



# EMPLOYMENT INFORMATION **HANDBOOK** FOR ALL EMPLOYEES



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## TABLE OF CONTENTS

WELCOME .....	1
PREFACE.....	2
<b>ADMINISTRATIVE OFFICES.....</b>	<b>3</b>
EQUAL OPPORTUNITY.....	3
HARRASSMENT AND DISCRIMINATION.....	4
Non-Discrimination, Affirmative Action, Equal Employment Opportunity.....	4
Hostile Work Environment .....	5
Sexual Harrassment .....	6
<b>Non-Discrimination, Hostile Work Environment and Bullying Complaint Procedure.....</b>	<b>7</b>
NEPOTISM .....	9
POSSESSION OF WEAPONS BY EMPLOYEES .....	10
<b>SECURITY CAMERAS IN SCHOOLS AND BUSES.....</b>	<b>11</b>
PROBLEM-SOLVING PROCEDURE FOR VIOLATIONS OF EMPLOYMENT HANDBOOK.....	12
EMPLOYEE ASSISTANCE .....	12
OFFICE OF HUMAN RESOURCES CONDITIONS OF EMPLOYMENT.....	13
Administrators.....	13
<b>New Certified Staff.....</b>	<b>14</b>
Step Ten Training Increment-Certificated Staff.....	15
Advancement on the Salary Schedule.....	15
<b>Licensure/Certification .....</b>	<b>16</b>
Employee Physicals.....	16
Appropriate Apparel.....	16
Use of Personal Equipment on District Property.....	18
Email.....	18
Change of Address and Telephone Number .....	18
Direct Deposit .....	18
Requests for Copies .....	18
Universal Precautions.....	19
EMPLOYEE WORK DAY .....	20
Work from Home.....	20
Length of Day.....	21
Arrival and Dismissal Time .....	21
Lunch Period.....	21
Leaving the Building.....	21
Rest Periods .....	21
Visitors during Working Hours .....	22
Gifts.....	22
Tutoring.....	22
Policy Regarding Staff Providing Respite Services .....	22
Meetings and Night Activities.....	23
Compensatory Time.....	23
Use of Compensatory Time .....	24
Holiday Pay for Secretarial/Clerical Employees.....	24
Holiday Pay for All Employees.....	25
ATTENDANCE .....	25
Employee Absence Reporting Policy.....	25
Employee Needing a Substitute.....	25
Employee Not Requiring a Substitute .....	26
<b>Workday.....</b>	<b>26</b>
<b>LEAVES OF ABSENCE.....</b>	<b>26</b>
<b>Sick Leave .....</b>	<b>27</b>
Family Illness Leave .....	27
Veterans Day Leave .....	28
Adoption.....	28
Emergency Leave AFSCME Only.....	28
<b>Jury Duty.....</b>	<b>28</b>
Bereavement Leave.....	29
Funeral Leave .....	29
Personal Leave .....	29
Political Activities .....	30
Educational Purposes.....	30
Military Leave.....	30
Extended Leave of Absence without Pay .....	30
Summer School .....	31

Religious Holidays .....	31
Compensatory Time.....	31
Family Medical Leave Act (FMLA) .....	31
Professional Leave and Job-Related Meetings .....	32
Vacation.....	33
Cancellations .....	33
Denial of Request to be Absent .....	33
Approval of Leave .....	34
Termination of Employee Due to Excessive Absence .....	34
Excessive Absenteeism .....	34
Extended Medical/Disability .....	34
Filling Positions left Vacant due to Prolonged Absence.....	34
EVALUATIONS .....	35
RE-EMPLOYMENT RIGHTS FOR MILITARY PERSONNEL .....	35
BENEFITS .....	36
Retirement Systems.....	36
Insurance .....	36
Salary Information .....	36
Credit Union .....	36
Travel Reimbursement.....	36
General Liability for Administrators .....	36
EMPLOYEE CONDUCT .....	36
Restraint of a Student .....	37
Proper and Ethical Test Administration.....	39
Des Moines Public Schools False Claims Act Advisory.....	40
Drug Free Workplace.....	41
Drug and Alcohol Use or Possession .....	42
Tobacco Free and Nicotine Free Workplace .....	42
DMPS Fragrance/Scent-Safe Workplace Standard.....	43
Notification of Arrests, Criminal Charges or Child Abuse Complaints .....	43
Child Abuse.....	44
Criminal Charges .....	44
Simple Misdemeanor .....	45
Failure to Meet Contractual Obligations.....	45
Chapter 102, Level One Investigator .....	45
Student Data Confidentiality Agreement.....	49
Crowdfunding.....	50
Grants .....	50
Cell Phone Policy .....	50
Lactation .....	51
Workplace Inspections.....	51
TECHNOLOGY-ACCEPTABLE USE .....	52
Acceptable Use of Technology Policy.....	52
Acceptable Use of Technology Procedures.....	52
Laptop/Mobile Device Agreement.....	53
DISTRICT POLICIES AND PROCEDURES.....	54



## WELCOME

Welcome to the 2016-2017 school year with Des Moines Public Schools. It is my sincerest hope that you find the challenges of the upcoming year inspiring and your work rewarding and fulfilling. Whether you joined the District only recently or more than forty years ago, I would like to congratulate you for being selected to take part in the essential work of helping educate the youth of Des Moines.

The successful education of today's youth is vital to our individual students, their families, and our community and it takes an entire community of staff to accomplish our mission that every graduate possesses the knowledge, skills, and abilities to be successful at the next stage of their lives. I am thankful that you have chosen to share your talents, skills, knowledge, wisdom, and abilities with the students of Des Moines Public School District and with your colleagues. Your contribution is needed.

Although each new school year brings its fair share of challenges, each year also brings forth a multitude of special rewards. We appreciate your part in making this the best school district in America. We have a solid trend of success over the past three years and we expect that trend to continue, and with your contributions, to accelerate.

The purpose of the Employment Information Handbook is to provide you with information regarding employment expectations that will be of assistance to you in your efforts to learn about the policies, practices, procedures, and overall philosophy of the Des Moines Public School District. We encourage you to have discussions with your supervisors and other District staff if you have any questions regarding the contents of this Handbook.

We hope your employment in the Des Moines Public Schools will be a long, fulfilling, and rewarding experience.

Sincerely,

Dr. Thomas Ahart Superintendent

## PREFACE

This handbook is prepared for informational purposes. It does not constitute a contract of employment between the Des Moines Public School District (Hereinafter the District) and its employees, and it should not be construed as such. The *Employment Information Handbook* is a resource that helps inform employees of expectations and available services. By thoroughly reading this resource and any applicable contract and/or *Comprehensive Agreement*, employees will be informed of benefits and opportunities as well as of potential consequences of failure to meet the expectations of the District.

The policies contained in the *Employment Information Handbook* may be changed or amended at any time with or without notice for many employees. For other employees, agreements for specified time periods may be entered into only with the recommendation and approval of the Superintendent, the Chief Human Resources Officer or the Chief Financial Officer. It is the employee's responsibility to refer to the DMPS website for updated policies.

Employees are required to review this handbook annually and to certify that they understand their responsibility to comply with District policies, practices, and work rules. Violations of this responsibility may constitute cause for disciplinary action.

It is the policy of the Des Moines Community School District not to illegally discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity, genetic information, military veteran status and socioeconomic status (for programs) in its educational programs and its employment practices. There is a grievance procedure for processing complaints of discrimination. If you believe you have (or your child has) been discriminated against or treated unjustly at school, please contact the Equity Coordinator, Isaiah McGee at 2323 Grand Avenue, Des Moines, IA 50312, 515-242-7662 [isaiah.mcgee@dmschools.org](mailto:isaiah.mcgee@dmschools.org)

## ADMINISTRATIVE OFFICES

The following is the office address for administrative and support staff of the Des Moines Independent Community School District.

Des Moines Public Schools  
2323 Grand Ave  
Des Moines, Iowa 50312

Office hours are 7:30a.m. until 4:30p.m. Offices are closed on Saturday and Sunday except by appointment.

Employees may also be reached e-mail: **first.last@dmschools.org**

When teachers need specialized assistance in working with curriculum and other related instructional areas, Central Office personnel are available to assist. Please contact them through DMPS email, whenever you believe they can be of assistance.

All forms referenced in the *Employment Information Handbook* can be accessed through @DMPS or on [www.dmschools.org](http://www.dmschools.org)

## EQUAL OPPORTUNITY

The Des Moines Public School District prohibits discrimination in educational and employment programs and activities based on age, race, creed, color, gender, marital status, national origin, religion, sexual orientation, gender identity, or disability. In addition, the District prohibits acts of intolerance or any form of harassment toward employees or students. For information regarding Title IX and Section 504, or for complaints of discrimination, contact the Equity Coordinator, Isaiah McGee at 2323 Grand Avenue, Des Moines, IA 50312, 515-242-7662  
[isaiah.mcgee@dmschools.org](mailto:isaiah.mcgee@dmschools.org)

**Series 400**

**Code 402**

**Title: Non-Discrimination, Affirmative Action and Equal Employment Opportunity**

It is the policy of the Des Moines Public School District not to illegally discriminate on the basis of race, color, national origin, gender, disability, religion, creed, age (employment only), marital status, sexual orientation, gender identity and socioeconomic status (students/program only) in its educational programs and its employment practices. There is a grievance procedure for processing complaints of discrimination. If you have questions or a grievance related to this policy please contact the District's Equity Coordinator:

Isaiah McGee, Equity Coordinator  
2323 Grand Avenue  
Des Moines, Iowa 50312  
(515) 242-7662  
[isaiah.mcgee@dmschools.org](mailto:isaiah.mcgee@dmschools.org)

The district will provide a non-discriminatory work environment for all employees regardless of their age, race, creed, color, gender, marital status, national origin, religion, sexual orientation, gender identity, or disability. Discriminatory harassment is defined as unwelcome verbal or physical conduct relating to age, race, creed, color, marital status, national origin, religion, sex/gender, disability or sexual orientation when made by any member of the school staff to a student, when made by any member of the staff to another staff member, when made by a student to a staff member or when made by any student to another student when:

- a. Submission to such conduct is made directly or indirectly a term or condition of an individual's employment or education, or when:
- b. Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual, or when:
- c. Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile, or offensive employment or education environment.

Inquiries related to discrimination may be directed to Isaiah McGee, Equity Coordinator, 2323 Grand Avenue, Des Moines, Iowa 50312, (515) 242-7662. Complaints can also be directed to the Director of the Iowa Civil Rights Commission; to the Director, United States Equal Employment Opportunity Commission in Milwaukee, Wisconsin; or to the Region VII Office for Civil Rights within the United States Department of Education, in Chicago, IL.

*Administrative Procedures: Code 402.1  
Adopted August 7, 1990; revised February 4, 1992; revised January 9, 2006; April 2013  
Last review: 2012-2013*

**Series 400**  
**Code 406**  
**Title: Hostile Work Environment**

In order for the district to accomplish its mission and goals, it is necessary that positive, respectful and productive human relationships be maintained among people employed by, representing and receiving service from the district. Any person who purposefully and without legitimate purpose engages in conduct that creates an intimidating, hostile, or demeaning work environment will be in violation of this policy related to hostile work environment harassment. Such conduct will be a violation of this policy if it is severe, persistent or pervasive and unreasonably interferes with an individual's professional performance.

“Severe” conduct is conduct which inflicts physical discomfort, hardship, pain, or distress. Examples of behaviors that would be considered severe include, but are not limited to, the following:

Aggressive and unwelcome physical contact;  
Abrupt, physically confrontational behavior which implies imminent danger;  
Overtly hostile, injurious, or destructive behavior;  
Verbal threats of physical harm; and  
Acts of retaliation against a staff member for filing a complaint or offering testimony during an investigative process.

“Persistent” conduct is conduct which is continuous or has existed for a long or longer than usual period of time without sufficient change in function. The following conduct, if persistent, could constitute hostile work environment harassment:

Raising one's voice above conversational tones in anger, frustration, rage or with the intent of intimidating the listener;  
Directing profane and/or abusive language at others, including name-calling and/or personal, direct and intentional insults; and  
Mocking, taunting or ridiculing others.

Pervasive conduct is conduct which occurs frequently and without sanction in the work environment because it has become an accepted part of the culture of the environment.

Conduct that humiliates, intimidates, excludes, bullies, frightens and or isolates another and is sufficiently severe, persistent and/or pervasive is a violation of this policy.

Inquiries related to hostile work environment harassment or how to file a complaint may be directed to Isaiah McGee Equity Coordinator, 2323 Grand Avenue, Des Moines, Iowa 50312, (515) 242-7662.

This [Complaint Form](#) may be used to submit the complaint online. Employees should also use the form to make internal complaints. This assists the administration in handling complaints in a timely and effective manner. Complaints must be made in good faith regarding a violation of the law or Board governing policy. No employee will be retaliated against for submitting a complaint. Employees are expected to use this internal complaint process before addressing the DMPS Board of Education.



**Series 400**  
**Code 407**  
**Title: Sexual Harassment**

The district is committed to maintaining a learning and working environment free of any form of sexual harassment or intimidation toward personnel and students on school grounds, on school time, at a school-sponsored activity or in a school-related context.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature when made by any member or non-member of the school staff to a student or non-student, when made by any member or non-member of the staff to another staff member or non-staff member, when made by a student or non-student to a staff member or non-member or when made by any student or non-student to another student or non-student when:

- a. Submission to such conduct is made directly or indirectly a term or condition of an individual's employment or education, or when:
- b. Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual, or when:
- c. Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile, or offensive employment or education environment.

Administrative procedures shall be developed to process sexual harassment complaints filed by employees, parents or guardians, students and volunteers.

Inquiries related to sexual harassment when an employee is the alleged harasser, including how to file a complaint, may be directed to Isaiah McGee, Equity Coordinator, 2323 Grand Avenue, Des Moines, Iowa 50312, (515) 242-7662. Complaints can also be directed to the Director of the Iowa Civil Rights Commission; to the Director, United States Equal Employment Opportunity Commission in Milwaukee, Wisconsin; or to the Region VII Office for Civil Rights within the United States Department of Education in Chicago, IL.

*Administrative Procedures: Code 407*  
*Revised February 19, 1991; July 12, 1994; January 9, 2007*  
*Last review: 2012-2013*

## Non-Discrimination, Hostile Work Environment, and Bullying Complaint Procedure

This complaint procedure has been developed to handle complaints of discrimination, harassment, or sexual harassment. Employees, applicants for employment, parents, students, and volunteers can file a complaint.

Briefly, the complaint procedure includes the following steps:

1. Complainants may talk to their building principal or immediate supervisor to try to resolve the problem informally. If the complaint is based upon the conduct of the Complainant's principal or immediate supervisor, the Complainant may contact that person's immediate supervisor. Complaints should be reported as soon as possible after the event giving rise to the complaint.
2. If the Complainant prefers to proceed with a formal complaint, or if the matter has not been informally resolved, he or she may file a complaint with the district Equity Coordinator based on the allegation. Formal complaints should be filed by the Complainant within 180 days after the event giving rise to the complaint or it is determined the complaint cannot be informally resolved.
3. Complaints must be filed using the electronic complaint form at <https://fs8.formsite.com/DMPSchools/form295/index.html>. Assistance in filling out the form can be provided by a supervisor or by calling the equity coordinator, at 515-242-7662. The equity coordinator will determine who will be the appropriate investigator.
4. Within 10 working days, the appropriate investigator will begin the investigation. Investigations involving hostile work environment, will be handled by the appropriate supervisor of that area. Investigations involving bullying or harassment of a student will be handled by the Office of School Culture and Climate. Investigations involving discrimination or sexual harassment will be handled by the district equity coordinator. Investigations involving Section 504 will be handled by the Section 504 coordinator.
5. An investigation will include taking a written statement from the Complainant, the Respondent(s) named in the complaint, and those witnesses who have been identified who have relevant information pertaining to the complaint. Relevant documentation will also be collected and considered. During the investigation, a Respondent may elect to have a union representative, friend, counsel or any other individual present during interviews and subsequent meetings.
6. Within 30 working days, the investigator shall complete the investigation and issue a written report making findings with respect to the individual allegations set out in the complaint and rendering an ultimate finding as to whether the greater weight of the evidence, based on the entire record, indicates the District's policies have been violated. Under some circumstances, when many individuals are involved in the investigation or an extensive legal review must be done, the investigator will inform the Complainant of the expected date of completion beyond the 30 working days.
7. The District prohibits retaliation against an individual for filing a complaint. Any individual intentionally providing false information in a complaint investigation may be subject to disciplinary action.
8. In the event the investigator finds:
  - A. No violation of District policy, the findings will be shared by the investigator with the Complainant and the Respondent.

B. A violation of the District's policies or no violation of the District's policies but other inappropriate behavior on the part of the Respondent, the findings will be reviewed:

i. By the investigator with the Complainant and the Respondent; and ii.

By the investigator and Respondent's principal or the immediate supervisor, the director responsible for Respondent, and a representative of Human Resources Management. The Human Resources representative will inform the Respondent of any decision regarding disciplinary action.

9. If disciplinary action is warranted, documentation of the disciplinary action will be placed in the employee's file or the student's file. All other information regarding the case will be kept in confidential files. Any disciplinary consequences will be kept confidential.

10. The District has no jurisdiction to take disciplinary action over parents and volunteers. However, steps will be taken to ensure individuals do not continue to violate nondiscrimination policies on district property, school-related activities.

11. The complaint will be closed after the investigator has provided the information to the Complainant and the Respondent, unless, within ten days of receipt of the final investigative report, either side files a written appeal to the superintendent setting out the reason(s) why they believe the decision should not stand.

12. In the event of an appeal, the Superintendent/designee shall review the written record and may meet with the appealing party. The Superintendent/designee may affirm, reverse, modify or remand the matter for further proceedings and shall, within twenty (20) days of the written appeal, confirm this decision in writing to the appealing party.

13. Except in the event of a termination of a certified employee, the Superintendent's/designee's decision shall be final.

14. A parent or guardian who disagrees with the school district's decision regarding a student's identification, evaluation or educational placement of program accommodations under Section 504 of the Rehabilitation Act of 1973 has a right to an impartial, third party hearing. They may contact Shelly Bosovich, 504 Coordinator, 2323 Grand Ave, Des Moines, Iowa 50312 or call 242-7714 to make the arrangements.

15. The District encourages individuals to use the internal complaint procedure. However the Complainant may seek legal advice of his or her choosing or file a formal complaint with the Des Moines Human Rights Commission, Iowa Civil Rights Commission, the Equal Employment Opportunity Commission, or other agencies. If the Complainant seeks other avenues of redress, the District may choose not to conduct its internal complaint procedures

**Series 400**  
**Code 402.3 Title: Nepotism**

No person shall directly supervise a member of his or her immediate family. Immediate family includes spouse, children, siblings, parents, step-children or in-laws. Exceptions to this policy must be approved in writing by the Superintendent. In no case shall an employee evaluate an immediate family member.

As with all employees, no employee's family member shall be given preferential treatment unrelated to that person's qualifications, credentials and record.

*Legal reference: Iowa Code Chapter 71  
Adopted August 16, 1994; Revised: January 10, 2003  
Last Review: 2012-2013*

Administrators, specialists, and others in a position to influence hiring decisions are prohibited from hiring directly or indirectly, or through a subordinate, member(s) of their immediate family (spouse, children, siblings, parents, step-children, or in-laws).

Family members can, and do work within the District. However, direct or indirect supervision will be avoided if at all possible. When a potential circumstance arises, it must be submitted to the Chief Human Resources Officer and receive final approval in writing by the Superintendent. This policy applies to full-time, part-time, temporary, casual, and intermittent positions as well as private contractors not subject to bidding procedures.

Failure by an applicant to disclose a familial relationship of the applicant during the hiring process is grounds for disciplinary action, up to and including discharge.

**District Employees as Independent Contractors**

Employees of the District cannot also serve as an independent contractor for the District, paid through purchase order or check request in the same tax year. Individuals cannot be paid as both an employee and as an independent contractor.

Determination must be made regarding the need to have a signed contract. Only the Board of Directors has the authority to sign a contract on behalf of the District. In many cases, scope of work agreement is sufficient.

In order to be paid as an independent contractor, appropriate tax forms must be on file in the Business and Finance Office.

## **Hiring Staff**

Part-time, casual, or temporary hiring practices are the same as those for full-time or regular positions. All hiring must be authorized through Human Resources. This includes filling an existing vacant position or a new position approved by the Superintendent or his/her designee. New positions will be advertised, interviews held, and the best qualified candidate selected. The same practice will be followed when selecting individuals for grants. Human Resources sets the salaries for all positions, including those paid for by grants.

The Chief Human Resources Officer may authorize temporary emergency hiring, either through a temporary agency or direct hiring.

The offer of a job or a promise of a job without authorization from a Human Resources administrator is prohibited.

## **Series 400**

### **Code 419**

#### **Title: Possession of Weapons by Employees**

The district is committed to maintaining a safe teaching and learning environment. The presence of weapons in the schools is prohibited. The possession of weapons by employees is prohibited on school grounds or at school-sponsored or school-related activities.

For purposes of this policy, a "weapon" is anything which is designed for use in inflicting injury upon a human being or animal and which is capable of inflicting injury when used in manner for which it was designed. Additionally, anything which is actually used in such a way as to indicate that the individual intends to inflict injury upon another and which is capable of inflicting injury will also be considered a weapon. Weapons include, but are not limited to, knives of all types, guns, firearms, numchucks, throwing stars, metal knuckles, black jacks, fireworks, explosives or other chemicals, or simulated weapons.

Employees found to be in violation of this policy will be subject to discipline, up to and including termination.

Violations of this policy which are also violations of local, state or federal laws will be reported to the appropriate law enforcement agencies. The superintendent is authorized and directed to provide both general and specific exceptions to this policy when appropriate for law enforcement, security, or essential functions of positions.

*Committee Adopted: April 6, 2001*

*Board Approved: September 4, 2001*

*Last Review: 2012-2013*

**Series 700**

**Code 781**

**Title: Security Cameras in Schools and Buses**

It is the policy of the Des Moines Public Schools to create and maintain a safe school and work environment. Security cameras (closed circuit television systems -CCTV) are installed within school buildings and buses as well as the exterior of buildings. Security cameras monitor school property, assisting administrators in detecting and deterring unacceptable behavior or activities and otherwise enforcing district rules. Camera systems also provide a historical record to facilitate investigations.

It is recommended that, at the beginning of each school year, the Superintendent or a designee provide notification to students, parents, and staff that security cameras are in place and that cameras will monitor and record behavior in and around school buildings. Staff notification of security cameras should be clearly stated in any employee handbook.

All actions or conversations are subject to being recorded. Employees, students and others found to have tampered with or disabled cameras or systems shall be subject to discipline, including termination of employment.

Riding or operating a school bus constitutes consent to the audio and video recording.

Security cameras are used to accomplish three important goals in the Des Moines Public Schools:

- To enhance the safety of students and staff
- To protect school property against theft or vandalism
- To assist in the identification of intruders and persons endangering the health, well-being or safety of school community members

*Board approved: 2011*

## **PROBLEM-SOLVING PROCEDURE FOR VIOLATIONS OF EMPLOYMENT HANDBOOK**

### **Definition**

A complaint is a claim by an employee that one of the specific provisions of this *Employment Information Handbook* or any District policy has been violated.

### **Procedure**

**Step 1:** A complaint should be presented orally to the immediate supervisor within ten working days of the alleged violation for the purpose of resolving the matter informally.

If the complaint is about the employee's supervisor then the employee should present the complaint to the person who supervises their supervisor. The supervisor shall render a written decision within ten working days after receiving the complaint.

**Step 2:** If the employee is not satisfied with the decision at Step 1, an appeal may be forwarded within ten working days to the Chief Human Resources Officer. The Chief Human Resources Officer may conduct a conference with the complainant and issue a written decision regarding the complaint within ten working days following the conference.

### **Personnel Investigations**

All District employees are expected to cooperate fully and truthfully in any review or investigation of alleged misconduct. District policies and procedures protect employees from retaliation for participating in such a review or investigation.

In the event that a District employee is asked to participate in an on-going investigation of alleged wrongdoing by another employee or a student, the employee must cooperate with the District investigator(s). Failure to cooperate fully in a District investigation or any failure to provide complete and accurate information in response to an inquiry from a District investigator may result in a disciplinary action, up to and including termination of employment.

*Employees who are covered under a Comprehensive Agreement and who have a complaint that a provision of the Comprehensive Agreement has been violated should refer to the "Grievance Procedures" section of the Comprehensive Agreement.*

## **EMPLOYEE ASSISTANCE (EAP)**

The DMPS Employee Assistance Program (EAP) is offered through Magellan HealthCare. The EAP provides a confidential resource for employees to consult with about a variety of life's difficulties such as relationship concerns, substance abuse, grief and loss as well as emotional health issues such as depression and anxiety. The professional EAP counselors can discuss with employees the nature of their concerns and provide guidance and direction in alleviating those concerns. A variety of appointment times and convenient locations are available to best meet the needs of employees and the first three sessions are free.

The EAP is a valuable resource that employees and their eligible family/household members can contact for a variety of services designed to help them be their best at home and work. All inquiries made through the EAP are confidential, free and are part of your benefits package. If any additional costs are incurred for services beyond the free sessions offered by the EAP, those costs may be eligible for payment under the behavioral health provisions of the employee's medical benefits plan.

In addition to confidential counseling services the Magellan EAP provides work/life referrals for a variety of issues including: Childcare providers, Elder care options, adoption resources, Tutors, Senior housing, Pet care, College planning, Home repair services and Travel planning.

The Magellan EAP plan also can provide help with Legal/Financial concerns through: a free 60 minute phone consult with a professional with legal and or financial expertise, referrals to legal financial professionals for in-person services, plus discounted rates for ongoing assistance and online access to education resources, tools and downloadable documents.

The Magellan EAP is offered 24/7 and is completely confidential. Employees can access them via phone or website.

Phone: 1-800-356-7089

Website: [www.magellanhealth.com/member](http://www.magellanhealth.com/member)

## **OFFICE OF HUMAN RESOURCES CONDITIONS OF EMPLOYMENT**

### **Administrators**

The term "Administrator" includes the Superintendent, Associate Superintendent, Chief Financial Officer, Chief of Staff & Student Affairs, Chief Operations Officer, Controller, Directors, Deputy Directors, Principals, Vice Principals and other school supervisory staff working under an Administrator's contract and may include any other individual having the authority to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward or discipline other employees, or the responsibility to direct them or to adjust their grievances, or effectively to recommend such action.

### **Probationary Administrator with Less Than Two Years of District Experience**

1. A Probationary Administrator is an individual employed as an Administrator in the District for less than two consecutive years.
2. Administrators new to the District and/or new to administrative assignment in the District will be considered probationary and will be evaluated annually during the first two years in their assignments.
  - The goal of this evaluation schedule is to provide a structure of support and development for these administrators during their initial years of employment with Des Moines Public Schools.



### **Administrator Evaluations**

Administrators will be evaluated every year. The summative evaluation will include reflection and documentation of performance based on the Iowa Standards for school Leaders.

### **Administrative Assignments**

Administrative Assignment is defined as the placement of an Administrator at a specific location or in a specific job function(s). The assignment of all Administrators will be reviewed annually by the Superintendent or his/her designee for the benefit of the District, the individual, or both.

1. An Administrator may request a change of assignment. The Superintendent shall make the final decision.
2. An Administrator may be reassigned unilaterally without a request for a change of assignment. The Superintendent shall make the final decision.
3. Administrators will be given notice of changes of assignment. Such assignments shall be made to serve the need of the District and normally will be effective at the close of the service year.

### **New Certified Staff**

All new certified employees must submit and/or complete the following information to the Office of Human Resources, 2323 Grand Avenue, Des Moines, Iowa, 50312, prior to starting employment:

- Online employment application.
- A cancelled check for automatic deposit, or a letter from the bank with routing and account numbers, Federal W 4, and State W4.
- Verification that the employee has been approved for an Iowa teaching license.
- Valid driver's license and Social Security card or other Form I-9 acceptable documents.
- Mandatory Reporter: Child and Dependent Adult Abuse
- Educational verification documents such as transcripts with conferred date of degree
- Background check

Before October 15 of the year employed, all certificated staff (in order to avoid being placed on unpaid leave) must have the following documents on file:

- A photo copy of their Iowa teaching license.
- A photo copy of transcripts of all college coursework (All certified employees must file a complete official transcript of all their collegiate work with conferred date. Acknowledgement of the receipt will be issued by the Office of Human Resources as soon as the records are posted and filed. If an error or discrepancy is found, a special notice will be attached to the employee's receipt. Any errors must be corrected immediately to avoid misunderstandings or complications later.

Note: Teachers who need conditional or an Executive Director's Decision License must have the application, fee, and course of study on file with the Teacher Licensure Division of the Iowa Board of Educational Examiners prior to beginning their assignment. For more information, employees can contact the Iowa Board of Educational Examiners at (515) 281-3245 or at [www.boee.iowa.gov/](http://www.boee.iowa.gov/)

By law, Office of Human Resources must receive these documents according to the above timelines. Once filed, these records become the property of the DMPS District. Failure to respond to this requirement in a timely manner may result in disciplinary action up to, and including, termination.

### **Step Ten Training Increment – Licensed and Certificated Staff**

To advance on the salary scale certified staff members on *Step Ten* of the salary scale wishing to advance to *Step Eleven* must submit a photo copy transcript indicating they have earned six semester hours of credit during the previous five years. Advancement to *Step Eleven* cannot be achieved until this information has been received by Office of Human Resources. Employees should feel free to discuss the training increment step with their principal, or with staff at Office of Human Resources, or to consult the Comprehensive Agreement for more details

### **Advancement on the Salary Schedule**

#### Licensed and Certificated Staff Members

Continuing certified staff members (including administrators) must submit a transcript for reclassification to Office of Human Resources by February 15 to receive the pay increment. Transcripts received after February 15 but before September 15 of the following school year will count on the reclassification schedule, but retroactive payments will not begin until the first check in December. Please see the Comprehensive Agreement for more details.

#### Non-Certified Staff

To receive extra pay for semester hour credits earned, eligible non-certified employees must turn in photo copy transcripts **no later than September 15**. Employees should refer to the Comprehensive Agreement for more details.

## **Certification**

The Iowa Board of Educational Examiners no longer provides school districts with a copy of employee licenses showing the proper endorsements for the current teaching or administrative assignment. **It is the obligation of each certified staff member to renew his/her license with the Iowa Board of Educational Examiners at the proper time and notify the Office of Human Resources at [dmpshr@dmschools.org](mailto:dmpshr@dmschools.org).**

The Office of Human Resources will respond via e-mail verifying that the employee's license has been confirmed.

Applications and instructions for renewal are available on the Internet at [www.boee.iowa.gov/](http://www.boee.iowa.gov/) or by calling the Iowa Board of Educational Examiners at (515) 281-3245. In order to renew a license, the employee must submit an application and renewal fee to the state along with documentation indicating the number of additional credit hours taken, including child and elder abuse training.

Reminder: The employment of any certified employee whose license has expired may be in jeopardy. Many teachers have spent countless hours trying to track down transcripts for their renewal application. To avoid this unpleasant situation, **employees should keep all official transcripts and certificates current and on file in a safe location.**

## **Employee Physicals**

Iowa law requires public school employees to receive a physical examination upon initial employment. The examination must be completed following the offer of employment and prior to the first day of work. Certain categories of school employees are required by law to submit to periodic physicals throughout their employment with the District. Currently those employees that require CDL licensure as a condition of employment must undergo a DOT physical examination every two years. Metro Kids employees and preschool child care workers are required to undergo a physical that includes testing for tuberculosis every two years. Completed physicals are submitted to the *Health Services Department* for processing and are placed in the employee's health file. Employees are encouraged to retain a copy of the physical for their records.

## **Appropriate Apparel**

Any employee who deals with the public should ensure that he or she is appropriately dressed for the occasion. The District relies on the professional judgment of its staff in choosing attire that is appropriate for their particular job responsibilities. Staff is expected to wear attire that is considered acceptable in a business environment. The attire of employees should help project a professional atmosphere with students, staff, parents and other guests at District offices and schools. Individual buildings or departments may maintain a more detailed dress code than the general guidelines contained in the *Employment Information Handbook*.

Employees shall not wear apparel that reveals bare midriffs or cleavage. Shorts should be “dress-casual” and cut-offs are not allowed. Screen-printed T-shirts and tops with inappropriate pictures and phrases are also not allowed. Denim dresses, skirts, and slacks are appropriate if worn in a casual setting. Barefoot sandals are appropriate for summer, however, flip-flops are not allowed in the interest of safety.

Shirts and tops that endorse or oppose any political or religious affiliation or otherwise express personal opinions or beliefs of an employee that may be reasonably considered controversial or inflammatory by other employees or constituents of the District are strongly discouraged.

Supervisors may require that apparel they deem inappropriate not be worn again by an employee on duty in the workplace.

As professionals in our schools, employees should realize and value the public’s perception of the roles of employees as mentors and models for students. Therefore, the following dress code will apply to all employees throughout the school district. The dress code shall be in effect all the days students are in attendance, registration, parent-teacher conferences, or any other day deemed necessary by administration.

### **Acceptable attire**

- Clothes that maintain a professional and appropriate appearance
- Clothes that are neat, clean, and in good repair

### **Guidelines**

- No shorts or slits in skirts/dresses that are shorter than 4 inches above the knee
- No cleavage showing – neckline appropriate
- No spaghetti straps or shirt with straps less than two inches wide, unless covered by a jacket or top that is worn at all times
- No graphic T-shirts
- No hats
- No showing of skin between shirts and pants/skirts
- All staff must wear their district issued ID badges in a visible location.
- No flip flops (a sandal, typically of plastic, leather or rubber, with a strap between the big and second toe).
- School principal/supervisor discretion on questionable clothing
- DMPS permits employees to wear jewelry or to display tattoos at the workplace within the guidelines listed below. Management will take into consideration whether jewelry or tattoos pose a conflict with the employee’s job or work environment. This consideration includes, but is not limited to the following:
  1. Anything that compromises the personal safety of the employee or others or creates a risk of damage to District property.
  2. Interferes with productivity or performance expectations.
  3. Offensiveness to co-workers, customers, vendors or others in the workplace.
  4. District or societal norms.

If administration determines an employee's jewelry or tattoos may present such a conflict, the employee will be encouraged to identify appropriate options, such as removal of excess or offensive jewelry, covering of tattoos, or other reasonable means to resolve the conflict.

School district staff members who do not, in the judgment of the principal/supervisor, reasonably conform to this dress code shall receive a notice from their principal/ supervisor. Repeated violations or refusal to comply with the directions of the principal/supervisor by an employee could result in disciplinary action, up to and including termination.

### **Use of Personal Equipment on District Property**

Occasionally employees bring personal items to work in an effort to help them with the performance of their job. We do not encourage relying on personal equipment to perform District work functions. The District asks that all personal equipment be removed from District facilities and requests for needed equipment should be forwarded to the attention of the immediate supervisor if replacement equipment is needed. If personal equipment has mistakenly been identified with a DMPS tag, it should not be removed from the District until the issue is resolved.

The District shall not be responsible for lost, stolen or damaged personal property. Any such claims will be the responsibility of the employee and his/her respective insurance company.

### **Email**

It is the responsibility of all employees to regularly check and respond to their email within the scheduled work week. This is the district expectation, barring any emergency, vacation or unforeseen circumstances.

### **Change of Address and Telephone Number**

It is the responsibility of the employee to keep a current and up-to-date address and telephone number with the District. Changes are not accepted over the telephone. Employees should access Employee On-Line located on the District's website to make changes.

### **Direct Deposit**

Direct deposit is required as a condition of employment. Change of bank information for direct deposit is necessary. Allow up to 30 days for direct deposit after providing new bank information. Employee should leave their previous bank account open until direct deposit has been processed in the new account. Please contact the Payroll Department (242-7747) for any forms or questions.

If an employee is receiving a paper check in the mail, the District is not responsible for lost or undelivered mail. If a check is lost, a new check will not be issued until 6 working days following pay day.

## **Request for Copies**

You may be charged a fee for copies of records, check stubs, W-2s or other requested documents. Receipts will be provided for all payments.

## **UNIVERSAL PRECAUTIONS**

The District complies with the Occupational Safety and Health Administration (OSHA) safety standards when handling blood and other bodily fluids that could contain blood pathogens. Universal precautions must be used by every employee in the care of students, employees, and visitors who may expose them to blood pathogens or bodily fluids.

### **Why Take Special Precautions?**

Some diseases such as the HIV virus, Hepatitis B or C can be carried in the blood. If someone comes in contact with the blood of a person infected with these illnesses, it is possible for that person to become infected. Some people infected with Hepatitis B or C may show signs of illness such as jaundice, fatigue, nausea, or joint pain. Someone with the HIV virus may have a fever, persistent fatigue, chronic diarrhea, or weight loss. Other people may carry these germs in their bodies for life, but never show signs of the illness. Every precaution to prevent infection should be taken any time an employee comes into direct contact with anyone's blood or bodily fluids.

OSHA has established regulations that must be followed by employees working in settings (to include schools), where exposure to blood pathogens is possible. These regulations require employees to receive training in universal precautions within 6 months of employment and then every year after. This training can be obtained through the building nurse or an online training course offered by Heartland AEA. OSHA also requires the employer to have a plan that addresses how to handle blood exposures. The District Plan is posted on SharePoint. [Search for: Bloodborne Pathogens Plan.pdf]

### **What are the Main Points of the Plan?**

Several practices must be implemented to reduce potential exposure:

**1) OSHA** requires employers to offer the Hepatitis B vaccine series to employees who can reasonably anticipate exposure to blood or other infected body fluids. Categories of employees who qualify are listed in the plan. Human Resources will notify employees who are eligible to receive this vaccine. Information about the Hepatitis vaccine is available, and the Des Moines Public School District offers eligible employees the vaccine at no cost.

**Universal Precautions** This is the primary safeguard. Employees should follow these precautions with the assumption that all blood or bodily fluids are infectious. All employees who

perform any procedure that involves blood or bodily fluids should follow the following guidelines:

- **Gloves:** Wear approved gloves provided by the District when touching blood or bodily fluids containing visible blood or any bodily fluids. Change the gloves after each individual contact. Gloves and other supplies needed to practice universal precautions can be obtained from the School Nurse.
- **Cleanup of Blood Spills:** While wearing gloves, wipe away any visible blood with paper towels then wash the area with a disinfectant agent approved for use by the District.
- **Disposal of Waste:** Place gloves and cleaning supplies in a plastic bag. Seal the bag and give it to the nurse or custodian for proper disposal in an approved Biohazard container.
- **Hand Washing:** Always wash hands with warm soapy water after removing your gloves.

**2) Engineering Controls:** Place any sharps (needles or lancets) in special sharps container.

**3) Personal Protective Equipment:** It is the responsibility of the employee to have the appropriate supplies to safely care for injuries where blood is present. These supplies can be obtained from the school nurse.

**Exposure to Another Person's Blood or Bodily Fluid:** When possible, employees should have the person handle his/her own blood until employees have put on their gloves and organized their supplies. If an employee comes in contact with someone else's blood or bodily fluids, the employee should wash the area immediately with soap and water and then report the exposure as soon as possible to the school nurse or department manager. Employees will be asked to complete an employee injury report and will be referred to the Occupational Health physicians for assessment and treatment, if warranted.

To prevent indirect exposure, employees should not eat, drink, smoke, apply cosmetics, lip balm, or handle contact lenses in work areas where occupational exposure to blood or blood products is possible. Employees should avoid leaving food and drinks on work surfaces that could have blood or potentially infectious materials present. Employees who have questions or need supplies to practice Universal Precautions should contact the building nurse or call Health Services at (515) 242-7831.

## EMPLOYEE WORK DAY

Determination of the work schedule and assignment of work will be made by the Des Moines Public Schools and may be changed from time to time to meet the changing needs of the school or department.

The following is an abbreviated explanation of policies and guidelines that have been proven in the past to be the most important for staff members to know. The list is not meant to be all-inclusive.

### Work From Home

Working from home in lieu of time spent on duty at the workplace, in the event of inclement weather or otherwise, is not permitted except with the expressed consent of the employee's immediate supervisor.

## **Length of Day**

### Certified Staff

Certified Staff are expected to be on duty during the time the office in the facility where they are assigned is normally open. The total required workday for certified employees is 7 hours and 45 minutes, including a 30-minute duty-free lunch. Most certified employees choose to spend more than 7 hours and 45 minutes working each day preparing for students, doing paper work, having parent meetings, etc. The extra time spent is at the certified employee's discretion (except in cases of required meetings and activities) and is not to be accumulated as compensatory time nor is it paid time except when it has been pre-approved by the employer and is paid through such sources as grants, when they are available.

### Non-Certified Staff

Non-certified staff includes, but is not limited to, executive secretaries, secretaries, associates, and employees working in food service, transportation, operations, crafts, child care, and any hourly wage jobs.

The total workday and workweek for non-certified staff members is to be determined by each department. *Employees should refer to Comprehensive Agreement for specific hours for their group.* Those employees who are not eligible for coverage under a bargaining unit will work 8 hours with an hour or half hour duty-free, unpaid lunch.

## **Arrival and Dismissal Time**

Arrival and dismissal times for each employee will be determined by the needs of the school or the department.

## **Lunch Period**

Unless the *Comprehensive Agreement* for a certain group has other stipulations, each employee will be provided a 30 minute uninterrupted lunch break. Lunchtime is to be duty-free with no supervisory requirements except in an unusual situation such as one involving student safety.

## **Leaving the Building**

Employees may leave the building during the workday with the permission of the principal or department supervisor. When leaving a work area for more than a few minutes, employee must notify the office secretary or a supervisor:

- That they are leaving
- Where they are going
- How long they plan to be gone

This serves as protection for you and the District.

## **Rest Periods**

Non-certified staff members are entitled to one 15-minute break in the morning and one 15-minute break in the afternoon of a full workday. Breaks not taken within the day will not be accumulated or added to comp time. The 15-minute breaks cannot be added together to make a 30-minute break and they cannot be combined with the 30-minute lunch period to make a longer lunch period. Breaks may not be used at the end of the day to leave early or at the beginning of the day to arrive late.



### **Visitors during Working Hours**

Employees' guests and children are not normally allowed at work during the employee's regularly scheduled hours or while the employee is working paid overtime. Employees should not bring their children to work when daycare or other supervision is not available. Both the employees work and the employee's children require full attention.

Special occasions may arise, however, when it is important for a member of the employee's family or a friend to see the employee during office hours and this may be allowed at the principal's or department supervisor's discretion. Such occasions should occur rarely and should not distract others or interfere with the employee's work duties and responsibilities.

### **Gifts**

Except for incidental gifts of negligible monetary value, gifts from parents or students to staff members who have direct influence over the student are prohibited. [Code 437]

### **Tutoring**

Certified personnel under contract shall not render tutorial services for pay during the hours school is in session. In unusual circumstances, teachers may, with approval of the superintendent or the superintendent's designee, be employed as tutors of pupils currently enrolled in their classes. Private tutoring sessions for pay should not use school materials or facilities. [Code 443]

### **Policy Regarding Staff Providing Respite Services**

Respite Care Services in the community are important to children with special needs and their families. District staff members have special skills and may have the interest in providing respite services during non-contract hours.

The decision to provide respite care services during non-contract time is a personal decision of each staff member. However, staff should not provide such services to students for whom they have responsibility during the school day.

In the rare case that an exception to the policy is desired, a request should be made in writing to the principal. The principal will confer with the special education supervisor and convene the educational team that serves the child, including the parent, to discuss the merits of an exception to the policy as it relates directly to the individual student's needs.

Exceptions, when granted, are temporary. The sponsoring respite care agency along with the parent will work to identify other respite care providers who might be assistance to the family as soon as possible. School staff will provide relevant information to the respite care provider as appropriate

## Meetings and Night Activities

### Certified Staff

According to the *Comprehensive Agreement*, certified employees may be required to remain after the regular workday to attend faculty meetings or activities no more than twice a month. Attendance at the meetings shall not be required longer than one hour and fifteen minutes after student dismissal time.

In addition to staff meetings, certified staff may be required to attend up to two nights or early morning activities per semester.

### Non-Certified Staff

Non-certified staff will not be required to attend night or early morning meetings each semester beyond the possible two staff meetings a month.

An employee may be required to remain after the end of the regular workday for the purpose of attending faculty meetings or activities no more than 2 times each month. Attendance at such faculty meetings or activity shall not be required longer than one hour and 15 minutes beyond his/her regular dismissal time. Employees shall receive compensatory time for all time spent in meetings after the regular workday. Compensatory time shall be earned in increments rounded to the closest fifteen (15) minutes.

## Compensatory Time for Eligible Employees

Employees in some non-certified positions may accumulate pre-approved and use pre-approved compensatory (comp) time under certain conditions as determined by the employer. Only non-exempt employees are eligible.

The decision to grant compensatory time for a special project by an individual remains the discretion of the employer and must be pre-approved by the school principal or the department supervisor. When an eligible employee requests to accumulate compensatory time in order to complete a certain project, the rationale and expected length of time necessary to accomplish the assignment must be specified within the request. **Under no circumstances will an employee accumulate compensatory time without pre-approval from the principal or department supervisor.**

Foregoing a lunch period for the sake of earning comp time is not allowed. Everyone is encouraged to take a lunch break. Under no circumstances will unused breaks be included as accumulated compensatory time. Unused lunch breaks or other break times may not be used to acquire comp time.

Requests to start work early or stay later if the employee is aware of an upcoming appointment which will require less than a half-day is appropriate. If the employee will need to be out a half or full day, he/she is encouraged to use appropriate leave, including accumulated comp time, emergency, personal leave, or vacation depending upon the reason for the absence.

Comp time should not be accumulated or used to extend a vacation or holiday period.

Comp time should not be accumulated for use in the event the employee needs to be absent from District duties because of a second job.

When transferring from one assignment to another, all comp time must be used before the effective date of the transfer. No comp time can be carried from one assignment to another.

### **Use of Compensatory Time**

Employees are required to secure the approval of the building principal or immediate supervisor before using accumulated compensatory time. Accumulated compensatory time is to be taken when it will cause the least interruption of instruction or disruption of the school or department.

Moving forward, this will continue to be both an employee and supervisor expectation that all comp time be used by employees as follows:

It is the responsibility of the employee to use the compensatory (comp) time each semester as follows:

- Comp time must be pre-approved by the supervisor.
- Comp time must be recorded in NovaTime for approval by the supervisor.
- Comp time will be accumulated by day for non-bargained non-exempt employees. Employees in bargaining units will refer to applicable comprehensive agreement.
- Comp time can be used for a late start/early out.
- All comp time earned July 1-Dec 31 each school year must be used by Dec 31<sup>st</sup>.
- All comp time earned Jan 1-June 30 each school year must be used by June 30<sup>th</sup>.
- Unused comp time will not be paid out at the end of the semester or school year.
- Comp time will be monitored for appropriate earning, accumulation and usage.

### **Holiday Pay for Secretarial/Clerical Employees**

Interpretation of the *Secretaries/Clerical Comprehensive Agreement* regarding pay to secretaries/clerical staff that are not in paid status the working day before or after a holiday is as follows:

The contract states: *“An employee will be eligible for holiday pay if the employee would have been scheduled to work on one of the specified holidays and if the employee worked the last scheduled day prior to the holiday and the next scheduled day following unless excused by his/her immediate supervisor.”*

The intent of the language is to ensure that management has adequately protected the right to direct the work of its employees and to maintain the efficiency of governmental operations.

It has been the consistent intent of the contract that in the event an employee has exhausted all compensated leave benefits and is allowed to forfeit salary (deduct) to extend his/her holiday, the employee also forfeits holiday pay.

### **Holiday Pay for All Employees**

The consistent intent and interpretation of the contract is to require an employee to be in paid status the afternoon of the working day prior to the holiday or spring recess if applicable, and the morning of the working day following the holiday or spring recess if applicable in order to be eligible for holiday pay.

## **ATTENDANCE**

### **Employee Absence Reporting Policy**

**It is important that employees gain an understanding of the absence-reporting steps before they are absent, rather than waiting for an emergency or illness to become familiar with the process.**

#### **Employee Needing a Substitute:**

- **Those needing a substitute must be registered with the Automated Absence Reporting System.** Employees who have not registered or who have questions, should call the Employee Attendance Center at (515) 242-8100 for assistance in the registration process. Employees who register with the automated calling system, will receive your P.I.N. (Personal Identification Number).
  
- **All sick days and emergency absences must be reported to the Automated Absence Reporting System in order to receive a job number.** Absences should be reported by calling 619- 6231 or going to this link <https://desmoines.eschoolsolutions.com>. The principal or supervisor will report all other absences such as bereavement, special leave, deduct, etc. Every absence receives a job number.
  
- **Failure to get a valid job number** for an illness, personal or emergency absence before the workday begins, may result in disciplinary action or deduction of salary.
  
- Notify the school by 1:00 p.m. on the day of the absence to indicate:  
  
    **“Yes”**, returning or **“No”**, not returning the next working day.
  
- The principal, supervisor, or designee will extend the employee’s absence on the Automated Absence Reporting System and retain the substitute if necessary. If an employee returns to work but does not notify his/her principal or department supervisor and a substitute reports the next day, the substitute will be paid for half a day. This will be deducted from the employee’s salary.

Automated Absence Reporting System ..... (515) 619-6231  
Online Absence Reporting System: <https://desmoines.eschoolsolutions.com>  
Employee Attendance Center Fax Number .....(515)242-8265  
Employee Attendance Center Number .....(515)242-8100

### **Employee Not Requiring a Substitute**

Employees who do not need a substitute will request anticipated leave through NOVAtime, accessed on the district website under Quick Links by clicking on Staff -> Employee Absence. All leave requests must be approved by a supervisor or his/her designee. In the event of an unforeseen absence (such as emergency, illness, or bereavement) employees must notify their supervisor or their designee, before scheduled work hours. Should the employee's leave extend beyond the pay period, the supervisor, or designee, may enter leave on behalf of the employee.

If time is missed during regularly scheduled working hours, for any reason other than an authorized absence, the employee will be considered absent. Employees should notify the office secretary or supervisor regarding their whereabouts. This serves as protection for the employee and the District.

An employee absent from work for three consecutive scheduled work days, without providing notification of a valid excuse to the employer, will be considered to have voluntarily terminated his/her employment.

***Accurate Information is Critical***

### **Workday**

Certified staff's workday is 7 hours and 45 minutes. Certified staff may only take a half or full day leave. Requests for hourly leave will not be granted. A half-day absence is up to 3 hours and 52 minutes. If a substitute is required, he/she will be paid a half or full day respectively.

An associate's workday is 7 hours and 30 minutes. An associate may only take a half or full day leave. Requests for hourly leave will not be granted. A half-day absence is up to 3 hours and 45 minutes. If a substitute is required, he/she will be paid a half or full day respectively.

If the Automated Absence Reporting System information regarding the employee's location or job description is incorrect, the employee should call the Employee Attendance Center immediately at 242-8100 so corrections can be made. It is very important that all information pertaining to any absence is accurate.

Employees may review their PIN or information by following the instructions on the back of the Employee's Quick Reference pamphlet. A bright orange card is also provided to employees with the system phone number, the Employee Attendance Center phone number, and a space to record the P.I.N. Employees who need assistance should call the Employee Attendance Center at 242-8100.

### **Leaves of Absence**

**Refer to the applicable comprehensive agreement for more detail**

Employees are required to:

- Monitor all leave balances and only select from available leave when requesting time off.
- Review and submit timesheet for supervisor approval at the end of each pay period. Any leave adjustments to a timesheet need to be made by the employee/supervisor within 30 days after the end of the pay period. Leave adjustment requests need to be approved by the Human Resources Department's director of certified or classified staff.
- Use all paid leave prior to requesting any other type of leave.

## **Sick Leave**

The purpose of sick leave is to prevent any loss of pay to employees who are medically disabled because of an illness or accident and are not capable of performing the duties of their job. Sick leave should not be abused, and excessive use may require the employee to provide a doctor's excuse for any absence, at any time. Sick leave is not intended to be used for routine doctor and dental appointments. However, employees may use sick leave for a doctor or dental appointment for which the employee has no control: e.g., dental emergencies or medical testing that can only be scheduled during the normal workday. It is expected that the employees will schedule routine doctor and dental appointments on an Emergency/Personal day or during non-working time whenever possible.

An employee must report the intention to be absent from duty to the designated Employer representative by at least one hour before the employee's regular starting time, but in no case later than one hour prior to the employee's start time on the day of absence. If possible, notification should be given on the previous day or earlier. Employees in bargaining units should refer to their applicable comprehensive agreement or work rules. Supervisors will want to know the reason for an employee's absence and approximate date of return in order to properly reschedule job duties or arrange for a substitute. For absences of more than three days, it is the District's expectation that employees provide regular updates regarding their absence and expected return to duty. If employees are out of the office for five or more consecutive days due to an illness, they must bring a "return to work" release from their doctor. Failure to provide this release may lead to denial of benefits and discipline, up to and including discharge. Supervisors may ask employees to bring a doctor's release after any period of illness and may ask employees to report to the Health Services Department at any time. It is the employee's responsibility to notify the Benefits Department if they need to use FMLA leave. (See page 31 for eligibility requirements)

If an employee expects to return to an assignment, the employee must notify the immediate supervisor of such intention no later than 45 minutes prior to normal student dismissal time on the previous day. If the employee does not give the required notification of intent to return and the substitute subsequently reports for duty the following morning, the substitute will be paid for an additional half day, and the pay for this will be deducted from the employee's salary.

Regular full time employees in a bargaining unit shall be allowed sick leave of 15 working days during their first year of employment and 15 working days each year thereafter without loss of pay. Regular full time non-bargained employees shall be allowed sick leave on a pro-rate basis (of the 15 days) based on their start date during their first year of employment and 15 working days thereafter on the first day of the fiscal year. Teachers and Administrators may accumulate up to 115 days for use of sick leave. For all other employees, there is no limit on the total number of days that may be accumulated. If an employee does not need to use the allotted days during the contract year, the unused days will be added to the allowance for the succeeding year. In case of absences for illness or injury in any one year exceeding the aggregate of days allotted for that year, the excess shall be deducted from the employee's accumulated days. At the end of the year, any of the accumulated days which are unused shall be added to the regular allowance for the succeeding year. If an employee is unable to begin service under the contract on the date on which the contract is designated to begin, the employee shall nevertheless be entitled to draw compensation for any unused medically related disability leave accumulated from prior years of service with the district, pursuant to its regulations thereto, payable at the time regular installments are due under this contract, notwithstanding the fact that actual service did not commence under this contract for the school year covered therein. If an employee is unable to report for duty on the first day of the new contract and has no accumulated sick leave on which to draw, compensation for sick leave will not be allowed under the new contract until the employee does report, whereupon it will become retroactive. All accumulated sick leave is forfeited upon the termination of employment and is not transferrable from one employee to another.

## **Family Illness Leave**

In the event of illness in the immediate family, an employee shall be granted up to three days of absence without loss of salary to be deducted from sick leave. The immediate family shall be construed to mean father, mother, son, daughter, wife, husband, brother, sister, mother-in-law, father-in-law, son-in-law, or daughter-in-law and step relatives of the same degree. A statement from a responsible person other than the employee may be required as proof of illness. Usage of more than three days of family illness will result in loss of pay for that day.

## **Veterans Day Leave**

If Veterans Day falls on a regularly scheduled work day, employees will be allowed to take a personal day or unpaid day of leave in honor of this holiday.

## **Adoption.**

Up to five (5) days of sick days may be utilized for adoption

## **Emergency Leave/Personal Leave (AFSCME employees only)**

Full-time AFSCME employees are allowed three emergency days each fiscal year, not to accumulate. Emergencies for this type of leave are defined as those unforeseen situations which require the employee's immediate attention, and cannot be attended to outside of work hours. Employees should refer to the applicable comprehensive agreement for further detail (Article XIII;D;4). Leave requests will be considered on their individual merits for approval by the employee's immediate supervisor.

## **Jury Duty**

When an employee is summoned for jury duty, the District does not automatically deduct vacation, emergency or personal leave. The District employee must submit their jury duty leave in NovaTime. The District will continue to pay an employee for days missed on jury duty. However, an employee is required to reimburse the District for the amount the County pays a juror for service, minus mileage as well as submit proof of jury attendance provided by the court. **Complete guidelines can be found on @DMPS at <https://livedmpsk12ia.sharepoint.com/sites/resources/BusinessAndFinanceDocuments/Jury%20Duty%20Information%202016.pdf#search=jury%20duty>.**

Any amounts in excess of the per diems are considered mileage and parking reimbursements and may be kept by the employee.

If the Business Office has not been reimbursed and documentation of service not provided within 30 days of the completion of service, the employee will be docked one day's pay for each day served.

Reimbursements of jury duty compensation should be sent

to: Des Moines Public Schools  
Office of Business and Finance  
Attn: Pam Gomez  
2323 Grand Avenue  
Des Moines, Iowa  
50312

Employees are strongly encouraged to work out the details of their Jury Duty with their office manager and/or supervisor in regards to substitutes and length of their Jury Service. Employees must keep one or both of them informed as they are able to determine their required days.

## **Jury Duty days may not be used for any other purpose.**

Examples when Jury Duty CANNOT be claimed:

1. The employee witnessed a car accident and has been subpoenaed to testify in court. This should be documented as Emergency, Personal Business or Vacation.
2. The employee witnessed abuse on a child in their classroom. The court has subpoenaed the employee to appear at a custody hearing. The employee must use Professional Leave for the absence.
3. The employee has been given a date to appear for Jury Duty, is directed to call the night before to see if he/she must report the following day, and is informed that he/she does not have to report. Although the employee may have requested a substitute for the absence, the employee is to CANCEL the absence using the Employee Attendance Center and come to work. The employee will not qualify for Jury Duty.
  - If the employee chooses to be absent from work, the employee must change the leave request from Jury Duty to either Vacation or Personal Business, depending on the supervisor's

approval. Failure to make the appropriate changes will result in a dock in pay for each day absent.

4. A family member has to appear in court and they truly need the employee's support. The employee may even be called as a character witness. Personal Business, Emergency or Vacation should be used.

**Bereavement Leave.** In the case of the death of the wife, husband, child, or (step) child of a regular full time employee, or of the employee's (or spouse's) (step) father, (step) mother, (step) brother, (step) sister, (step) grandparent, (step) grandchild, or legal dependent, the employee shall be granted permission to be absent from duty by the office of the Office of Human Resources for as many days, not to exceed five, during the individual employee's service year as may be necessary in the opinion of the Office of Human Resources for attendance at the funeral and for any other purposes directly arising out of said death, and no deduction of pay shall be made for the days of absence so granted.

Up to 2 of the 5 allowed bereavement days (per the comprehensive agreement) may be used for hospice visitation for non-AFSCME covered employees only.

AFSCME employees should see the AFSCME comprehensive agreement on bereavement leave.

#### **Funeral Leave.**

In the case of the death of any other relative or person of unusually close personal relationship, one day or two half-days of absence shall be allowed during the individual's service year without loss of pay for attendance at the funeral, if the funeral is being held in the area of Greater Des Moines. If the funeral is being held outside the area of Greater Des Moines, one day of absence shall be allowed. The Office of Human Resources shall have the authority to extend the above provisions for any other purpose directly arising out of said death, and no deduction of pay shall be made for the days of absence required.

An employee who is paid while on bereavement leave during his/her extended service year shall have the obligation to complete his/her extended work assignment at no additional pay.

#### **Personal Leave.**

At the beginning of each work year, each employee shall be credited with two (2) days (or four (4) half-days) to be used for the employee's personal business, with the exception of the 2015-16 school year. For that school year only, staff will receive three (3) days (or six (6) half-days) of personal leave. Beginning with the 2016-17 school year and beyond, staff will get two (2) personal days.

1. An employee planning to use a personal day shall notify his/her supervisor at least two (2) working days in advance, except in cases of unforeseen emergency. Requests for personal leave must be made through the method determined by the employer.
2. The employer will accept requests for personal leave no earlier than July 1 for the following year.
3. No personal leave will be granted during parent-teacher conferences.
4. Such absence may not be taken during the first or last student contact week of the semester or immediately before or after holidays or vacation periods.
5. Prior approval for the use of personal days will be waived by the Director of



Human Resources for Certified or Classified Staff in an emergency. An emergency is defined as “an unexpected occurrence or set of circumstances which require the immediate attention and presence of the employee”.

6. Up to five (5) unused personal days will be carried over from year to year. There is no payout for unused personal business days.

### **Political Activity.**

A leave of absence may be granted for one semester or one year to an employee who desired to run for office or take part in political activity. This provision recognizes the rights and obligations of employees to be participating citizens in such activities as voting, discussing political issues, campaigning for candidates, or running for and serving in public office. Such a leave will be granted without pay.

### **Educational Purposes.**

Attendance at educational meetings or visiting other schools is permitted at full pay if the Office of Human Resources approves such absence. If any regular full time employee wishes to be absent from duty for a brief period to attend a professional or para-professional meeting, or to visit schools, a written request for approval of such absence on the [Professional Leave Request form located on @DMPS](#) should be signed by the principal or supervisor and filed in the Office of Human Resources at least ten days prior to the first day of anticipated absence.

### **Military Leave.**

Employees will be granted military leave subject to Iowa Code 29A.28 (1) for required training purposes. The first thirty (30) days in any calendar year will be leave with pay. Additional military leave will be granted but will be without pay. Employees are encouraged to take such training during the times when school is not in session whenever possible.

On completion of military service, the salary of the employee is entitled to reinstatement at the same wages he/she would have received had he/she not taken such a leave, but subject to the following conditions: That the position was not abolished, that he/she is physically and mentally capable of performing the duties of the position, that he/she makes written application for reinstatement to the Office of Human Resources within ninety (90) days after termination of military service, that he/she submits an honorable or general discharge from the military service, and that he/she has the appropriate license(s) and certifications(s).

### **Extended Leave of Absence Without Pay.**

Employees may request extended leaves of absence without pay for a period of time to be terminated at the conclusion of the semester during which the leave commenced or for one additional semester following the conclusion of the semester in which the leave commenced. An employee shall file an application in the Office of Human Resources. The application shall be reviewed by that office and will be submitted to the Board of Directors for their consideration when required. Extended leaves of absence may be granted for health, professional study, or family responsibilities, which may include child nurturing. The employee's service will resume either at the beginning of the fall or spring semester in accordance with the leave of absence agreement.

While on extended leave, the employee's interest in the retirement funds, accumulated sick leave, and placement on the salary schedule shall be frozen. While no additional benefits will be provided by the Employer during the leave period, the employee may purchase such benefits. At the conclusion of the extended leave of absence, the salary of the employee shall be the salary stated on the salary schedule for the step and class for which that employee was appointed at the time of the commencement of the leave. A request for early termination of the leave agreement and reinstatement of position must be made in writing to the Office of Human Resources at least thirty (30) days prior to the beginning of the new semester. The Employer shall reserve the right to delay reinstatement until the beginning of the school semester following the request. Early reinstatement before the beginning of the new semester to those granted a leave of absence for a regular school year must indicate a desire to return within five (5) days of receipt of regular letter of intent sent to all employees.

### **Summer School.**

Associate personnel employed during summer school shall be granted two 'summer school days' of absence in a single term for either sick leave or emergency leave, or a combination of both, non-accumulative.

### **Religious Holidays.**

Employees whose religious affiliation requires the observance of holidays other than those regularly scheduled in the school calendar may be excused by the Office of Human Resources without loss of compensation.

Employees will be eligible to use personal leave as religious leave. If additional unpaid leave is requested, it will be granted in accordance with the law.

### **Compensatory Time.**

Employees will be allowed to use their compensatory time off, in minimum increments of one (1) hour, provided they make a request a minimum of twenty-four (24) hours in advance and it does not infringe on the operational needs of the Employer.

Compensatory time will be acquired by employees **working in excess of scheduled time.** Compensatory time will be calculated at time and one half for all hours worked over eight (8) hours in a single day. Compensatory time will be earned by non-exempt non-bargained employees for hours worked over 40 in a workweek at a rate of time and one half. Employees should refer to their Comprehensive Agreement for further details.

## **Family Medical Leave Act (FMLA)**

### Eligibility

- Employees employed at least 12 months (in total) with DMPS and
- Have worked at least 1,250 hours during the 12 months immediately preceding the commencement of the leave

### Circumstances that allow for FMLA?

- Birth of a child
- Placement of a child with the employee for adoption or foster care
- To care for the spouse, parent (not in-laws) or child (under 18) of employee who has a serious health condition
- Employee's own serious health condition
- Qualifying exigency arising out of the fact that the spouse, child or parent of the employee is on active duty (or called to active duty) in the Armed Forces in support of a contingency operation
- To care for a "covered service member" who is the employee's spouse, parent, child, or "next of kin"

#### When should the employee apply?

- When an absence is expected to last in excess of 3 days
- If the absence is foreseeable, the employee should apply 30 days prior to the absence

#### What forms need to be completed?

- A request for FMLA needs to be completed by the employee
- A medical certification must be completed by the treating health care provider when the absence is due to a serious health condition
- Certification of military leave requests

#### How long can an employee use FMLA?

- With proper certification, employees may be eligible for a maximum of 12 weeks of FMLA leave in a 12-month period
- Employees may also apply for leave on an intermittent or reduced work schedule basis
- Employees utilizing leave to care for a “covered service member” are eligible for 26 weeks of FMLA in a 12-month period

#### What is required for the employee to return to work?

- A release from the treating health care provider (if absent for own health condition)
- When an employee returns, he/she will be restored to the same position or to an equivalent position with equivalent benefits, pay and conditions of employment (Some exceptions may apply for “key employee” as defined by the provisions of FMLA)

#### When is FMLA leave paid vs. unpaid?

- Employees must use available sick leave for an absence for the employee’s own health condition, provided certification is provided from a health care provider
- Employees using FMLA for a family member may use family sick leave (maximum 3 days), personal, emergency and vacation. The remainder of the leave will be unpaid.

#### What happens when FMLA is exhausted?

- Employees exhausting FMLA will be subject to provisions of the attendance policy on page 33.

**Direct questions regarding FMLA to:  
Benefits/Risk Management Department  
(515) 242-7624**

#### **Professional Leave and Job-Related Meetings**

A Professional Leave Request form must be completed and submitted for approval to your supervisor **10 days in advance** of the requested leave. Teachers must complete and submit a professional leave form within 10 days of the requested leave. The form can be located at <https://fs8.formsite.com/DMPSchools/profleavesub/index.html> or on @DMPS. All other staff will submit a request for professional leave in NovaTime to be approved by their Supervisor. **Employees should refer to their Comprehensive Agreement if applicable for details.**

## **Vacation**

Employees should check departmental guidelines and their Comprehensive Agreement. All vacation requests must have the approval of the immediate supervisor or designee. The employee should check available vacation balance prior to request for use.

For those employees in a non-bargaining unit, vacation days are accrued each pay period, and may be used as earned. Employees may carry over up to, but no more than the amount of their earned vacation days each year.

Example: If an employee accrues 10 days per year, the carryover max is 20 days per year.

*Twelve-Month Exempt Specialists* will accrue 15 days for years one and two and will then begin accruing 25 days at year three. The change of the accrual rate happens on the employee's anniversary date, not July 1<sup>st</sup>. No more than a maximum of twice the employee's annual accrual can be carried over.

*Exempt Specialists working less than twelve months* will accrue 5 days per year. No more than a maximum of twice the employee's annual accrual can be carried over.

*Twelve-Month Non-Exempt Specialists* will accrue 10 days for years one and two and will then begin accruing 20 days at year three. The change of the accrual rate happens on the employee's anniversary date, not July 1<sup>st</sup>. No more than a maximum of twice the employee's annual accrual can be carried over.

*Twelve-Month Administrators* will accrue 25 days of vacation on a prorated basis upon eligible employment. Accrued vacation may be taken as it is earned. No more than a maximum of 50 vacation days may be accumulated or carried over. The normal vacation period or any portion of vacation granted to all 12-month Administrators should occur, as much as possible, during the interval beginning one week after the close of the academic school year and one week prior to the date of teaching staff returning in the fall.

Any Administrator who has completed the required time to be entitled to all or any part of an annual vacation, and whose service with the District is terminated, will be paid the regular salary for the vacation days accrued, up to a maximum of 50 days.

## **Cancellations**

As soon as employees know a pre-planned absence has been cancelled, they must ask their administrator to deny the leave request in NOVAtime.

## **Denial of Request to be Absent**

Approval for a request to be absent is not automatic. The employee's immediate department supervisor or administrator may deny or approve an application for a request to be absent. The supervisor may request or require documentation of absences before deciding or approving the request. **Employees should refer to their Comprehensive Agreement for details.**

## **Approval of Leave**

All leave must be approved by a supervisor or designee and entered into NOVAtime. It is important that leave provisions be uniformly interpreted in accordance with negotiated comprehensive agreements. If there is a difficult decision, employees should feel free to call the office of Office of Human Resources for interpretation.

Absence records will be kept on file for one year at the building or department site. Vacation records will be kept for three years plus current year. In addition to being called in to the Automated Absence Reporting System, the leave type must be indicated on the biweekly payroll report.

## **Termination of Employee Due to Excessive Absence**

### Excessive Absenteeism

An employee may be subject to termination if he or she is absent from work when he or she has exhausted all available paid or unpaid leave and no other approved leave is available or if it impacts the employee's performance or the department. The immediate department supervisor or administrator may request a doctor's note for any absence at any time; however, the doctor's note will not automatically qualify the absence as excused or approved. Special consideration may be given to first-year employees.

### Extended Medical/Disability

When an employee has been absent and has not performed active service for DMPS for 120 calendar days and all available paid and unpaid leaves have been exhausted, the employee may be subject to termination.

### Filling Positions Left Vacant Due to an Employee's Prolonged Absence

The District has the right to fill any vacancy that occurs as a result of an employee's leave pursuant to the Family and Medical Leave Act (FMLA) after the time period mandated by the FMLA has expired. If an eligible employee who has exhausted his or her FMLA leave and all other sources of paid or unpaid leave is unable to return to work after 120 calendar days of inactive service to the District, the employee may be subject to termination. If an employee who has exhausted his or her FMLA leave is released to return to work prior to 120 calendar days of inactive service and his or her position has been filled, he or she will be offered the next available position for which he or she is qualified.

## EVALUATIONS

**Employees should refer to the Comprehensive Agreement for their employee group for complete evaluation information.**

Evaluations for teachers are based on the Iowa Teaching Standards & Criteria which have been referenced to the Marzano Teaching Standards. Administrators are evaluated based on the Iowa Standards for School Leaders.

### **Probationary Teachers**

Under the provisions of the Code of Iowa, the first three years of regular full-time teaching are designated as probationary for teachers who have not successfully completed a probationary period in another Iowa school district and one year for teachers who have successfully completed a probationary period in another Iowa school district. Each probationary teacher shall be formally observed for the purpose of evaluation at least two times during the first semester of employment, one time during the second semester of employment, and at least once every year after that for the remaining period of probation. Any employee may receive additional evaluations any time during his/her employment with the District.

### **Non-Probationary Teachers**

All non-probationary teachers shall be observed and effectiveness evaluated at least once every three years. Any employee may receive additional evaluations any time during their employment with the District. Each non-probationary teacher whom the principal or appropriate supervisor considers likely to be evaluated as less than "meets" shall be formally observed at least three times prior to the final conference with the Chief Human Resources Officer.

### **Non-Certified Staff**

New employees will be evaluated at least once during the first 12 months of employment and then will be scheduled for formal evaluation at least once every three years. Any employee may receive additional evaluations any time during his/her employment with the District.

## **RE-EMPLOYMENT RIGHTS FOR MILITARY PERSONNEL**

The right of military personnel to be reinstated in their jobs when they return from active duty is governed by the Uniformed Services Employment and Re-employment Rights Act of 1994 (USERRA).

### **Military Service**

Leaves of absence are granted for military purposes, not to exceed the enlistment or draft period. Verification of enlistment or draft must be provided prior to leave. On completion of the military service, the salary of the employee shall be the salary stated on the salary schedule for the step and class for which the employee was appointed at the time of the commencement of the leave, but subject to the following conditions: That the position was not abolished, that the returning person is physically and mentally capable of performing the duties of the position, that the returning person makes written application for reinstatement to Office of Human Resources within ninety (90) days after termination of military service, and that the returning person submits an honorable or general discharge from the military service.

## BENEFITS

### Retirement Systems

#### Certified Staff

Certified staff and administrators may choose to participate in either the Des Moines Teachers Retirement System (DMTRS) or IPERS. Certified staff and administrators must make a decision on the choice of retirement system **during the first week of employment and the choice cannot be changed**. Information detailing each retirement plan is given to each new contract employee. Forms must be filled out and returned during the first week of employment. All employees are required by law to participate in Social Security.

#### All Other Employees

Employees are required by law to participate in Social Security and in Iowa Public Employees Retirement System (IPERS).

### Insurance

Des Moines Public Schools offers a comprehensive benefit package for employees. **Employees should refer to Employee Benefits at dmschools.org <http://www.dmschools.org/departments/human-resources/employee-benefits/>** or the Comprehensive Agreement information on employee benefits.

### Salary Information

Employees should refer to the **Salary Schedules at dmschools.org <http://www.dmschools.org/departments/human-resources/salary-schedules/>** or their *Comprehensive Agreement for your employee group* for salary and other compensation information.

### Credit Union

Any District employee may belong to the Financial Plus Credit Union. (515-274-4100)

### Travel Reimbursement

To encourage school employees to attend professional meetings, the Board of Education may provide travel allowances when the Superintendent grants specific authorization for such trips. The Board of Directors will provide travel allowances for school employees who furnish their own transportation while conducting school business. Employees using their own vehicle for school business will be reimbursed at current federal travel reimbursement guidelines.

### General Liability

The District provides liability insurance which covers employees for claims involving bodily injury or property damage to other people. The District's liability insurance coverage applies to all claims arising out of an act or omission occurring within the scope of the individual's employment or duties.

## EMPLOYEE CONDUCT

The Des Moines Public School District has expectations for the behavior of the staff, as does any organization. Some of these expectations are written in the Board Policy Manual (most staff-related policies are in the 400 series) available in the principal's office and on the district website [www.dmschools.org](http://www.dmschools.org). Others may be found in the *Comprehensive Agreement*. All staff members are expected to be familiar with the pertinent policies and guidelines in these documents.

Employees need to be aware of all Board policies applicable to employee conduct. Employees are required to acknowledge that they understand their responsibility to comply with the following employee conduct stipulations. Violations of conduct expectations can result in disciplinary action, up to and including termination.

Following are examples of offenses and disciplinary solutions that can be administered and should not be considered a complete listing.

Offenses that can result in disciplinary action include, but are not limited to, the following:

- Uncivil conduct
- Tardiness
- Unauthorized or excessive absence from the employee's job assignment
- Personal use of e-mail or Internet
- Failure to maintain satisfactory and harmonious working relationships with the public or other employees
- Smoking or using tobacco or e-cigarettes on District property
- Foul or abusive language
- Inefficiency, incompetence, or negligence in the performance of duties
- Gambling in District facilities or on District properties
- Careless, negligent, or improper use of property
- Unauthorized or improper use of any type of leave
- Unauthorized use of District equipment
- Failure to report to work without notification for a period of one or two days
- Sleeping on the job
- Insubordination
- Failure to fully cooperate or provide truthful information in a District investigation

Offenses that may result in immediate discharge:

- Fighting
- Refusal to work
- Theft
- Willful destruction of property
- Gross insubordination
- Gross misconduct unbecoming an employee
- Conviction of a felony charged by court of proper jurisdiction, provided the felony is relevant to the position
- Intentionally releasing confidential information without proper authority



- Falsifying reported time cards or inappropriately altering payroll information
- Interference in a District investigation or the intentional frustrating of District purposes and goals
- Indecent conduct or inappropriate conduct of a sexual nature
- Use of undue influence to gain or attempt to gain promotion, leave, favorable assignment, or other individual benefit
- Falsification, fraud, or omission of information in applying for a position or in completing job responsibilities
- Failure to report to work without notifying supervisor of an appropriate reason, for a period of three consecutive days
- Failure or inability to complete a required training program that is a part of a job assignment
- Possession of a controlled substance
- Possession of weapons on District property
- Failure to obtain or maintain a current license or certificate required by law or organizational standards as a condition of employment
- Violation of, or failure to comply with, an executive order or published rules and regulations of the District, i.e. sexual harassment, hostile work environment harassment, Chapter 102 (student abuse), Chapter 103, discrimination, etc.
- Any other act which endangers the safety, health, or well-being of another person, or which is of sufficient magnitude that the consequences cause or act to cause disruption of work or gross discredit to the organization

### **Summary of Iowa Administrative Code 281 – Chapter 103**

#### **Restraint**

Restraint is an application of physical force that reduces or restricts another individual's ability to move their arms, legs, body, or head freely. Temporarily holding to assist with participation in activities of daily living is not considered restraint. Before using physical restraint, all school employees shall receive adequate and periodic training which shall be documented. The District offers Crisis Prevention Intervention (CPI) training for staff members who will likely use physical restraint during the course of their job duties. Ideally, only staff members who have received CPI training will use physical restraint. However, employees are authorized to use reasonable and appropriate means of restraint as may be necessary to prevent a student from harming himself or herself or others or in self-defense in the event a CPI trained staff member is not available. Restraint should not cause serious or permanent harm.

**Prone (face down) restraint is specifically prohibited under all circumstances, as well as mechanical restraint or any restraint that involves the head or neck.**

#### **Physical Force**

Corporal punishment is the intentional physical punishment of a student, including the use of unreasonable or unnecessary physical force, or physical contact made with the intent to harm or cause pain. **Corporal punishment of a student is specifically prohibited.** However, teachers, administrators and other staff are authorized to use reasonable force in self-defense, defense of another, or to prevent an act of self-harm. Staff should refrain from making physical contact to quell a disturbance that does not present imminent danger of physical harm, when a student does not respond to a verbal directive, to remove a disruptive student from class, or to prevent the damage of property.

## **Physical Confinement**

Physical Confinement is confinement of a student in a time-out room or some other enclosure, whether within or outside the classroom, from which the student's egress (exit) is restricted. Before using physical confinement and detention, all school employees shall receive adequate and periodic training which shall be documented. The District offers Crisis Prevention Intervention (CPI) training for staff members who will likely use physical confinement and detention during the course of their job duties. Physical confinement does not include time-out at a desk, in a corner, at the back of a class, in the hall, afterschool detention, or typical in-school suspension arrangements. Confinement should be reasonable (as short as possible) and allow for bodily needs. If over 30 minutes or 1 period (whichever is shorter), an administrator must authorize the continued confinement.

## **Documentation Requirement**

Following an incident of physical force, restraint, or physical confinement, notice must be given to the student's parent or legal guardian. **Notification, or a documented attempt at notification, must occur the day of the incident via phone. Additionally, parents or guardians must be notified in writing within three days of the incident.**

## **PROPER AND ETHICAL TEST ADMINISTRATION**

In the administration of standardized tests, it is a violation of test security to do any of the following:

- Provide inappropriate test preparation such as any of the following:
  - Copy, reproduce, or use in any manner any portion of any secure test booklet, for any reason.
  - Share an actual test instrument in any form. This includes using old copies of the Iowa Assessments.
  - Engage in instructional practices targeted at specific test content.
- Deviate from the test administration procedures specified in the test Administration manual.
- Provide assistance to students during the test administration that would give them an advantage over other students.
- Make test answers available to students.
- Change or fill in answers on student answer documents.
- Provide inaccurate data on student answer documents.
- Engage in any practice to artificially raise student scores without actually improving underlying student achievement.
- Participate in, direct, aid, counsel, assist, encourage, or fail to report any of the acts listed above.

Administrators, certified and non-certified staff, and students must adhere to ethical procedures in testing. Violation of these procedures will be investigated and appropriate sanctions may be taken by the school board and/or the Iowa Board of Educational Examiners (BOEE). According to 282— Iowa Administrative Code Chapter 25, it is deemed unprofessional and unethical for any licensee to violate Standard III- misrepresentation,

falsification of information [25.3(3)] of the standards of professional conduct and ethics. This includes “Falsifying or deliberately misrepresenting or omitting material information regarding the evaluation of students or personnel, including improper administration of any standardized tests, including, but not limited to, changing test answers, providing test answers, copying or teaching identified test items, or using inappropriate accommodations or modifications for such tests.” (Iowa Board of Educational Examiners. 2013. Licensure Handbook. <http://www.boee.iowa.gov/forms/handbook.pdf> p.43-44.)

School or district staff members must immediately report all incidents of unethical behavior or other test irregularities by students or staff to their building principal. District leadership will cooperate with the Iowa Department of Education and Iowa Board of Educational Examiners in a thorough fact-finding investigation of the alleged irregularity and determine if test results are invalidated. A staff member found to have committed testing irregularities shall be subject to discipline in accordance with Iowa Code and Board policy.

### **DES MOINES PUBLIC SCHOOLS FALSE CLAIMS ACT ADVISORY**

The False Claims Act is a federal law that makes it a crime for any person or organization to knowingly make a false record or file a false claim regarding any federal health care program, which includes any plan or program that provides health benefits, whether directly, through insurance, or otherwise, which is funded directly, in whole or in part, by the United States government or any State health care program. “Knowingly” includes having actual knowledge that a claim is false or acting with “reckless disregard” as to whether a claim is false.

Examples of potential false claims include knowingly billing Medicaid for services that were not provided, submitting inaccurate or misleading claims for actual services provided, or making false statements to obtain payment for services.

The False Claims Act contains provisions that allow individuals with original information concerning fraud involving government health care programs to file a lawsuit on behalf of the government and, if the lawsuit is successful, to receive a portion of recoveries received by the government.

Teachers, registered nurses, mental health professionals, bus drivers, paraprofessionals or any other employee of the District must act with honesty and integrity in all of their employment or business activities. Employees must follow all laws and regulations, policies and procedures that apply to their work activities. These requirements include providing services that are billed under Medicaid. Employees must maintain accurate medical records, and submit only complete and appropriate claims for services provided.

The federal False Claims Act protects employees from being fired, demoted, threatened or harassed for filing a lawsuit under the Act.

The federal False Claims Act under title 31 of the United States Code, sections 3729 through 3733 identifies, in part, that:

Any person who knowingly makes, uses, or causes to be made or used, a false record or statement to get a false or fraudulent claim paid or approved by the government is liable to the United States Government for a civil penalty of:

- Not less than \$5,500 and not more than \$11,000
- Plus three times the amount of damages which the government sustains because of the act of that person.

Administrative remedies for false claims and statements under title 31 of the United States Code, chapter 38, identify in part, that:

Any person who makes, presents, or submits a claim that:

- The person knows or has reason to know is false, fictitious, or fraudulent and is a statement in which the person making, presenting, or submitting such statement has a duty to include such material fact; or
- Is payment for the provision of property or services which the person has not provided as claimed;
- Shall be subject to, in addition to any other remedy that may be prescribed by law, currently a civil penalty of not more than \$5,500 for any such claim.

Procedures for detecting and preventing fraud, waste, and abuse include: Internal:

- Monthly Internal audits of individual case records to assure that Medicaid funded services have been provided and only Medicaid eligible services have been claimed.
- Billing claims submitted are independently reviewed for accuracy and correctness and approved through the supervisory structure. The claims process is structured so that no one person has the authority to prepare and submit a Medicaid billing claim.

External:

- Periodic audits by the appropriate state/federal agencies to ensure that the District:
  - Employs generally accepted accounting practices,
  - Employs an adequate system of checks and balances to reduce or eliminate opportunities for fraud, and
  - Appropriately calculates rates that are used to bill Medicaid or other guarantors.

Employees should contact their supervisor, or any of the following for questions or more information: Marci Cordaro, Health Services Supervisor (242-7618) Barbara Rouse, Administrative Assistant (242-7617)

### **Drug-Free Workplace Act of 1988**

The Des Moines Public School District is subject to the Drug-Free Workplace Act of 1988, Public Law 100-690.

The Des Moines Public School District is committed to the policy of maintaining a drug-free workplace. Thus, the unlawful manufacture, distribution, dispensation, possession, or use of any controlled substance by any employee in the workplace is prohibited. (A "controlled substance" within the meaning of this statement means any controlled substance in schedules I through V of Section 202 of the Controlled Substance Act-21 812, and as further defined in federal regulations found at 12 CFR 1308.11.) Any violation of this prohibition will result in discipline, up to and including discharge.

As required by federal law, it is a condition of continued employment that:

- Any employee who is convicted of any criminal drug statute violation for conduct in the workplace is required to notify the Supervisor of this fact no later than three (3) days after such conviction. (a "conviction" means a finding of guilt - including a plea of "nolo contendere" - of the imposition of a sentence, or both, by any judicial body charged with the responsibility of determining violations of federal or state criminal drug statutes)
- Each employee abide by the terms of this statement

Federal law requires that the Des Moines Public School District notify the federal government of any conviction in violation of this policy.

Federal law further requires that the Des Moines Public School District impose sanctions which may include discharge for any violation of the provisions of this notice or policy.

#### **Drug and Alcohol Use or Possession**

The use, possession, sale, transfer, or purchase of alcohol or drugs by employees on District property or when engaged in District business is prohibited. Any employee in violation of this policy or who is found to be impaired by intoxicants while in the workplace shall be subject to disciplinary action, up to and including termination. Any employee can be drug tested due to reasonable suspicion. Drugs prescribed by a licensed physician for an employee may be possessed and used by that employee in the workplace, in accordance with terms of their prescription as long as such usage does not limit the employee's ability to perform their job efficiently and safely in the considered judgment of the immediate supervisor.

#### **Tobacco Free/Nicotine Free Work Place**

It is the policy of the District that using, smoking, or carrying lit tobacco products, "vapor" or "e-cigarettes", tobacco devices, or smokeless tobacco products which includes all forms of tobacco and nicotine products that are not FDA (Federal Drug Administration) approved for tobacco cessation are prohibited at any time on school district property and at any school activity sponsored by the District. For purposes of this policy, school district property includes any building used for instruction, administration, support services, maintenance, or storage; the grounds and surrounding buildings; and all district-owned vehicles. This policy applies to all students, teachers, staff, and visitors.

For the purposes of this policy, "smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco or

plant product intended for inhalation, in any manner or in any form. "Smoking" also includes the use of an "e-cigarette" which creates a vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this policy.

For the purposes of this policy, "e-cigarette" and "vapor cigarette" includes any electronic or oral device, such as one composed of a heating element, battery, and/or electronic circuit, which provides a vapor on nicotine or any other substances, and the use or inhalation of which simulates smoking. The term shall include any such device, whether manufactured, distributed, marketed, or sold as an "e-cigarette", "e-cigar", "e-pipe", or under any other product name or descriptor.

Violators of this policy will be subject to disciplinary action up to and including termination.

### **DMPS Fragrance/Scent-Safe Workplace Standard**

In an effort to protect students, staff and visitors with chemical sensitivities and to create a safe and healthy environment, Des Moines Public Schools (DMPS) is implementing a fragrance/scent safe district workplace standard. DMPS asks that everyone minimize the use of any fragrances in the workplace.

Employees should refrain from bringing air freshener products, essential oils, wearing heavy perfumes/cologne, other personal care products such as body sprays, hand lotions, cleaning products or solutions, etc. Workspace areas and areas that are enclosed such as restrooms are also included in this standard.

Acceptable use of products that are labeled as unscented, scent-free or fragrance free by the manufacturer are suggested and recommended as safe and appropriate for DMPS.

DMPS sincerely appreciates employees abiding by this scent safe standard so that all students, employees and visitors can enjoy an environment that does not make them sick, or be absent due to an illness related to heavy fragrances or scents.

### **Series 400**

#### **Code 418**

#### **Title: Notification of Arrest, Criminal Charges or Child Abuse Complaints**

Employees of the district must notify the office of Human Resources of any arrests, the filing of any criminal charges, and the disposition of any criminal charges pending against them. Notification to Human Resources shall occur within three business days of notification to the employee. Except for employees whose duties require possession of a Commercial Driver's License, simple misdemeanors do not need to be reported by employees.

Employees must notify the office of Human Resources of any child abuse complaints filed against them. Employees must notify Human Resources regarding the findings in any complaint against them alleging child abuse. Notification of Human Resources of any complaints and findings shall occur within three business days of notification to employee.

<https://livedmpsk12ia.sharepoint.com/sites/resources/HumanResourcesDocuments/Notification%20of%20Arrest%20Form.pdf#search=notification%20of%20arrest>

Information relating to arrests, criminal charges and child abuse complaints shall be treated and maintained as part of the employee's confidential file.

Employees who do not notify the District as required under this policy may be subject to disciplinary action up to and including termination.

*Legal references: Iowa Code § 232.68-69; 235A; 279.8; and 280.17 (2011)  
441 I.A.C. § 152, 155 and 175  
Adopted August 18, 2000; revised February 7, 2006  
Last Review: 2012-2013*

Upon receipt of notice, the office of Office of Human Resources shall require employees to complete a *Notification of Arrest Form* outlining the date, nature, and current status of the charge, arrest, or complaint. Additionally, the form shall require employees to provide any information they may have with regard to future court dates and/or disposition proceedings. It shall be the responsibility of the employee to supplement and update the information originally provided on the *Notification of Arrest Form* with any new or changed information.

The Chief Human Resources Officer or designee shall have the authority to verify any and all information provided on the *Notification of Arrest Form*. If any information provided on the form is determined to be incomplete, false, or misleading for any reason other than a clerical mistake, the employee may be subject to discipline, up to and including termination.

The District may consider and use the information contained in the *Notification of Arrest Form* for any purpose which protects the District's interests. However, all information provided to the District on the *Notification of Arrest Form* will be treated and maintained as part of the employee's confidential file.

The following terms as used in these procedures and corresponding Board Policy are defined as follows:

**Child Abuse or Abuse means harm occurring through:**

- Any non-accidental physical injury, or injury which is at variance with the history given of it, suffered by a child under 18 years of age.
- The commission of a sexual offense with or to a child, including but not limited to sexual abuse, incest, and sexual exploitation of a minor.
- The failure on the part of a person responsible for the care of a child to provide for the adequate food, shelter, clothing, or other care necessary for the child's health and welfare.

**Criminal Charges**

All charges of committing a public offense, such as a felony or a misdemeanor, when such offense is prohibited by statute or ordinance, and punishable by fine or imprisonment.

**Simple Misdemeanor**

Crime resulting in a penalty of either imprisonment not to exceed thirty days, or a fine of at least fifty dollars, but not to exceed one hundred dollars.

**Failure to Meet Contractual Obligations**

**Series 400**

**Code 417**

**Title: Teacher Resignation**

The Iowa Board of Educational Examiners has adopted rules which address professional conduct and ethics for teachers. 282 Iowa Administrative Code Chapter 25. One aspect of these rules involves violations of contractual obligations. This includes abandoning or breaking a contract of employment without a release from the board. When this happens, the district has the option to file a complaint with the Board of Educational Examiners. The Board of Directors may release a teacher from the teacher’s contract during the school year only in exceptional circumstances. Such circumstances shall be considered on a case-by-case basis by the Board of Directors and will include consideration regarding the availability of a suitable replacement. Advertising and other costs incurred by the district to secure a replacement may become the responsibility of the teacher.

*Administrative Procedures: Code 417  
Revised February 4, 1992; December 13, 2005  
Last review: 2012-2013*

**Chapter 102, Level One Investigator**

Level One investigator training provides educators with guidance about the differences between a school employee’s mandatory reporting responsibilities and the procedures for investigating allegations of abuse of students by school employees.

Des Moines Public Schools, in accordance with chapter 102.5(3), has a trained level one investigator at every building location in the school district. Contact information for each level one investigator (name and phone number) may be found in the main office at each building site as well as posted on the district web site.

Any individual wishing to report a student being abused by an employee shall notify the building Level I Investigator. Below is a list of all Level I Investigators by building.

<b>School</b>	<b>Last Name</b>	<b>First Name</b>
<b>Brody</b>	May	JoLynn
<b>Brubaker</b>	Adams	Mark
	Soria	Rick
	Hakert	Brooke
	Johnson	Todd M
<b>Callanan</b>	Griffith	Joshua
<b>Capitol View</b>	Kerper	Marsha
	Sharkey	David



<b>Capitol View</b>	Shaw	Haley
<b>Carver</b>	Burnett Requist	Jill
	Safina	Andrea
	Steinfeldt	Beth
<b>Cattell</b>	Good	Jennifer
	Catron	Karen
<b>Central Academy</b>	Hilton	Kristin
	Gogerty	Jessica
<b>Central Campus</b>	Miller	Rebecca
<b>Cowles</b>	Grylls	Greg
	Lepeltak	Tracy
<b>Des Moines Alternative</b>	Oleson	Randi
<b>Downtown</b>	Flickinger	Stephanie
	Arbogast	Teri
	Donovan	Tracey
<b>East</b>	Street	Michael (Chad)
<b>Edmunds</b>	Rittman	Jaynette
	Bryant	Taylor
<b>Findley</b>	Adams	Barbara
	Miller	Rick
<b>Garton</b>	Lord	Renita
	Patrick	Jacqueline
	Ratcliff	Elizabeth
<b>Goodrell</b>	Houser	Christian
	Taylor	Amy
<b>Greenwood</b>	Howe	Tamma
	Huinker	Eric
<b>Hanawalt</b>	Mireles	Judi
	Schofield	Kelly
<b>Harding</b>	Holland	Damon
<b>Hiatt</b>	Schmit	Christopher
<b>Hillis</b>	Gelfond	Renee
	Hessel	Katherine
<b>Hoover</b>	Badger	James
	Panek	Jeffrey
	Stribling	Janet
<b>Howe</b>	Burke	Jill
	Kramer	Jennifer
	Welsch	Deborah
<b>Hoyt</b>	Goodhue	Casey
<b>Hubbell</b>	Belt	Carrie
	Bentley	Hope
<b>Human Resources</b>	Sullivan	Anne
	O'Hara	Tiffany
	Behrens	Emily

<b>Human Resources</b>	Mason	Sheila
	Boyle	Michael
<b>Jackson</b>	Sobel	Marla
	Wissler	Cynthia
<b>Jefferson</b>	Hudnall	Karene
	Minard	Mary
<b>Jesse Franklin Taylor</b>	Harrell	Jodi
<b>King</b>	LeBlanc	Peter
	Mowery	Nyla
	Bradley	Paul
<b>Lincoln</b>	Beckel	Adam
<b>Lincoln RAILS Academy</b>	Hummel	Jeffrey
<b>Lovejoy</b>	Bakley	Edith
<b>Madison</b>	Heaberlin	Cory
	Majoros	Sarah
<b>McCombs</b>	Sloan	Constance
<b>McKee</b>	Valdez	Heidi
<b>McKinley</b>	Brass	Lois
<b>Meredith</b>	Colemon	Victor
<b>Merrill</b>	Kehm	Diane
<b>Metro Kids</b>	Bishop	Jane
<b>MS Alternative</b>	Oleson	Randi
<b>Mitchell</b>	Campo-Westergaard	Tracey
<b>Monroe</b>	Banegas	Nicole
	Prior-Sweet	Laurel
	Collison	Carmen
<b>Moore</b>	Anderson Kunz	Michelle
<b>Morris</b>	Amos	Sherry
	Robinson	Jaime
	Geistkemper	Julie
	Smith	Anita
<b>Moulton</b>	Gustaveson-Roskamp	Denise
	Van Dorin	Eric
<b>North</b>	McCulley, Jr	Edward
	Negrete Reinders	Laura
	Modlin	Cheryl
<b>Oak Park</b>	Moton	Carrie
	Joens	Deborah
<b>Orchard Place</b>	Kotz	Bradley
	Soesbe	Gail
	Zuehlke	Stephanie
<b>Pace</b>	Oleson	Randi

<b>Park Avenue</b>	Anderson	Dianna
	Berg	Allison
<b>Perkins</b>	Koss	Danny
	Mallory	Kelly
<b>Phillips</b>	Doyle	Karen
<b>Pleasant Hill</b>	Price	Terrie
<b>River Woods</b>	Shiple	Traci
	Allison	Staci
<b>Roosevelt</b>	Blazevich	Joe
<b>Ruby Van Meter</b>	Weisz	Cynthia
<b>Samuelson</b>	Barcus	Holly
	Roerig	Cindy
	Weers	Carrie
<b>Scavo</b>	Rasmussen	Carmon
<b>Smouse</b>	Heidemann	Nikki
	Kerchal	Jody
<b>South Union</b>	Roberts	Jennifer
	Szakacs	Bill
<b>Stowe</b>	Buffington	Karen
	McCright	Joseph
	Williams	Jennifer
<b>Studebaker</b>	Crook	Brian
	Hovel-Wright	Cynthia
	Watson	Jeffrey
<b>Walnut Street</b>	Burnett	Robert
<b>Weeks</b>	Farris-Vermeer	Heather
<b>Willard</b>	Hanrahan	Sarah
	Isenhart	Debra
	Kruse	Julie
<b>Windsor</b>	Ballard	Justin
	Hickling	John
	Nichols	R Scott
<b>Woodlawn</b>	Pattschull	Beth
<b>Wright</b>	Hurlburt	Michelle

## Student Data Confidentiality Agreement

Des Moines Public Schools expects employees to respect the confidentiality of student records and to act in a professional manner in the handling of student data. Confidential data, including data on individual students, must not be created, collected, stored, maintained, or disseminated in violation of state and federal laws.

The following guidelines shall be followed regarding the appropriate use of student data collected by employees or made available to from other school/district employees, Infinite Campus, or any other file or application employees have access to:

- 1.Des Moines Public Schools is an educational institution and, therefore, must comply with the Family Educational Rights and Privacy Act of 1974, as amended (FERPA, 34 CFR Part 99) and the Individuals with Disabilities Education Act (IDEA, 34 CFR §§ 300.127 and 300.560-300.576). In addition DMPS must comply with state and federal laws pertaining to the confidentiality, use and disclosure of personally identifiable information (such as HIPPA & COPPA). Personally identifiable information is information that can be used on its own or with other information to identify, contact, or locate a single person, or to identify an individual in context.
- 2.Student data will only be accessed for students for whom employees have a legitimate educational interest and will be used for the sole purpose of meeting student needs.
- 3.Employees will securely log in and out of the programs that store student specific data. Employees will not share passwords.
- 4.Any documents created containing student specific data will be stored securely within the District network. No student data will be saved to personal devices.
- 5.Regardless of its format, all information will be treated with respect for student privacy. Student data must not be left accessible or unattended in any form, including information on a computer display. Computer screens will be locked while unattended.
- 6.Employees will share personally identifiable information about an individual student with other district employees only when there is a "legitimate educational interest" in knowing the specific information.
- 7.When sharing summary-level data in a public forum, employees will ensure that individual students cannot be identified (minimum group size of ten for public use).
- 8.Employees will gain approval from their supervisor prior to publicly sharing any student achievement data other than that which is publicly available from district or state sources (e.g., posted on the district or state website). Employees will not share student data on social media.
- 9.Employees will secure written permission from the Research and Data Management Department prior to including any student achievement data that is not publicly available in any research report for an undergraduate or graduate course or for internal research.
- 10.All external research requests, including those from curriculum publishers, testing companies, universities, and all other outside parties, must be approved in writing by the Research and Data Management Department.
- 11.Employees will inform their supervisor immediately if personally identifiable student data is lost, stolen, or disclosed to non-authorized individuals.

## **Crowdfunding**

Crowdfunding is the process of requesting donations to fund a specific purchase or project, typically through websites or social media designed for this purpose. Because crowdfunding is a unique form of fundraising, the District has established explicit rules that will apply whenever gifts or donations are sought to benefit the District through crowdfunding. The following is an overview of the crowdfunding rules, the complete procedure can be read on the DonorsChoose folder on @DMPS Resource Center under Business and Finance. At this time, [donorschoose.org](https://donorschoose.org) is the ONLY crowdfunding platform that is approved for requesting funds for district use. Under no circumstances should an outside bank account be opened to raise funds for the District. Before making a donation request on [donorschoose.org](https://donorschoose.org), you MUST receive proper approval. Using the Formsite (<https://fs8.formsite.com/DMPSchools/DCTeacher/index.html>) approval form, you MUST first obtain approval from your principal or department head. Thereafter, the approval will flow to Business & Finance. Each crowdfunding project leader is in charge of maintaining a file for each crowdfunding request, which can be found on the DonorsChoose folder on DMPS Resource Center under Business and Finance. If items received through crowdfunding fall into one of the following categories – technology, music, athletics, or textbooks – they must be inventoried. All donations or gifts that are requested using the District's name, referencing the employee's position with the District even if the District is not named, or requested on behalf of District students specifically or in general are considered District property.

## **Grants**

Grants provide non-repayable funds to the district to support an array of educational initiatives. DMPS Grants Specialists research and submit grant applications to a wide variety of federal, state, local, and foundation funding sources. Proposal development involves extensive planning and collaboration with several departments to ensure adherence to district policies and procedures, as well as fiscal compliance with laws and regulations (e.g., supplement versus supplant).

All employees who are seeking grant funding must go through the Grants team for all funding requests, no matter the size of the request. To do so, please complete a Grant Request Form available at the Resource Center under Business and Finance, Grants. This form is sent to your principal or supervisor for approval before moving on to the Grants team. Because of the high number of grant requests received, not all requests will be matched to an available grant opportunity. The Executive Directors prioritize grant requests on a quarterly basis. If your request receives prioritization, you will be contacted by the Grants team with next steps.

If you apply for a grant opportunity without going through appropriate channels, you may disqualify the district from a given opportunity or you may be required to return the grant funding to the funder.

## **Cell Phone Policy**

Cell phones shall be turned off or set to silent or vibrate mode during meetings, conferences and in other locations where incoming calls may disrupt normal workflow.

Employees may carry and use personal cell phones while at work on a sporadic basis. If employee use of a personal cell phone causes disruptions or loss in productivity, the employee will be subject to disciplinary action.

## **Lactation**

The District will provide reasonable break time for an employee to express breast milk for her nursing child for 1 year after the child's birth each time such employee has need to express the milk. The District will provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk.

The District will provide a reasonable amount of break time to express milk as frequently as needed by the nursing mother. The frequency of breaks needed to express milk as well as the duration of each break will likely vary, and the employee must communicate with her supervisor regarding the timing of the breaks.

A bathroom, even if private, is not a permissible location. The location provided must be functional as a space for expressing breast milk. If space is not dedicated to the nursing mother's use, it must be available when needed by the employee. A space temporarily created or converted into a space for expressing milk or made available when needed by the nursing mother is sufficient, provided that the space is shielded from view, and free from any intrusion from co-workers and the public.

Employees who use break time to express milk will be compensated in the same way that other employees are compensated for break time. In addition, the Fair Labor Standard Act's general requirement that the employee must be completely relieved from duty or else the time must be compensated as work time applies.

## **Workplace Inspections**

The District attempts to maintain equipment and supplies which permit work to be accomplished in the most efficient and effective manner possible. While employees are encouraged to use these items, it is important to understand that they are District property and are only to be used for conducting District business.

As a part of employment, a desk or work space may be made available to an employee. The desk and the work space are District property. Because the desk and the work space are District property, not the employee's personal property, the desk and the work space are subject to being inspected by the District at any time, with or without notice to the employee.

The District assumes no responsibility or liability for any items of personal property which are placed in the desk or work space which is assigned to the employee.

The District may also provide the employee with a telephone and/or a computer to perform his/her job. These items are also District property and may only be used to conduct District business. The District may enter and copy any computer file, may examine and copy any computer communication, may monitor and record any telephone communication, and may examine and copy or record any voice mail communication. The employee's continued employment with the District constitutes the employee's consent to the interception and recording of any of these communications. To the extent that any computer or telecommunication activities are regulated by state or federal law, the District will observe all such regulations imposed upon it.

If the District conducts an examination or inspection under the terms of this policy, there will be at least two individuals present at the time of the examination or inspection.

# **TECHNOLOGY – ACCEPTABLE USE**

## **Policy**

**Series 400**

**Code 445**

**Title: Acceptable Use of Internet and Network Technology by Employees**

The Des Moines Independent Community School District will maintain a computer network for use by employees. The internet is a worldwide computer network. The most basic functions provided by District network and the internet are access to local and remote informational facilities, file transfer, and electronic mail. The District is committed to making advanced network and internet technology and increased access available to all employees. The goal of the District in providing access to administrators, teachers, and other employees is to promote educational excellence in schools by facilitating resource sharing, innovations, and communications. The use of computers, the District's computer network, the internet, and other on-line services shall be consistent with the governmental, educational and business objectives of the District.

To ensure all District employees understand the appropriate use of District computers, the District network, the internet, and other on-line services, the District shall establish guidelines and monitor acceptable use. Those employees who violate the District's established guidelines for acceptable computer, internet and network use shall be subject to disciplinary action, up to and including termination.

It is the responsibility of the superintendent or designee to develop administrative procedures to implement this policy by establishing standards of acceptable use by employees and publishing and disseminating this information to all employees.

*Committee Adopted: June 25, 2001  
Board Approved: September 4, 2001  
Last Review: 2012-2013*

## **Procedure**

**Series 400**

**Code 445**

**Title: Acceptable Use of Internet & Networking Technology by Employees**

The following are the established expectations and standards of the Des Moines Independent Community School District regarding the acceptable use by employees of district computers, the district computer network, the internet and other on-line services:

1. The school district encourages employees to learn to use computers, the computer network, electronic mail, and telecommunications tools and apply them in the appropriate ways to the performance of tasks associated with their positions and assignments.
2. Employees shall communicate with telecommunications tools in a professional manner consistent with the law and district policies, including those governing the behavior of school employees and federal laws governing copyrights, confidentiality of employee records, student records and other information confidential under the law.
3. Communication over networks should not be considered by employees to be

private. The district's network administrator(s) or other administrators from time to time may examine all computers and computer network activities and review directories, messages and files to ascertain compliance with network guidelines for acceptable use. In addition, network administrator(s) or other administrators may inspect the contents of any and all electronic mail or files and may disclose the contents to others. Such disclosure may occur at the discretion of the district administration and/or when required to do so by law, by policies of

4. the district, or to investigate complaints regarding electronic mail which is alleged to contain inappropriate material. The network administrator(s) may copy, disclose, move, alter or delete files as may be necessary in the sole judgment of the network administrator(s) or the district administration.
5. Individual staff members may not allow anyone else to access or use the district's computer network or the internet by using the employee's personal identification number or password. Employees will be responsible for the security of their own e-mail and network access, and employees will be held responsible for any misuse of their e-mail or network access by themselves or by others.
6. Employees authorized to allow student access to the district's computer network and internet may do so only according to the student access policy and are responsible for supervising student access. Employees who allow student access to computer networks and the internet in violation of the student access policy may be subject to disciplinary action up to and including termination.
7. The following uses of district network and internet access are not permitted on the part of district employees:
  - a. Accessing, uploading, downloading, transmitting or distributing pornographic, obscene, profane, abusive, threatening, or sexually explicit material, or material encouraging or promoting discrimination towards individuals or groups of individuals based upon age, race, creed, color, sex, sexual orientation, marital status, national origin, religion or disability.
  - b. Violating any local, state or federal statute.
  - c. Accessing another individual's materials, information, or files without permission.
  - d. Violating copyright or otherwise misusing the intellectual property of another individual or organization without permission.
  - e. Unauthorized use of another's password.
  - f. Any unauthorized access or malicious attempts to damage computer hardware/software or networks, or destroying the data or another user, including creating, loading or intentionally introducing viruses.
  - g. Using the network for commercial purposes, personal purposes which interfere with job performance or function of the workplace, or other purposes not consistent with the educational objectives of the district.
  - h. Harassing, insulting, or threatening harm or embarrassment of others.
  - i. Gaining unauthorized access to others' resources or entities.
  - j. Invading the privacy of individuals.



- k. Altering the operation of computers as set by the network administrator.
  - l. Failing to follow district policy while using computers or failing to follow any other policies or guidelines established by district administration or the employee's supervisor and failure to follow instructions of supervisors.
  - m. Seeking to gain or gaining unauthorized access to information resources or other computing devices
  - n. Using the system to communicate, publish or display information, rumors, disparaging portrayals or any other information which is known to be false or misleading.
8. Employees are responsible for maintaining a safe and secure environment. This includes the computers and the computer network. Employees must keep passwords secure. Employees will change passwords when directed by the network administrator. Any employee identified as a security risk or having a history of problems with any computer systems may be denied access.
  9. The district makes no warranties of any kind, whether expressed or implied, for the access it is providing. The district is not responsible for any damages suffered by employees or by third persons. This includes loss of data resulting from delays, non-deliveries, mis deliveries, or service interruptions caused by the district or employee errors or omissions. Use of any information obtained via the internet is at the user's risk. The district denies any responsibility for the accuracy or quality of information obtained through its system.
  10. Any statement of personal belief found on the computer network or internet or other telecommunication system is explicitly understood to be representative of the author's individual point of view, and not that of the Des Moines Independent Community School District, its administrators, teachers, staff, or the participating school.
  11. Employees who violate any part of this policy will be subject to disciplinary action, which could include loss of the privilege of access to the system, and employment consequences up to and including termination.

## **Laptop/Mobile Device Agreement**

1. **Computer use is only for legal, authorized purposes:** Unauthorized or illegal uses include but are not limited to: harassment; destruction of or damage to equipment, software, or data belonging to others; unauthorized copying of copyrighted materials; private business unrelated to school activities.
2. **Authorized Users:** Must be DMPS staff member or student. The computer must be in the possession of the staff member at all times. In order to allow group usage of the computer it is permissible for additional DMPS users to access the computer within the presence of DMPS staff; appropriate use is the responsibility of the staff member to monitor.
3. **Use Restrictions:** The use must follow DMPS computer user rules which states that users must never engage in any activity that might be harmful to systems or to any information stored thereon, such as creating or propagating viruses, disrupting services,

or damaging files or making unauthorized or non-approved changes.

**4. Loss and Damage to Computer and/or Equipment:** Staff member shall return laptop to DMPS in the same condition received except for ordinary wear, at the location in which it was received. You will be charged for missing computer, power supply, mouse or bag.

**5. Use Outside Of District:** Staff member can use the computer away from school facilities and will be responsible for loss or damage to the computer. It is recommended to check your personal insurance coverage. **Investigations:** Authorized users will promptly complete incident reports and deliver to DMPS a copy of all related documents. Authorized Users will also fully cooperate with DMPS's investigation of any vandalism, theft, accident, claim, or lawsuit involving use of computer.

**6. Repairs and Alterations:** By consenting to this agreement, staff member is acknowledging financial responsibility for the cost of restoring the computer back to its original configuration for loss, damage, unauthorized repairs, replacement parts or alterations.

**7. Incidental, Special or Consequential Damages:** Staff member waives all claims against DMPS for any incidental, special or consequential damages in connection with the furnishing, performance or use of computer.

#### **Additional Resources**

Please refer to the DMPS Technology Resources website for additional information about technology equipment, software, and account information.

Revised: July2014

#### **DISTRICT POLICIES AND PROCEDURES**

All employees will have access to the District's current Policies and Procedures via the District's website at [www.dmschools.org](http://www.dmschools.org). It is each building administrator's responsibility to keep and maintain current Policies and Procedures in the building and to inform all supervisory personnel where such information is kept. A computer should be made available to any employee requesting to view District Policies and Procedures.