect of substantially interfering with a student’s educational performance, opportunities, or benefits; or
3. Has the effect of substantially disrupting the orderly operation of a school.

The definitions of “bullying” and “harassment” include: retaliation against a student or employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.

Cyberstalking as defined in section 784.048(1)(d), Florida Statutes, means to engage in a course of conduct to communicate, or cause to be communicated, words, images, or language by or through the use of electronic

mail or electronic communication, directed at a specified person, causing substantial emotional distress to that person and serving no legitimate purpose.

Employees filing equity complaints of bullying/harassment should contact the Equity Coordinator/Director of Human Resources.

Equity Officer  
Director of Human Resources  
700 SW 2<sup>nd</sup> Avenue  
Okeechobee, Florida 34974  
Phone: (863) 462-5000, Ext. 1022  
Fax: (863) 462-5013

**For the complete text of the relevant policy, see OCSB School Board Policy 5.321.**

# PROCEDURES

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## Organizational Structure

It may be helpful for you to understand the structure of the organization of which you are a part. The Okeechobee County School Board, after considering recommendations submitted by the Superintendent, determines policies and programs, adopts rules and regulations, prescribes minimum standards and performs other such duties as necessary for the improvement of the educational programs for students.

The School Board is composed of five members elected in a county-wide election every four years on a rotating basis. Each member represents the district boundary in which he or she lives.

Any person or group wishing to be placed on the agenda in order to address the school Board shall file with the Superintendent eight (8) days before the meeting at which an audience is desired, a written request asking to be placed on the agenda and giving the following information: a) Name and address of person or group; b) Name of persons or organization represented; and c) Subject matter to be discussed.

Okeechobee County Schools maintains and operates according to published policies and procedures. All policies and many procedures are also available on the District's website. It is very important that you understand that as an employee of the District you are responsible for reviewing, understanding, and complying with all policies and procedures of the District. Failure to do so will subject you to disciplinary action up to and including termination.

**For the complete text of the relevant policy, see OCSB School Board Policies 2.11 and 2.20.**

## Employment Vacancies

Instructional and non-instructional vacancies are normally advertised for five (5) working days (ten (10) working days for administrative positions) on the District's applicant tracking system. Applications for positions are submitted online. For information concerning job vacancies, visit the district's web site at <http://www.okee.k12.fl.us> and click on "Apply Now".

Applicants with any existing criminal background will be asked to supply information concerning that criminal background. If the nature of the criminal background is determined to be incompatible with the duties of the position in question, the individual will not be hired. Failure to accurately disclose a previous criminal background and disposition on an application is grounds for termination, regardless of when falsification is determined.

**For the complete text of the relevant policy, see OCSB School Board Policies 6.102 and 6.103.**

## Personnel Recommendations

The Superintendent of Schools makes all personnel recommendations to the School Board for final approval. All personnel recommendations to the Superintendent are made as follows:

1. The building Principal makes school based recommendations.
2. The assigned Director or Supervisor makes departmental or district office based recommendations.

**For the complete text of the relevant policy, see OCSB School Board Policy 6.102.**

## Acceptance of Contract

Acceptance of a contract assumes an obligation on the part of the employee to complete the term of the contract. Probationary employees may be dismissed without cause or may resign without their resignation constituting a breach of contract. All new non-instructional personnel will be considered to be in probationary status for one calendar year from the first day of employment. Pursuant to Florida Statute Section 1012.335(1), instructional employees are under probationary contract for a period of one (1) school year upon hire with the District or following a rehire after a break in service for which an authorized leave of absence was not granted.

Instructional and classified personnel may refer to the OCEA (Okeechobee County Education Association) Collective Bargaining Contract for their respective bargaining units.

**For the complete text of the relevant policy, see OCSB School Board Policy 6.18.**

## Salary Credit for Related Past Experience

New employees may receive salary credit for related past work experience. Work experience for salary purposes is based upon previous employment experience in a related position with similar duties.

It is the responsibility of the employee to furnish the Human Resources Department with all documentation necessary to evaluate prior experience. The following information must be included:

1. Dates of employment, to include beginning and ending day, month, and year. (Example: Beginning 01/01/99; Ending 12/01/99)
2. Number of hours worked per week. (Example: 20 hours per week or 40 hours per week etc.)
3. Description of duties. JOB TITLES ALONE ARE NOT SUFFICIENT TO DETERMINE PRIOR EXPERIENCE. If a job description is not available, then a written statement of general job duties or responsibilities must be submitted. In order to grant prior experience, the previous job duties/responsibilities must be substantially similar.
4. The total number of working days in each of the prior years of employment (for instructional or administrative experience only).
5. The overall evaluation rating for each of the prior years of employment (for instructional or administrative experience only).

It is the responsibility of the employee to send the verification forms to former employers and follow up to see that they have been returned in a timely manner. Forms for verifying past experiences are available upon request from the Human Resource Department. Verification forms must have the school seal or be notarized. The person furnishing past experience verification cannot be related to the employee. The verification must be received by the school district within ninety (90) days of employment in order for the salary credit to be awarded.

**For the complete text of the relevant policy, see OCSB School Board Policy 6.30.**

## Definition of a Year's Experience for Instructional Employees

A year's experience is defined as one-half of a work year plus one day. Such experience must be full-time, continuous, and must be teaching under contract experience. One year is the maximum experience, which can be granted in any one fiscal year.

## Certification for Teachers

All teachers must hold a valid Florida certificate issued by the State Department of Education. Each teacher must register his/her certificate, each extension and each renewal of, or addition to the certificate in the Human Resources Department as soon as the State Department grants same. It is the individual responsibility of the employee to maintain proper certification in his/her teaching field and keep such certification valid and updated.

Teachers who have not yet been issued a valid Florida certificate, but have applied for certification and have shown sufficient proof to the Human Resources Department to justify issuance of a certificate, will be paid on the expected basis of the certificate for which they have applied.

**For the complete text of the relevant policy, see OCSB School Board Policy 6.19.**

## Calendar/Holidays

The student calendar for each year is set by the School Board. Paid holidays for members of the two bargaining units are set as part of the contract negotiations each year. The calendar (including paid holidays) for employees who are not members of one of the bargaining units is established by the School Board. As a part of your orientation, you will receive a copy of the current calendar.

The calendar, which is adopted annually by the Board, establishes paid and non-paid holidays to be observed during the year.

The Board provides six (6) paid holidays for instructional employees to include the following: Labor Day, Thanksgiving Day, Christmas Day, New Year's Day, Martin Luther King Jr.'s Birthday, and Memorial Day.

Non-instructional and non-bargaining employees paid holidays are as follows: Labor Day, Thanksgiving Day and the day after, Christmas Day, New Year's Day, Martin Luther King, Jr.'s Birthday.

The following non-paid holidays may be observed each year:

- Good Friday
- Fourth of July
- Presidents' Day

## Work Day

The length of the workday is established according to employee classification.

- The normal workday for non-instructional employees is eight (8) hours per day, forty (40) hours per week with exceptions for paraprofessionals, transportation employees, school food service workers, and hourly employees. The normal eight-hour day does not include the lunch period. All non-exempt employees are required to take breaks as provided for in the Collective Bargaining Agreement.

The schedule for these hours is set by the school principal, site administrator or supervisor. No overtime is to be worked by non-instructional employees without the prior permission of the site administrator. Most non-instructional, non-administrative employees are subject to the provisions of the Fair Labor Standards Act. Compensatory time for overtime work may be granted by an administrator provided that (1) the work that is being compensated was approved and recorded prior to performance and (2) no more than forty (40) hours of compensatory time can be accumulated within a fiscal year. Compensatory time may be taken up to one full day but cannot be granted for more than one full day at a time. Employees falling under the Fair Labor Standards Act will be paid for any accrued compensatory time at the end of the fiscal year.

## Attendance

Regular attendance and punctuality are of utmost importance for individual success, as well as for the smooth and efficient operation of the school system. All employees are expected to be present during all working hours. Absence without prior approval from an administrator or supervisor, chronic absences, absences without paid leave, habitual tardiness or abuse of designated working hours are all considered neglect of duty and will result in disciplinary action up to and including termination. **No staff member is permitted to leave**

**earlier than the designated time unless he or she has notified and has permission from a supervisor or designee.**

## Benefits

Okeechobee County School Board (OCSB) offers a variety of insurance plans to our benefit eligible employees. OCSB's group insurance plan year is October 1st through September 30th. For more detailed information regarding the benefits below, please refer to the OCSB website at <http://www.okee.k12.fl.us/benefits> or contact the Payroll Department.

- Required employer Social Security and Medicare Contributions
- Worker's compensation insurance
- Group medical including Employee Health Center, if employee elects medical coverage
- Additional contribution of \$25/month to use for voluntary insurance products
- Employee Assistance Program (EAP)
- Voluntary insurance products (dental, vision, life insurance, disability, group accident, group critical illness, flexible spending accounts)
- Optional voluntary retirement plans such as tax-sheltered annuities
- Florida State Retirement contributions (eligible employees must pay 3% of salary)
- Sick leave (based on employment length status)
- Personal days (maximum six (6) per year; deducted from sick leave)
- Vacation/Annual days (249 employees)
- (6) Paid holidays (based on work calendar)
- IRSC fee waiver (Associate's or Bachelor's level course)
- Sick Leave Bank (Option to join after first year of employment)

## Insurance Coverage Dates

Coverage is effective the first of the month following thirty (31) days of employment and/or when transferred to a benefit-eligible position. OCSB uses an online Employee Benefits system called Selerix for all enrollments, changes, and to view employee benefit elections. It is the employee's responsibility to enroll in benefits and complete elections before the insurance effective date.

Coverage ends the last day of the month in which employment terminates or pursuant to the applicable bargaining contract, an employee transfer to a non-benefit eligible position or the employee goes on a non-FMLA leave absence. An employee who loses coverage due to a non-FMLA leave, resignation or termination may elect group coverage under the provision of COBRA for up to 18 months, by paying employer and employee costs. For more detailed information, please refer to the OCSB website at <http://www.okee.k12.fl.us> or the Payroll Department.

## Vacation Leave

Only twelve (12) month employees are granted vacation leave. Vacation leave time is cumulative to 480 hours. Vacation leave time will be credited at the end of each month, as long as the employee has worked 1 day over half of the month. Vacation accruals for twelve-month personnel are established as follows:

- 12 work days per year for employees who have been employed by the Okeechobee County School Board for less than five consecutive years;
- 15 work days per year for employees who have been employed by the School Board of Okeechobee County for more than five consecutive years, but less than ten consecutive years;
- 18 work days per year for employees who have been employed by the School Board of Okeechobee County for more than ten consecutive years.

Vacation leave must be approved by your immediate supervisor. Vacation leave schedules will be worked out on the basis of the best time in each individual case. Vacation leave must be requested no fewer than ten (10) days in advance of the first date of the leave request.

Employees who earn annual leave shall receive an amount equal to 100% of their base rate of pay for each accumulated annual leave day upon termination.

## Sick Leave

All Instructional employees entitled to earn sick leave will be credited with (4) four days as of the first day of employment of each fiscal year and one day each month employed thereafter for a total of one day for each full month of employment, as long as the employee has worked 1 day over half of the month . All other employees entitled to earn sick leave will be credited with (3) days at the end of the first month of employment of each fiscal year and one day each month employed thereafter for a total of one day for each full month of employment, as long as the employee has worked 1 day over half of the month. Sick leave shall be accrued on the last day of each month. No employee will earn more than the maximum allowed by law. By Florida Statute 1012.61 (2)(a)1, accrued sick leave will be reduced to days actually earned for personnel who terminate prior to having earned sick days advanced (last 4 months of contract).

An employee shall notify the immediate supervisor prior to the beginning of the work day should it be necessary to take sick leave. Sick leave will be granted for a personal illness, illness of a family member, or death of a member of the employee's immediate family. Any absence in excess of four (4) continuous days or which exceeds eight (8) days in six (6) months may upon request of the employee's immediate supervisor require a doctor's certificate upon the employee returning to work and prior to the issuance of the next payroll warrant. When an employee returns to work after an extended absence of more than eight (8) working days, the doctor's certificate must contain a statement indicating the employee can perform any and all duties normally assigned to the position

Sick leave cannot be used prior to the time it is earned and credited to the employee. Sick leave will be cumulative from year to year and there will be no limit to the number of days of sick leave an employee may accrue. Sick leave earned in instructional positions in other districts in Florida may be transferred into Okeechobee County.

Employees terminating their employment who are not eligible to transfer accumulated sick leave within the state of Florida may receive terminal pay as follows:

- Those with three years or less of Okeechobee service shall receive an amount equal to thirty-five percent (35%) of their base daily rates of pay for each accumulated day.
- Those with four to six years of Okeechobee service shall receive an amount equal to forty percent (40%) of their base daily rates of pay for each accumulated day.
- Those with seven to nine years of Okeechobee service shall receive an amount equal to forty-five percent (45%) of their base daily rates of pay for each accumulated day.
- Those with ten to twelve years of Okeechobee service shall receive an amount equal to fifty percent (50%) of their base daily rates of pay for each accumulated day.
- Those with thirteen to twenty-nine years of Okeechobee service shall receive an amount equal to seventy-eight percent (78%) of their base daily rates of pay for each accumulated day.
- Those with thirty or more years of Okeechobee service shall receive an amount equal to one hundred percent (100%) of their base daily rates of pay for each accumulated day

## Leaves of Absence

### Unpaid Sick Leave or Personal Leave Without Pay

All district employees requesting unpaid leave will be required to complete the unpaid leave request form and submit it to their supervisor for approval. When requesting a Personal Leave Without Pay, the employee must write a letter addressed to the Superintendent documenting the reason for the request and submit this letter to the Human Resources Department. In the case of medical leave, the request must be accompanied by a physician's statement.

A Personal Leave Without Pay can be requested for a period of up to twelve (12) months. At the end of this time period, the employee may request an extension to the leave for a period of up to twelve (12) additional months.

To be approved to return to work from an approved unpaid and/or extended leave for their own illness or injury, an OCSB employee must submit a Fit for Duty form completed by their physician or health care provider.

**For the complete text of the relevant policy, see OCSB School Board Policy 6.23.**

### Personal Leave with Pay

Six (6) days of accrued sick leave may be used for the employee's personal business provided the employee cannot take more than five (5) personal days consecutively. An employee planning to use personal leave must request and receive approval from his/her supervisor at least one day (1) in advance. The supervisor may waive the one (1) day advance approval requirement in cases of legitimate emergency.

**For the complete text of the relevant policy, see OCSB School Board Policy 6.23.**

### Unauthorized Leave of Absence

If an employee's request for leave of absence is disapproved and the employee takes unauthorized leave, the supervisor shall place the employee on leave without pay and after an absence for four (4) consecutive work days shall consider the employee to have abandoned the position and resigned from the District.

**For the complete text of the relevant policy, see OCSB School Board Policy 6.22.**

## The Family and Medical Leave Act of 1993

The Family and Medical Leave Act (FMLA) provides eligible employees with up to twelve (12) weeks of unpaid, job-protected leave for certain family and medical reasons during a twelve (12) month period. Employees are eligible if they have worked for the Okeechobee County School Board for at least one (1) year and for at least 1,250 hours during the 12-month period immediately preceding the commencement of leave.

### Reasons for Taking FMLA Leave:

Unpaid FMLA leave must be granted for any of the following reasons;

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition, or;
- For a serious health condition that makes the employee unable to perform the employee's job.

At the School Board's discretion, certain kinds of paid leave may be substituted for unpaid leave.

### *Advance Notice and Medical Certification for FMLA Leave*

You may be required to provide advance leave notice and medical certification. Taking of leave may be denied if requirements are not met. Typically, you must provide thirty (30) days advance notice when the leave is “foreseeable.”

The School Board may require medical certification to support a request for leave because of a serious health condition, and may require second or third opinions (at the Board’s expense) and a fitness for duty report to return to work.

### *Job Benefits and Protection*

For the duration of FMLA leave, your health coverage under any group health plan will be maintained, but you will be required to make any ordinarily required co-payments.

Upon return from FMLA leave, you will normally be restored to your original or equivalent position with equivalent pay, benefits, and other employment terms.

The use of FMLA leave cannot result in the loss of any employment benefits that accrued prior to the start of your leave.

### *Unlawful Acts by Employers*

FMLA makes it unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided under FMLA. Or to discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

#### Enforcement:

The U.S. Department of Labor is authorized to investigate and resolve complaints of violations. An eligible employee may bring a civil action against an employer for violations.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

For additional information contact the nearest office of the Wage and Hour Division, listed in most telephone directories under U.S. Government, Department of Labor.

### *Family and Medical Leave Act for the Families of Service Members*

The National Defense Authorization Act provides additional FMLA leave for military families. This law adds two (2) new FMLA-qualifying events, expanding FMLA to include employees caring for an injured service member as well as family members who have a family member called to active duty.

Please note that the test for whether an employee is “eligible” for either of the following types of leave is the same for other FMLA leave. Under the law, FMLA-eligible employees are entitled to the following:

#### *Family Leave Due to a Call to Active Duty*

This benefit provides 12 weeks of FMLA leave due to a qualifying exigency arising out of the active military duty or notice of impending call or order to active duty of an employee’s spouse, parent or child.

#### *Caregiver Leave for an Injured Service member*

This benefit provides 26 weeks of FMLA leave during a single 12-month period to an employee who is the spouse, parent, child or nearest blood relative caring for a recovering service member.

If you have any questions regarding eligibility for FMLA or extended leave please contact:

Human Resources Department  
700 SW 2<sup>nd</sup> Avenue  
Okeechobee, Florida 34974  
Phone: (863) 462-5000, Ext. 1022  
Fax: (863) 462-5013

**For the complete text of the relevant policy, see OCSB School Board Policies 6.242 and 6.25.**

## Domestic Violence Leave

Effective July 1, 2007, Florida Statute Section 741.313 provides leave for employees who are victims of domestic violence. Employees must have been employed for at least three (3) months to be eligible. Eligible employees are required to exhaust all available leave before using the leave provided for under this law unless the employer waives this requirement.

Employees can take up to three (3) days of unpaid leave in any 12 month period if the employee, or a family or household member of the employee, is the victim of domestic violence. Some situations under the Domestic Violence Leave may also qualify as FMLA leave, and both could run concurrently.

Leave can only be sought to: seek an injunction for protection against domestic violence; obtain medical care or mental health counseling; obtain services from a victim-services organization; make the employee's home secure or find new housing; or to seek legal assistance to address issues arising from an act of domestic violence and attend court-related proceedings arising from the act of domestic violence.

## Leave Banks

### Sick Leave Bank

The Sick Leave Bank protects members from catastrophic illness, accident, or injury by providing emergency sick leave days.

Membership in the Sick Leave Bank is voluntary. Requests for withdrawals from the Sick Leave Bank shall be made in writing from the employee requesting access to the Bank and shall include supporting documentation (a doctor's statement is required). The claim must be based on a personal and catastrophic illness, injury, or accident, which prevents the employee from working. Access to the Bank can be made only after the employee has been absent for a minimum of fifteen (15) consecutive workdays and has exhausted all accumulated sick leave. Withdrawals from the Bank are limited to a maximum of forty (40) days.

In order to join the Bank, you must meet the following criteria:

1. Employed by the School Board for one (1) year;
2. Have accrued six (6) days of sick leave; and
3. Contribute one (1) day of sick leave during the months of September or October.

(When the Bank has fewer than two (2) days per each Sick Leave Bank member on June 30<sup>th</sup> of any year, all continuing sick leave bank participants shall automatically donate a day to the sick leave bank.)

Employees who desire to become members of the Sick Leave Bank should contact the Finance Department for further information, (863) 462-5000, Ext. 1034.

**For the complete text of the relevant policy, see OCSB School Board Policy 6.34.**

## Compassionate Leave Bank

The Compassionate Leave Bank exists so employees may donate payout of sick leave days for use by eligible employees who need extended time off due to a catastrophic, serious health condition of a member of the employee's immediate family, residing within the employee's household, for whom the employee is the primary caregiver. Immediate family shall be defined as husband, wife, father, mother, son, daughter, sister, brother, aunt, uncle, first cousin, niece, nephew, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, stepfather, stepmother, stepbrother, stepsister, stepson, stepdaughter, half - brother or half-sister. The employee must exhaust all applicable paid leave prior to application to the Compassionate Leave Bank. Funds generated from the payout of donated sick leave shall be deposited into the Compassionate Leave Bank.

1. Compassionate leave may be granted for catastrophic events including serious injury or illness of someone in the immediate family. Normal pregnancy, common illness, illness or injury covered by Workers' Compensation, mental or nervous conditions, chemical dependency, alcoholism or related conditions' are not eligible for compassionate leave.
2. Sick leave payout is available for donors wishing to voluntarily contribute a designated number of days to the Compassionate Leave Bank. Donors may specify the individual who will be the recipient of these days.
  - a. A donor may authorize a deposit of the value of unused sick leave earned into the Compassionate Leave Bank by completion of the appropriate form. The leave payout shall be based on the current daily rate of pay of the employee multiplied by eighty percent (80%) of the value of the day.
  - b. The amount of days contributed by anyone donor may not exceed five (5) days per year.
  - c. Employees who wish to donate to the Compassionate Leave Bank must hold at least thirty (30) days of accrued sick leave as of the last duty day and have used no more than six (6) of their ten (10) days of accrued sick/personal leave during the year.
  - d. Days for which such payment is deposited shall be deducted from the employee's accumulated leave balance. The payout for the accumulated leave and deposit into the bank shall be reflected on the employee's paycheck stub.
  - e. Unused leave shall not be kept by the recipient or returned to the donor but will be retained in the bank.
3. Employees receiving or donating Compassionate Leave Bank days shall be responsible for their respective taxes arising from this transaction.
4. While using compassionate leave, the employee will not accrue annual or sick leave.
5. An overview committee will be formed to review administration of the bank and determine disputed eligibility for members in the collective bargaining units. The overview committee with OCEA shall have representation and voting rights equal to other groups represented on this committee.

**For the complete text of the relevant policy, see OCSB School Board Policy 6.35.**

## Employee Assistance Program

The Employee Assistance Program (EAP) is available to all regular full and part-time employees and their eligible family members through The Hartford. The EAP is designed to provide **confidential** professional assessment, referral, and short-term problem solving services to employees and their lawful dependents that are experiencing personal problems that may be affecting work performance or which may, in general, prevent them from enjoying a sense of well-being. The services are at no charge to the employee. Some of the services provided are:

1. Counseling – no co-pays to see an EAP counselor.
2. Referrals - 24 hours/day, 365 days/year including relationship and family challenges, life changing events, stress, excessive worry, substance abuse or addiction and workplace challenges.
3. Legal Referrals – initial consultation with an attorney at no cost
4. Financial Referrals – initial consultation with an attorney at no cost

These are best described as problems of daily living and may include emotional, marital or family problems or problems resulting from alcohol or drug abuse, or legal and financial difficulties.

For further information, contact Human Resources or you may reach The Hartford (Ability Assist Counseling Services) directly at 800-964-3577.

## Dress Code

The School Board believes that all staff members set an example in dress and grooming for students to follow. Employees are expected to be physically clean, neat and well groomed. Clothing must be clean, neat and reflect a positive image to the public. Employees are expected to dress in a manner consistent with their assigned responsibilities. Apparel worn by employees should communicate to students a pride in personal appearance. In addition, employees should be groomed in a way that their hair style or dress does not disrupt the educational process nor cause a health or safety hazard. Attire that is too casual or inappropriate for your position, or your daily activities, should not be worn. **All employees must wear ID badges at all times for security purposes.**

## Employment/Personnel Records

Employment records are processed and maintained in the Human Resources Department. All Personnel files are public records and as such, are available for public inspection. If you would like to review your personnel file, please feel free to contact the Human Resources Department for an appointment.

Verification of employment, including work location and dates of employment will not be released over the telephone. All requests for this information must be received in writing.

The Human Resources Department should be notified in writing of any changes in personal status, such as changes in name, address, marital status, changes in number of dependents for payroll purposes, and changes in beneficiary for retirement purposes. Please notify the Employee Benefits Office of any changes in beneficiary for life insurance purposes, and changes in number of dependents for insurance purposes.

**For the complete text of the relevant policy, see OCSB School Board Policies 3.50, and 3.51.**

## Grievances

All grievances will be handled in accordance with the published School Board and OCEA contract or alternatively an employee may file an employee complaint. Contact your union representative or the Human Resources Department for details regarding employee complaint procedures.

**For the complete text of the relevant policy, see OCSB School Board Policy 6.50.**

## Copyrighted Materials

All rules of copyrighting regarding printed materials, software, or any other materials, shall be followed, including information and attribution of authorship. Any receiving or attaching of copyright protected materials, in any form, in violation of copyright laws shall constitute a violation of the District's acceptable use guidelines.

**For the complete text of the relevant policy, see OCSB School Board Policy 3.52.**

## Intellectual Property

Any tangible object or intellectual property created, regardless of the stage of development (draft or final form), by employees or contractors using school district resources and/or on school district time is the sole and exclusive property of Okeechobee County Schools. These objects or other properties may not be reproduced, sold or otherwise disposed of in any fashion without the express permission of the School Board.

**For the complete text of the relevant policy, see OCSB School Board Policy 7.32.**

## Money Collection

Any employee who collects money during the course of their employment must complete the money collection training module each school year, prior to collecting money. All individual sales in excess of \$10.00 must have a receipt issued. All funds must be submitted to the school bookkeeper on a daily basis, along with a monies collected form.

## IRSC Fee Waiver

Employees of the school system are eligible to take credit courses at Indian River State College (IRSC) at a discounted fee. The fee waiver is available for any associate or bachelor level course. The School Board pays a portion of the tuition fee. Contact the OCSB Human Resources Department or IRSC for further details. Fee waivers must be submitted and approved by designees in the OCSB Human Resources Department prior to making tuition payments to IRSC.

## Pets

Pets are not to be on District property or brought to school events unless they are service animals in compliance with the Americans with Disabilities Act (ADAAA) or are approved classroom pets.

**For the complete text of the relevant policy, see OCSB School Board Policies 3.47 and 3.48.**

## Political Activities of Employees (Campaigning)

Florida Statute section 104.31 and School Board Policy 6.46 govern political activities of a public school employee. Some things to remember:

1. Political posters may not be displayed in schools;
2. Political literature may not be distributed in schools or on school property;
3. Employees may be allowed to park a vehicle with a bumper on school grounds so long as they do not interfere with the conduct of school business
4. Solicitations for votes or contributions may not be conducted in schools or on School Board property
5. Students shall not be required to distribute campaign literature;
6. Employees may be permitted to engage in political campaigns and other endorsements during non-duty hours. They are not permitted, however, to solicit support or defeat of any political candidate, partisan or nonpartisan, or support or defeat of any issue on any referendum matter during regular work hours on School Board property.
7. Employees may not encourage students to adopt or support a particular political position, party, or candidate, nor may they use school property or materials to advance the support of a particular political position, party, or candidate.
8. Classroom teachers may use political materials as part of the instructional program, provided the material is germane to the instructional objectives of the course. Any presentation of political materials, or issues, or expression of views, however, must be balanced and fair. Teachers shall

strive to promote tolerance for the opinions of others and respect for the right of all individuals to hold and express differing opinions.

A School Board employee who offers him/herself as a candidate for public office shall notify the Superintendent immediately upon qualifying for election. He/she shall conduct his/her campaign so as not to interfere with his/her responsibilities. Candidates for public office may take personal leave without pay.

**For the complete text of the relevant policy, see OCSB School Board Policy 6.46.**

## Public Records Requests

All public records requests are processed through the Office of Administrative Services. Requests should be made, in writing, to that office. These requests should be detailed and explain exactly what information is being sought. Please note that the administrative costs of procuring and producing the documents sought in public records requests may be assessed to the requestor, as allowed by law. The requestor will be notified of these costs in advance of the record procurement and payment will be due as follows: half of the amount billed will be due prior to the record procurement and half of the amount billed will be due prior to the records being given to the requestor. Costs associated with the procurement of public records include, but are not limited to, the hourly labor cost of administrative staff and the cost of photocopying records.

**For the complete text of the relevant policy, see OCSB School Board Policies 3.50 and 3.51.**

## Reassignments

All employees are employed by the School District. In the best interest of the entire School District, employees may be reassigned by the Superintendent/designee to other work locations.

## Resignation

Resignations and requests to be released from a contract must be submitted in writing to one's immediate supervisor stating the reason, with a copy sent to the Director of Human Resources or the Director of Human Resources. When an employee leaves a position, proper notice consisting of a minimum of two weeks should be given. The resignation shall be in the form of a personal letter and shall include the reason for requesting severance and the effective termination date desired.

## *Instructional Employees*

In cases where the educational process will not be hindered and a satisfactory replacement can be employed, an instructional employee may be released from his/her duties. Otherwise, he/she will be expected to fulfill the conditions of the contract. Leaving a position without proper release can result in the revocation of one's teaching certificate.

**For the complete text of the relevant policy, see OCSB School Board Policy 6.214.**

## Retirement

### Benefit Eligibility upon Retirement

To be eligible to continue benefits as a Board retiree under the Florida Retirement System (FRS) Pension Plan, retiring employees must meet the eligibility requirements defined by the FRS and meet all of the following:

- Must elect retiree benefits within 30 days of retirement AND
- If in the Investment Plan, must meet the age and service requirements under the regular pension plan and must take a disbursement OR

- Must be activating FRS pension upon separating from the District

**For the complete text of the relevant policy, see OCSB School Board Policy 6.215.**

## Florida Retirement System and Social Security

All employees of the Board in a regularly established position are members of the Florida Retirement System. Please note that all information regarding the FRS is subject to change based on FRS guidelines/laws.

### Pension Plan

The 2011 Legislature passed Senate Bill 2100 that made changes to the Florida Retirement System (FRS). The bill, which has been signed into law by Governor Rick Scott, is effective July 1, 2011. Many changes were proposed during the 2011 session; the changes that became law are listed below.

### *Employee Contributions*

Effective July 1, 2011, except as noted below, you will contribute 3% of your salary as retirement contributions, on a pre-tax basis (your salary is reduced by the amount of the employee contribution before determining the federal income tax deduction).

- If you are a **Deferred Retirement Option Program (DROP) participant** or a **reemployed retiree** who is not allowed to renew membership you will not be required to make 3% contributions.
- Members must be terminated for 3 calendar months to be eligible to receive a refund of employee contributions.

### *Deferred Retirement Option Program (DROP)*

- If you have an effective DROP begin date on or after **July 1, 2011**, you will have an annual interest rate of **1.3%**.

### *Cost-of-Living Adjustment (COLA)*

- If your effective retirement date or DROP begin date is before **August 1, 2011**, you will not have a change in the 3% COLA paid each July.
- If you have an effective retirement date or DROP begin date on or after August 1, 2011, you will have an individually calculated COLA that is a reduction from 3% using the following formula:
  - The total years of service before July 1, 2011, divided by the total years of service at retirement. Multiply this number by 3% to get your COLA.

For example: a member who retires effective July 1, 2012, with 30 years of service of which 29 years occurred before July 1, 2011:

$$29/30 = .9667 \times 3\% = 2.9\%$$

This member will receive a 2.9% COLA each July.

### *Members First Enrolled in the FRS before July 1, 2011*

- **Vesting** for Pension Plan benefit eligibility will be after the completion of 6 years of creditable service.
- The average final compensation (AFC) used in calculating retirement benefits will be the highest 5 fiscal years of salary.
- The definition of “normal retirement date” is:
  - Members of the Regular Class, Senior Management Service Class and Elected Officers’ Class will reach their normal retirement date:

- a. The first day of the month in which the member reaches age 62 and is vested; or
- b. The first day of the month following the date the member completes 30 years of creditable service, regardless of age.

### *Members First Enrolled in the FRS on or after July 1, 2011*

- **Vesting** for Pension Plan benefit eligibility will be after the completion of 8 years of creditable service.
- The average final compensation (AFC) used in calculating retirement benefits will be the highest 8 fiscal years of salary.
- The definition of “normal retirement date” is changed:
  - Members of the Regular Class, Senior Management Service Class and Elected Officers’ Class will reach their normal retirement date:
    - a. The first day of the month in which the member reaches age 65 and is vested; or
    - b. The first day of the month following the date the member completes 33 years of creditable service, regardless of age before age 65.

If you have questions on these changes, please call MyFRS toll free at 844-377-1888. There are disability benefits for those who are totally and permanently disabled and FRS pension plan members.

### Investment Plan

- Vesting for the Investment Plan requires 1 year of service with an FRS Employer. Any benefit you transfer from the Pension Plan to the Investment Plan will still be subject to either the Pension Plan’s 6-year or 8-year vesting requirement, rather than the Investment Plans’ 1-year vesting requirement.
- To compare the Vesting requirement visit [https://myfrs.com/FRSPro\\_ComparePlan\\_Vesting.htm](https://myfrs.com/FRSPro_ComparePlan_Vesting.htm)

### Retirement Election

New employees have the ability to choose either the Pension plan or Investment plan upon hire. **Your plan choice deadline is 4:00 p.m. ET on the last business day of the eighth month following your month of hire.** If you do not submit a plan choice by your deadline, the Investment Plan will be considered your 1<sup>st</sup> Election by default.

### Transfer between Plans

The FRS continues to offer a **2nd election** to transfer membership between plans. If you have a 2nd election available and transfer to the Investment Plan, and depending on your years of vested service, you will not be vested in the amount transferred from the Pension Plan until you have the qualified years of service credit under the FRS. If you terminate employment with less than the qualified years of service credit, you could forfeit the amount transferred from the Pension Plan and any related investment returns. If you have questions about using your 2nd election, please call the MyFRS Financial Guidance Line at (866) 446-9377, Option 2. MyFRS online information can be found at <https://www.myfrs.com/Vesting.htm>

### Social Security

All members of the Florida Retirement System are required by state law to be covered under Social Security, and contributions for social security are automatically deducted from earnings. The Board matches these contributions. The local Social Security office provides information regarding Social Security eligibility and benefits.

## Voluntary Retirement Savings Accounts

Okeechobee County School Board offers 403(b), 457(b) and 401(K) approved retirement savings accounts available for payroll deduction. Enroll at [www.tsacg.com/individual/plan-sponsor](http://www.tsacg.com/individual/plan-sponsor)

Employees may choose from several types of 403(b), Roth 403(b), and 457 voluntary savings plans for retirement savings. These savings plans are a valuable retirement savings option offered through the District and are available to all employees immediately upon hire with the exception of private contractors, School Board members and student workers.

Upon enrollment, participants designate a portion of their salary they wish to contribute to their account up to their maximum annual contribution. Contributions are generally on a pre-tax basis and are made through payroll deduction, thereby reducing the participant's taxable income. Taxes on contributions and any earnings are deferred until the participant withdraws the funds.

## Social Security Number Management

Social security numbers shall be collected only when allowed by law or when necessary for the performance of the school system's duties.

The Okeechobee County School Board will collect and use your social security number only if specifically authorized by law to do so or when it is imperative for the performance of its duties and responsibilities as prescribed by law.

An applicant, employee, vendor, or volunteer's social security number may be required for:

- Employment Application
- Criminal History Check (FDLE, FBI and local law enforcement agencies)
- Department of Homeland Security Federal I-9 form
- Federal W4, W2, 1099 and other IRS documents
- Federal Social Security taxes (FICA)
- Unemployment reports (Florida Department of Revenue)
- Florida Retirement System (FRS) documents and reports
- Workers' Compensation documents and reports
- Direct Deposit documents
- Authorizations and other documents for optional retirement programs such as 403(b)
- Documents and reports related to Group benefits such as health, dental and life insurance
- Documents and reports related to supplemental deductions
- Documents and reports for the Florida Department of Education Bureau of Educator Certification, Florida Department of Education Bureau of Practices and other FLDOE departments, as required
- Documents and reports for the Florida Department Children and Families, Florida Department of Labor, Florida Department of Revenue and other local, state and federal agencies, as required
- Other purposes specifically required or authorized by local, state, or federal law

A social security number shall be considered confidential and exempt from public inspection in accordance with Florida Statutes. Social security numbers may be disclosed to another agency or governmental entity only if it is necessary for the receiving entity to perform its responsibilities.

Student social security numbers are confidential and will only be released in accordance with the consent requirement set forth at Section 1002.22, Florida Statutes, or as otherwise provided by law.

**For the complete text of the relevant policy, see OCSB Policy 6.78.**

## Professional Judgment

Professional judgment is needed when interacting with students. Many problems educators and support staff have encountered could have been avoided if they used common sense and rational judgment. Below are some suggestions to avoid legal complications:

1. Maintain a professional barrier between you and students at all times. You are the adult and professional and should act as such not as one of the kids.
2. Do not leave students unsupervised.
3. Keep the classroom door open when talking with students individually.
4. Do not flirt with students.
5. Do not discuss your personal life or personal matters with students. Do not discuss your husband, wife, girl/boyfriend, or dates with students.
6. Keep your hands and other parts of your body to yourself. Use verbal praise and reinforcement.
7. Do not socialize with students. It is strongly recommended that you do not “friend” students on Facebook, Instagram, Twitter, etc.
8. Do not drink alcoholic beverages in front of your students.
9. Do not take students home with you.
10. Do not drive a student home. If there is an emergency situation and you must transport a student, have another OCSB staff member with you.
11. Do not make telephone calls, text, or write notes of a personal nature to students.

## Supervision of Students

When an employee of the Okeechobee County School District is responsible for supervising students, it shall be the duty of the employee to maintain an orderly environment. At no time should students be left without supervision. In addition, employees should constantly scan the area for which they are responsible and circulate in order to ensure all students are supervised. In the event any student misbehavior occurs during this time, appropriate steps should be taken to ensure that this misbehavior stops immediately.

## Salary for Personnel

Most instructional salaries are based upon a seven and one-half (7½) hour day, 196-day contract year. Certain instructional positions are required to work an eight-hour day. Employees who work over or under their contracted time may have their salaries adjusted accordingly, based on the Fair Labor Standards Act.

Annual salary is based upon placement on the Board Approved Instructional Salary Schedule. Employees are paid bimonthly. Bimonthly gross pay is calculated by dividing the annual salary amount by 26. For example, an annual salary of \$37,000 divided by 24 equals a bimonthly gross amount of \$1,541.67.

*Overpayments - In the event that an employee is overpaid, the employee may be required to repay any unearned amounts. The Payroll Office will contact the employee with specific information.*

**For the complete text of the relevant policy, see OCSB Policy 6.30.**

## Supplements for Personnel

Supplemental positions are posted upon availability. A list of all supplemented positions and the stipend amount are published in the OCSB Salary Schedule.

If a supplement is not budgeted at the school site, no bargaining unit member will be required to fill an unfunded supplement position. A bargaining unit member may choose to serve as a volunteer, but there will be no penalty for declining to volunteer.

## Suspension and Dismissal

Under certain conditions, a supervisor may recommend suspension or dismissal of an employee. The grounds for immediate suspension or dismissal shall include but not be limited to the following:

1. Immorality as determined by a court of competent jurisdiction
2. Gross insubordination
3. Willful neglect of duty
4. Incompetence
5. Misconduct in office
6. Substance abuse including alcohol
7. Conviction of any crime involving moral turpitude

Upon termination, employees will receive a copy of the District's "Separation of Employment" form. This form will be used to ensure that separated employees are aware of who to contact in order to receive appropriate information related to payroll, benefits, and exit interviews. A copy of this form is located in the appendix.

**For the complete text of the relevant policy, see OCSB Policy 6.52.**

## Temporary Employees

At times, the school district hires employees under a temporary status to replace full-time employees who are on approved leave. These individuals are hired for the time of leave only. When the employee on leave returns to work, the temporary employment shall end.

## Transfers

Employees may request transfers based on advertised vacancies. Employees who wish to transfer to a different work site during the school session must make a written request to both the principal of the school (worksites) they are currently in and the principal of the desired school (worksites). If the principal of the desired school agrees to recommend the transfer, the principal of the current school (worksites) must agree to the transfer. In the event the transfer is to be effective with the new school year, the current principal's approval is not required.

## Use of District Vehicles

Employees who need to drive a district vehicle as part of their work responsibilities will need complete an application with the Transportation Department and provide a copy of their drivers' license as well as a complete driving record prior to approval. All District drivers are required to adhere to the District's Safe Driver Plan, and must sign a receipt acknowledging they have received a copy of the Safe Driver Plan. In addition, employees must follow the guidelines below.

1. Be responsible for the vehicle assigned to me.
2. Not allow any non-district personnel or unauthorized employee to operate the vehicle.
3. Maintain assigned vehicle as prescribed by the Transportation Department guidelines (oil changes, preventive maintenance, etc.)
4. Ensure the vehicle is fueled, cleaned, and well-maintained.
5. Use the vehicle for District business **only**.
6. Notify your supervisor and the Transportation department immediately in the event of an accident involving your assigned vehicle.
7. Make reasonable efforts to protect the interior and exterior of assigned vehicle from damage. This includes damage incurred while transporting equipment and/or from liquids and food.
8. Employees are not permitted to use a cell phone or smoke while operating district vehicles.

Pursuant to School Board Policy 8.25, employees who drive District owned/operated or controlled vehicles, or are required to hold a valid driver's license or commercial driver's license (CDL), must report minor traffic violations when they occur in any vehicle including personal vehicles.

**For the complete text of the relevant policy, see OCSB Policy 8.25.**

## Use of Private Vehicles

No student shall be transported in a private vehicle owned by an employee of the Okeechobee County School District unless the driver has been approved by an administrator or principal. In order to be considered for approval, the driver must submit a valid driver's license, full driving history, and proof of insurance to the employee's principal or administrator.

**For the complete text of the relevant policy, see OCSB Policy 8.23.**

## Volunteers

All volunteers must be approved through the Administrative Services Office. Volunteer applications, guidelines and information about volunteer opportunities can be found at the District's website.

**For the complete text of the relevant policy, see OCSB Policy 3.60.**

## Workers' Compensation (Accidents, Injuries and Illness at Work)

Beginning on their first day of work, all employees, substitutes and registered volunteers are covered under the OCSB's workers' compensation program when an injury or illness is sustained as a result of employment or volunteering during a school sponsored activity.

All on-the job accidents, injuries, or illnesses must be immediately reported to the employee's supervisor after they occur. The accident forms (O-PEST-18 and/or O-PE-18) should be completed on the day of the accident and forwarded to the Administrative Services Office. Illness-in-the-line-of-duty leave is available for those employees injured on the job due to an employment related accident or illness. Employees may receive Illness-in-the-line-of-duty leave for up to ten (10) working days per school year, when placed out of work by their workers' compensation authorized physician.

Illness-in-the-line-of-duty leave is paid by the OCSB and is not deducted from the employee's sick leave bank. If an employee is unable to return to work following a compensable workers' compensation injury, the OCSB will continue to provide employer contributions for up to six (6) months for your core benefits which includes medical, dental, vision, life insurance, and Employee Assistance Program (EAP). The employee is required to continue to pay their share for these core benefits and any supplemental benefits while out on workers' compensation leave. For more detailed information, please refer to the OCSB website at <http://www.okee.k12.fl.us> or contact the Administrative Services Office.

If the employee is authorized to return to work by their Workers' Compensation physician, but cannot perform all of the essential job functions or duties of their job, the Risk & Employee Benefits Department may attempt to provide a temporary light duty assignment for the employee. Light duty assignments are temporary in nature and are meant to provide the injured employee with a way to remain in an active employment status until the resolution of his/her injury is finalized.

All employees are advised that any person who knowingly and with intent to injure, defraud, or deceive any employer or employee, insurance company, or self-insured program, files a statement of claim containing false or misleading information, is guilty of a felony of the third degree. Okeechobee County Schools will take fraudulent claims seriously and will prosecute to the fullest extent permitted by law.

Contact the Administrative Services Office at (863) 462-5000, Ext. 1061 for further details on the District's Workers' Compensation Program.

## Who to Contact

### **HR/Personnel Department** – (863) 462-5000, Ext. 1022

For general questions concerning application forms, application status inquiries, etc.

- Applications/Position Vacancy Information – Ext. 1036
- Employment Verification Forms – Ext. 1021
- General Inquiries/FMLA/Personal Leave – Ext. 1022
- New Teacher Questions & Concerns/Teacher Certification – Ext. 1028

### **Administrative Services Department** – (863) 462-5000, Ext. 1061

For general questions concerning accidents/injury and illness at work, workplace safety or workers compensation, etc.

### **Finance Department** – (863) 462-5000, Ext. 1070

Questions concerning your paycheck, sick leave, or deductions should be referred to the Finance Department.

- Benefits/Insurance – Ext. 1031
- Paycheck/Sick Leave/Deductions – Ext. 1034
- Retirement – Ext. 1027

# Appendix A: Principles of Professional Conduct for the Education Profession in Florida

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Rule 6A-10.081, Florida Administrative Code, Principles of Professional Conduct for the Education Profession in Florida.

- (1) Florida educators shall be guided by the following ethical principles:
  - (a) The educator values the worth and dignity of every person, the pursuit of truth, devotion to excellence, acquisition of knowledge, and the nurture of democratic citizenship. Essential to the achievement of these standards are the freedom to learn and to teach and the guarantee of equal opportunity for all.
  - (b) The educator's primary professional concern will always be for the student and for the development of the student's potential. The educator will therefore strive for professional growth and will seek to exercise the best professional judgment and integrity.
  - (c) Aware of the importance of maintaining the respect and confidence of one's colleagues, of students, of parents, and of other members of the community, the educator strives to achieve and sustain the highest degree of ethical conduct.
- (2) Florida educators shall comply with the following disciplinary principles. Violation of any of these principles shall subject the individual to revocation or suspension of the individual educator's certificate, or the other penalties as provided by law.
- (a) Obligation to the student requires that the individual:
  - 1. Shall make reasonable effort to protect the student from conditions harmful to learning and/or to the student's mental and/or physical health and/or safety.
  - 2. Shall not unreasonably restrain a student from independent action in pursuit of learning.
  - 3. Shall not unreasonably deny a student access to diverse points of view.
  - 4. Shall not intentionally suppress or distort subject matter relevant to a student's academic program.
  - 5. Shall not intentionally expose a student to unnecessary embarrassment or disparagement.
  - 6. Shall not intentionally violate or deny a student's legal rights.
  - 7. Shall not harass or discriminate against any student on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition, sexual orientation, or social and family background and shall make reasonable effort to assure that each student is protected from harassment or discrimination.
  - 8. Shall not exploit a relationship with a student for personal gain or advantage.
  - 9. Shall keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law.
- (b) Obligation to the public requires that the individual:
  - 1. Shall take reasonable precautions to distinguish between personal views and those of any educational institution or organization with which the individual is affiliated.
  - 2. Shall not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression.
  - 3. Shall not use institutional privileges for personal gain or advantage.
  - 4. Shall accept no gratuity, gift, or favor that might influence professional judgment.
  - 5. Shall offer no gratuity, gift, or favor to obtain special advantages.
- (c) Obligation to the profession of education requires that the individual:
  - 1. Shall maintain honesty in all professional dealings.
  - 2. Shall not on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition if otherwise qualified, or social and family background deny to a colleague professional benefits or advantages or participation in any professional organization.
  - 3. Shall not interfere with a colleague's exercise of political or civil rights and responsibilities.
  - 4. Shall not engage in harassment or discriminatory conduct which unreasonably interferes with an individual's performance of professional or work responsibilities or with the orderly processes

- of education or which creates a hostile, intimidating, abusive, offensive, or oppressive environment; and, further, shall make reasonable effort to assure that each individual is protected from such harassment or discrimination.
5. Shall not make malicious or intentionally false statements about a colleague.
  6. Shall not use coercive means or promise special treatment to influence professional judgments of colleagues.
  7. Shall not misrepresent one's own professional qualifications.
  8. Shall not submit fraudulent information on any document in connection with professional activities.
  9. Shall not make any fraudulent statement or fail to disclose a material fact in one's own or another's application for a professional position.
  10. Shall not withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment.
  11. Shall provide upon the request of the certificated individual a written statement of specific reason for recommendations that lead to the denial of increments, significant changes in employment, or termination of employment.
  12. Shall not assist entry into or continuance in the profession of any person known to be unqualified in accordance with these Principles of Professional Conduct for the Education Profession in Florida and other applicable Florida Statutes and State Board of Education Rules.
  13. Shall self-report within forty-eight (48) hours to appropriate authorities (as determined by district) any arrests/charges involving the abuse of a child or the sale and/or possession of a controlled substance. Such notice shall not be considered an admission of guilt nor shall such notice be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. In addition, shall self-report any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea of guilty or Nolo Contendere for any criminal offense other than a minor traffic violation within forty-eight (48) hours after the final judgment. When handling sealed and expunged records disclosed under this rule, school districts shall comply with the confidentiality provisions of Sections 943.0585(4)(c) and 943.059(4)(c), F.S.
  14. Shall report to appropriate authorities any known allegation of a violation of the Florida School Code or State Board of Education Rules as defined in Section 1012.795(1), F.S.
  15. Shall seek no reprisal against any individual who has reported any allegation of a violation of the Florida School Code or State Board of Education Rules as defined in Section 1012.795(1), F.S.
  16. Shall comply with the conditions of an order of the Education Practices Commission imposing probation, imposing a fine, or restricting the authorized scope of practice.
  17. Shall, as the supervising administrator, cooperate with the Education Practices Commission in monitoring the probation of a subordinate.

*Rulemaking Authority 1001.02, 1012.795(1)(j) FS. Law Implemented 1012.795 FS. History—New 7-6-82, Amended 12-20-83, Formerly 6B-1.06, Amended 8-10-92, 12-29-98, Formerly 6B-1.006, Amended 3-23-16.*

## Appendix B: Identifying & Reporting Professional Misconduct

### Identifying and reporting Professional Misconduct

**“By virtue of their leadership capacity, teachers are traditionally held to a high moral standard in a community”**

*Adams v. State of Florida Professional Practices Council,  
406 So 2nd 1170 Fla. 1st DCA 1981*



Florida Department of Education  
Office of Professional Practices Services

***“Teaching is the profession that teaches all the other professions.”***

**--Author Unknown**

#### **The following behavior may be indicative of misconduct that should be reported:**

- being alone with a student in dark or closed room or secluded area
- behaving in an overly friendly or familiar way or failing to maintain an appropriate professional boundary with a student
- using forceful or unnecessary physical contact with a student
- administering discipline not compliant with district policy
- accepting or offering of gifts for return of a favor or privilege from students or colleagues
- badgering or habitually teasing a student
- mocking or belittling a student
- chronically embarrassing a student
- displaying prejudice or bigotry against a student
- suspicion of being under the influence of drugs or alcohol
- failing to properly supervise students or to ensure student safety
- cheating, falsifying information or testing violations
- retaliating against a student or colleague for reporting misconduct
- bantering or engaging in colloquial or slang communications with a student
- directing or using profane, offensive, or explosive language in the presence of students
- making lewd or suggestive comments or overtures toward a student or colleague

#### **Apply the litmus test**

1. If you feel uncomfortable
  2. If you question the person's motives or actions
  3. If you are unsure
- Protect the students and yourself and report.

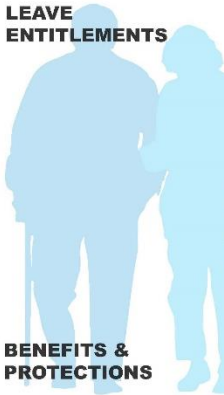
<p><b>HOW TO REPORT MISCONDUCT</b></p> <ul style="list-style-type: none"> <li>• Report allegations or suspicion of misconduct by an instructional personnel member to your school administrator or district contact</li> <li>• Report allegations or suspicion of misconduct by your school administrator to your district contact</li> <li>• Document the activities or details of the event.</li> <li>• Secure evidence (if applicable)</li> </ul> <p><b>If someone tells you about misconduct, be a LEADER:</b></p> <p style="text-align: center;"> <i>Listen</i>  <i>Evaluate</i>  <i>Act immediately</i>  <i>Document</i>  <i>Encourage</i>  <i>Report</i> </p> <p><b>WHO SHOULD REPORT MISCONDUCT?</b></p> <p>All employees and agents of a district school board, charter school or private school have a duty to report misconduct.</p> <p>If you are aware of or observe misconduct</p> <p style="text-align: center;"><b>REPORT IT IMMEDIATELY!</b></p> <p style="text-align: center;"><b>WHO SHOULD YOU REPORT?</b></p> <ul style="list-style-type: none"> <li>• Classroom teachers</li> <li>• Paraprofessionals</li> <li>• Substitute teachers</li> <li>• Librarians, guidance counselors and social workers</li> <li>• Career specialists and school psychologists</li> <li>• Principals, Assistant Principals and Deans</li> </ul>	<p><b>FLORIDA STATUTES AND RULES</b></p> <p><b>Florida Statutes s. 1006.061</b> states all employees and agents of the district school board, charter schools and private schools that accept scholarship students, have an obligation to report misconduct by an instructional personnel member or school administrator</p> <p><b>Florida Statutes s. 1012.33</b> outlines disciplinary procedures regarding district employment contracts with instructional personnel staff, supervisors and school principals</p> <p><b>Florida Statutes s. 1012.795</b> provides the Education Practices Commission the authority to issue disciplinary action against an individual's Florida Educator certificate</p> <p><b>Florida Statutes s. 1012.796</b> provides authority for the Department of Education to investigate and prosecute allegations of educator misconduct</p> <p><b>Florida Statute s. 1012.01</b> defines public school instructional personnel, administrative personnel, school volunteers, education support employees and managers</p> <p><b>State Board of Education Rule 6B-1.001</b> defines the Code of Ethics of the Education Profession in Florida</p> <p><b>State Board of Education Rule 6B-1.006</b> defines the Principals of Professional Conduct of the Education Profession in Florida</p> <p style="text-align: center;"><b>FAILURE TO REPORT MISCONDUCT</b></p> <p>Possible penalties for instructional personnel or site administrators who fail to report misconduct may include:</p> <ul style="list-style-type: none"> <li>• Written Reprimand</li> <li>• Suspension with or without pay</li> <li>• Termination of employment</li> <li>• Discipline/Sanctions on an educator's certificate</li> </ul>
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## Appendix C: FMLA Poster

# EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

### LEAVE ENTITLEMENTS



Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within one year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;\* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

\*Special "hours of service" requirements apply to airline flight crew employees.

### ELIGIBILITY REQUIREMENTS

### REQUESTING LEAVE

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

### EMPLOYER RESPONSIBILITIES

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

### ENFORCEMENT

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.



For additional information or to file a complaint:

## 1-866-4-USWAGE

(1-866-487-9243) TTY: 1-877-889-5627

## www.dol.gov/whd

U.S. Department of Labor | Wage and Hour Division



WH11420 REV 04/16

# Appendix D: Separation of Employment Form

## Separation of Employment Information for Exiting Employees

### INFORMATION REGARDING SEPARATION

Your last day of actual work will be your last day on the payroll except in the case of retirement.

Medical and fringe benefits may continue based on the type of separation. Contact Linda Holmes for information.

Accrued, unused personal, sick and/or vacation time can be requested to be paid out. You may elect to transfer unused sick time to another, participating, Florida institution. Employees terminating their employment who are not eligible to transfer accumulated sick leave within the state of Florida may receive terminal pay based on the percentages in the contract. It is the responsibility of the employee to complete the necessary forms for payment of sick or annual leave within 30 days of termination. If you leave employment prior to the end of your full work year calendar, your up-front sick days will be adjusted according to Florida Statute 1012.61.

The use of personal, sick and/or vacation time between now and your last day worked must be approved by your supervisor and may only be approved under extenuating circumstances. You may be required to submit a doctor's note for any sick days requested.

Make an appointment with Angela Hodges regarding any retirement questions.

You must return all assigned property and equipment prior to the end of your last actual workday (ie: laptop computer, keys, ID badge, etc.).

You will be expected to remove all personal items from your work area prior to turning in your keys on the last actual workday.

You may be requested to complete an optional, online Exit Survey. If not, you have the opportunity to request a paper form by contacting Human Resources at (863) 462-5000.

Unemployment Guide – Visit <http://www.stateofflorida.com/articles/florida-unemployment.aspx>

### WHO TO CONTACT

Description	Department	Contact / Phone / Email
Benefit Related Assistance <ul style="list-style-type: none"><li>Insurance</li><li>COBRA</li></ul>	Payroll / Human Resources or Continuon	Samantha Shaw Secretary (863) 462-5000 ext. 1070 <a href="mailto:samantha.shaw@okee.k12.fl.us">samantha.shaw@okee.k12.fl.us</a> or Continuon (866) 209-2949
Wages <ul style="list-style-type: none"><li>Final Pay</li><li>Paid Time Remaining</li></ul>	Payroll	Brenda Arnold Administrative Assistant (863) 462-5000 ext. 1034 <a href="mailto:brenda.arnold@okee.k12.fl.us">brenda.arnold@okee.k12.fl.us</a>
Retirement	Finance	Angela Hodges Assistant Director (863) 462-5000 ext. 1027 <a href="mailto:hodgesa@okee.k12.fl.us">hodgesa@okee.k12.fl.us</a>
Employee Relations <ul style="list-style-type: none"><li>Process and Procedures</li><li>Counseling Resources</li><li>Exit Interview</li></ul>	Human Resources	Dr. Joseph Stanley Director (863) 462-5000 ext. 1022 <a href="mailto:joseph.stanley@okee.k12.fl.us">joseph.stanley@okee.k12.fl.us</a>

## Separation of Employment Checklist

*To be completed by administrator / supervisor*

### EMPLOYEE INFORMATION

Name \_\_\_\_\_

Position \_\_\_\_\_

Department / School \_\_\_\_\_

Last Day Physically at Work \_\_\_\_\_

Forwarding email address \_\_\_\_\_

Forwarding physical address \_\_\_\_\_

### TYPE OF SEPARATION

- ☐ Retirement      ☐ Resignation      ☐ Termination      ☐ Job Elimination      ☐ Other

### PROPERTY TO BE RETURNED

- ☐ Keys  
☐ Laptop Computer  
☐ ID Badge  
☐ Employee Handbook and all other applicable district property (Teacher's editions, equipment, etc.)

### OPERATIONAL MATTERS

- ☐ Termination reviewed and approved by the Director of Human Resources  
☐ Supporting Documentation (Termination Letter, Resignation Letter, etc.)  
☐ Remove of employee's name from your school site's website  
☐ Remove employee from Skyward Student Rosters

\_\_\_\_\_  
*Supervisor Signature*

\_\_\_\_\_  
*Date*

### Submission Instructions

Complete and Return to  
Human Resources

Via email:

[joseph.stanley@okee.k12.fl.us](mailto:joseph.stanley@okee.k12.fl.us)

Or via fax: (863) 462-5013

## Appendix E: Reporting Child Abuse



Every year in Florida, thousands of children are subjected to child abuse, which can take the form of physical or sexual abuse, neglect, abandonment or mental injury. Too many continue to suffer because the abuse is never reported. Under Florida law, anyone who suspects a child may be abused or neglected has a responsibility to report it.

### **Signs that a child may be a victim of abuse:**

- Unusual fearfulness
- Lack of hygiene or inappropriate dress
- Delayed emotional, intellectual or language development
- Frequent injuries
- Feeding disorders
- Rocking, self-inflicted pain
- Sleep disorders, bed-wetting
- Lack of eye contact, poor socialization
- Acting out in school
- Unexplained scars or bruises
- Malnutrition
- Many school absences

**CALL 911 FOR EMERGENCIES**

**How to report abuse:**

**Telephone 1.800.962.2873**

**Fax 1.800.914.0004 TDD 1.800.453.5145**

**Online at [www.MyFLFamilies.com](http://www.MyFLFamilies.com)**

