

# EMPLOYEE HANDBOOK

2023-2024





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## **ASD MISSION**

The mission of Arkansas School for the Deaf is to empower Deaf, Deaf-Blind, and Hard of Hearing children to become highly effective communicators who are educated, motivated and independent.

At ASD, students are transformed into confident young people inspired to achieve their goals with the skills to succeed in a competitive world.

## **ASD VISION**

Arkansas School for the Deaf is an inspired community committed to achievement, innovation, collaboration, and excellence.

### **Achievement**

At ASD, students belong, excel and thrive. ASD prepares students from birth to age 21 to be college and career ready by ensuring students achieve the essential skills of a rigorous curriculum in a bilingual environment where ASL and English are equally valued.

### **Innovation**

ASD implements bold and creative strategies, connecting ideas and technologies to meet the changing needs of our students, maximize their success, and enhance ASD's reputation as the Arkansas resource center on deafness, and a premier leader in bilingual education.

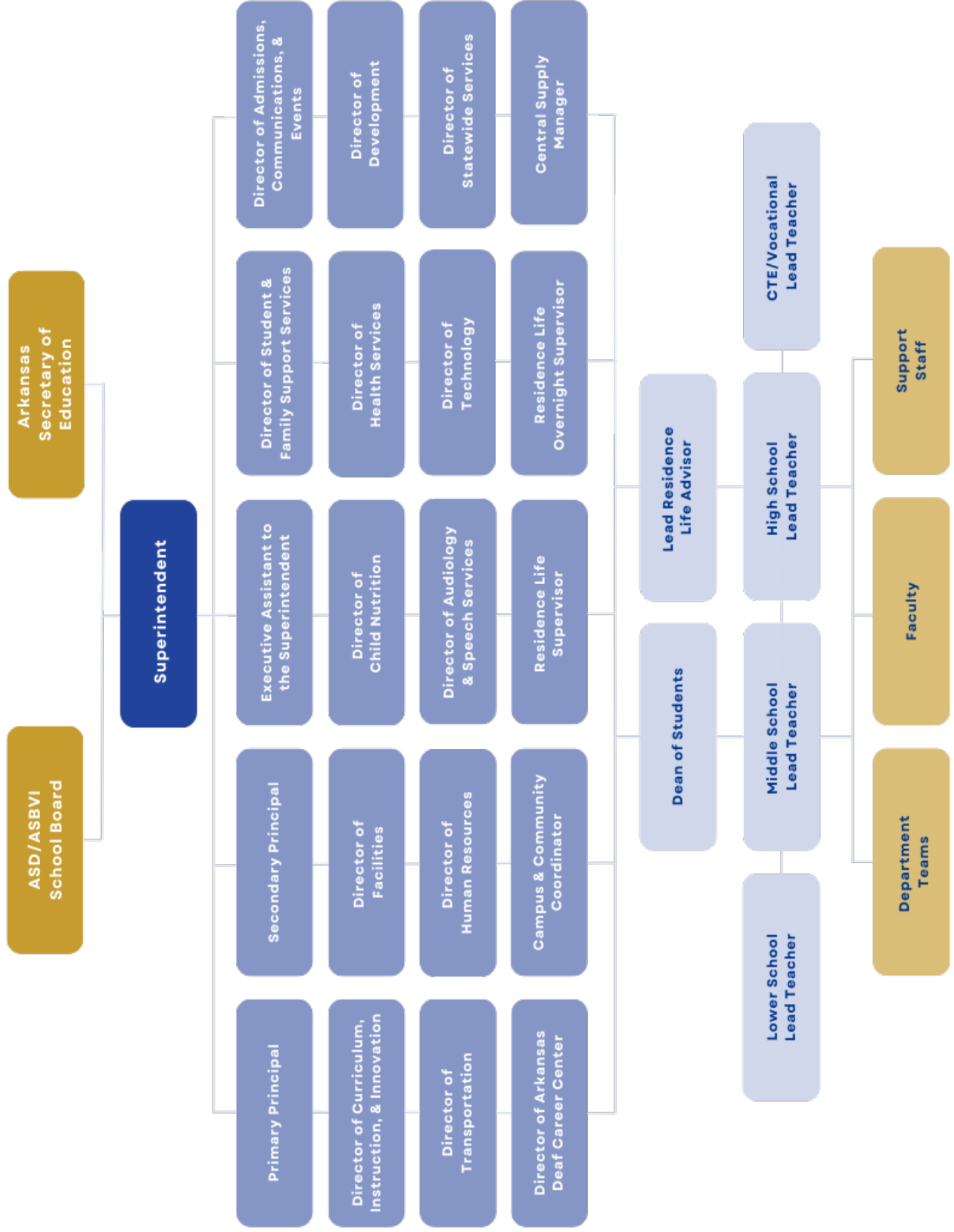
### **Collaboration**

ASD nurtures interactions within our community, as well as creating partnerships locally and globally, to bring new opportunities to our students and to strengthen the future of ASD.

### **Excellence**

ASD recognizes excellence as equipping a diverse community of promising young people to go out in the world with the confidence to lead lives of integrity, purpose and achievement in an increasingly global society.

# ARKANSAS SCHOOL FOR THE DEAF ORGANIZATION CHART





## **SECTION I: FEDERAL AND STATE EMPLOYMENT POLICIES**

The policies presented here originate from the Department of Transformation and Shared Services (TSS), Office of Personnel Management (OPM), but apply to all state employees. OPM has the overall responsibility of administering the state's personnel system and establishing necessary policies, procedures and regulations to ensure system uniformity in accordance with state and federal law. OPM offers diversified personnel service programs to all state agencies and institutions of higher education to assist in the achievement of human resource management goals and objectives.

Much of the material in the handbook is summarized, excerpted, or paraphrased, so the handbook is a guide rather than a complete source of information on employment-related subjects. Whenever possible, the source of the information is cited and additional details can be found in the TSS – OPM Policy and Procedures, federal and state laws and other documents referred to in the handbook. If you need help in locating any of these source documents, please ask the staff in the Human Resources Office. The handbook is accessible in electronic format through ASD website at [www.arschoolfortheDeaf.org](http://www.arschoolfortheDeaf.org) and may be downloaded, stored, or printed as needed.

ASD staff are responsible for reading the entire handbook and all subsequent updates. If any portions of this handbook are found to be in contradiction with state or federal laws, the laws and regulations will supersede any information/provisions of the handbook.

### **I:A. Equal Employment Opportunity**

ASD shall follow the spirit and intent of all federal, state and local employment law and is committed to equal employment opportunity. ASD is committed to providing equal opportunity for all employees and applicants without regard to race, creed, color, religion, national origin, civil union status, gender identity or expression, age, marital or political status, disability or handicap, sex or sexual orientation or any other category protected by federal, state or local law or regulation. ASD's decisions regarding recruitment, hiring, promotions, demotions, job assignments, transfers, working conditions, scheduling, benefits, wage and salary administration, disciplinary action, terminations and social, educational and

recreational programs, or any other term or condition of employment are based solely on the qualifications and performance of the employee or prospective employee. If any employee or prospective employee believes they have been treated unfairly, they have the right to address their concern with their immediate Supervisor, their School Superintendent, or the Human Resources Manager.

In accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; Section 504 of the Rehabilitation Act of 1973, as amended; and Title II of the Americans with Disabilities Act.

### **I:B. State Veteran's Preference Law**

The Arkansas School for the Deaf recognizes Arkansas Code Annotated 21-3-302 and 303 that covers the State Veteran's Preference Law. This law bestows preference in appointment and employment of certain veterans, provided such veterans have met "substantially equal qualifications."

### **I:C. Employment Policy Affirmative Action Statement**

ASD recruits, employs, and pays individuals on the basis of qualifications and abilities. All position announcements will be posted on the ARCAREERS website (<https://arcareers.arkansas.gov/>).

ASD is an Equal Opportunity Employer and maintains an Affirmative Action Program. It is the policy of ASD to provide equal employment opportunities to all applicants without regard to race, color, sex, religion, national origin, ancestry, handicap, or political affiliation. It is illegal and against the policies of this agency for any employee, male or female, to sexually harass another employee. It is also the policy of this Agency to assist current employees in achieving additional training on an equitable basis in order to qualify for better positions in state government, either in this Agency or some other. All present and future employees are assured that all personnel actions such as promotions, compensations, benefits, transfers, terminations, rehires, training, and education will not be determined on the grounds of race, color, sex, national origin, political or religious affiliations, or handicap.

The employment of personnel involves all citizens of the State of Arkansas and it is recognized that minorities and females should be fully represented on staff. It shall be the policy of this Agency to comply with provisions of all State and Federal laws and applicable regulations by assuring that no person shall be excluded from consideration for recruitment, selection, training, promotion, or any other action pertaining to personnel, or be denied any benefits on the grounds of political or religious affiliations, or because of race, color, sex, age, handicap, or national origin (except where sex is a bonafide occupational qualification).

Qualified applicants with disabilities, as defined in the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, may request any needed accommodations to participate in the application process.

Individuals are hired and promoted on the basis of minimum qualifications for each position. Minimum qualifications are established by the State Office of Personnel Management (OPM).

For information about any of these, contact the Human Resources Office.

#### **I:D. Non-Discrimination Policy**

ASD prohibits discrimination on the basis of race, color, religion, creed, sex, age, marital status, national origin, mental or physical disability, political belief or affiliation, veteran status, sexual orientation, genetic information and any other class of individuals protected from discrimination under state or federal law in any aspect of the access to employment and application for employment. Furthermore, ASD policy includes prohibitions of harassment of employees, i.e., racial harassment, sexual harassment and retaliation for filing complaints of discrimination.

ASD is committed to compliance with Title VII of the Civil Rights Act of 1964, Title VI of the Equal Pay Act of 1963, Executive Order 11246 (1965), the Americans with Disabilities Act of 1990, the Vietnam-era Veterans Readjustment Act of 1974, the Age Discrimination Act of 1975, the Age Discrimination in Employment Act of 1967, the Family and Medical Leave Act of 1993.

Violations of these policies will result in disciplinary action up to and including discharge. Employees who feel they have been subject to discrimination, harassment, or disrespect as prohibited above, should contact their Human Resources representative.

### **I:E. Americans with Disabilities Act (ADA)**

The ADA Act (42 U.S.C. § 12.101 et. seq.) of 1990 is a civil rights act prohibiting discrimination against individuals with disabilities in the offer or conditions of employment and in the participation or furnishing of services. It does not guarantee equal results, establish quotas, or require preferences favoring individuals with disabilities over those without disabilities. The ADA Amendments Act (ADAAA), effective January 1, 2009, was adopted to restore the original intent of the ADA by providing a clear and comprehensive national mandate for the elimination of discrimination and help tap an under-utilized employee population.

The ADA and ADA Amendments provide protection for the person with a disability from discrimination in any employment action and requires an employer to make reasonable accommodations to aid the individual to perform the essential duties of the job.

To be considered disabled under the ADA, a person must have a physical or mental impairment that substantially limits one or more major life activities; have a record of such impairment; or be regarded as having such impairment. Additionally, to be covered by the ADA, a person with a disability must be otherwise qualified for the job, program or activity to which access is sought.

Under ADA, employment decisions must be based on an individual's ability to perform the essential functions of a position with or without reasonable accommodation. ASD is not required to make accommodations that would eliminate the essential functions of the job or impose an undue hardship on the operation of ASD. Under the ADA, for the purposes of providing reasonable accommodation, the State of Arkansas as a whole is considered the employer and not individual agencies.

If the employee has a disability and needs accommodations to perform his/her job duties or to

receive any regular benefit or condition of employment, the employee should make the request to his/her supervisor verbally, in a written note or memo, or by using a special form. Any other person may assist in making this request.

The law defines essential job functions as those fundamental tasks of a job, reasonably defined by the employer; and reasonable accommodations as those changes in facilities or policies that enable an otherwise qualified person to perform the essential job functions. An accommodation is considered reasonable and is required if it effectively allows the person to perform the essential job tasks, while not placing an undue hardship on the employer.

The ADA and the ADA Amendment Act provides protection for the employer from making accommodations that are unreasonable or detrimental, operationally or fiscally. ASD is not required to create a position as an accommodation or to shift duties from the person with a disability to another staff member resulting in an increased workload for that employee. For additional information about the program, please contact the Human Resources Office.

### **I:F. At-Will-Employer**

ASD is an “at-will” employer. Nothing in this document or policies and procedures establishes, constitutes, or implies an employment contract, the guarantee of employment or benefits, or employment for any specific duration. Nothing contained in ASD policies, handbook, applications, or other documents, or the granting of any interview or the placement in a probationary status or any other administrative act, creates a contract between an individual and ASD for either employment or the provision of benefits. ASD does not guarantee continued employment for any specific period of time and employment can be terminated with or without cause and with or without notice, at any time, at the option of either ASD or the employee. Individuals hired will be required to provide proof of eligibility to work in the United States pursuant to the Immigration Reform and Control Act of 1986. More information on the “at-will” doctrine can be found under the Arkansas Department of Labor and Licensing (Arkansas Department of Labor and Licensing FAQs, 2023).

### **I:G. Disclosure of Health Information**

Employee health records maintained by ASD will only be disclosed outside ASD as required by law.

### **I:H. Conflict of Interest**

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest and shall adhere to the applicable state laws governing ethical conduct and conflict of interest.

### **I:I. Disclosure of Information**

All public records maintained by ASD are subject to release under the Arkansas Freedom of Information Act (FOIA). For additional information regarding FOIA, please contact ASD Legal Services. reference the Freedom of Information Act via ADE.

### **I:J. Minority Recruitment**

ASD has developed and implemented a plan to identify job positions/grades within ASD in which minorities are underrepresented and to recruit and employ qualified minority applicants for those positions so as to create a balanced, desegregated staff at all levels.

### **I:K. Hiring of Relatives**

Arkansas Law prohibits the hiring of relatives by public officials and prohibits ASD employees from supervising a relative. Relative is defined as:

husband, wife, mother, father, stepmother, stepfather, mother-in-law, father-in law, brother, sister, stepbrother, stepsister, half-brother, half-sister, brother-in-law, sister-in-law, daughter, son, stepdaughter, stepson, daughter-in-law, son-in-law, uncle, aunt, first cousin, nephew, or niece.

Within each state agency, no relatives of employees shall be placed within the same line of supervision whereby one relative is in a supervisory position over the other. A temporary change

in supervision resulting in the supervision of a relative will not be considered a violation of ACA § 25-16-1001, provided the supervision does not exceed 30 days. No hiring, firing, pay adjustments, or other personnel actions may occur during this temporary period of supervision.

If employees of the same state agency plan to marry, they must complete and sign OPM Form 050, Marriage Disclosure of State Employees, listing both employees' names, job titles, and division in which they are employed and submit the form to the employees' human resources department for review and approval. Failure to complete this form may subject employees to termination for non-compliance. If the marriage will result in a violation of ACA § 25-16-1002, the public official of the state agency or his/her designee shall provide written notice of each of the alternatives to resolve the violation as listed below:

- a. Transferring one of the employees to another position within the agency.
- b. Transferring one of the employees to another agency.
- c. The resignation of one of the employees.

The employees shall be given the opportunity to select among the available alternatives.

If any employee of an agency suspects a violation of ACA § 25-16-1001 has occurred, they may complete the OPM reporting form using the link below. Violation of Hiring Practices/Supervision of a Relative and submit the form to the Office of Personnel Management. OPM will determine if a violation has occurred and report such violations to the Attorney General's Office for resolution.

### **I:L. Workplace Harassment Policy**

Arkansas School for the Deaf is committed to providing a safe environment for all its employees free from discrimination on any ground and from harassment at work including sexual harassment. We want our employees to feel safe and happy. We will not tolerate anyone intimidating, humiliating or sabotaging others in our workplace. We also prohibit willful discrimination based on age, sexual orientation, ethnicity, race, religion, or disability.

This workplace harassment policy applies to all employees, contractors, public visitors, and anyone else whom employees come into contact with at work.

Harassment includes bullying, intimidation, direct insults, malicious gossip and victimization.

Some examples may include but are not limited to:

- Sabotaging someone's work on purpose.
- Engaging in frequent or unwanted advances of any nature.
- Commenting derogatorily on a person's ethnic heritage or religious beliefs.
- Starting or spreading rumors about a person's personal life.
- Ridiculing someone in front of others or singling them out to perform tasks unrelated to their job against their will.
- Sexual harassment is illegal and we will seriously investigate relevant reports.

If you are being harassed, whether by a colleague, customer or vendor, you can choose to talk to the following people:

- Offenders: If you suspect that an offender doesn't realize they are guilty of harassment, you could talk to them directly in an effort to resolve the issue, this tactic is most appropriate for minor infractions. ASD does recognize that harassment may occur in unequal relationships (i.e. supervisor/employee) and it may not be possible for the victim to inform the alleged harasser.
- Employee's direct supervisor: Your Administrator will assess the situation and contact HR if necessary.
- If a victim cannot directly approach the alleged harasser and is not comfortable sharing with their supervisor, he/she may go to Human Resources.

Anyone who is found to have harassed another person under the terms of this policy is liable to any of the following sanctions as stated in the conduct standards:

- I. Written warning
- II. Suspension
- III. Dismissal



## **I:M. Sexual Harassment Policy**

The Arkansas School for the Deaf is committed to having an academic and work environment in which all students and employees are treated with respect and dignity. Student achievement and amicable working relationships are best attained in an atmosphere of equal educational and employment opportunity that is free of discrimination. Sexual harassment is a form of discrimination that undermines the integrity of the educational environment and will not be tolerated. Within the educational or work environment, sexual harassment is prohibited.

It shall be a violation of this policy for any student or employee to be subjected to, or to subject another person to, sexual harassment as defined in this policy. Any employee found, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action up to, and including, termination.

Sexual harassment refers to unwelcome sexual advances, requests for sexual favors, or other personally offensive verbal, visual, or physical conduct of a sexual nature made by someone under any of the following conditions:

- Submission to the conduct is made, either explicitly or implicitly, a term or condition of an individual's education or employment;
- Submission to, or rejection of, such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; and/or
- Such conduct has the purpose or effect of substantially interfering with an individual's academic or work performance or creates an intimidating, hostile, or offensive academic or work environment.

The terms "intimidating", "hostile", and "offensive" include conduct of a sexual nature which has the effect of humiliation or embarrassment and is sufficiently severe, persistent, or pervasive that it limits the student's or employee's ability to participate in, or benefit from, an educational program or activity or their employment environment.

Actionable sexual harassment is generally established when an individual is exposed to a pattern of objectionable behaviors or when a single, serious act is committed. What is, or is not, sexual harassment will depend upon all of the surrounding circumstances. Depending upon such circumstances, examples of sexual harassment include, but are not limited to: unwelcome touching; crude jokes or pictures; discussions of sexual experiences; pressure for sexual activity; intimidations by words, actions, insults or name calling; teasing related to sexual characteristics; and spreading rumors related to a person's alleged sexual activities.

Employees who believe they have been subjected to sexual harassment are encouraged to file a complaint by contacting their immediate supervisor, administrator or Grievance Officer who will assist them in the complaint process. Under no circumstances shall an employee be required to report allegations of sexual harassment to a school contact person if that person is the individual who is accused of the harassment. To the extent possible, complaints will be treated in a confidential manner. Limited disclosure may be necessary in order to complete a thorough investigation.

Employees who file a complaint of sexual harassment will not be subject to retaliation or reprisal in any form.

Employees who knowingly fabricate allegations of sexual harassment shall be subject to disciplinary action up to and including termination.

Individuals who withhold information, purposely provide inaccurate facts, or otherwise hinder an investigation of sexual harassment shall be subject to disciplinary action up to and including termination.

## **I:N. HIPAA**

In August of 1996, the Health Insurance Portability and Accountability Act (HIPAA) was enacted. HIPAA requires that ASD handle your health insurance information according to regulations. The intention of the regulation is to ensure the privacy of medical records, health information, and other types of personal information.

## **I:O. Whistle-Blower Act**

The Arkansas Whistle-Blower Act prohibits a public employer from taking adverse action against a public employee who communicates in good faith to an appropriate authority the existence of waste of public funds, property, or manpower or a violation of the law; participates, or gives information, in an investigation, hearing, court proceeding, legislative inquiry, or administrative review; or objects to carrying out a directive the public employee reasonably believes violates the law. To anonymously report suspicions of illegal activity by government officials, call 501.221.8200 or call the AR State Police at 800.553.3820. For additional information about the Arkansas Whistle-Blower Act consult Act 1523 of 1999 and AR Code Ann §§ 21-1-601 to 610.

Arkansas State Employees' Fraud, Waste, & Abuse Report Center is to prevent illegal use and mismanagement of Arkansas State Government Resources. To report information concerning fraud, waste, and abuse to the Report Center, employees can call 800.952.8248 toll-free, 24 hours a day. They may also call Department of Finance & Administration Office of Internal Audit at 501.682.0370 M-F 8:00-4:30 or e-mail [fraud@dfa.arkansas.gov](mailto:fraud@dfa.arkansas.gov).

## **I:P. Drug and Substance Policies**

### I:P.1. Smoking Policy

ASD is a tobacco-free school. Smoking or using tobacco products is prohibited on all ASD property and at school-related or school-sanctioned activities, on or off campus. This includes all buildings, playground areas, parking facilities, facilities used for athletics, and other activities. Drivers and passengers of ASD vehicles are prohibited from smoking while inside the vehicle. Notices stating that smoking is prohibited by law and punishable by a fine are displayed in prominent places in all school buildings. Employees who engage in smoking on campus face the risk of discipline, up to termination.

### I:P.2. Drug-Free Workplace Policy

Arkansas School for the Deaf is a drug free workplace. ASD employees are prohibited from using or possessing controlled substances or alcohol while on duty or working with

the presence of alcohol or illegal drugs in the employee's body, unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illegal drugs, inhalants, as well as inappropriate or illegal use of prescription drugs. Such actions are prohibited both while at work or in the performance of official duties while off agency property; violations of this policy will subject the employee to discipline, up to and including termination. Employees who engage in drug or alcohol abuse face the risk of termination and the forfeiture of worker's compensation, medical, and indemnity benefits.

Reported use, distribution, or possession of drug or alcohol during working hours may subject the employee to discipline, up to and including termination, pending investigation.

### I:P.3. Levels of Drug Testing

#### ***I:P.3.i. Pre-Employment***

All persons selected for new employment within ASD must submit to a drug test as a precondition of employment. All hiring decisions are contingent on the selectee passing the drug test.

#### ***I:P3.ii. Reasonable Cause***

All employees (including temporary, emergency, and extra help positions) are subject to reasonable cause drug and alcohol screening.

#### ***I:P3.ii. Random***

Employees are subject to random drug testing.

### I:P.4. Pre-employment Drug Testing Process

Vacancy announcements will include notice of required drug and alcohol testing.

All applicants selected for interview, will sign a pre-employment drug test notification form that an offer of employment is conditional upon passing a pre-employment drug test. The written notification will inform applicants of the consequences of: (a) failing to appear for testing or (b) a test indicating positive for drugs or alcohol.

Upon conditional selection of an individual for employment, the Supervisor will notify the Human Resources Director and the prospective employee that the employment is conditional for employment contingent on him/her successfully passing a pre-employment drug test and must contact the Human Resources Director for instructions.

ASD will select the drug testing site and pay for the initial drug test. The selectee must pick up a Chain of Custody form from the Human Resources Director, take the form to the testing location, and provide a sample for testing within 48 hours of the testing notification.

Keeping in mind that some testing locations are closed on weekends and holidays, the hiring official will not make the initial notification on the last workday before a weekend, holiday, or scheduled time off.

If extenuating circumstances beyond the selectee's control prevent the selectee from providing a sample immediately, the selectee must request an extension. The decision of whether to grant the extension will be made by the Superintendent. The Human Resources Director must notify the selectee of the decision.

#### I:P.5. Drug Test Results

Drug test results are forwarded directly to the Human Resources Director. The Human Resources Department then notifies the hiring supervisor whether the applicant is eligible or not eligible for hiring.

*If the results of the drug test are negative* for controlled substances, the hiring supervisor will notify the selectee of his or her final selection.

*If the results of the drug test are positive* for controlled substances, the selectee will be notified in writing of the results and will not be considered further for the position. External applicants will not be eligible for employment with ASD until all of the following conditions have been met:

- The selectee provides proof of successfully completing a supervised drug rehabilitation program.
- A two-year waiting period has expired.
- The selectee passes a new employee drug screening.
- The selectee signs an agreement to allow random drug testing. ASD will pay for the drug tests.

#### I:P.6. If Selectee Disagrees with Findings

If the selectee disagrees with the findings of the drug testing, the selectee may arrange to have a portion of the original sample retested at a laboratory certified by the National Institute of Drug Abuse. The selectee must arrange and pay for the second test. The second test must be performed within five working days after learning the results of the first test. The results of the second test will be considered conclusive.

Placement of any applicant on the payroll will be conditional and contingent on the applicant successfully completing the pre-employment drug screening.

#### I:P.7. Two-Year Employment Ban

The following will result in the selectee being banned from applying for employment with ASD for two years:

If the drug test is not performed within 48 hours (unless an extension is granted).

If the drug test is positive. A test is considered to be positive if the test results indicate that the sample has been tampered with in any way or that the selectee has attempted to falsify the test results, including the use of masking agents or chemicals.

If the selectee fails to appear for drug testing without notifying the hiring official that he/she is declining the position.

### I.P.8. Reasonable Cause Drug Testing

ASD may require a blood test, urinalysis or other drug/alcohol screening for employees any time there is reasonable cause. Reasonable cause to suspect a violation of the rules may be established by any of the following:

- Observed impairment of job performance.
- Uncharacteristic or erratic behavior.
- The employee's attendance changes, e.g., habitual absenteeism.
- A workplace accident or an accident involving an ASD vehicle when the accident results in personal injury.
- Physical symptoms indicative of drug or alcohol use. For example, slurred speech, tremors, drowsiness, pupils dilated or constricted, irritability, hyperactivity, general motor impairment, disorientation, or the smell of alcohol on the breath.
- Evidence the employee has tampered with a previous drug or alcohol test.
- Evidence drugs have been tampered with or are missing from a unit or designated area to which the employee has access.
- Any other facts or circumstances which would cause a reasonable person to believe that the employee is in possession of, or under the influence of drugs or alcohol.
- Direct observation (by a manager, supervisor, or other employee) of drug or alcohol use or possession during working hours.
- Arrest or conviction for a drug offense or the identification of an employee as the subject of a criminal investigation into illegal drug possession, use, or trafficking.

Upon finding reasonable cause, the Human Resources Department will notify the Superintendent immediately. The Superintendent will determine if an investigation is necessary. The employee may be ordered to report for drug and alcohol testing. A written report will be made of the investigation leading to a controlled substances reasonable suspicion test within twenty-four (24) hours of the observed behavior. The report will be maintained by the Human Resources Department.

### I:P.9. Random Drug Testing

Employees of ASD are required to submit to random drug testing. A contracted agency randomly selects employees at intervals determined by the Superintendent. Once an employee is selected for testing, the employee must report for drug testing procedures.

#### **Random/Reasonable Cause Testing Procedures**

An employee selected under random or reasonable cause for drug or alcohol testing *must report to the designated testing site within four (4) hours of notification*. The employee is subject to random or reasonable cause testing only on scheduled workdays.

Under reasonable cause, an employee failing to submit to testing within four hours of notification will be terminated. If the employee tampers with the sample or in any way falsifies test results, including the use of masking agents or chemicals, the employee will be terminated and will not be eligible for rehire.

If a CDL driver for ASD fails to submit to testing within four hours of notification, the employee will be prohibited from driving commercial motor vehicles and may be subject to further disciplinary action. In cases when the CDL is a requirement of the job such failure to submit will result in termination.

### I:P.10. Failure to Provide Sample

Failure to appear for drug testing and/or failure to provide a urine, blood, or hair sample will have the same consequences as testing positive for drugs or alcohol. Drug screening will be conducted by a urinalysis test. If the employee or applicant is unable to provide a urine sample when he or she reports to the drug testing site, the person to be tested may opt to provide a blood sample or a hair sample. If blood or hair is provided, the cost of testing will be at the employee or applicant's own expense.

### I:P.11. If Employee Disagrees with Test Results

If an employee disagrees with the findings of the drug or alcohol test, the employee may arrange to have a portion of the original sample retested at a laboratory certified by the



National Institute of Drug Abuse. The employee will arrange and pay for the second test. The second test must be performed within five working days of learning the results of the first test. The results of the second test will be considered conclusive.

### **I:Q. Criminal Background Check**

In accordance with Arkansas Act 1019 of 1997, a criminal background check will be conducted on all new employees. Employment is provisional until all verification is received confirming a clear criminal background check. If a criminal history record or substantiated true report of child maltreatment is found, new employees will be disqualified from employment and can challenge the completeness or accuracy of criminal history information to the Arkansas State Police and/or FBI. In accordance with Arkansas Act 1422 of 2005, a criminal background check will be completed on all employees every five years.

### **I:R. Solicitation on Campus**

No solicitation is permitted on the ASD campus.

### **I:S. Breastfeeding Policy**

Arkansas School for the Deaf provides a supportive environment to enable breastfeeding employees to express their milk during work hours.

Breastfeeding employees are allowed to breastfeed or express milk during work hours using their normal breaks and meal times. A private room (not a toilet stall or restroom) shall be available for employees to breastfeed or express milk. The room will be private and sanitary, located near a sink with running water for washing hands and rinsing out breast pump parts, and have an electrical outlet. If employees prefer, they may also breastfeed or express milk in their own private offices, or in other comfortable locations agreed upon in consultation with the employee's supervisor.

Employees are responsible to communicate with supervisors employees regarding their needs so that appropriate accommodations can be made to satisfy the needs of both the employee and the school.

## **SECTION II: GENERAL EMPLOYEE INFORMATION**

### **II:A. Work Rules and Schedules**

The normal work hours of the Agency are from 8:00 a.m. to 4:30 p.m. Monday through Friday. The supervisor will schedule a thirty-minute lunch break and rest breaks not exceeding fifteen minutes during the morning and afternoon. It may be necessary for the supervisor to change work hours and breaks to accommodate the various needs of the agency.

The school's operational hours for educational staff are Monday – Friday, 7:50 a.m. – 3:35 p.m.

The teaching hours set out above are the usual and customary, at-school daily expectation under teachers' schedules. In addition to the hours set out above, teachers are expected to conduct parent/teacher conferences included in the school calendar, participate in faculty meetings when given reasonable notice, occasionally serve on faculty or ASD committees, confer with students or parents who cannot reasonably confer within the teacher's normal schedule when given reasonable notice, and to perform other such usual and customary expectations of teachers.

### **II:B. Outside Employment**

Faculty and staff are expected to place the responsibilities and obligations of their job first and will only be permitted to engage in outside work on off-duty time if:

- There is no possible conflict of interest.
- There is no interference with the work of ASD, and the outside employment does not interfere with the employee's job efficiency, quality, and effectiveness.
- No outside employment is carried on in the school/workplace nor is any ASD equipment, supplies, or staff used for such work.

In no event can a state employee contract with, be employed by, or otherwise receive any fees or compensation from any state agency or other business entity to provide any service presently being provided by a state agency. An employee may work for other state agencies provided that

the requirements for working for two state agencies are met. Contact the Human Resources Office for more information on concurrent employment.

## **II:C. Personnel Records**

Employees are responsible for promptly notifying the Human Resources Office of any changes or corrections of name, home address, telephone number, marital status, emergency contact or beneficiary. Forms to process a change in personal information may be obtained from Human Resources.

The official personnel records of all employees are maintained in the ASD Human Resources office.

## **II:D. Fair Labor Standards Act Overtime and Compensatory Time**

The Fair Labor Standards Act (FLSA) is a federal law that contains provisions related to minimum wage, working hours, earning overtime and record keeping requirements that ASD is required to follow. The FLSA established two types of employees: exempt and non-exempt. An employee is “non-exempt” and is eligible to earn overtime credit. ASD non-exempt employees are generally non-professional employees, are not employed by an employment contract, and are not administrative or supervisory employees. An employee is “exempt” if the employee’s position at ASD is an “executive”, “professional”, or “administrative” position as those terms are defined by the FLSA. Exempt employees are not eligible to earn overtime credit and may be asked to work time outside their regular schedule.

A non-exempt employee earns overtime credit at the rate of 1½ hours for each hour worked over 40 hours in one work week. ASD’s work week is Sunday through Saturday regardless of when an employee is scheduled to work.

Prior approval of compensatory time is required for all non-exempt employees by the employee’s supervisor and the Superintendent. Upon resignation employees receive a lump sum payment for any remaining FLSA compensatory time. The maximum amount of compensatory time allowed for accrual is 240 hours.

### II:D.1. Time Sheets

All employees, who are classified as “Non-Exempt” under the FLSA, are required to prepare a timesheet electronically on a weekly basis by going to [EASE.arkansas.gov](http://EASE.arkansas.gov). All timesheets are due every *Wednesday by 12:00 pm* unless otherwise notified by the Human Resources Office. Pay period schedules are available on the ASD network and in the Human Resources Office upon request.

### II:D.2. Pay Periods and Pay Checks

Act 1887 of 2005 requires all new employees to be paid by electronic direct deposit. Employees are paid biweekly (every two weeks) with 26 pay periods per year. The salary received on the first pay period is determined by the employee’s grade level and when the employee began work in the pay period. Pay periods begin on Sunday and end on Saturday. Paychecks will be direct deposited in the employee’s bank and available to the employee after 2:00 p.m. on Friday of the week following the close of the pay period. All ASD employees are requested to review their check upon receipt and immediately report any discrepancy to the Human Resources Office.

Remuneration Statements will not be distributed to employees. Employees can log on to [EASE.arkansas.gov](http://EASE.arkansas.gov), Empowering Arkansas State Employees (EASE), to view current and past statements, as well as personal information. Employees can also check out the salary schedule table on “I” share.

Upon termination, resignation, or retirement, employees will be paid for all unused annual leave up to a maximum of thirty days including holidays.

Employees are not entitled to payment for accrued and unused sick leave when employment is terminated or employee resigns, except upon retirement based on accumulation of at least fifty (50) days.

### II:D.3. Payroll Deductions

All employees will have the following types of deductions withheld from their pay every pay period:

- Federal Income Tax: The amount deducted from the employee's pay will depend on the employee's salary (less pre-tax deductions) and the number of dependents the employee claims for tax purposes.
- State Income Tax: The amount deducted from the employee's pay will depend on the employee's salary (less pre-tax deductions) and the number of dependents the employee claims for tax purposes.
- Social Security and Medicare Tax (FICA): FICA is computed on each employee's salary (unless exempt) at a rate established by the federal government.
- Teacher Retirement: A mandatory deduction of 6% of gross salary is made to the Employees Teacher Retirement account.
- Arkansas Diamond Mandatory Deduction: Arkansas Diamond Mandatory Deduction of 3% of gross salary is made to the Employee Arkansas Diamond account unless the employee signs the opt-out form.

The following types of payroll withholdings are optional for all employees:

- Group Health and Life Insurance
- Credit Union
- Arkansas State Employees Association Membership Dues
- United Way Contributions
- Other insurance plans (life, cancer, dental, vision, etc.)

### II:D.4. Shift Differential

Employees who are regularly assigned to shift work (shift work must begin no earlier than 2:00 p.m. and end no later than 8:00 a.m. the following day) may be compensated based on the current shift percentage above their base salary. No shift differential will be paid when an employee is required to work a normal shift. Shift Differential is available only when approved by the State of Arkansas.

## **II:E. Garnishment**

The Federal Wage Garnishment Law prohibits an employer from discharging any employee because his/her earnings have been subject to one garnishment.

## **II:F. Job Description**

Each employee is hired for a specific job based on job specifications developed by the Department of Finance and Administration (DFA) and Office of Personnel Management (OPM). Additionally, supervisors will develop a functional job description that more specifically defines each employee's responsibilities and becomes the basis of their Personnel Performance Evaluation.

## **II:G. Probationary Employment**

A new employee serves a probationary period for the first one year of employment. During the probationary period, the supervisor may provide the employee written or verbal feedback about the employee's performance. At the end of this period, the employee's supervisor conducts an evaluation of the employee's performance and makes a recommendation whether or not to continue the employee's employment or to extend the probationary period.

## **II:H. Personnel Performance Evaluation System**

ASD uses a Personnel Performance Evaluation System that is designed to improve employee performance. All employees are rated as Unacceptable, Development Needed, Solid Performer, Highly Effective, or Role Model. For more information please go to:

<https://www.dfa.arkansas.gov/images/uploads/personalManagementOffice/29-PerformanceEvaluationandMeritIncreases.pdf>

## **II:I. Reassignments and Transfers**

All personnel are subject to assignment and reassignment by the Superintendent. When reassignments result from enrollment shifts or program changes, the Superintendent has final authority on where an employee will work. Extracurricular or supplemental duty assignments may be reassigned at any time.

## **II:J. Resignations**

A written notice of resignation should be submitted to the employee's supervisor, Human Resources, and the Superintendent at least two weeks prior to the effective date. Employees are encouraged to include the reasons for leaving in the letter of resignation but are not required to do so.

Check-out procedures will be given by the Supervisor or HR Office.

### **Involuntary Termination of Employment**

- Upon termination of employment, all keys must be immediately returned to the supervisor.
- All personal items must be removed immediately.
- If more time is needed to remove personal effects, the employee must seek approval, in writing, from their former administrative supervisor and provide a time and date set to remove the remaining personal items.

## **II:K. Job Abandonment**

If absent from work without authorization or notification for three (3) consecutive days, it will be considered job abandonment and it will result in termination.

## **II:L. Statewide Workforce Reduction Policy**

If a Reduction in Force be necessary, the Workforce Reduction Policy is to assist state agencies in implementing statewide reductions in the workforce in an orderly fashion with the least possible impact on the agency and its employees.

The decision regarding the number of employees and positions that will be affected depends on each individual agency and the services provided to the citizens of Arkansas. These factors include, but are not necessarily limited to, the nature of the agency's mission, the final budget reduction target for the agency, the availability of funds in the agency, and/or the agency's strategic and organizational plan to address the necessary reductions.

The Agency Director shall consider positions providing agency services to the public and any regulatory and enforcement responsibilities as being critical to the agency operations, except if the Agency Director determines that it can maintain current levels of agency operations with less personnel and or locations.



## **SECTION III: ASD EMPLOYEE POLICIES AND GUIDELINES**

### **III:A. Arkansas Code of Ethics for Educators**

ASD Teachers and certified personnel adhere to the State of Arkansas Teacher Code of Ethics.

<http://www.arkansased.gov/divisions/educator%20effectiveness/plsb-professional-ethics-discipline/code-of-ethics-for-arkansas-educators>

#### **Who must abide by the Code of Ethics?**

Arkansas law mandates that every person with a valid Arkansas teaching license is required to abide by the Code of Ethics for Arkansas Educators.

#### **Code of Ethics Standards:**

The Code of Ethics for Arkansas Educators defines minimum standards of ethical conduct for all licensed educators. The ADE Rules Governing the Code of Ethics for Arkansas Educators further define these standards and provides a process for investigating alleged violations.

What is expected of Arkansas Educators?

- Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom.
- Standard 2: An educator maintains competence regarding his or her professional practice inclusive of skills, knowledge, dispositions, and responsibilities relating to his or her organizational position.
- Standard 3: An educator honestly fulfills reporting obligations associated with professional practices.
- Standard 4: An educator entrusted with public funds and property, including school sponsored activity funds, honors that trust with honest, responsible stewardship.
- Standard 5: An educator maintains integrity regarding the acceptance of any gratuity, gift, compensation or favor that might impair or appear to influence professional

decisions or actions and shall refrain from using the educator's position for personal gain.

Standard 6: An educator keeps in confidence secure standardized test materials and results and maintains integrity regarding test administration procedures.

Standard 7: An educator maintains the confidentiality of information about students and colleagues obtained in the course of the educator's professional services that is protected under state law or regulations, federal law or regulations, or the written policies of the educator's school district, unless disclosure serves a professional purpose as allowed or required by law or regulations.

Standard 8: An educator refrains from using, possessing and/or being under the influence of alcohol or unauthorized drugs/substances and/or possessing items prohibited by law, or possessing or using tobacco or tobacco-related products while on school premises or at school-sponsored activities involving students.

### **III:B. Dress Code Policy (Board of Trustees - July 2016)**

The Arkansas School for the Deaf prides itself on a professional atmosphere and positive image that all employees present as representatives of the school district. This image is affected by the manner of dress used within our schools, administrative offices, and in public when employees are representing the school district.

The Arkansas School for the Deaf dress code policy applies to all full time, part time, and contract faculty and staff. The Arkansas School for the Deaf dress code policy:

- Employees are expected to dress in business professional, business casual, smart casual, or school spirit attire.
- Employees must always present a clean, professional appearance. Everyone is expected to be well-groomed and wear clean clothing, free of holes, tears, and other signs of wear.
- Clothing with offensive or inappropriate designs or stamps are not allowed.
- Clothing should not be too revealing.
- Clothing and grooming styles dictated by religion or ethnicity are exempt.

### **III:C. Dress Code Violations**

Supervisors are expected to inform employees when they are violating the dress code. Employees in violation are expected to immediately correct the issue. This may include having to leave work to change clothes.

Repeated violations or violations that have major repercussions may result in disciplinary action being taken. See the Employee Standards and Conduct Policy 1010.

### **III:D. Attendance**

All ASD employees are expected to be at their assigned places of work during scheduled hours unless officially excused by the supervisor. Unnecessary lateness or absenteeism places an unfair burden on resources and other employees. If an employee is going to be late or absent for any reason, the employee must inform the employee's supervisor as early as possible. The employee's department supervisor will provide the employee with more detailed procedures. All employees are expected to arrange personal affairs so that they do not interfere with work. Personal phone calls, errands, and visits from other people should be made before or after work. If an employee must leave work early, the employee must obtain permission in accordance with departmental procedures.

### **III:E. Investigations of Fraud**

ASD is committed to a thorough investigation of occurrences of alleged ethical violations, fraud, waste, and abuse. This responsibility is in accordance with Governor's Executive Order 04-04. The Internal Audit Section is authorized to request assistance from ASD employees that have the experience required to assist or perform such investigations. Investigations will be conducted in a confidential manner. If investigations indicate that a loss of state funds has occurred, then the amount of loss shall be reported to the Division of Legislative Audit in accordance with R1-19-4-2004 of the Arkansas Financial Management Guide. In addition, any loss of state funds involving criminal activity shall be reported to the Arkansas State Police for a criminal investigation.

An ASD employee should act with integrity and diligence in duties involving ASD's financial resources. ASD prohibits fraud and financial impropriety. Fraud and financial impropriety includes, but is not limited to, the following:

- Forgery or unauthorized alteration of any document or account belonging to ASD;
- Forgery or unauthorized alteration of a check, bank draft, or any other financial document;
- Misappropriation of funds, securities, supplies, or other ASD assets, including employee time;
- Impropriety in the handling of money or reporting of ASD financial transactions;
- Profiteering as a result of insider knowledge of ASD information or activities;
- Unauthorized disclosure of confidential or proprietary information to outside parties;
- Unauthorized disclosure of investment activities engaged in or contemplated by ASD;
- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to ASD;
- Destroying, removing, or inappropriately using records, furniture, fixtures, or equipment;
- Failing to provide financial records required by state or local entities;
- Failure to disclose conflicts of interest as required by policy; and
- Any other dishonest act regarding ASD finances.

ASD employees shall be protected against any form of retaliation, including discharge, for reporting in good faith occurrences of ethical violations, fraud, waste, and abuse of government resources as stated in AR School for the Deaf Administrative Memorandum #300.29 and the Arkansas Whistleblower Act (ACA 21-1-601 – 609). To view the complete policy on this matter, please go to the ASD network under Personnel Notices/Policies or contact Human Resources.

### **III:F. Family Members in the Workplace**

ASD strives to maintain a professional working atmosphere as well as an enriching learning environment for our students without distractions. For this reason, bringing children to the workplace is not allowed. Should an emergency arise with your children, please notify your immediate supervisor immediately. Arrangements should be made as quickly as possible for your child to receive care outside of the workplace whenever possible.

### **III:G. Employees in the Residential Facilities**

ASD employees requesting to stay in residential facilities overnight must have received permission from the Superintendent before remaining on campus.

### **III:H. Political Activity**

Employees are free to engage in political activity outside of work hours and to the extent that it does not affect the performance of their duties or adversely affect important working relationships.

It is specifically forbidden for employees to engage in political activities on the school grounds or during work hours. The following activities are forbidden on school property:

- Using students for preparation or dissemination of campaign materials
- Distributing political materials
- Distributing or otherwise seeking signatures on petitions of any kind
- Posting political materials
- Discussing political matters with students, in or out of the classroom, in circumstances inappropriate to the nature of the class

### **III:I. Personal Phone Policy**

Under no circumstances should staff members use personal phones while performing job duties and/or supervising students unless an emergency situation has occurred.

Since cell phones are used as an important tool in safety notification, staff are allowed to keep phones with them and turned on. However, faculty and staff need to avoid using them for personal reasons while on duty.

Use of the school wifi and internet should be for school communication purposes or job duties, not personal use.

### III:I.1 Personal Phone Policy Violations

Supervisors are expected to inform employees when they are violating the personal phone policy. Employees in violation are expected to immediately correct the issue.

Repeated violations or violations that have major repercussions may result in disciplinary action being taken. See the Employee Standards and Conduct Policy 1010.

### **III:J. Equipment and Internet Policy**

The school's equipment and communications systems, including network access to the Internet, are primarily for administrative and instructional purposes. Equipment includes and is not limited to the computer, copy machine, fax machine, and telephone. Limited personal use of the system and equipment are permitted if the use:

- Imposes no tangible cost to ASD;
- Is not made for the employee's commercial purposes;
- Does not unduly burden the school's computer or network resources; or
- Has no adverse effect on job performance or on a student's academic performance.

### **III:K. Computer Usage Policy**

School resources, including computer equipment, may not be used to access, download, print, or store any information, infrastructure, files or services that include games, casinos, and chat rooms or have sexually explicit contents. E-mail addresses, passwords, equipment and all messages that are created, sent or received are the property of ASD. Authorized personnel may access, examine, copy, archive, and disclose any information stored, accessed or transmitted on any ASD equipment.

### **III:L. School Issued Devices (iPads, Laptops, Phones, etc.)**

The Arkansas School for the Deaf retains all rights to the school issued device and any applicable accessories. The school also retains all rights to transfer the school issued device to another eligible staff member. This device may be requested to be surrendered for inspection, inventory, or updating at any time by school administration. If the employee cannot produce the device within 48 hours of the request, then the school will immediately begin procedures for compensation from the employee for a new device at current market prices. Finally, this agreement takes immediate effect upon receiving the device by the employee.

#### III:L.1 Professional Ethics

Acceptance of this device includes acceptance of ASD's guidelines for Social Media interactions with current and former students. Please make sure you are aware of all implications that come with using mobile device technologies and take extra precautions while following all safety and security measures that deal with private and secure information.

Do not use the school issued device as a storage device for your personal content (family pictures, etc.). Employee personal information may be accessed by the next user of a device. In addition, refrain from adding personal accounts to a school issued device.

Remember that most communication and content on a school issued device can be discoverable to the public through the FOIA request process.

#### III:L.2 Safety and Security

ASD requires that all employees be aware of the vulnerability of personal information that can be acquired through Internet interactions. Please make sure to closely follow the outlined procedures for syncing, updates, location services, and passcode protections. These measures are enacted to add layers of defense against any private information becoming vulnerable due to loss, theft, or hacking.

### III:L.3 Agreement of Full Implementation

Under this agreement ASD will:

- Provide the staff member with a school issued device equipped with the determined necessary software to use effectively
- Provide instruction on the uses of school issued device

Under this agreement employees will:

- Participate fully in school issued device training
- Sign the current ASD Acceptable Use Policy
- Always follow Arkansas Code of Ethics
- Maintain a passcode on the school issued device at all times
- Run the Find My iPhone app at all times (Apple devices)
- Refrain from using school issued devices for personal use (storing your family's pictures, etc.)
- Keep the operating system and applications updated
- Be expected to have the school issued device at school every day for educational and professional activities
- Immediately report to the Technology Coordinator and the employee's supervisor any loss, theft, or damage to the school issued device
- Be responsible for any and all content on the school issued device
- Not lend the school issued device to another staff member
- Immediately surrender the school issued device to ASD for inspection or should the employee's employment end at ASD for any reason

### **III:M. Network Usage Policy**

All use of the network, including e-mail and the Internet, may be monitored. ASD has the right to inspect, without notice to the user, any work created on or information transmitted over the network, including all e-mail messages that are sent or received on the network, accessed Internet sites, and information downloaded from or transferred via the Internet.



### **III:N. Internet Usage Policy**

Users should not download any type of software from the Internet or from an e-mail attachment to their computers without the prior knowledge and approval of the Information Technology Manager, who will assure that the software is:

- Necessary for the performance of duties;
- Is properly licensed for use by ASD; and
- Will not interfere or conflict with other software installed on the PC.

This restriction is inclusive of “freeware” and “shareware” that is readily available and includes, but is not limited to instant messaging, webshots, ICQ, screensavers, games and more.

Email transmissions and other use of the electronic communications systems are not confidential and can be monitored at any time to ensure appropriate use.

Employees and students who are authorized to use the systems are required to abide by the provisions of ASD’s communications systems policy and administrative procedures. Failure to do so may result in suspension or termination of privileges and may lead to disciplinary action. Employees with questions about computer use and data management may contact their supervisor.

#### **Responsible Use of the Internet:**

It is unacceptable for a user to use, submit, publish, display, or transmit any information that:

- Violates or infringes on the rights of any other person, including the right to privacy;
- Contains defamatory, false, inaccurate, abusive, obscene, pornographic, profane, sexually oriented, threatening, racially offensive, or otherwise biased, discriminatory, or illegal material;
- Violates agency or departmental regulations prohibiting sexual harassment;
- Restricts or inhibits other users from using the system or the efficiency of the computer systems;
- Encourages the use of controlled substances or uses the system for the purpose of criminal intent; or

- Uses the system for any illegal purpose.

It is also unacceptable for a user to use the facilities and capabilities of the system to:

- Conduct any non-approved business;
- Solicit the performance of any activity that is prohibited by law;
- Transmit material, information, or software in violation of any local, state or federal law;
- Conduct any political activity;
- Conduct any non-governmental-related fund raising or public relations activities;
- Engage in any activity for personal gain or personal business transactions; or
- Make any unauthorized purchases.

### **III:O. Guidelines for Using Personal Devices**

#### III:O.1 Privacy

Employees using personal devices should not expect any privacy except that which is governed by law. All communication on personal devices that references Arkansas School for the Deaf business, students, or staff may be accessed by the public through the FOIA process.

In addition, staff should be aware that using State resources (internet, etc.) may increase the risk of discovery by others. For example, staff members have experienced their personal iPhones connecting to the classroom Apple TV and syncing their pictures and opening their dating app on the Apple TV.

#### III:O.2 Limiting Electronic Communications with Students by School Employees

Teachers and other approved employees are permitted by the School to communicate with students through the use of electronic media within the scope of the individual's professional responsibilities. For example, a teacher may set up a social networking page for his or her class that has information related to class work, homework, and tests. As a parent, you are welcome to join or become a member of such a page. An employee described above may also contact a student individually through electronic media to communicate about items such as homework or upcoming tests. However, instant or text messages sent to an individual student are only allowed if a school employee with

responsibility for an extracurricular activity needs to communicate with a student participating in the extracurricular activity. If you prefer that your child not receive any one-to-one electronic communications from a school employee, please submit a written request to your child's principal stating this preference.

In all our educational programs, if a student arrives after 10:30am, the student is considered absent for that day and may not be able to participate in after school activities without an acceptable note. For middle school and high school, if a student is more than 15 minutes late to class unexcused, the student will be counted absent for that class period.

### III:O.3 Safety

Employees are expected to follow applicable local, state and federal laws and regulations regarding the use of electronic devices at all times.

### III:O.4 Lost, Stolen, Hacked or Damaged Equipment

Arkansas School for the Deaf is not responsible for loss, damage or theft of personal devices used on campus. Employees are expected to protect work information that may be on personal devices used for work-related purposes from loss, damage, or theft.

### III:O.5 Termination of employment

Upon resignation or termination of employment, or at any time on request, the employee must delete all work related data on personal devices.

## **III:P. Copyrighted Materials**

ASD employees are expected to comply with the provisions of copyright law relating to the unauthorized use, reproduction, distribution, performance, and/or display of copyrighted materials (i.e.: printed material, videos, computer data and programs, etc.). Rented movies are to be used in the classroom for educational purposes only. Duplication and/or backups of computer programs and data must be made within the provisions of the purchase agreement.

### **III:Q. External Communication and Statements**

All press releases, media advisories, public statements, and comments regarding official Arkansas School for the Deaf activities are to be conducted by the Director of Communications. This is to ensure that the information released is accurate, complete, timely, and represents the interests of the Arkansas School for the Deaf and our students.

### **III:R. ASD Social Media Policy**

Social media technology can serve as a powerful tool to enhance education, communication, and learning. This technology can provide both educational and professional benefits, including preparing Arkansas School for the Deaf (ASD) students to succeed in their educational and career endeavors.

ASD is committed to ensuring that all staff members who utilize social media technology for professional purposes described below, do so in a safe and responsible manner. ASD strives to create a professional social media environment that mirrors the academically supportive environment of our schools.

“Social media” is defined as any form of online publication or presence that allows interactive communication, including, but not limited to, social networks, blogs, websites, online forums, and wikis. Examples of social media include, but are not limited to, Facebook, Twitter, Threads, Snapchat, TikTok, Instagram, and games that include chat features.

“Student” is defined as any ASD student or Arkansas Deaf Career Center participant, regardless of age, as well as any former students at ASD who have not yet graduated or completed their secondary education elsewhere.

Teachers and staff at ASD will always maintain professional communication standards with students for both the safety of the student and the potential professional liability of the staff. This includes all varieties of social media, texting, email, and video chatting.

- No ASD staff member will “friend” a student or communicate with a student via social media.

- Staff members may communicate with parents via social media and other forms of electronic communication.
- Teachers may communicate with students via educational blogs, wikis, or educational websites.
- Staff members will not text message students. Should communication via text message be necessary under specific circumstances, such as a field trip or out of town event, staff should make every effort to communicate using a school sponsored platform. Permission for staff/student text messaging during the event should be included in the permission form to parents.
- Should staff members need to contact a student by electronic means outside of class, ASD sponsored social media or communication systems should be used to provide a copy of any and all correspondence.
- Staff members cannot establish or maintain an ASD work-related website besides the official ASD website, or school sponsored pages, e.g. Google Classroom.
- Before any image of a student or any personal information about a student is shared or published, staff members must ensure a proper privacy release form is on file.  
***Please check with student records if you have questions.***
- Any pictures taken or videos recorded in the classroom or during any ASD event should be sent to the Communication Department for final approval for social media and/or in the yearbook.

The Communications Department and the ASD Superintendent are the only official spokespersons for the Arkansas School for the Deaf. Any communication, social media, media advisories, media releases, and the like representing Arkansas School for the Deaf and related entities must be approved by the Communication Department. Please contact the Communications Department with any questions or requests.

### **III:S. Inclement Weather Policy**

The Arkansas School for the Deaf will provide for the security, safety, and welfare of individuals during inclement weather.

Staff members will be notified about emergency alerts through the ParentSquare application. Status will also be included in the list of announcements on KATV Channel 7 television station.

### **III:T. Procedures When Students Are On Campus**

During times that students are on campus, ASD will remain open regardless of inclement weather. Twenty four-hour coverage will be maintained.

When students are on campus, the Superintendent shall decide when employees are expected to start their shifts. If the ASD Inclement Weather Policy is placed into effect, notice shall be given on local TV channels and . <https://asd.ade.arkansas.gov/Shift-specific> information will advise all A, B, and C shift employees of their expected arrival time. All employees should make every effort to arrive at their designated work stations at their regular start time, but no later than the time specified by the Superintendent. Employees arriving no later than their specified arrival time will be given credit for a full day's attendance. Employees arriving later than their designated start time will be charged the full amount of time involved in the tardiness, and employees not reporting to work at all will be charged a full day's absence.

When inclement weather occurs during office hours, the Superintendent will have the discretion to allow employees to leave work early for safety reasons. If, however, allowing those employees to leave would create a lack of supervision for students, such permission will not be granted.

Those employees arriving at their regularly assigned time will be credited with an equal amount of time.

Note: Employees may request permission to use their vacation time/personal leave time as appropriate. In accordance with Act 835 of 2003, the Superintendent may charge leave-without-pay due to failure to report to duty due to inclement weather if ASD is open for business.

### **III:U. Procedures When Students Are Not On Campus**

If there are no students on campus, then all staff is expected to arrive no later than the time the Governor states in his/her proclamation (e.g. 10:00 am).

When the Governor's proclamation is in effect, employees who arrive no later than the time the Governor states in his/her proclamation will not be charged time. Employees arriving after the stated time will be charged for the full amount of time involved in the tardiness.

Note: Employees may request permission to use their vacation time/personal leave time as appropriate. Sick leave taken during inclement weather requires a doctor's statement.

### **III:V. Purchase Requests**

ASD staff members wishing to make purchases for school purposes must submit a request for approval to their immediate supervisor as soon as the need for the purchase arises.

Annual event purchases (i.e. graduation, sports banquet) should be submitted for approval a minimum of one month prior to the events taking place. Advance notice is required to ensure the request is approved and the order can be filled in a timely manner.

When ordering products from out of state vendors, requests should be submitted as soon as possible with a minimum of three weeks prior notice to allow for shipping. If the school has not previously ordered from the vendor (check with the accounting office for verification) a W-9 number must be obtained prior to the request being processed. Purchase Requests should be complete when submitted including all necessary information such as Vendor name, Address, Telephone/Fax number, and W-9.

A receipt is required for reimbursement of purchased materials. To be reimbursed for expenditures, please complete an ASD cash request form to be reimbursed for items purchased for class or club activities. Highlight the items on the receipt that need to be reimbursed.

Please note: Prior approval from the Administration and Business office must be granted in order to receive reimbursement for cash at any time.

### **III:W. Cash Requests**

If a cash request is needed for your department you must fill out and submit the designated form two weeks prior to the event. All requests for cash must gain approval from the Superintendent and be returned to the business office before funds will be distributed. All available funds along with receipts must be returned to the business office within 24 hours of a purchase before new cash requests can be granted.

### **III:X. Travel**

Employees may be paid travel expenses when required to travel away from the school for business. All employee travel reimbursement claims must be completed for payment to the individual traveler. One employee may not include on his or her travel payment request the expenses of another employee. To find the per diem rates that correspond with the destination when completing your travel reimbursement, please visit: <https://www.gsa.gov/travel/plan-book/per-diem-rates/per-diem-rates-lookup>

No expenses for meals will be allowed within the city or town of the school unless approved by the Superintendent as “Special Authorization under ACA 19-4-903.” Under no circumstances shall the maximum daily federal per diem rates for meals be exceeded. The business office may give written approval for other travel related requests. The Special Authorization memo MUST show a benefit to the State, not a convenience for the employee.

Meal reimbursement is only allowed for overnight travel, whether in state or out of state unless “Special Authorization,” under ACA 19-4-903, is given in writing by the Superintendent. Special authorization should be limited to those “rare occasions” that an employee is asked to perform



unanticipated duties outside of his normal work schedule that are official in nature, such as special board meetings.

Lodging Reimbursement is limited to a single room rate. If a room is occupied by more than one person, the single room rate must be noted on the receipt. The maximum daily allowance must be limited to the federal room rate depending on the location, for both in-state and out-of-state travel. Room taxes are not included in the federal per diem rate and may be claimed for reimbursement. Lodging costs that exceed the rates listed in the Federal Travel Directory by more than tax may not be paid without a letter of Authorization by the Business Administrator and must include the justification of why it was in the best interest of the State to exceed the standard reimbursement rate.

Travel may be achieved by plane, train, bus, taxi, private vehicle/aircraft, rented or state-owned automobile; whichever method serves the requirements of the State most economically and advantageously. *All flight and car rentals MUST be arranged by the Business Department.* Employees may be reimbursed for up to one checked baggage. Fees for additional bags must be paid by the traveler and are not eligible for reimbursement. Any travel arranged outside of the Business office will require a statement of prior approval and cannot be guaranteed for reimbursement. To reserve the use of a State vehicle, the Transportation Department must be contacted to check availability and eligibility of use.

Private vehicle mileage shall be reimbursed and computed, using map mileage between the travel site destination and the school or the employee's residence, if leaving directly from the residence, whichever is less. Mileage reimbursement for official use of a private motor vehicle may be claimed, listed separately on the TR-1 form, within the vicinity of any locale.

Only official miles driven will only be reimbursed. The school nor the State assumes responsibility for any maintenance, insurance, operational costs, accidents, or fines incurred by the operator of the vehicle while on official business.

For further information regarding Travel Guidelines, please be sure to review the Department of Finance Authority guidelines: <https://www.dfa.arkansas.gov/travel-portal/>

### III:X.1 Prior to Travel

1. The Travel Authorization Request form needs to be filled out. The Travel Authorization Form can be found on the Intranet.
  - a. If you want the registration paid by the school, you must request this (if the vendor allows a Purchase Order, and if there is enough time to process the request.) If the vendor is not in the State Vendor System, a W-9 must be submitted by the vendor to add them to the system.
  - b. The traveler pays all meals, lodging and mileage. Then, a TR-1 is submitted for reimbursement.
  - c. If air travel or a car rental is involved, the Business office **MUST** make the arrangements.
2. Complete and submit the request to your immediate supervisor for approval and submission to Superintendent and Business Manager for further approvals.
  - a. The State requires that all travel be arranged more than 14 calendar days prior to travel. This means it must be to the Business Department with approvals with enough time to meet the State requirement.
3. If the Agency pays for registration and/or airfare, the traveler is responsible for attending the workshop, etc. If the traveler fails to attend the workshop, etc. then they will be responsible for reimbursing the Agency for the costs that cannot be recovered.

### III:X.2 Upon Return of Travel

1. TR-1s must be submitted for reimbursement of travel expenditures within 10 days after the trip is made. The TR-1 form can be downloaded from the Department of Finance Website
2. No travel advance funds will be issued.
  - a. Receipts are required for all expenses other than meals. Receipts for lodging, transportation (airfare, taxi, rental car, and parking), registration, and incidentals must be attached to TR-1.
  - b. Maps showing departure and destination places must be attached to the TR-1

form as well.

3. Complete and submit the request to your immediate supervisor for approval and submission to Superintendent and Business Manager for further approvals.
  - a. Please make and keep copies of everything being submitted.
  - b. Attach a copy of the approved travel request to your TR-1 and receipts.

### **III:Y. Personal Vehicles on Campus**

Due to ASD sponsored field trips, professional development conferences, etc. situations may occur making it necessary for staff to leave their vehicle on campus unattended. ASD staff members should notify the Administration Office of any plans to leave personal vehicles on campus overnight or for an extended period of time. Please provide the front office with a license plate number, vehicle description, and length of time and location for each car left on campus. The front office will notify security and inform you of a safe place to leave your vehicle during your absence.

### **III:Z. State Cars**

The state Insurance Commissioner through the Risk Management Division of the Arkansas Insurance Department has implemented a comprehensive vehicle safety program designed to reduce accidents and lessen repair and worker's compensation costs. The program consists of the following as stated in their memorandum:

- To drive a state vehicle, an employee must have a valid Arkansas State driver's license.
- Every employee or passenger in a State car or in a personal car on State business will be required to use a seat belt.
- If an employee's job makes it necessary to travel in his personal vehicle, whether routinely or very occasionally, he will be required to maintain liability insurance on that vehicle in order to be eligible to receive mileage reimbursement. Proof of coverage should be filed with the appropriate person in your agency.

- As a condition of employment, employees will sign a Privilege of Driving Form and understand that a Motor Vehicle Record will be obtained in order to disclose past driving records.
- Also, as a condition of employment, employees shall provide a copy of their driver's license to the Human Resources Office.
- High-risk drivers will be identified by the use of points system. The points system assigns a numerical value for various offenses and violations incurred while driving.
- All accidents will be reported immediately. This allows the insurance company to work the accident promptly and will usually result in lower claim cost. This should improve our loss experience.

All matters relating to the employee's driving record are held in strict confidence.

### **III:AA. Medical Examinations for School Bus Drivers**

Employees must satisfactorily complete a medical examination for school bus drivers before driving ASD school buses. Additional information and the proper form may be obtained from the Transportation Department.

### **III:BB. Sign Communication Proficiency Requirement**

ASD is committed to a barrier-free communication environment that ensures the academic, social, and vocational development of each student who is Deaf or Hard of Hearing. The rights of each individual to have access to clear and meaningful communication will be respected and staff members are to sign at all times when individuals who are Deaf or Hard of Hearing are present. All employees are required to possess skills which will allow them the ability to incorporate a variety of communication modalities to ensure effective communication proficiency as required by their job assignment.

#### III:BB.1 Sign Language Assessment

ASD has selected the Sign Communication Proficiency Interview (SCPI) as the tool to assess the sign language communication proficiency of staff.

The SCPI is a conversational approach to sign language communications skill assessment. The SCPI permits interview content to vary according to the job responsibilities, background, and interests of each person interviewed. The goal of the SCPI is to assess how well people are able to use sign language for their communication needs, and, as appropriate, to assist people in development of their sign language communication skills.

The SCPI involves a one-to-one conversation between the interviewer and candidate/interviewee, with each interviewee videotaped and subsequently rated independently by SCPI raters. The basis for ratings is the SCPI Rating Scale, a standard scale based on a highly skilled, knowledgeable native/native-like signer.

- The SCPI will be offered on campus up to three times a calendar year.
- All official SCPI ratings (from inside or outside ASD) will be accepted. There is no requirement to test through the ASD system.
- New staff will either bring a SCPI rating with them, or take the test at the next available time offered.
- Staff members who have already met the minimum will not be required to take the test again. However, they may choose to take the test if they would like to receive the increases.
- Staff members who would like to appeal the results of their test have the following options:

\$100 Retest

\$50 Request an additional scoring of their tape

### **III:CC. Sign Language Support**

- All staff who have not yet met the minimum requirement are required to attend a sign language class.
- All staff who have met the minimum requirement are not required to attend a sign language class. However, they will be allowed time to take the class if they desire.

Please Note: While it is ASD's intention to provide support for staff learning ASL, *staff must take personal responsibility for their own progress and to seek out learning opportunities*. Staff members may be able to improve their sign skills by practicing with online resources, taking classes (at or outside of ASD), accessing reading materials, or many other methods of learning. Most people learn fastest by interacting directly with Deaf individuals. Therefore, staff members are encouraged to sign with Deaf staff members and students on our campus and in our community.

### III:CC.1. Minimum Sign Language Requirement

Every position at ASD has a required minimum level of sign language proficiency. All staff must meet a required minimum sign language requirement.

- Staff hired before June 15, 2016 must meet this requirement by June 15, 2019.
- Staff hired after June 15, 2016 must meet this requirement within 1 year after hire.

### III:CC.2. Extensions

- A 2<sup>nd</sup> year extension may be granted if the employee has not yet reached their required level, but has made substantial improvement in their SCPI score.
- A 3<sup>rd</sup> year extension may be granted if the employee has reached the step below their required level (e.g. *Intermediate* instead of *Intermediate Plus*).

### III:CC.3. Probation and Termination

Any employee not meeting their required level by the deadline, will receive a notice that they have been placed on a 6 month probation. This notice will state the exact date of termination (the last day of the 6 month probation), if the minimum requirement is not met.

## MINIMUM SIGN LANGUAGE PROFICIENCY REQUIREMENTS

POSITION	MINIMUM REQUIRED <i>after 1 year grace period</i>
<b>SUPERINTENDENT'S OFFICE:</b> Superintendent Executive Assistant To Superintendent	Intermediate Plus Intermediate
<b>EDUCATIONAL STAFF:</b> School Principal / VP Teachers Paraprofessional Educational Specialist	Intermediate Plus
<b>MENTAL HEALTH PROFESSIONALS</b> Counselors Guidance Counselor Psychologist	Intermediate Plus
<b>OTHER PROFESSIONALS</b> Audiologist Speech Pathologist Special Education Coordinator	Intermediate
<b>LIBRARIAN STAFF</b> Librarian Librarian Assistant	Intermediate
<b>ADMINISTRATIVE SPECIALISTS in SCHOOLS</b> (LS, MS, HS)	Intermediate
<b>HEALTH SERVICES</b> Registered Nurse LPN Nurse	Intermediate
<b>DORM STAFF</b> Residential Supervisors Residential Advisors	Intermediate Plus
<b>HR OFFICE</b> HR Office Personnel	Intermediate
<b>BUSINESS OFFICE</b> Fiscal Manager Accountant Other Business Office Personnel	Survival Plus
<b>CENTRAL SUPPLY</b>	Survival Plus
<b>FOOD SERVICES DEPARTMENT</b>	Survival Plus
<b>MAINTENANCE DEPARTMENT</b>	Survival Plus
<b>TRANSPORTATION DEPARTMENT</b>	Survival Plus
<b>TECHNOLOGY DEPARTMENT</b>	Survival Plus
<b>COMMUNICATIONS DEPARTMENT</b>	Survival Plus

### III:CC.4. Compensation

Code 21-5-221 (j)(1) allows for up to ten percent (10%) increase in pay for sign language proficiency. The additional compensation shall not be considered as exceeding the maximum allowable rate for the grade.

For additional compensation, staff must have received a rating of satisfactory or better on the annual performance evaluation, and meet the Intermediate or higher level of sign language proficiency on the SCPI.

All staff are eligible for the increases immediately upon ASD receiving the official results of the test.

### III:CC.5. Compensation shall be awarded at the following amounts

10% salary increase for Superior or Superior Plus

7.5% salary increase for Advanced or Advanced Plus

5% for Intermediate or Intermediate Plus

### **III:DD. Visitor Policy**

All visitors during the hours of 8:00 a.m. and 4:30 p.m. are expected to go to the Administration office and sign in. Authorized visitors will receive a visitor badge and directions to their destination. Employees who observe an unauthorized individual on the campus should immediately direct the individual to the Administration office.

For the safety of our students, all visitors during the hours of 4:30-9 p.m. must receive prior approval from the Dorm Supervisors. Upon arrival, visitors must check in directly with the Dorm Supervisor. No visitors are allowed on campus after 9 pm, except with approval from the Superintendent.



### **III:EE. Building Use**

#### III:EE.1. Use of School Facilities

All Arkansas School for the Deaf activities are scheduled at least two weeks in advance on a master calendar approved by the superintendent. The master calendar of activities serves to provide school-wide coordination of activities and is available on ParentSquare. Activities reserved on the master calendar take priority over non-reserved activities.

Facilities are reserved on the master calendar. It is the responsibility of the person submitting the request to check the master calendar to ensure the facility being requested is available. This must be done using the Facility Use Request Form available on ParentSquare. The requestor's department supervisor must approve all requests.

#### III:EE.2. Use of School Facilities by Entities Other Than ASD

Any person, program, activity and/or organization, including non-profit community organizations and governmental agencies, requesting to use ASD facilities, buildings and/or grounds for any purpose must complete a Facility Use Request Form.

### **III:FF. Keys/Proximity Cards**

The Human Resource office issues necessary ID/Proximity Cards.

The Facilities Department issues physical door keys, and a \$3 deposit is required for each key. Deposits will be refunded when keys are returned. If keys are not returned, the deposit will cover the replacement cost.

Staff members are responsible for properly securing keys and proximity cards. Lost keys require a deposit of \$3.00 to replace. Lost ID/Proximity cards will incur a \$5.00 non-refundable charge. Each employee may replace his/her I.D. card every 2 years, if needed, due to normal wear and tear.

### **III:GG. Searches**

Non Investigatory searches in the workplace, including accessing an employee's desk, file cabinets, or work area to obtain information needed for usual business purposes may occur when an employee is unavailable. Therefore, employees are hereby notified that they have no legitimate expectation of privacy in those places. In addition, ASD reserves the right to conduct searches when there is reasonable cause to believe a search will uncover evidence of work-related misconduct. Such an investigatory search may include drug and alcohol testing if the suspected violation relates to drug or alcohol use. ASD may search the employee, the employee's personal items, work areas, lockers, and private vehicles parked on ASD premises or work sites used in ASD business.

### **III:HH. ASD Staff Procedures**

#### III:HH.1. Interpreter Requests

An interpreter will be on campus for events such as teacher, parent, student meetings, conferences, field trips, school presentations and workshops. A request must be submitted to the interpreting coordinator as soon as the event is scheduled, but no later than two weeks prior to said event. An ASD employee not holding RID certification or QAST level 3/3 will not be employed or contracted as an interpreter. In rare cases, a fluent signer (non-certified) may informally serve in the role of an interpreter to facilitate communication.

#### III:HH.2. Movie Policy

All videos and DVDs must have a designated rating of G. Showing movies with a rating of PG or PG-13 require pre-approval from both administrator and parents/guardians.

Adhere to Copyright Law when selecting and showing videos to students. Pre-recorded videos (rented, borrowed, streamed, or owned) may only be used as related to a teaching activity and curriculum, Videos may be used for entertainment, recreation, or for cultural value with prior administrative approval.

### III:HH.3. Grants and Fundraising

Any staff member or student organization wishing to request grant support or donations for funds, services, or materials, must contact the Director of Development prior to making any request.

### III:HH.4. Monies in Building

All cash collected by students or faculty members for school activities must be hand-carried to the Business Office on the day it has been collected or the morning after an evening event. Receipts must be issued to any individuals giving money to ASD. The official School Receipt Book makes copies of each receipt:

Original Receipt: Give to the person who paid

Copy #1: Give to the Business Office

Copy #2: Leave in the Receipt Book

Monies are not to be sent to the Business Office via the campus mail system. All cash received is then credited to the proper account and a receipt issued.

Under no circumstances are staff members to keep cash in their desks or file cabinets.

Money should also never be left in a student's locker. All students should be discouraged from having large sums of money in their possession at school.

### III:HH.5. Field Trips

A variety of field trips are planned each year for ASD students. ASD assumes no responsibility or liability for non-school sponsored trips, even though organizers may include school staff members.

Copies of each student's permission form and medical treatment form will be held in their school building and dorm. Sponsors are responsible for confirming forms are on file and obtaining copies prior to departure.

Any trip/event monies involved will be handled through the Business Manager's Office.

If an emergency occurs, the trip sponsor must contact their supervisor and the Superintendent. The supervisor will then contact the parents.

### III:HH.6. Activity/Field Trip Requests

Activity requests requiring transportation should be turned in two weeks in advance for scheduling and servicing purposes. The activity request forms should be completed through Rubberstamp by the Supervisor, where it will go through the approval process in the correct order.

Please indicate on the activity request if participants will be missing a meal or need to place a food order. The request will be forwarded on to the Cafeteria Manager upon approval. Be sure to contact the Cafeteria Manager to make sure staff is aware of the request and arrangements are being made.

If a bus or other school vehicle is needed, the sponsor should notify the Transportation Manager three weeks prior to the event in order to reserve a bus/van and arrange a driver when necessary. At least one ASD adult chaperone needs to be present on each bus and/or van at all times during the trip.

Any faculty member concerned about a particular student missing class should notify the sponsor immediately. In the case of a dispute as to the educational well-being of the student due to the trip, the principal will make the final decision.

Sponsors will check off student names as the students board the bus/van. A final copy of persons attending (both students and adults) should be given to the School Secretary prior to departure and forwarded to the Transportation Manager. Sponsors should keep a list at all times during the trip.

## **Research and Child Study Participation Guidelines**

Staff members interested in ASD students participating in any type of research or child involvement study should present the request to the immediate supervisor. The supervisor must receive prior approval from the Superintendent before granting the staff member permission to participate. Parental permission must also be gained for those studies approved by the Superintendent.

## SECTION IV: EMPLOYEE CONDUCT STANDARDS AND CODES

### IV:A. FERPA/HIPAA

#### IV:A.1. Working with Students

Faculty and staff relationships with students will adhere to the following guidelines. ASD employees will:

- Strive to alleviate problems encountered by students as they make personal and academic adjustments to the ASD experience.
- Maintain a high degree of visibility.
- Consider the welfare, and respect the rights, of each student, dealing with each in a fair and impartial manner.
- Employ tolerance, patience, sympathy, courtesy, and sincerity when dealing with a student's problems or attitude.
- Grade and return all assignments promptly and contact custodial guardians when academic distress is evident.
- Conduct themselves in a professional and mature manner to maintain their position of leadership.
- Under no circumstances take a student to their home, or to any off-campus location for a non-school-sanctioned activity.

#### IV:A.2. Student Records

##### *IV:A.2.i. Confidential Student Records*

Both federal and state law safeguard student records from unauthorized inspection or use and provide parents and "eligible" students certain rights. For purposes of student records, an "eligible" student is one who is 18 or older or who is attending an institution of postsecondary education.

#### ***IV:A.2.ii. Access to Student Records***

By law, guardians have access to the records of a student who is under 18 and/or is a dependent for tax purposes. A guardian whose rights have been legally terminated will be denied access to the records if the District is given a copy of the court order terminating those rights.

#### **IV:A.3. Supervision of Students**

Education and dorm staff have the responsibility and authority to maintain proper discipline in classrooms/dorms and in the school at large, as well as in specific areas of duty as assigned.

It is the ASD staff's responsibility to ensure that appropriate and adequate supervision is provided at all times and locations to promote the health, safety, and welfare of ASD students under their care. At no time and under no circumstances is an ASD staff member to take a student to their home, or to any off-campus location for a non-school-sanctioned activity.

#### **IV:A.4. Effective Communication with Parents/Guardians**

##### ***IV:A.4.i. Contacting Parents/Guardians***

ASD staff should be considerate of parents'/guardians' concerns and do everything possible to allay their fears regarding their children's academic progress and/or life in the residential setting. All parents need assurance that their children are in capable, caring hands. If a student is not performing well or a problem exists which needs parental attention, the teacher must contact the custodial parents/guardians by telephone, mail, or e-mail, and should document such contacts.

Dorm staff should also make and document calls, letters, or e-mails to parents/guardians regarding concerns within their purview. ASD will set aside one week per semester for the specific purpose of holding parent/guardian-teacher and parent/guardian-dorm staff conferences. Teachers will document the degree of parental participation at this time. Faculty members are expected to contact custodial parents/guardians and appropriate counselors any time a student is experiencing difficulty.

#### ***IV:A.4.ii. Conflict Resolution***

A good communication link between the school and the home is necessary if students are to receive the maximum benefits from the educational opportunities available to them. Good communication results from open, frequent, and objective dialogue among students, teachers, parents, dorm staff, and school administrators.

Most school problems are the result of poor communication among the parties involved. Proper communication, therefore, usually solves most, if not all, problems that are related to the school. In order to ensure that problems are discussed and solved as quickly and fairly as possible, the following procedure is to be employed at the Arkansas School for the Deaf:

If a parent becomes concerned about a problem in the classroom or dorm setting, the parent should make an appointment through the school office with the teacher or dorm houseparent and thoroughly discuss the matter. Most problems are solved at this level. Should the problem not be solved through discussions between the teaching/dorm staff and parent, or if the problem is not related to classroom/dorm activities, the parent should contact the principal or Dorm Supervisor for further attempts to find a workable solution.



If the parent is not satisfied with solutions offered at the building/dorm level, the matter may be appealed to the Superintendent at the Arkansas School for the Deaf Administration Office. The phone number is 501-324-9507.

#### IV:A.5. Parental Notification

In accordance with Act 1415 of 2005, with respect to a student under the age of eighteen (18) the principal, dorm supervisor, or designee will notify the student's parent/legal guardian that the student has been reported to, interviewed by, or taken into custody by law enforcement personnel.

If the principal, dorm supervisor, or designee is unable to reach the parent/legal guardian, he or she will make a reasonable, good faith effort to get a message to the parent to call the principal, dorm supervisor, or designee and leave both a day and an after-hours telephone number.

Notification is not required if school personnel make a report or file a complaint based on suspected maltreatment or if a law enforcement officer, Department of Arkansas State Police Crimes Against Children Division investigator, or Department of Human Services investigator or personnel member interview a student during the course of an investigation of suspected child maltreatment.

#### IV:A.6. Mental Health and School Counselor Referrals

All mental health services are coordinated through ASD's office for Mental Health and Counseling. For more information, contact the Director of Mental Health & Counseling. Also, students may visit with the school counselor at any time with a school pass. All visits are kept confidential unless there is information received that may cause the counselor to suspect that the student has been abused, may harm themselves, or is of danger to others. The counselor will then contact the appropriate authorities or agencies necessary to assist the situation.

#### IV:A.7. Child Abuse Reporting Procedures

It is the statutory duty of all school district employees, as all are mandated reporters, who have reasonable cause to suspect child abuse or maltreatment to directly and personally report these suspicions to the Arkansas Child Abuse Hotline, by calling 1-800-482-5964. In cases where the student is over the age 18, suspicions should be reported to the Adult Abuse Hotline at 1-800-482-8049. Failure to report suspected child abuse, maltreatment or neglect by calling the Hotline can lead to criminal prosecution and individual civil liability of the person who has this duty. Mandated reporters have only fulfilled their legal reporting requirements once they have reported their initial suspicions of abuse, trafficking, or neglect to the Arkansas State Police Child Abuse Hotline. Calling any other agency or hotline does not fulfill a mandated reporter's legal obligation. (Act 1236 of 2011)

The duty to report suspected child abuse or maltreatment is a direct and personal duty and cannot be assigned or delegated to another person. There is no duty to investigate, confirm or substantiate statements a student may have made which form the basis of the reasonable cause to believe that the student may have been abused or subjected to maltreatment by another person; however, a person with a duty to report may find it helpful to make a limited inquiry to assist in the formation of a belief that child abuse, maltreatment or neglect has occurred, or to rule out such a belief. Employees and volunteers who call the Child Abuse Hotline in good faith are immune from civil liability and criminal prosecution.

Both forced labor and sex trafficking allegations have been added to the definition of child maltreatment act. Mandated reporters are now required to report both labor and sexual abuse trafficking to the child abuse hotline. (Act 209 of 2017)

By law, no school district or school district employee may prohibit or restrict an employee or volunteer from directly reporting suspected child abuse or maltreatment or require that any person notify or seek permission from any person before making a report to the Child Abuse Hotline.

The Superintendent will establish procedures necessary to accomplish the intent of the policy and of the law.

Legal References:

A.C.A. § 12-18-107

A.C.A. § 12-18-201 et seq.

A.C.A. § 12-18-402

#### ***IV:A.7.i How to Report at ASD***

After appropriate reporting by school personnel has been completed by calling the Child Abuse Hotline at 1-800-482-5964, a confidential written report shall be made to the appropriate school officials (including the principal, school counselor, dean of students, and dorm supervisor, if applicable) within 24 hours. Reporting to school officials can be made anonymously.

Please Don't Question Those Involved – After the report is made to the Child Abuse Hotline, Administrators, Supervisors and Staff should not question the students, staff, or any witnesses, except for asking the student questions related to providing medical care.

In cases that involve alleged abuse by school personnel, administration may interview any staff member directly involved to gather information to determine an immediate course of action (such as placing a staff member on leave)

#### ***IV:A.7.ii Definitions***

- Abuse – Any intentional, knowing, or reckless act or omission by an employee, volunteer, or other individual working under the auspices of a facility that causes or may cause emotional harm or physical injury,

whether substantial or not, or the death of a child the facility serves. Abuse includes both physical and sexual abuse.

- Emotional harm – An injury to a child as evidenced by an observable physical, mental, or emotional impairment in the child’s psychological growth, development, or functioning.
- Exploitation – The illegal or improper use of a child or of the resources of a child served by a facility for monetary or personal benefit, profit, or gain by an employee, volunteer, or other individual working under the auspices of a facility.
- Neglect – A negligent act or omission by an employee, volunteer, or other person working under the auspices of a facility, including failure to comply with an individual treatment plan, plan of care, or individualized service plan, that causes or may cause substantial emotional harm or substantial physical injury to, or the death of, a child served by the facility.
- Physical Injury – Any bodily harm, including, but not limited to, scrapes, cuts, welts and bruises.
- Sexual abuse –
  - Conduct that constitutes the offense of indecency with a child, sexual assault or aggravated sexual assault;
  - Failure to make a reasonable effort to prevent sexual conduct harmful to a child;
  - Compelling or encouraging the child to engage in sexual conduct;
  - Causing, permitting, encouraging, engaging in, or allowing the photographing, filming, or depicting of the child, if the person knew or should have known that the resulting photograph, film, or depiction of the child is obscene or pornographic;
  - causing, permitting, encouraging, engaging in, or allowing a sexual performance by a child.
- Improper Care – Any action by an ASD employee which does not constitute “abuse,” “neglect” or “exploitation” but which constitutes an inappropriate or unapproved verbal or physical method of interacting with or disciplining a student.

If the suspected abuser is an ASD employee or volunteer in a school, following the initial call to DHS, the reporter must immediately contact the building principal.

#### IV:A.8. Student Discipline/Incident Procedures

All ASD personnel are responsible for monitoring student behavior. Student misbehavior must be documented by completing an Incident Report Form. For more information, see the ASD Student Behavior and Mental Health Handbook.

#### IV:A.9. In-School Suspension

Notification to the school counselor is required if a student is placed in I.S.S. or In-Dorm Suspension (I.D.S.). The counselor will talk with the student regarding the cause for the suspension and work with choices that can help the student make better decisions regarding this behavior.

#### IV:A.10. Self-Injurious or Suicidal Behaviors

If a school or dormitory staff member has knowledge of a student harming him or herself or talking about hurting or wanting to kill him or herself, the staff person is to immediately contact the school counselor. If the situation occurs after school hours, staff is to immediately contact the school counselor with an after-hours number that is made available to the dormitory staff as well as nurses on duty at Health Services. The staff member should also write a report of the incident and provide copies to their supervisor, school counselor, Campus Life Director, Director of Student Services, and the Superintendent.

#### IV:A.11. Child Nutrition Standards

Act 1220 of 2003 created the Child Health Advisory Committee to address childhood obesity and develop statewide nutrition and physical activity standards.

All schools, cafeterias, and dining areas should reflect healthy nutrition environments. Schools should ensure that all students have access to school meals. Schools should not establish policies, class schedules, bus schedules, or other barriers that directly or indirectly restrict meals access.

ASD meal and snack choices provided to our students must comply with Act 1220 guidelines. Please adhere to this policy when requesting and/or providing food for activities and meals for ASD students.

For a list of acceptable snacks and meal options, contact the cafeteria nutrition specialist.

#### IV:A.12. Administering Medication to Students

Only licensed nurses and trained, designated employees can administer medication to students. If the student needs to bring medication to school, the medication must be in the original labeled pharmacy container, have written parental/guardian permission to give the medication, and written doctor's orders. Contact Health Services for information on procedures that must be followed when administering medication to students.

- **Dietary Supplements**

ASD employees are prohibited by state law from knowingly selling, marketing, or distributing a dietary supplement that contains performance-enhancing compounds to a student with whom the employee has contact as part of his or her employment duties. In addition, employees may not knowingly endorse or suggest the ingestion, intranasal application, or inhalation of a performance-enhancing dietary supplement to any student.

- Psychotropic Drugs

ASD employees are prohibited by state law from doing the following:

- Recommending that a student use a psychotropic drug;
- Suggesting a particular diagnosis; and
- Excluding from class or school-related activity a student whose parent refuses to consent to a psychiatric evaluation or to authorize the administration of a psychotropic drug to a student.

#### IV:A.13. Research and Child Study Participation Guidelines

Staff members interested in ASD students participating in any type of research or child involvement study, should present the request to their immediate supervisor. The supervisor must receive prior approval from the Superintendent before granting the staff member permission to participate. Parental permission must also be gained for those studies approved by the Superintendent.

#### **IV:B. Employee Conduct and Work Rules**

All ASD personnel are expected to follow rules of conduct that will protect the interests and safety of all employees and the employer. Conduct that interferes with operations, discredits ASD, or is offensive to the public or fellow employees will not be tolerated and may result in employee disciplinary action, up to and including a suspension without pay or termination.

This listing is not all-inclusive and only serves to provide a general guide to employee conduct and work rules:

- Theft or inappropriate removal, possession, or use of state property or the personal property of others;
- Negligence or improper conduct causing damage to ASD-owned or the property or others;

- Unauthorized possession or carrying firearms or other weapons and/or explosives while on duty or on state property;
- Failure to or delay in reporting injury or illnesses of students or employees;
- Endangering the safety or welfare of students and/or employees due to the neglect of standard operating procedures in carrying out normal job functions;
- Unauthorized disclosure of confidential information;
- Unsatisfactory performance or conduct;
- Falsification of timesheets or reports;
- Working under the influence of alcohol or illegal drugs;
- Possession, distribution, sale, transfer, or untimely use of alcohol or controlled substance in the workplace or that affect the workplace. This includes operating employer-owned vehicles or equipment or reporting to work under the influence;
- Excessive absenteeism or any absence without notice, abuse of leave policies, unauthorized absenteeism from work during the workday or job abandonment;
- Sleeping on the job;
- Fighting or threatening violence in the workplace;
- Boisterous or disruptive activity in the workplace;
- Insubordination or other disrespectful conduct;
- Sexual or other unlawful or unwelcome harassment;
- Engaging in a conversation or activities between staff/student which could be perceived in a sexual manner and/or abusive manner;
- Engaging in or contacting a student by phone, email, or other unapproved electronic means when the contact is not approved by the immediate supervisor or such contact is not in connection with the employee's job duties;
- Engaging in or pursuing a personal relationship between a staff member and a student on/off campus;
- Possessing or viewing any pornography on school premises;
- Unauthorized use of ASD-owned equipment;
- Using ASD equipment for purposes other than business (i.e. playing games on computer or personal Internet usage);
- Violation of safety or health rules; and
- Smoking or use of tobacco products in the workplace or agency vehicles;



- Gambling during working hours (unlawful betting or gambling or promotion thereof);
- Bribery or accepting a bribe

#### **IV:C. Employee Conduct Standards Policy 1010**

The purpose of the Arkansas School for the Deaf (ASD) Employee Conduct Standards Policy 1010 is to define the conduct standards to which all ASD employees are expected to adhere. Nothing herein is intended to imply that the standards are all-inclusive. The standards are intended to identify “common” problems associated with employee conduct and through progressive actions, to help the employee comply with expected workplace standards. After it has been determined that an employee has violated a standard or engaged in misconduct, supervisors shall follow the principle of progressive discipline unless documented circumstances clearly justify a lesser or greater discipline than the guidelines provide due to either aggravating (more serious) or mitigating (less serious) facts. Under serious aggravating circumstances, which must be clearly documented, supervisors are authorized to act immediately, including the recommendation of suspension or discharge of an employee to the superintendent.

##### IV:C.1. Scope

The Employee Conduct Standards apply to all employees of ASD.

##### IV:C.2. Responsibilities

Employees should:

- understand the conduct standards
- strictly adhere to conduct standards
- participate, in good faith, in administrative investigations of conduct standards violations
- comply with the supervisor’s plan of corrective action when a violation has occurred
- report work problems to administration immediately

Supervisors should:

- assure that each employee has access to the conduct standards and any revisions. In all cases, policy/procedure dissemination will be documented by the employee signing an acknowledgement of receipt of such document. The receipt will be placed in the employee's Personnel File.
- monitor employee conduct to determine compliance with conduct standards
- establish and maintain a professional work environment in accordance with established safety, Equal Employment Opportunity (EEO) requirements, work practices and resources
- determine the discipline to be assessed when a Employee Conduct Standards Policy 1010 violation has occurred as required by this procedure
- administer all conduct standards and disciplinary actions objectively. The action taken must be timely and reasonable with written notification specific to the reason for the action. All actions should be completed within 14 calendar days, after the situation was known or reported to the supervisor. Any action taken more than 14 calendar days after the situation was known or reported must be supported by a written justification that outlines the cause for delay.
- To document, on an ASD-1173, Notice of Disciplinary Action form, each disciplinary action taken. Documentation of violation of Conduct Standards will be specific and contain factual details. Documentation records must include:
  - cause for disciplinary action including the standard which has been violated together with the facts that constitute the violation, and if appropriate, identification of aggravating or mitigating circumstances which justify deviation from the guidelines provided
  - disciplinary action taken
  - when indicated, assistance and/or advice given to the employee to avoid the need for future disciplinary action
  - when applicable, conduct expected in the future
  - when applicable, consequences if Conduct Standards are not followed

#### IV:C.3. Progressive Discipline

Progressive discipline emphasizes solving problems and encourages good conduct. Progressive discipline also communicates the expectation of improved behavior.

When conduct problems cannot be resolved through counseling or through the verbal or the written warning process, or when employee's misconduct is of a serious nature, the following disciplinary actions may apply:

- Employee may be suspended
- Employee may be terminated

In lieu of suspension or termination, the supervisor may consider the following disciplinary actions:

- Employee may be removed from supervisory responsibilities
- Employee may be transferred
- Employee may be demoted

In addition, an accumulation of violations (points) of the same or different standards may lead to future disciplinary action, up to and including termination.

#### ***IV:C.3.i. Classification Of Progressive Disciplinary Actions***

Non-Disciplinary Counseling Statement: Documentation, using an ASD-1131 Counseling Statement form, of a verbal communication informing the employee that he or she has engaged in a behavior that borders upon violation of a standard. The document must be signed and dated by the employee and supervisor with a copy given to the employee. It is kept only in the supervisor's file and points do not accumulate. The employee may document a response, which will also be kept in the supervisor's file.

Verbal Warning: A verbal communication informing that the employee has violated a conduct standard and that if such violation is repeated, a more severe disciplinary action will be issued. Documentation on Notice of Verbal Warning –

ASD-1173 form, of the verbal warning must be signed and dated by the employee and supervisor. A copy of the documented verbal warning will be given to the employee and a copy placed in the employee's personnel file. One point will accrue for each verbal warning. Verbal warnings shall not be removed from the employee's personnel file and points will accumulate indefinitely. For the purpose of MERIT, points will only accumulate during the current rating period.

Written Warning: An action taken to inform the employee that a conduct standard has been violated. This notification must also inform the employee that a more severe disciplinary action may be taken if the same or similar violation is repeated. Documentation on ASD-1173 Notice of Disciplinary Action form, must be signed and dated by the supervisor. A copy of the documented written warning will be given to the employee and a copy placed in the employee's personnel file. Three points will accrue for each written warning. Written warnings shall not be removed from the employee's personnel file and points will accumulate indefinitely. For the purpose of MERIT, points will only accumulate during the current rating period.

Suspension: A documented disciplinary action taken for gross violations of conduct standards, repeated violations, or when management determines that the violation warrants the immediate removal of the employee for a specified period of time. Suspensions are to be for a specified period of time. Suspensions are to be scheduled as soon as possible and shall not exceed a maximum of 10 working days. All suspensions will be without pay and must be approved by the Superintendent. Lost benefits, however, may be restored in whole or in part if the discipline is reduced to a lesser action. Documentation of suspension on the ASD-1173 Notice of Documentation Action, must be signed and dated by the employee, supervisor and the appropriate level of management below the Superintendent. A copy of the documented suspension will be given to the employee and a copy placed in the employee's personnel file. Six points shall accrue for each suspension. Suspensions shall not be removed from the employee's personnel file and points will accumulate indefinitely. For the purpose

of performance evaluations, , points will only accumulate during the current rating period. Reference Ark. Code Ann. § 21-5-1001 and § 21-5-1101.

Discharge: An action to remove/terminate an employee when a conduct violation has occurred for which the circumstances and consequences of the violation are extreme and continued employment is not in the best interest of the school/agency. An accumulation of violations of the same or different standards may also result in employee termination. The recommendation to discharge an employee should originate from the employee's immediate supervisor. The decision to discharge must be approved by the Superintendent on an ASD-1174 Notice of Discharge form.

*The Superintendent is the sole authority to approve a termination action.*

#### ***IV:C.3.ii. Refusal To Sign Disciplinary Action***

If an employee refuses to sign a documented disciplinary action, the supervisor's reviewing official will be asked to obtain the employee's signature. If the employee still refuses to sign, a statement regarding the employee's refusal must be signed by both the supervisor and the reviewing official and added to the documentation with a copy placed in the employee's personnel file.

#### ***IV:C.3.iii. Appeal Process***

Any employee (excluding probationary/new employees) who has been terminated or suspended may file an appeal through the ASD Grievance Procedures Policy 1014. The employee has five (5) business days from the date of the termination or suspension to submit the Grievance Form to the Grievance Officer.

#### ***IV:C.3.iv. Points Accumulation***

Cumulative Effect – Violation of the same or different standards by an employee will have a cumulative effect. The accrual of points will be determined as follows:

Verbal Warning =1 point

Written Warning=3 points

\*Suspension = 6 points

\*Alternative disciplinary action such as removal from supervisor responsibilities, transfer, or demotion will accrue 6 points.

Any employee accruing *more than* 12 points within a 12 month time frame will be subject to termination.

Points will continue to accrue during the lifetime of the employee's tenure; however, for the purposes of performance evaluations, points counted will only accumulate during the current rating period.

#### IV:C.4. Conduct Standards

The supervisor should consider all the facts and circumstances surrounding the violation of the work conduct standard in deciding the level of appropriate discipline.

Consideration of circumstances that mitigate or aggravate the conduct violation is essential in deciding the appropriate level of discipline. Facts and circumstances that mitigate or aggravate the violation should be documented in writing.

Above all, the supervisor must apply discipline for violation of work conduct standards uniformly throughout the work unit for which they are responsible.

Code:

VW – Verbal Warning

WW – Written Warning

S – Suspended (Number of working hours/days without pay)

LWOP – Leave Without Pay

D – Discharge

TYPES OF OFFENSES/INFRACTIONS	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE	FOURTH OFFENSE
<p>1. Attendance</p> <p>a. Failure to adhere to established or scheduled work hours (reporting for work after scheduled duty hours begin, leaving work before scheduled duty hours end or late return to work from meal period or break); (more than 10 minutes but less than 60 minutes).</p> <p>b. Unauthorized absences (unexcused absence in excess of 60 minutes on any work day)</p> <p>c. Abandonment of job for three or more consecutive days. [1.]</p> <p>d. Verified misuse of sick leave. [2.]</p> <p>e. Failure to report for scheduled compensatory/overtime duty.</p> <p>f. Working unauthorized compensatory/overtime</p>	<p>VW</p> <p>VW and (LWOP)</p> <p>D</p> <p>VW and (LWOP)</p> <p>WW</p> <p>WW</p>	<p>WW</p> <p>WW and (LWOP)</p> <p>WW and (LWOP)</p> <p>S2</p> <p>S2</p>	<p>S1</p> <p>S1</p> <p>S1</p> <p>D</p> <p>D</p> <p>D</p>	<p>D</p> <p>D</p> <p>D</p>

<p>2. Illegal Conduct</p> <p>a. Reporting for duty while evidence of odor related to alcohol is noticeable. (smelling of alcohol)</p> <p>b. Reporting for duty while under, or failure to remain fit for duty due to, influence of alcohol.</p> <p>c. Selling, possessing, and/or using alcohol beverages during working hours or on state property</p> <p>d. Reporting for duty while under, or failure to remain fit for duty due to, influence of a controlled substance.</p> <p>e. Selling, possessing, and/or using a controlled substance during working hours or on state property</p> <p>f. Being convicted of, or admission to, a capital offense or felony charge. [3.]</p> <p>g. Being convicted of, or admission to, a misdemeanor (except minor traffic offense) depending on job relatedness. [3.]</p> <p>h. Attempted theft, actual theft, or deliberate damage of ASD property or personal property on ASD property.</p> <p>i. Unauthorized possession, abuse, or unauthorized use of ASD equipment, materials, property, or facility.</p>	<p>D</p> <p>D</p> <p>D</p> <p>D</p> <p>D</p> <p>S2</p> <p>D</p> <p>S1</p> <p>VW</p> <p>D</p>	<p></p> <p></p> <p></p> <p></p> <p>D</p> <p></p> <p>D</p> <p>WW</p>	<p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p>S1</p>	<p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p>D</p>
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<ul style="list-style-type: none"> <li>j. Misuse, abuse, or loss of property entrusted to employee's care unless the misuse, abuse or loss was beyond the control of the employee.</li> <li>k. Unauthorized possession or carrying firearms or other weapons and/or explosives while on duty or on state property. [4.]</li> <li>l. Gambling during working hours (unlawful betting or gambling or promotion thereof). [5.]</li> <li>m. Bribery or accepting a bribe.</li> </ul>	<p>WW</p> <p>S5</p>	<p>S1</p> <p>D</p>	<p>D</p>	
<p>3. Personal Conduct- Individual</p> <ul style="list-style-type: none"> <li>a. Possessing or viewing any pornography on school grounds</li> <li>b. Smoking on state property and in state vehicles (chartered buses).</li> <li>c. Sleeping on the job.</li> <li>d. Violating the Code of Ethics for Arkansas Educators.</li> </ul>	<p>S1</p> <p>VW</p> <p>S2</p> <p>WW</p>	<p>S5</p> <p>WW</p> <p>D</p> <p>S1-3</p>	<p>D</p> <p>S1</p> <p>D</p>	<p>D</p>
<p>4. Personal Conduct- Involving another employee and/or others</p> <ul style="list-style-type: none"> <li>a. Assaulting or physically attacking (infliction of bruising, swelling, or visible marks associated with physical trauma) a supervisor, employee, student or a member of the</li> </ul>	<p>D</p> <p>VW</p>	<p>S1</p>	<p>D</p>	

general public without provocation.	WW	S1	D	
b. Immediate insubordination or refusal to carry out reasonable work-related instructions.				
c. On-the-job use of profane or abusive language and/or gestures that threaten, intimidate, coerce, ridicule, or demean a student, parent, employee or stakeholder that may or may not be in the presence of other employees or students to include conversation(s) on the telephone.	WW	S1	D	
	VW	WW	S1	D
d. Engaging in actions that violate the workplace harassment policy such as sabotaging someone's work on purpose, victimization and spreading rumors about a person's personal life and/or other malicious gossip.	D			
	D			
e. Excessive loitering, visiting and/or otherwise interfering with the job performance of other employees during and after work shift.	D			
f. Engaging in a conversation or activities between staff/student which could be perceived in a sexual manner and/or abusive manner.	VW	WW	S1	D
g. Engaging in or pursuing a personal relationship between a staff member and a				

<p>student on/off campus.</p> <p>h. Engaging in or contacting a student by phone, e-mail or pager when the contact is not approved by the immediate supervisor or such contact is not in connection with the employee's job duties.</p> <p>i. Attending to personal business during scheduled work time.</p>				
<p>5. Information related offenses</p> <p>a. Falsification of facts on student records, work records, employment applications, other work forms or applications, and/or intentional misstatement or omission of facts (written or verbal).</p> <p>b. Unauthorized release or divulgence of confidential information (written or verbal). [7.]</p>	<p>S2</p> <p>WW</p>	<p>D</p> <p>S1</p>	<p>D</p>	
<p>6. Negligence</p> <p>a. Failure to or delay in reporting injury or illnesses of students or employees.</p> <p>b. Endangering the safety or welfare of students and/or employees due to neglect of standard operating procedures in carrying out normal job functions.</p> <p>c. Failure to report to the supervisor any incident involving</p>	<p>WW</p> <p>S2</p> <p>VW</p>	<p>S2</p> <p>D</p> <p>WW</p>	<p>D</p> <p>S2</p>	<p>D</p>

<p>police, fire, ambulance or media.</p>				
<p>7. Violation of state/federal laws and/or agency rules governing ethical/professional activities</p> <p>a. Willful discrimination because of race, sex, religion, disability, etc., and/or harassment. [8.]</p> <p>b. Non-willful action resulting in discrimination and/or harassment by effect.</p> <p>c. Engaging in prohibited political activities (refer to Governor’s Policy Directive #9).</p> <p>d. Possessing or viewing any child pornography or other imagery portraying children in a sexualized manner at any time</p>	<p>D</p> <p>WW</p> <p>WW</p> <p>D <i>[this is not in the policy but is written here]</i></p>	<p>S2</p> <p>S2</p>	<p>D</p> <p>D</p>	
<p>8. Operation of Agency owned motor vehicles and/or personal vehicles used for Agency business</p> <p>a. Use of vehicles for unauthorized or unofficial purposes.</p> <p>b. Failure to report an accident to the police and Superintendent.</p> <p>c. Conviction, plea of guilty or nolo contendere or forfeit of bond for traffic or moving vehicle violation(s). [9.]</p> <p>d. Drug/Alcohol Motor Vehicle Violation</p>	<p>WW</p> <p>S2</p> <p>REFER TO AR STATE VEHICLE SAFETY PROGRAM <i>[are these not both illegal?]</i></p>	<p>S2</p> <p>D</p>	<p>D</p>	
<p>9. Other infractions not included but deemed to be detrimental or not in the best interest of</p>	<p>D</p>			

the Agency, students and/or other employees. [10.]				
10. Continued violations and violations of policies that develop patterns may be reviewed by the superintendent and may be grounds for dismissal. Consequences will be determined on a case by case basis. [11.]	D			
11. Failure to notify the Superintendent within 10 days of arrest and/or conviction. [12.]	D			

[1.] For the purpose of “abandonment of job,” all time will be considered Unauthorized Leave and will be counted as LWOP.

[2.] The supervisor shall verify misuse of sick leave in the following circumstances: a) failure or inability of the employee to verify reason for paid time; b) pattern of use of leave in excess of actual or as accrued; c) pattern of use of leave before and/or after off days/holidays; d) witness(es) that employee engaged in activity indicative of ability to work and/or knowledge employee was not ill.

*When a supervisor has evidence to suspect misuse of Sick Leave, a non-disciplinary counseling statement ASD-1131 is issued. If the pattern continues, the supervisor may require an attending physician’s certificate for any amount of Sick Leave. If the employee is unable to furnish this verification, such absence will be considered misuse of sick leave.*

[3.] A plea of “Nolo Contendere” means a plea by the defendant in a criminal prosecution that without admitting guilt subjects him/her to a judgement of conviction as in case of a plea of guilty but does not preclude him from denying the truth of the charges in a collateral proceeding.

[4.] All firearms and weapons are prohibited unless specifically authorized by the Superintendent.

[5.] Includes all athletic contests.

[6.] Failure to make reimbursement within one pay period from notification will result in more serious disciplinary action up to and including discharge.

[7.] If violation of the state law, penalties imposed by the state law would also apply. Confidential information is defined as any information written or verbal that is restricted by any state or federal laws, regulations, executive orders or requirements.

[8.] Violation of any civil rights law/regulation pertaining protected status.

[9.] “Nolo Contendere” means: A plea by the defendant in a criminal prosecution that without admitting guilt subjects him/her to a judgement of conviction as in case of a plea of guilty but does not preclude him from denying the truth of the charges in a collateral proceeding.

[10]. Consequences will be determined on a case by case basis.

[11]. Pattern – If an employee receives a disciplinary action for the same infraction at any time during their term of employment.

[12.] Consequences will be determined on a case by case basis dependent on the type of offense that the arrest and/or conviction was for.

#### **VI:D. Grievance Procedures**

It is the policy of this agency that all full-time employees are given the opportunity, through established steps and procedures, to resolve complaints in a timely manner which they believe adversely affect their employment or working conditions.

Reasonable efforts should be made to settle complaints as quickly as possible. Direct contact on a one-to-one basis between supervisor and employee has always been a policy of this agency and thus the complaint procedure is not intended, nor will it be allowed to become a barrier to the supervisor/employee relationship.

Access to this procedure does not create any expectation of continued employment, but provides an avenue of review and resolution of internal situations.

A grievance can be filed by a full-time employee regarding their suspension without pay or termination within five (5) working days of the event. The employee should complete the Grievance Form and submit it to the Office of Human Resources. The grievance should reflect an aspect of his or her employment including, but not limited to, annual leave, sick leave, dismissal, suspension, promotion, demotion, disciplinary actions, discrimination, disability, or any other work-related problems except compensation and conditions which are beyond the control of agency management or are mandated by law.

Complaints based upon performance evaluation may be appealed through the employee's chain of command utilizing the Performance Evaluation Appeal Procedures.

Every employee and/or agency may be represented by someone of his or her own choosing at each step of this procedure except the initial, informal discussion with the immediate supervisor.

The grievance procedure may be terminated at any step should an agreement between parties be reached.

All grievances and steps in the procedure and any appeal steps shall be processed through the agency grievance officer and should be handled in accordance with the following procedures:

Employees who feel that they have a job-related problem are encouraged to contact their immediate supervisor for an informal discussion of the problem. Most problems can be cleared up or resolved at this point. In the event the problem is not resolved by an informal meeting

between the employee and the supervisor, the employee shall move up their chain of command for assistance in addressing their concern. Contact the Human Resources Office to commence the formal grievance procedure

The employee and the appropriate level of management may have any person having knowledge of matters relevant to the grievance present at any and all steps of the grievance procedure. The employee may also submit or request the submission of relevant written documents at any and all steps. The employee shall be entitled to be represented by a person of his or her own choosing at each step of the grievance procedure except for the initial informal discussion with his or her immediate supervisor.

Under special circumstances, the Human Resources Office has the authority to modify, waive, or otherwise change the grievance procedures in order to fulfill the intent of the procedure, provided such modification, waiver or change is agreed to by the Superintendent and the employee. The Human Resources Offices shall submit, in the same manner as the final report to the Agency Personnel Manager, as justification for, and the details of, any variation from the state procedure.

The Superintendent shall make every effort to resolve all matters involving allegations of unlawful discrimination, termination, suspension without pay, involuntary demotion and/or failure to award compensatory time.

Should any person within the Agency intentionally interfere with, hinder, block, or otherwise impede the processing of a grievance, such employee shall be subject to disciplinary action. Further, should any employee or supervisor willfully fail to meet any of the deadlines set forth within this procedure in an attempt to delay the resolution or disposition of a grievance, such employee or supervisor shall be deemed to have forfeited any participation which such employee or supervisor might otherwise have under this procedure.

Grievance Policy shall incorporate all procedures and definitions inherent in Ark. Code Ann. § 21-1-701 et seq.



## **SECTION V: SAFETY**

### **V:A. Student and Staff Safety**

ASD has developed and promotes a comprehensive school safety program to ensure the safety of its employees, students, and visitors. The basic goal of the program is to create and maintain a safe, school climate. This climate is free of drugs, gangs, violence, intimidation, fear, and shaming. A safe school climate promotes the emotional well-being and growth of every student, while providing a secure environment that does not condone violence in any form. The safety program includes guidelines and procedures for responding to emergencies and activities to help reduce the frequency of accidents and injuries. To prevent or minimize injuries to employees, coworkers, and students, and to protect and conserve school equipment, employees must comply with the following requirements:

- Observe all safety rules.
- Keep work areas clean and orderly at all times.
- Immediately report all accidents to their supervisor.
- Operate equipment or machines only when authorized and properly trained in advance of operation.

Employees with questions or concerns relating to safety programs and issues may contact their supervisor.

### **V:B. Emergency Situation**

All employees should be familiar with the ASD emergency operation plans, and their roles and responsibilities, for various emergency situations.. Fire, tornado, and other emergency drills will be conducted to familiarize employees and students with evacuation procedures. Fire extinguishers, AEDs, Stop-the-Bleed kits, and other emergency resources are located throughout all school buildings. Employees should know the location of the resources nearest their place of work and how to use them.

## **V:C. General Safety Information**

All employees should comply with the following general safety rules that apply to all areas of the school:

- Know emergency exits in the building in which you work.
- Use proper lifting methods and do not lift weights beyond your physical capabilities. Ask for help.
- Maintain all work and living areas in a clean and orderly condition.
- Do not use equipment or work with chemicals with which you have not been trained or which you are not authorized to use.
- Report safety hazards that you notice to your supervisor.
- Be careful when walking on wet surfaces or newly waxed floors.
- Do not overload electrical circuits with excessive extension cords.

## **V:D. Student Safety**

Ensuring Student Safety – All employees at the School should strive to ensure the safety and well-being of the students at all times. Keep safety uppermost in your mind in every circumstance by remaining aware of potential hazards and working to prevent problems before they can occur.

Student Illness and Injury – Your departmental supervisor will give you information about managing students who are sick or who have been injured. Any employee who is with a student who seems sick or has been injured will generally be responsible for seeing that the student is seen in the Health Center.

Student Crises and Emergencies – If you are with a student who has been seriously injured you should call 911 and the Health Center immediately and follow any instructions you are given.

## **V:E. Possession of Firearms and Weapons**

Employees, visitors, and students are prohibited from bringing firearms, illegal knives, or other weapons onto school campus or any grounds or building where a school-sponsored activity takes place. To ensure the safety of all persons, employees who observe or suspect a violation of the School's weapons policy should report it to their supervisor or the Security Office.

## **SECTION VI: GENERAL STATE BENEFITS**

### **VI:A. Workers' Compensation**

Employees of the State are covered by workers' compensation. Coverage is for accidental injury while on the job. Financial and medical aid is available for injury or death.

Claims must be filed with the Human Resources Office immediately when a work related accident has occurred. Supervisors are responsible for assuring a claim is filed when a work related accident has occurred.

Upon injury, compensation is not allowed for the first 7 days of disability resulting from the injury, excluding the day of the injury. If a disability extends beyond that period, compensation starts with the 9th day of disability. If the disability extends for a period of 2 weeks, compensation is allowed beginning the first day of disability, excluding the day of the injury.

Absence from work due to a temporary disability entitles an employee to worker's compensation benefits and, upon proper application, using earned sick leave and/or annual leave as a supplement to the worker's compensation. The sum total of both cannot exceed the employee's normal salary.

When this option is used, earned sick leave and/or annual leave is reduced on a proportional basis. Employees receiving worker's compensation benefits for a permanent disability are eligible for full payment from both sources. Absences from work due to occupational injury or illness are charged in the following order: (1) earned sick leave; (2) annual leave; (3) leave without pay.

Should you be injured while on the job, report the injury at once to your immediate supervisor.

A workplace accident or an accident involving an ASD vehicle when the accident results in personal injury, may require a drug test be administered.

State Employee Insurance matching payment is paid by ASD if the employee is off the payroll due to a worker's compensation injury.

#### **VI:B. Organ or Bone Marrow Donor**

In any calendar year, an employee is entitled to the following leave in order to serve as an organ donor or a bone marrow donor:

- No more than seven (7) days of leave to serve as bone marrow donor and
- No more than thirty (30) days of leave to serve as an organ donor

In order to qualify for the leave, the employee must:

- Request the leave in writing;
- Provide the agency written verification by the physician to perform the transplantation that the employee is to serve as a human organ or bone marrow donor; and
- Provide the agency written verification by the physician performing the transplantation that the employee did serve as a human organ or bone marrow donor.

An employee may use the leave as provided in Section 13 without loss or reduction in pay, leave, or credit for time of service.

The agency shall not penalize an employee for requesting or obtaining leave pursuant to this section.

Leave requests must reflect the usage of Annual, Sick, Personal Leave, Professional Development Leave, Court and Jury, Holiday, Leave Without Pay, Military, FLSA Compensatory Time and Birthday Leave. Leave accrual and use covered under this policy will be recorded in increments of fifteen (15) minutes, submitted and approved on the appropriate form. Supervisors must notify Human Resources by the 3rd day if an employee is on any leave that has not been approved in advance.

## VI:C. Health Insurance

Employees are eligible to participate in the State Health and Life Insurance Plan with the exception of those who normally work less than 1,000 hours a year. The state contributes a portion of the employee's premium. Employee payments are payroll deductible. Participation is voluntary and enrollment must be requested by the employee within the first thirty days of being hired into a permanent position.

All employees are eligible to receive the basic \$10,000 life insurance coverage currently at no cost to the employee. Additional optional life insurance is available, as well as dependent life insurance.

An employee is eligible for insurance on the first day of the month following one month of employment. At age sixty-five, rates and benefits are reduced. Specific life insurance coverage under the insurance program is outlined in brochures available from your insurance representative or [www.arbenefits.org](http://www.arbenefits.org).

The ARBenefitsWell program is a wellness program that allows for a monthly discount in premium for active Arkansas state employees when certain wellness criteria are met during the previous plan year. The discount will begin on January 1. This program was created in an effort to reduce ever-increasing claims costs and encourage participants of the ARBenefits Plan to actively engage in their own health and well-being. The amount of the discount will be decided when rates for the plan year are set.

The ARBenefitsWell program has two requirements that **BOTH** active employees and any covered spouse on the ARBenefits policy must meet in order to qualify for the discount.

1. Employee and covered spouse **BOTH** must have a wellness exam conducted by a doctor.
2. Employee and covered spouse **BOTH** must take the online Health Assessment (HA) administered by GuidanceResources®.

For more information, see ASD HR Office or go to  
<http://portal.arbenefits.org/Pages/ARBenefitsWell.aspx>

The ARBenefitsWell program also offers:

- A maternity program with discounts and support for expecting mothers. Employees may enroll by calling 1-800-225-1891 ext. 20225.
- Case management services and assistance.
- Nurse24 provides access to a registered nurse 24 hours a day to provide information on home treatment of illness or injury, lifestyle changes, and understanding your diagnosis and medications. The program is available by calling 1-866-458-0408.

#### **VI:D. Arkansas Cafeteria Plans (ARCAP)**

Employees may have a portion of their salary withheld from their gross income before taxes are deducted for allowable medical or childcare expenses. These benefits are eligible benefits under the Arkansas Cafeteria Plan (ARCAP) administered by Fringe Benefits Management Company.

#### **VI:E. Career Service Recognition Payments**

Employees shall become eligible for annual career service recognition payments upon completion of 10 or more years of state service in regular full-time positions as follows:

10 – 14 years \$800.00

15 – 19 years \$1,000.00

20 – 24 years \$1,200.00

25 years & more \$1,500.00

Employees become eligible to receive career service recognition payments on their career service credit date.

## **VI:F. Performance, Goals and Compensation System**

The purpose of PGCS is to give employees candid, honest feedback about their work, highlighting areas of strong performance while pointing out areas that require additional professional development.

A properly functioning performance process will distinguish those employees who make superior contributions and motivate them to continue contributing at a high level. PGCS will recognize those employees who perform at the expected level and alert underperformers of the need to either improve or seek other employment, Employees who consistently meet expectations or occasionally surpass them should receive an overall rating of Solid Performer and many employees will fall into this category. Employees are encouraged to talk with their Supervisor or Human Resources office for more information.

Key features of the new process:

- All employees, regardless of their hire date, will be rated in April every year.
- Performance increases will be added to the employee's base salary instead of a one-time lump sum payment. Employees compensated at the maximum pay level will receive a lump sum payment.
- Evaluations are completed using an electronic system accessed through the Empowering Arkansas State Employees (EASE) application.
- It will help achieve the pay plan goals of providing opportunities for employees to advance through their respective pay grades based on performance.
- The new performance evaluation process establishes a five-level rating scale with no comparison to the old four-level rating scale.

**Role Model**-Employee's performance is exceptional and serves as a model for other employees. The employee made a major positive impact on the agency.



**Highly Effective-** Employee's performance consistently surpasses established standards. The employee accomplished tasks and duties above requirements and made a positive impact on the agency.

**Solid Performer-** Employee's performance meets all requirements for the position in a competent and proficient manner. This represents the expected level of performance as established by the agency director or supervisor.

**Needs Development-** Employee's performance periodically falls short of requirements or the employee requires development in the position.

**Unacceptable-** Employee's performance is inadequate and the employee has demonstrated an inability or unwillingness to improve or meet requirements.

#### **VI:G. Credit Unions**

Employee financial needs can be addressed through non-profit institutions owned and controlled by its members. ASD currently has two participating credit unions which are: Arkansas Employees Federal Credit Union and Arkansas Federal Credit Union. Services offered vary with each credit union and most are payroll deductible. For information regarding membership eligibility, contact the credit union.

#### **VI:H. Employee Assistance Program (EAP)**

The New Directions EAP (Employee Assistance Program) is a free service available to state employees or covered family members enrolled in the State of Arkansas Health Plan. This service provides help to employees whose time is being occupied by issues such as emotional, credit problems, parenting, marital problems, chemical dependency, and other personal family or work-related problems. You may contact New Directions EAP 24 hours a day, 7 days a week at 1-877-300-9103 or at [ndbh.com](http://ndbh.com). or on the app.

## **VI:I. Deferred Compensation Benefits & 403B Plans**

An employee may elect to participate in a choice of deferred compensation programs. These tax sheltered investment options offer a means of setting aside money for future use, which is not subject to current federal or state income tax. Taxes become payable when the deferred income plus earnings are paid to the employee, usually at retirement, when the employee is probably in a lower income tax bracket. This deferred income can serve as a supplement to social security, pension, or retirement benefits.

## **VI:J. Retirement Plan**

Employees hired full-time will have 7% of their salary withheld from their check toward their retirement. The employee's contribution is tax-deferred and is deposited in a member deposit account on behalf of the employee to the Teacher Retirement System. ASD contributes 14% of employee salaries toward retirement. Upon termination of employment, only the employees' contributions are refundable. Employees may have payments withheld from their checks to purchase previous covered service or refunds by completing an Irrevocable Payroll Authorization Form. All employees are vested with retirement service after five years of state service. Social Security and Teacher Retirement System covers all full-time state employees. Certain agencies have separate plans, but the basic requirements are twenty-eight years of service or a minimum of five years' service at age sixty-five to receive full benefits. The benefit amount will be based on the average of the highest three years' salary with the exception of disability retirement, which has special rules.

## **VI:K. T-DROP**

T-DROP is an optional program for ATRS members with 28 or more years of service. If an employee chooses to participate in T-DROP, regular retirement benefits will freeze, then each month a portion of the normal amount received in retirement benefits is deposited into a personal tax-deferred T-DROP account. T-DROP accounts earn interest on the mean balance at the end of the fiscal year (July 1 through June 30). After 10 years of participation interest will cease to

accrue on the T-DROP account. The regular retirement benefit account will be credited a 3% cost-of-living adjustment (COLA) for each full year of participation. Upon death, T-DROP benefits will be payable to your beneficiary(s). Upon retirement an employee can receive a monthly benefit payment, which is added to his or her regular monthly retirement benefits or receive a lump sum payment.

T-DROP allows participants to continue to work, but they cannot continue to accumulate service credit in ATRS. Like all decisions concerning retirement, the decision to participate in T-DROP should be made carefully and seriously. The decision to participate in T-DROP is irrevocable.

## SECTION VII: EMPLOYEE BENEFITS

### VII:A. Annual Leave for 12-Month Employees

Employees eligible to accrue annual leave on a prorated basis include:

Any employee who is employed in a twelve-month, full-time position

Any part-time employee (with 1,000 hours or more annually) who is employed on a twelve-month basis

10-month employees, temporary, emergency appointments, and extra help employees are not eligible to accrue Annual Leave.

Eligible full-time employees accrue leave at the rate shown in the timetable listed below:

Beginning with:	Through the end of:	Monthly Accrual	Annual Accrual
1 <sup>st</sup> year	3 <sup>rd</sup> year	8 hours	12 days
4 <sup>th</sup> year	5 <sup>th</sup> year	10 hours	15 days
6 <sup>th</sup> year	12 <sup>th</sup> year	12 hours	18 days
13 <sup>th</sup> year	20 <sup>th</sup> year	14 hours	21 days
21 <sup>st</sup> year	-----	15 hours	22.5 days

All annual leave is cumulative. However, no employee may have more than 30 days accumulation on December 31st of each year. Accrued leave may exceed 30 days during the calendar year, but those days in excess of 30 days will be lost if not used by December 31st of each year.

If you are transferring, without a break in service, between state agencies and/or state-supported institutions of higher learning, which are covered by these policies, you retain all accumulated annual leave.

An employee may not earn annual leave when on leave without pay for ten (10) or more cumulative days within a calendar month.

Annual leave must be earned before it can be used. Employees will accrue half their monthly accrual of annual leave if employed on the first (1st) working day of the month and work through the 15th of that month. Employees will accrue half their monthly accrual if employed on the 16th of the month and work through the last working day of that month. (If the 16th falls on a weekend or holiday, accrual begins on the first (1st) working day thereafter.) Employees will not borrow from anticipated future accruals and may not use annual leave accrued by other employees.

Employees continue to earn annual leave at their normal accrual rate when on annual or sick leave.

Annual leave is granted on the basis of workdays, not calendar days. Non-work days, such as holidays and weekends, are not charged as annual leave. An employee may request to use annual leave at any time after the leave has been accrued. Leave is not available for use until the first working day of the month following the accrual.

Requests to use annual leave are made and approved with reasonable advance notice to your immediate supervisor. Your supervisor has the right to refuse leave requests at times when your absence causes undue hardship for your work unit. Unauthorized leave is a violation of this leave policy and will result in leave without pay being charged to the employee.

The minimum annual leave amount an employee can use is fifteen (15) minutes. No smaller amounts shall be authorized or used. Annual leave requests for more than two weeks must be approved by the Superintendent or Designee.

Whenever an employee is separated from the agency by reason of resignation, layoff, or dismissal, the unused annual leave shall be liquidated by a lump sum payment, not to exceed 30 working days. Terminating employees whose last day is prior to the fifteenth of the month do not accrue annual leave for that month.

## **VII:B. Sick Leave**

Sick leave may be used for only the following purposes:

When the employee is unable to work because of sickness, injury, or medical, dental, or optical treatment.

Death or serious illness of a member of the employee's immediate family. Immediate family is defined as father, mother, sister, brother, husband, wife, child, grandmother, grandfather, grandchild, in-laws, or any individual acting as a parent or guardian of an employee.

The use of sick leave is contingent upon the occurrence of one of the events listed above. If the event never occurs, the employee is not entitled to the sick leave benefits.

Any employee in a regular salary position who works full time and any employee who works less than full time, but at least 1,000 hours per year, is eligible to accrue Sick Leave.

Summer , temporary, emergency appointment and extra help employees are not eligible to accrue Sick Leave. 10-month employees do not accrue sick leave benefits during the summer months.

Any employee who works a minimum of 1,000 hours per year in a regular salary position shall accrue sick leave. Employees who work less than full time but more than 1000 hours per year accrue sick leave in the same proportion as time worked. Employees accrue sick leave at the rate of one (1) day for each completed month of service; however, no employee shall have over 120 days accumulated on December 31st of each year.

Accrued leave may exceed 120 days during the calendar year, but those days in excess of 120 will be forfeited if not used by December 31st of each year.

Sick leave must be earned before it can be used. Employees will accrue half their monthly accrual of sick leave if employed on the first (1st) working day of the month and work through the 15th of that month. Employees will accrue half their monthly accrual if employed on the 16th

of the month and work through the last working day of that month. (If the 16th falls on a weekend or holiday, accrual begins on the first (1st) working day thereafter.)

Employees will not borrow from anticipated future accruals.

Sick leave may not be accumulated during a period of leave without pay when such leave is ten (10) or more days within a calendar month.

Employees continue to earn sick leave at the normal accrual rate when they are on sick leave or annual leave.

Sick leave is granted on the basis of work days, not calendar days. Non-work days, such as holidays and weekends, are not charged as sick leave.

The minimum sick leave amount an employee can use is fifteen (15) minutes. No smaller amount shall be authorized or used. Leave is not available for use until the first working day of the month following the accrual.

Absences due to sick leave, except in the case of maternity leave, shall be charged in the following order: (1) earned sick leave; (2) earned annual leave; (3) compensatory time; (4) catastrophic leave; and (5) leave without pay.

Employees who are on sick leave for five (5) or more consecutive days or who regularly take time off to seek medical care for a family member or chronic condition for themselves should contact the Human Resources Office for Family Medical Leave Act paperwork. Supervisors with employees who are out on sick leave five (5) or more days should contact the Human Resources Office to ensure the employee receives information on FMLA and any other benefits resources that are available.

Employees who are on sick leave for five (5) or more consecutive days must furnish an original certificate of illness from an attending physician. The certificate must indicate the dates the employee was unable to work. The employee must also have a release to return to work. A

pattern of sick leave usage may require an employee to furnish a certificate of illness from a licensed, attending physician for any use of sick leave. A certificate from a Christian Science practitioner listed in the Christian Science Journal may be submitted in lieu of a licensed physician's certificate. In cases where a pattern of misuse is visible, an ASD employee may be required by the supervisor to provide a doctor's statement for less than five days. Requests to use sick leave for purposes of medical, dental or optical examinations, hospital stays, funerals, etc. should be made in advance.

Notification of absence due to illness shall be given as soon as possible on the first day of absence to the employee's supervisor.

Application for sick leave is to be filed within two (2) days after the employee's return to work.

If an employee fails to make proper notification for use of sick leave as provided herein, such absences shall be charged to annual leave or leave without pay. Such determination shall be made at the Superintendent's discretion.

Employees transferring without a break in service between State agencies and/or State supported institutions of higher education which are covered by these policies shall retain all accumulated sick leave.

School teachers or other certified personnel employed by a school district that transfer to another school district, an educational cooperative, or a position requiring certification approved by the Department of Education in a state agency shall be granted credit in the new position for up to ninety (90) days unused sick leave accumulated in the former position. The accumulated and unused sick leave credit shall be granted to the employee upon furnishing proof in writing from the former employer of the employee. The provisions of this section shall apply to employment with another school district, educational cooperative, state education agency, or two year college on or after July 1, 1997.

Employees are not entitled to payment for accrued and unused sick leave when they terminate their employment except as follows:



Upon retirement or death, any employee, or beneficiary of any employee of ASD shall receive compensation for accumulated unused sick leave as follows:

If the employee has accumulated at least fifty (50) days, but less than sixty (60) days of sick leave, the employee shall receive an amount equal to fifty percent (50%) of the number of accrued sick leave days (rounded to the nearest day) times fifty percent (50%) of the employee's daily salary.

If the employee has accumulated at least sixty (60) days, but less than seventy (70) days of sick leave, the employee shall receive an amount equal to sixty percent (60%) of the number of accrued sick leave days (rounded to the nearest day) times sixty percent (60%) of the employee's daily salary.

If the employee has accumulated at least seventy (70) days, but less than eighty (80) days of sick leave, the employee shall receive an amount equal to seventy percent (70%) of the number of accrued sick days (rounded to the nearest day) times seventy percent (70%) of the employee's daily salary.

If the employee has accumulated at least eighty (80) or more days of sick leave, the employee shall receive an amount equal to eighty percent (80%) of the number of accrued sick leave days (rounded to the nearest day) times eighty percent (80%) of the employee's daily salary.

For purposes of this section, the employee's daily salary shall be determined by dividing the annual salary by two hundred and sixty (260).

In no event shall an employee receive an amount that exceeds seven thousand five hundred dollars (\$7,500) upon retirement due to the provisions of this Section.

## **VII:C. Personal Leave (Teachers)**

The purpose of Personal Leave (Teachers) offers ASD teachers the opportunity to earn up to 16 hours of leave during the summer holiday. Teachers must work on campus, in their designated area, and confirm work with their supervisors before coming to campus. Allowed activities to earn personal leave are: lesson planning, unit planning, developing pacing guides, developing syllabi, preparing lesson presentations or activities, or becoming familiar with curriculum resources

This provision does not apply to teachers who are paid a stipend for extra duty or for services performed due to extended work day. Hours should be documented by signing in and signing out with the building administrative specialist.

A Teacher Request to Earn Personal Leave form must be submitted prior to the summer holiday and approved by the supervisor. A Teacher Request to Use Personal Leave form must be submitted no later than two weeks prior to the request date of use and approved by the supervisor.

- In emergency situations the time provisions for notice may be waived.
- Personal leave may be taken on district wide staff development days.
- Personal and Professional Development leave is maintained by the Human Resources Office.

## **VII:D. Leave Without Pay**

Employees may not take Leave Without Pay (LWOP) until all their annual leave has been exhausted, except in the cases of maternity leave and agency disciplinary leave without pay. In the case of maternity leave, the employee may elect to take leave without pay, without exhausting accumulated annual and sick leave.

An employee, upon application in writing to and upon a written approval by the Superintendent, may be eligible to obtain a continuous leave of absence without pay up to six (6) months, unless granted in accordance with Annotated Code 21-4-210 or a determination by the Superintendent

that the leave of absence without pay request of the employee would cause an undue hardship on the agency. At the expiration of such leave, the employee shall be reinstated in the service without loss of any of his/or her benefits, or extend the leave of absence without pay up to an additional six (6) months unless the Superintendent has determined that reinstatement or continuing the leave without pay status of the employee would cause an undue hardship on the agency or the position is no longer available due to a budgetary reduction in staff of the agency.

“Undue hardship” is defined as “an action requiring significant difficulty or expense” when considered in relation to a number of factors. These factors may include, but not necessarily be limited to, the nature of the position occupied by the employee and cost of the request in relation to the size, resources, nature, and structure of the agency’s operation and mission. Thus, whether or not an accommodation request would create an undue hardship focuses on the resources and circumstances of the school in relation to the cost or difficulty of providing a specific leave request. Undue hardship refers not only to financial difficulty, but also to requests that are unduly extensive, substantial, or disruptive, or those that would fundamentally alter the nature of operation of the school. The Superintendent will assess on a case-by-case basis, whether a particular request for leave without pay would cause undue hardship. Every request will be evaluated separately to determine if it would impose an undue hardship on the school, taking into account:

- The nature and cost of the request
- The overall financial resources of the school
- The number of persons employed by the school
- The effect on expenses and resources of the school
- The impact of the request on the school

The Superintendent may declare an undue hardship where a leave request accommodation would be unduly disruptive to other employees’ ability to work efficiently. For example, if granting leave would prevent other employees from doing their jobs, then the significant disruption to the operations of the school constitutes an undue hardship. In some situations, an employee may be able to provide only an approximate date of return because treatment and recuperation do not always permit exact timetables. If the Superintendent is able to show that the lack of a fixed return date imposes an undue hardship, then he or she can deny the leave. An undue hardship

could result if the school can neither plan for the employee's return nor permanently fill the position. In other situations, an agency may be able to be flexible.

Failure on the part of the employee to report promptly at the expiration of the leave of absence except for satisfactory reasons submitted in advance shall be a cause for dismissal.

All requests for leave without pay must be made in writing to the immediate supervisor. Upon approval from the supervisor, requests must be submitted to the Superintendent for final approval and then forwarded to Human Resources as soon as possible.

An employee who accumulates ten days (consecutive or non-consecutive) of leave without pay during any one calendar month loses the leave accrual (annual and sick) for that month only. The annual leave that is lost due to the leave without pay is based on the rate of accrual authorized for that employee.

Employees may continue to participate in agency or institution group insurance programs during the period of leave without pay. Employees who choose this option must pay the total cost (employee deduction and employer matching) of the coverage unless the employee is receiving Workers' Compensation benefits.

Employees having kept their insurance in effect may be fully reinstated in insurance programs when they return to duty. However, employees on FMLA leave are eligible for reinstatement in the insurance program even if the employee failed to pay their premium while on FMLA leave.

#### **VII:E. Family and Medical Leave**

The Family and Medical Leave Act (FMLA) is a federal law that allows eligible ASD employees to take up to 12 weeks of leave from work:

- For the birth and/or care of a child, adopted child, or foster child within 12 months of the birth and/or placement;

- When the employee has a serious health condition\* that makes the employee unable to perform the employee's job functions; and
- When the employee is needed to care for the employee's parent, child, or spouse with a serious health condition. (A serious health condition means an illness, injury impairment, or physical or mental condition that involves any of the following:
  - Overnight care in a medical facility
  - A period of time during which the employee cannot attend work and/or perform work responsibilities for more than three consecutive days and has been treated at least twice by a health care provider or has been treated at least once and is involved in a continuing treatment regimen
  - A period of incapacity due to pregnancy or for prenatal care
  - A chronic condition that requires periodic visits with a health care provider, continues over an extended period of time, and may cause isolated periods of incapacity rather than continuous incapacity
  - A period of inability to attend work and/or perform work responsibilities that is permanent or long-term due to a condition that may not be treated effectively
  - Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider either for surgery after an accident or other injury, or for a condition that would probably result in a period of time of more than three consecutive days of the employee not being able to attend work and/or perform work responsibilities if the employee's condition was not treated

#### **VII:F. Benefits During Family Medical Leave**

During Family Medical Leave (FML), the employee continues to receive the same health insurance benefits and coverage the employee received prior to using FML, even if the employee's FML is leave without pay.

Upon return from FML, an employee who continues to be able to perform the essential functions of the employee's position must be restored to the employee's original or an equivalent position with equivalent pay, benefits, and other employment terms.

The use of FML leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

It is important for an employee to understand that, when the employee is taking FML, the employee must use all available, applicable paid leave before using leave without pay. An employee receives pay for FML only when the employee is able to cover the absence with accrued leave. When the employee has used all available, applicable leave, the employee will not receive any pay. For example, an employee had accrued 20 hours of vacation time, 10 hours of sick leave, and 8 hours of holiday leave (a total of 38 hours) prior to taking leave under the FMLA. During the first week the employee was absent, the employee used all 38 hours of accrued leave and had 2 hours of leave without pay. The employee was absent on FML for three more weeks. The employee is only paid for the 38 hours covered by leave. The employee is not paid for the rest of the leave time.

#### **VII:G. Employee Eligibility Criteria for Family Medical Leave**

To be eligible to take leave under the FMLA, an ASD employee:

Must have worked for at least one year for an employer, like ASD, that is responsible for the following (i.e., covered by) the FMLA

An employer is covered by the FMLA if the employer employs at least 50 employees within 75 miles of the worksite where the employee needing leave is employed

An employee receives credit towards this one-year requirement for working for the State of Arkansas in any capacity and the work does not have to be continuous

Must have worked for a covered employer for at least 1,250 hours over the previous 12 months

The 1,250 hours must be hours actually worked and does not include paid time off

#### **VII:H. Other Important Points Related to the FMLA**

The employee may be required to provide notice and documentation of eligibility, including medical documentation, to take leave before the employee is able to take FML. The employee's request to take leave may be denied if these requirements are not met. The employee ordinarily

must provide 30 days advance notice when the leave is foreseeable. The employee may be required to provide additional medical documentation upon return to work.

Under some circumstances, teachers who are able to return to work at or near the conclusion of a semester may be required to continue their leave until the end of the semester.

For additional information, an employee may contact the Human Resources office.

### **VII:I. Maternity Leave**

An eligible female employee may receive up to 12 consecutive weeks of paid leave after one of the following qualifying events:

- The birth of the employee's biological child;
- The placement of an adoptive child who is under one year of age in the employee's home, or
- The placement of a child in foster care who is under one year of age in the employee's home

Reference Ark. Code Ann. §21-4-203; §21-4-214; Act 770 of 2023

Family medical leave may be used for maternity leave. Reference OPM Policy 50.07 Family Medical Leave. If an employee is eligible for both catastrophic leave for maternity purposes and family medical leave for maternity purposes, the two shall run concurrently.

### **VII.J. Paid Foster Care Leave**

Arkansas law allows eligible state employees to receive up to forty (40) hours of paid leave per calendar year when a child in foster care has been placed in the employee's home. The maximum of forty (40) hours per calendar year applies even if multiple children are placed in the employee's home at different times throughout the calendar year. For purposes of this policy, child means a person who is eighteen (18) years of age or younger.

Refer to Ark. Code Ann. § 21-4-206 and § 21-4-218 (Act 756 of 2023) for full details.

## **VII:K. Children's Educational Activity Leave**

Act 1028 of 2007 – Amends Arkansas Code Title 21, Chapter 4, Subchapter 2 to grant full-time employees of any branch, department, board, bureau, commission, or state-supported institution of higher education of the State of Arkansas, eight (8) hours of children's educational activity leave per calendar year. Unused children's educational activity leave may not be carried over to the next calendar year and is not compensable to the state employee at retirement.

All state employees are entitled to eight (8) hours of leave during any one calendar year for the purpose of attending or assisting with the educational activities of a child. Child means a person enrolled in pre-kindergarten through grade 12 who is of the following relation to a state employee:

- Natural child
- Adopted child
- Stepchild
- Foster child
- Grandchild
- Ward of the state employee by virtue of the state employee having been appointed the person's legal guardian or custodian
- Any other legal capacity where the employee is acting as a parent for the child

Educational activity means any school-sponsored activity which includes without limitation:

- A parent-teacher conference
- Participation in school-sponsored tutoring
- Participation in a school-sponsored volunteer program
- A field trip
- A classroom program
- A school committee meeting
- An academic competition
- Assisting with athletic, music, or theater programs



## **VII:L. Catastrophic Leave**

Arkansas law established a Catastrophic Leave Bank Program to be administered by the Department of Transformation and Shared Services (TSS)- Office of Personnel Management (OPM) . Catastrophic leave is paid leave and may be awarded to eligible employees due to a catastrophic illness or injury or for maternity purposes. The Catastrophic Leave Bank Program creates no expectation or promise of continued employment with a state agency and is intended to assist eligible employees during medical emergencies and for maternity purposes. Please refer to OPM Policy 47. Reference Ark. Code Ann. §21-4-203; §21-4-214; Act 770 of 2023.

## **VII:M. Court and Jury Leave**

Any employee serving as a juror or subpoenaed as a witness to give a deposition in a court or hearing, not involving personal litigation or service as a paid expert witness outside the scope of state employment will not be placed on annual leave or leave without pay and will receive normal and full pay. You may keep any fees paid for services provided in court, except in cases where you are serving in an official capacity representing the Arkansas School for the Deaf.

You must notify your supervisor immediately upon notification of court or jury duty. You will be required to furnish documentation attesting to the specific dates on which you appear in court. Acceptable documentation includes an original certificate from the clerk of the appropriate court.

## **VII.N. Military Leave**

Permanent, full-time state employees who are members of the National Guard or any of the reserve branches of the U.S. Armed Forces will be granted leave at the rate of fifteen (15) working days per calendar year, plus necessary travel time for annual training purposes. Up to fifteen (15) military leave days may be carried over to the succeeding year for a maximum of thirty (30) military leave days for that calendar year.

Military leave for annual training or other official duties will be granted without loss of pay and shall be in addition to regular vacation time.

The employee must attach a copy of his/her military orders to each request for military leave.

## VII:O. Holidays

Twelve-month employees shall be granted time off for designated State holidays:

New Year's Day	January 1
*Dr. Martin Luther King Jr's Birthday	3rd Monday in January
*George Washington's Birthday/Daisy Gatson Bates Day	3rd Monday in February
*Memorial Day	Last Monday in May
Independence Day	July 4
*Labor Day	1st Monday in September
*Veteran's Day	November 11
Thanksgiving Day	4th Thursday in November
Christmas Eve	December 24
Christmas Day	December 25
Employee's Birthday Day	

If school is in session on these dates, an employee should receive approval from the supervisor prior to taking the holiday.

To receive credit for working a holiday, a verification form must be turned into the Human Resources office within one week.

Ten-month employees will follow the designated school calendar.

The Governor may issue an Executive Proclamation and proclaim additional days as holidays in observance of special events or for other reasons. These will be honored except if school is in session.

When a holiday occurs while an employee is on annual or sick leave, that day will be considered a holiday and will not be charged against the employee's annual or sick leave. Holiday earned must be taken within one year from the date earned. When a holiday occurs on an employee's regularly scheduled day off, the employee will be given equivalent time off.

Days off in lieu of holidays worked may be taken at a time approved by the employee's supervisor. Such time off is to be taken as soon as is practical.

Employees who work less than full time may take the holiday at a rate proportionately equal to their time worked. For example, if an employee works half time, a holiday would be granted equivalent to four (4) hours.

Holidays which occur on a Saturday will be observed on the preceding Friday. Holidays which occur on a Sunday will be observed on the following Monday.

### **VII:P. Ten-Month Employee Compensatory Time Policy**

ASD compensatory time is a system that gives 10-month staff the ability to work extra hours during the school year. These extra hours are then applied during the summer months, so that 10-month staff are able to be paid throughout the six weeks of summer break.

### **VII:Q. The "10-Bus-Ride" Rule**

Compensatory time was originally created to support the transportation department in providing supervision for all buses transporting students. Therefore, each 10-month staff member must ride the bus 10 times during the school year, in order to be eligible for the summer pay option.

For staff members who do not meet the intermediate signing requirement, they can exchange this requirement for signing up for ten Bus Phone Duty slots.

Each 10-month staff member must reserve 120 comp hours for Bus Riding/Phone Duty. Therefore, 10-month staff are only able to accrue up to 120 hours for other comp-related activities.

## **VII:R. All ASD 10-Month Staff have Two Options**

1. Choose to NOT EARN Comp Time.

Result:

- No pay during the summer
- Will be responsible to pay the complete premium for health insurance during summer months.

2. Choose to EARN Comp Time.

Result for 240 hours earned (including 10 Bus Rides):

- Will receive regular pay for the 6 weeks of summer.
- Health Insurance coverage.

Result for partial comp time or less than 10 required bus rides:

- Recommend meeting with the HR Director to create a plan to spread out the comp time hours, as well as to cover health insurance.
- May have to pay a percentage of health insurance during the 6 weeks of summer.

## **VII:S. Special Option Available to New Staff**

For staff members who are hired during the school year, and do not have sufficient time to earn 240 comp hours, they may be allowed to work at the school during the summer months. This option would result in them being paid throughout the 6 weeks of summer.

This option may also be made available on an individual basis for staff members with extraordinary health conditions or other circumstances that result in their inability to earn comp time during the year. Such cases may only be approved by the Superintendent.

## VII:T. Activities Eligible for Comp Time

	ACTIVITY	AVAILABLE FOR	SIGN UP	NOTES
120 HOURS OR MORE	Riding the Bus	All 10-month staff with a sign proficiency of Intermediate and above.	App/ Online	To support professional development: <ul style="list-style-type: none"> <li>● 4 times a year, the bus will be run by all Paraprofessionals.</li> <li>● 4 times a year, the bus will be run by all Residential Advisors.</li> </ul>
	Phone Duty	All 10-month Staff below intermediate sign proficiency	App/ Online	This option is open for staff who do not meet the intermediate signing requirement – to exchange for the 10-Bus-Ride Rule.
UP TO 120 HOURS	AWAY – Student Supervision for Sports Trips	Residential Advisors	See Supervisor	
	HOME - Student Supervision for Weekend Events	Residential Advisors and Paraprofessionals	See Supervisor	50% Residential Advisors and 50% Paraprofessional (paired for support)
	HOME – Other Services for Weekend Events	Health Center, Cafeteria, and Janitorial staff	See Supervisor	
	After Hours - School Specific Activities	Paraprofessionals	See Supervisor	
	Before /After Hours – Dorm Support	Paraprofessionals	See Supervisor	

## VII:U. Calling In

When staff members are not able to attend a scheduled comp time activity, they must inform the supervisor of their absence. In the case of bus related activities, please contact the Director of Transportation. For bus related duties, staff members will need to work with the transportation staff to find their own substitutes.

## VII:V. Activities Not Eligible for Comp Time

Working sports games is not considered a comp time activity. Instead, specific sports-related roles will be supported through a stipend (i.e.: collecting entrance fees, scoreboard, etc.).

## VII:W. Using Comp Hours

Comp Hours can be used during the school year for the following reasons:

- Illnesses - after sick leave has been expended
- Funerals
- Weddings
- Other cases approved by supervisor

## VII:X. Making Up Comp Hours

Staff members may use their earned comp hours during a school year for the above reasons.

When this occurs, staff members can only earn back up to 16 hours. For example:

Staff Member A earns 240 comp hours. He uses 40 hours to attend a wedding. He can only earn back 16 hours.

240	Initial Comp Hours Earned
<u>40</u>	<u>Comp Hours Used</u>
200	COMP HOURS

200	Comp Hours Remaining
<u>16</u>	<u>Comp Hours Re-Earned</u>
216	TOTAL COMP HOURS ALLOWED

\*For serious unavoidable cases, staff may be allowed to make up lost hours by working during the summer. Such cases may only be approved by the Superintendent.

## SECTION VIII: RESOURCES

### VIII.A. ASD Required Systems and Programs



All ASD staff members are strongly encouraged to install the free Rave Panic Button app on your phones. This is the app that we use to notify First Responders in the event of an emergency on campus.

1. Go to the app store on your phone and search Rave panic button,
2. Download the app.
3. Once downloaded it will ask you to enter your phone number.
4. You will receive a text with a pass code to enter
5. Enter the passcode and the app will be installed.

In seconds, the Rave Panic Button app clearly communicates an emergency to 9-1-1, on-site personnel, and first responders.



Rave Panic Button shortens response times and improves safety for all those in the immediate area.



**RAVE**PanicButton

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## STAFF ASSIST

Staff Assist sends internal notifications through the Rave Panic Button without dialing 9-1-1, allowing you get help from onsite resources for situations that don't require an external emergency response.



Pressing the Staff Assist button on the homepage of your Rave Panic Button app opens a list of your organization's Staff Assist Templates. ASD administrators pre-configure each template with a message and situation-specific recipients.



# Arkansas School for the Deaf

## COMMUNICATION: DISTRICT LEVEL



**Website**

The official website of Arkansas School for the Deaf  
<https://asd.ade.arkansas.gov/>



**ParentSquare**

The communication hub used to streamline communication between School and Home. Available via phone and web.



**Email**

All ASD Staff have an official school email available for use for direct and group communication.



**Newsletter**

ASD publishes a newsletter that includes events, stories, educational opportunities, etc. via email.



**Instagram**

The official ASD Instagram account publishes updates and stories, and is available for messaging @asd\_leopards



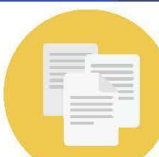
**Call/Text**

ASD Staff have school phones and VPs and these numbers are available via the school directory.



**Facebook**

The official ASD Facebook page publishes updates and stories, and is available for messaging @ASDLeopards



**Public Reports**

The Annual ASD School report includes school data and updates, and is available to the public online.



## VIII.B. Academic Calendar

### Arkansas School for the Deaf | 2023-2024 CALENDAR



■ Holidays    
 ■ Professional Development    
 ■ Parent/Teacher Conference    
 ■ No Student Days    
 ■ 1st & Last Day for Students    
 ■ End of Quarter    
 ■ Summer School

# VIII.C. Campus Map



## ASD Campus Map

### Aerial View

