



educational service center
of Central Ohio

Educational Service Center

Employee Handbook



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Section I

Introduction

ABOUT THE EDUCATIONAL SERVICE CENTER OF CENTRAL OHIO

The Educational Service Center of Central Ohio serves 28 area school districts with a total enrollment of more than 200,000 students. The provided services vary with the needs and goals of each partner district or agency.

The Ohio General Assembly created educational service centers in 1914 as county boards of education. State law changed boards of education to educational service centers in 1995. The Delaware and Union county ESCs merged in 1993. The educational service centers serving Delaware, Franklin and Union counties merged to create the ESC of Central Ohio on January 1, 2009.

Through direct instruction and quality professional development, the ESC partners with districts to improve education for all students, particularly those with special needs. The ESC of Central Ohio offers robust educational consultancy through a growing list of programs including instructional coaching, administrative counseling, professional employment services and educator professional development. It was the first ESC in the state to earn accreditation.

Additional specific services include helping districts with programs for gifted and talented students, day-to-day district or school-level business functions and school leadership and management.

An elected governing board directs the ESC. The agency has no taxing authority. State funding provides a basis for operations while the ESC leverages additional resources to benefit partner school districts and educational organizations.

Vision

An educational solutions agency meeting the needs of today, while focused on the future, driven by innovation and choice.

Purpose

The ESC of Central Ohio leads when necessary, supports all stakeholders and seeks to share and leverage resources on behalf of its client school districts and partners.

Values

Respect: We honor the diverse needs of those we serve.

Service: We value the opportunity to be of service.

Collaboration: We foster strong relationships with our partners.

Accountability: We are answerable for our actions and behaviors

Goals

Build and sustain relationships that advance our vision, purpose and values.

Make optimum use of resources.

Provide programs and services that improve outcomes for students.

ESC of Central Ohio Programs and Services

Detailed information about ESC of Central Ohio programs and services can be found at our website: www.escco.org.

BOARD POLICY / ADMINISTRATIVE GUIDELINES

It is the responsibility of the ESC of Central Ohio Governing Board to make such policies as are necessary for the government of the ESC, its employees and pupils.

It is the intent of the board that such statements of policy create a framework within which the Superintendent develops administrative guidelines, procedures and forms which reflect the spirit and intent of board-adopted policies.

The responsibility for the development and preparation of board policy shall be shared by the ESC of Central Ohio Governing Board and the Superintendent. Required or desired policy statements may emanate from the United States Federal Government, the State of Ohio, the State Board of Education, citizens, members of the board or members of the ESC staff.

Proposed policy will be prepared by the superintendent or his/her designee with staff input and with the direction of the ESC of Central Ohio Governing Board. Proposed new and revised policies are placed on the agenda for the consideration of the Governing Board. By a majority vote of the membership of the board present, a proposed policy may be adopted, rejected, adopted with amendments or tabled for future action.

The ESC of Central Ohio Bylaws and Policies are available online at <http://neola.com/escco-oh/>.

AGENCY CONTACT INFORMATION

www.escco.org/contact

CENTRAL OFFICE

2080 Citygate Drive
Columbus, OH 43219
p. 614.445.3750

GLENMONT OFFICE

470 Glenmont Avenue
Columbus, OH 43214
p. 614.410.0321

NORTHERN OFFICE

7840 Graphics Way
Lewis Center, OH 43035
p. 740.657.5060

ESC OF CENTRAL OHIO DEPARTMENTS:

Attendance Services | attendance@escco.org

Benefits | benefits@escco.org

Center for Achievement & Leadership | achievement@escco.org

Center for Student Services | studentservices@escco.org

IT Help Desk | help.desk@escco.org

Office of Business Services | f. 614.445.3772 | Kimberly.kelso@escco.org

Office of Communications | communications@escco.org

Office of Human Resources | humanresources@escco.org

Payroll | payroll@escco.org

OTHER

ODE data reporting, NWEA assessments | EMIS@escco.org

eLearning online professional development | ESCelearning@escco.org

eTPES online teacher evaluations | Email your coordinator

Link Roster Verification | Email your coordinator

ProgressBook online gradebook and absence tracking | PB.Help@escoco.org

PublicSchoolWORKS | Lori.Dray@escoco.org

Review360 online student behavior plans and intervention |

Review360.Help@escoco.org

Soloman Business Portal online enrollment and related service time reporting |

Solomon.Help@escoco.org

Fingerprinting Services

Fingerprinting services are available at the Central and Northern Offices during walk-in hours.

For more details, visit the [website](#).

STAFF HANDBOOK AVAILABILITY

In order for staff members to be familiar with the Staff Handbook contents, staff members are required to access and read the staff handbook annually.

The Governing Board recognizes that effective staff performance depends upon successful communication between employer and employees regarding policies, guidelines and work place rules.

This handbook is available online at: <http://www.escoco.org/handbooks/>.

Staff members are encouraged to bookmark this web address for easy reference. Any revisions or alterations to personnel board policy will be reviewed and approved by the ESC of Central Ohio Governing Board and presented to the staff.

PERFORMANCE OF DUTIES

ESC staff members are required at all times to perform their normal duties as assigned by the Superintendent of the Educational Service Center of Central Ohio. Staff that fail to perform their duties when so required will be subject to loss of pay and disciplinary measures in accordance with the policies of this board and the laws of the State.

Section II

Safety & Health Program

ATTENDANCE DURING EMERGENCY SITUATIONS

Classroom Staff

When the schools are open and the students are in attendance, ESC staff is to be in attendance and services for students residing in the school district will be provided.

Central Office Staff

On occasion, the Superintendent may close the ESC of Central Ohio in emergency situations. Daily staff working at the Central Office (2080 Citygate Drive, Columbus), Northern Office (7840 Graphics Way, Lewis Center) or Glenmont Office (470 Glenmont Ave., Columbus) will receive an automated call notifying them of delays and/or cancellations.

A notice also will be posted on the front page of the ESC website (www.escco.org) as soon as possible on days where the administrative offices or events are closed/cancelled.

ESC staff and event attendees may call the Central Office at 614.753.3750 to check on building/event status.

EMERGENCY SAFETY PROGRAM

Safety Committee

The ESC Safety Officer is responsible for developing and coordinating emergency management and safety procedures. The Business Operations Manager is designated as the ESC Safety Officer.

The ESC Safety Officer shall convene an Emergency Management Safety Committee composed of the following representatives:

- Executive Director of Student Services or designee
- Human Resources representative
- Fiscal representative
- Glenmont representative
- Facilities representative
- At least two representatives-at-large

The primary goal of the Emergency Management Safety Committee will be to define, establish, implement, and monitor the emergency safety plan for the ESC. It will be the responsibility of the Committee to determine and review emergency and safety guidelines for the organization. They will seek input from employees about all matters related to safety at the work place.

The Committee will meet periodically and will make recommendations to enhance/improve safety in the ESC facility.

TRAINING

All ESC employees are required to periodically complete emergency safety courses which are provided through PublicSchoolWorks.

Bloodborne Pathogens

- Bloodborne Pathogens are pathogenic microorganisms that are present in human blood and can cause disease in humans. These include, but are not limited to, hepatitis B virus (HBV), hepatitis C virus (HCV), and human immunodeficiency virus (HIV).
- Staff and students incur some risk of infection and illness each time they are exposed to bodily fluids or other potentially infectious materials.
- To reduce the risk to classroom staff and students by minimizing or eliminating staff exposure to incidents to bloodborne pathogens, there is an annual, online training for staff to help avoid the risk and correct procedures for cleaning up body fluid spills as well as for personal cleanup.
- Training is followed by an offer of immunization with Hepatitis B vaccine for all classroom employees who are required to provide first aid to students at no cost to the employee.

Hazardous Material

When a hazard is identified by an employee, the first person who becomes aware of the hazard is competent to eliminate the hazard, and is authorized to do so, and may initiate action to eliminate the hazard. Any such hazard or potential hazard must be promptly reported to the ESC Safety Officer, even if the hazard has been eliminated.

Emergency Plans

The safety and well-being of the staff of the ESC is a priority. Emergencies and disasters can never be predicted; however, plans have been prepared in the event of a disaster to minimize their impact. Existing Emergency Safety Plans for hazards and threats include:

- Lockdown
- Drop, Cover, and Hold
- Building Evacuation
- Fire Safety
- Intruder
- Hostage Situation
- Active Shooter
- Bomb Threat
- Explosion
- Medical Emergency
- Severe Weather
- Terrorism
- Medical Pandemic

Periodic drills will provide personnel with practice in responding to emergency situations should they occur.

Automated External Defibrillators (AEDs)

The ESC recognizes that medical emergencies may occur that justify the use of AEDs, the equipment has been acquired and is maintained for use by qualified/trained staff members. Only those staff members who have received a training certificate will be authorized to use the AED in the event of an emergency. Training on the equipment will occur every two years.

AEDs are maintained and tested in accordance with operational guidelines of the manufacturer and monitored as directed by the Safety Officer.

In addition, the ESC has partnered with the Franklin County Emergency Management and Ohio Homeland Security Groups to participate in simulated emergency events periodically.

EMERGENCY CLOSINGS

The Superintendent may delay opening, close early, or entirely close the ESC in the event of hazardous weather or other emergencies that threaten the safety or health of staff.

Staff members will be notified in the event of emergency closings, delayed openings, or early dismissals.

Section III

General Employment Information & General Employment Policies

GENERAL EMPLOYMENT INFORMATION

NON-DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY

Pursuant to Governing Board Policy 3122/4122, the Educational Service Center of Central Ohio does not discriminate on the basis of race, color, religion, national origin, sex, disability, military status, ancestry, sexual orientation, age or genetic information in its programs and activities, including employment opportunities.

Pursuant to Governing Board Policy 2260, the Educational Service Center of Central Ohio provides an equal opportunity for all students, regardless of race, color, creed, disability, religion, gender, ancestry, sexual orientation, age, national origin, place of residence within the geographic boundaries of the Center's service area, or social or economic background, to learn through the curriculum offered by this Center.

THE GENETIC INFORMATION NON-DISCRIMINATION ACT (GINA)

The ESC of Central Ohio directs all employees not to provide any genetic information in response to requests for medical information, including but not limited to FMLA medical certification or recertification. "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

SECTION 504/ADA

The Governing Board prohibits discrimination against any employee or applicant based upon his/her disability. As such, the Board will not engage in employment practices or adopt policies that discriminate on the basis of disability, or otherwise discriminate against qualified individuals with disabilities in regard to job application procedures, the hiring, advancement or discharge of employees, employee compensation, job training, or other terms, conditions and privileges of employment. The Board further will not limit, segregate or classify applicants or employees in any way that adversely affects their opportunities or status because of disability. Additionally, the Board will not participate in any contractual or other relationships that have the effect of subjecting qualified individuals with disabilities who are applicants or employees to discrimination on the basis of disability.

The Board will provide a reasonable accommodation to a qualified individual who has an actual disability or who has a record of a disability, unless the accommodation would impose an undue hardship on the operation of agency programs and/or activities. A reasonable accommodation is not required for an individual who is merely regarded as having a disability.

Center Compliance Officer

The following person is designated as the Center Section 504 Compliance Officer/ADA

Coordinator ("Center Compliance Officer"):

Deputy Superintendent
2080 Citygate Drive
Columbus, OH 43219
P: 614.542.4127 | f: 614.445.3767

The Center Compliance Officer is responsible for coordinating the Center's efforts to comply with and fulfill its responsibilities under Section 504 and Title II of the Americans with Disabilities Act, as amended ("ADA"). A copy of Section 504 and the ADA, including copies of their implementing regulations, may be obtained from the Center Compliance Officer.

The Center Compliance Officer(s) will oversee the investigation of any complaints of discrimination based on disability, which may be filed pursuant to the Board's adopted internal complaint procedure, and will attempt to resolve such complaints. The Board will provide for the prompt and equitable resolution of complaints alleging violations of Section 504/ADA.

JOB DESCRIPTIONS

Job descriptions for the positions of superintendent and treasurer which report directly to the ESC of Central Ohio Governing Board shall be defined as policies of the ESC of Central Ohio Governing Board. All other job descriptions shall be defined as administrative guidelines and will be originated and maintained in accordance with the provisions specified in the bylaws of the ESC of Central Ohio Governing Board.

Staff assigned to districts or agencies shall follow the job descriptions, school calendar, school day, policies and procedures of that district or agency.

APPLICANT/EMPLOYEE CRIMINAL RECORD AND DISCLOSURE OF CRIMINAL CONVICTION

To safeguard students and staff members, the ESC of Central Ohio requires a criminal background check of every applicant the Superintendent recommends for employment as a certificated/licensed or non-certificated/licensed staff member, as well as for current employees no less than every 5 years. This includes all substitute employees and persons employed on a part-time basis. This investigation shall be conducted in accordance with Section 109.572 and Section 3319.39 of the Ohio Revised Code. The Superintendent shall establish such procedures as he or she deems necessary for obtaining information from the Bureau of Criminal Identification and Investigation (BCII) and from the Federal Bureau of Investigation (FBI). To facilitate such inquiries, the employee, at his/her own expense, must furnish documentation according to the Ohio Revised Code.

Staff members determined by virtue of a criminal records check to have pled guilty to or have been convicted of any disqualifying offense as enumerated under the Ohio Revised Code or who are otherwise determined to have engaged in conduct unbecoming the educational profession are subject to the mandatory reporting requirements set forth in Board Policy 8141, in addition to

the initiation of an action by the Board to terminate their employment.

The ESC of Central Ohio, in its sole discretion, may employ or continue to employ a person convicted of one of the foregoing offenses if the individual has conclusively demonstrated mitigating circumstances or evidence that he or she has been rehabilitated. No person shall be employed or shall continue to be employed who, by virtue of his/her criminal record, is a danger to pupils or staff or is an inappropriate role model for students. Falsification of any information on an employment application shall result in disqualification from or termination of employment.

PERSONNEL FILE ACCESS

A current employee who wishes to review the allowable contents of his or her own personnel file should contact the ESC Office of Human Resources with 48 hours' notice.

Personnel files must be reviewed in the presence of a Human Resources staff person. No part of the personnel file may be removed from the office by the employee.

Photocopies of the file, or portions of the file, may be requested by the employee. Within reason, the Human Resources staff person will provide photocopies. For extensive copying, the employee will need to pay for the photocopies. Only Human Resources staff or other approved staff will be allowed to copy any portion of a personnel file.

CERTIFICATION / LICENSURE

Employees working in positions for which a certificate/license is required must provide a valid certificate/license to the ESC of Central Ohio Office of Human Resources. It is the employee's responsibility to maintain proper certification/licensure and to initiate the renewal process in sufficient time to receive the updated certificate/license prior to the expiration of the present certificate/ license.

All certificated/licensed staff members must complete and keep current their Individual Professional Development Plans (IPDP) and must submit such plans to the Local Professional Development Committee (LPDC) for approval. Records of all continuing education units and college/university credits must also be submitted to the LPDC.

LOCAL PROFESSIONAL DEVELOPMENT COMMITTEE | LICENSURE RENEWAL

The purpose of the Educational Service Center of Central Ohio Local Professional Development Committee (LPDC) is to review and approve the course work and other professional development

activities proposed and completed by administrators and educators employed by the Educational Service Center of Central Ohio Governing Board. The LPDC also determines if the requirements for the renewal of certificates or licenses under *Ohio's Teacher Education and Licensure Standards* have been met. Staff members should refer to the LPDC's Plan of Operation, published every August, for complete details concerning the procedures for renewal. ESC licensed program staff will use the ESC of Central Ohio-LPDC to review and approve professional activities and to process licensure renewals. Contracted professional staff may work through their district of assignment's LPDC or the ESC of Central Ohio-LPDC.

Staff shall submit professional development plans and request pre- approval of professional activities via Frontline Education's Professional Growth (formerly MyLearningPlan). Frontline Education's Professional Growth may be accessed via the Educational Service Center of Central Ohio's website by going to <http://www.escco.org/intranet>.

EDUCATIONAL AIDE PERMITS

Individuals employed in positions requiring an educational aide permit must have a valid permit in order to work. Individuals who do not have a current, valid permit at the time of initial employment may begin work, providing:

- 1) The individual has applied to the Ohio Department of Education for a permit as verified by the ODE Office of Teacher Licensure, and
- 2) The individual has successfully passed BCI and FBI background checks

Individuals starting without a permit in hand who have met the above requirements may start in their position but will be paid at a substitute aide rate until receipt of their educational aide permit.

Once the permit has been received, pay will be retroactive to the first day worked. If an education aide permit is not received within 60 days from the first day worked, the employee will have to stop working and will receive no pay until they have received their educational aide permit. Failure to obtain proper licensure is grounds for termination.

REQUIRED SAFETY / COMPLIANCE TRAINING

As part of the ESC's ongoing program to meet its safety commitment, comply with regulatory requirements, and contain health care costs, all employees must complete required safety/compliance training courses, when they first start working for the ESC and periodically thereafter. These courses are available through the PublicSchoolWORKS online training system and need to be completed during designated training periods. Elective trainings may be completed at the convenience of employees.

Employees will receive an email notice regarding their required trainings twice each year. This email will contain an Internet link to the online training.

The PublicSchoolWORKS system will track employee training and automatically notify those who have not completed the courses. Supervisors will also be sent reports that will show employees who have not completed the training.

Required training courses will be determined based upon an employee's position, whether they are school-based or are a new employee. Some courses will be required on an annual basis while others are required to be retaken on a two-year or five-year schedule.

Current Safety/Compliance Training Courses:

- Bloodborne Pathogens
- CIPA – Media Literacy and Digital Safety
- CIPA media Literacy and Digital Safety for Students
- Discriminatory Harassment – Identification and Response
- Electrical Safety
- EMIS Tips for Student Services Staff
- Employee Handbook
- ESCCO Electronic Data Security
- Fire Safety
- Hazard Communication for School Employees
- HB 276 – Module 1 – Preventing Child Abuse and Human Trafficking
- HR 276 Module 2 – Depression and Self-Destructive Behavior
- HB 276 – Module 3 – School Violence
- HB 276 Module 4 – Substance Abuse Prevention
- HR 276 – Module 5 – Positive Youth Development
- Hepatitis B Vaccine Consent/Wavier/Request
- Lockout/Tagout
- Lockout/Tagout Awareness
- OH School Van Driver Training
- Ohio Ethical Use of Tests
- Ohio Ethics Law
- PE Safety
- Reporting Fraud – Ohio
- Science Lab Safety
- Stipend Staff Acceptable Use Board Policy

This listing of required safety/compliance training courses is subject to customization based on your assignment and subject to change as new required trainings may become mandated by state and/or federal law.

GENERAL EMPLOYMENT POLICIES

ATTENDANCE

Attendance is an essential aspect of every position in the ESCCO. This attendance policy is designed to create an agency wide standard regarding attendance and leave usage. Additional details regarding specific forms of leave are provided in the *Leave of Absence* section of this handbook.

WORK HOURS

The minimum workweek for fulltime employees is 30 hours.

Employees are expected to adhere to their specified work schedule, report to work on time every scheduled work day, and present in their assigned work area, ready to begin work at the start of the work day.

Timesheet employees must accurately report actual time worked and will be compensated for hours worked.

Any modifications to work schedules including overtime, flex time, or leaves of absence must be requested and approved in advance. Exceptions to this general policy are: unexpected illness or emergency situations.

CALL-IN PROCEDURE

In the event of unanticipated absences, including sickness or tardiness, employees must call and speak directly to their immediate supervisor as soon as possible, but no later than fifteen (15) minutes after the start of their shift. Text messages will not be deemed an acceptable form of communication.

Failure to follow proper call-in procedure may result in disciplinary actions and/or unauthorized leave without pay.

TARDINESS

Tardiness is defined as reporting to work late at the beginning of the work shift, leaving early or returning late from a lunch break, or leaving work early at the end of the work day, all without approval.

Tardiness will result in unauthorized leave without pay, unless leave with pay is approved by the supervisor for extenuating circumstances.

Excessive tardiness will result in appropriate disciplinary action.

OCCURRENCES

An "occurrence" is defined as a single absence consisting of a single or consecutive time periods. The

following accumulations of occurrences may be deemed to be excessive:

- Three (3) or more occurrences of sick leave in any 30-day period.
- Five (5) or more occurrences of sick leave within a contract year, for 9/10 month employees.
- Seven (7) or more occurrences of sick leave within a contract year, for 11/12 month employees.

Employees may be required to submit documentation from a health care provider after each occurrence of sick leave if their sick leave usage is considered excessive.

For an occurrence of five (5) or more consecutive work days, employees must submit a doctor's note upon their return to work.

Employees who call in sick after they have requested and been denied vacation or personal leave will be required to submit a doctor's note.

UNAUTHORIZED LEAVE WITHOUT PAY

Unauthorized leave without pay may result from the following situations:

- Failure to follow call in procedure to report an absence or tardiness
- Failure to submit medical documentation when requested
- Where the employee's tardiness is not justified or approved by the supervisor for paid leave
- Failure to report to work as scheduled, and/or call in to report their absence ("No call no show")

JOB ABANDONMENT

Failure to report to work as scheduled, and/or call in to report an absence ("No call no show") for five (5) consecutive work days shall be deemed Job Abandonment.

Job Abandonment is grounds for termination.

FINAL NOTE

The ESC of Central Ohio will make every effort to accommodate leave requests submitted appropriately and in a timely manner. However, abuse of leave, failure to report to work as scheduled or a pattern of unscheduled and/or excessive absences or tardiness constitute unsatisfactory attendance for which appropriate disciplinary action may result, up to and including dismissal. Also, time worked and leave must be accurately reported. Falsification, including a pattern of failure to properly report absences, will not be tolerated under any circumstances, and will result in disciplinary action up to and including dismissal.

STAFF MEETINGS

Staff meetings will be periodically called throughout the school year by the Superintendent, supervisor, or building principal. Staff members will be expected to attend these and all meetings pertaining to the ESC/building assignment. Exemptions will need to be approved by the

supervisor or Superintendent.

STAFF DRESS AND GROOMING

ESC of Central Ohio staff members are role models for students and co-workers with regard to dress and grooming. The ESC of Central Ohio retains the authority to address the dress and grooming guidelines and/or individual staff members where dress and/or grooming are deemed objectively inappropriate or will have an adverse impact on the operation of the educational service center and its programs.

TECHNOLOGY AND COMMUNICATION

GUIDELINES FOR USE OF TECHNOLOGY / INTERNET

The Educational Service Center of Central Ohio provides technology (i.e., computers, network access, email, voice mail) for the use of staff members to enhance each person's capacity to perform his/her duties. Each staff member is expected to exercise judgment when using these technologies and the Internet. The use of board-owned technology for excessive personal purposes, monetary gain, discriminatory, or unlawful activities is strictly prohibited. ESC of Central Ohio staff members are required to adhere to the Acceptable Use (Technology/Internet) Policy as follows and as outlined in Board Policy [7540.04](#) when utilizing the organization's technology and/or network. ESC staff are also required to review and adhere to the agency's Inter/Intranet Content Policy before posting information on ESC public or internal websites.

Network Privacy and Acceptable Use Policy for Staff Members

It is the intention of the ESC to protect the privacy of staff members who use ESC computers, computer networks, telephone systems (including wireless phones and VoIP), and electronic messaging systems (collectively, "the systems"), to the maximum extent possible given the operational and security needs of the ESC. The purpose of this Acceptable Use Policy is to identify the limitations on this privacy and the general restrictions applying to the use of the systems of the ESC.

Acceptable and Unacceptable Uses

The systems of the ESC are intended for educational uses and work-related communications. Incidental use of the systems by staff members for personal communications should be limited in number, initiated during non-work periods, not incur a cost to the ESC and not interfere with the primary intended uses of the systems. While not a complete list of unacceptable uses, the following are uses which are unacceptable under any circumstances:

- The transmission of any language or images which are of a graphic sexual nature.
- The transmission of jokes, pictures, or other materials which are obscene, lewd, vulgar, or disparaging of persons based on their race, color, sex, age, religion, national origin, disability, military status, ancestry, genetic information or sexual orientation.
- The transmission of messages or any other content which would be perceived by a reasonable person to be harassing or threatening.

- Uses that constitute defamation (libel or slander).
- Uses that violate copyright laws.
- Uses that attempt to gain unauthorized access to another computer system or to impair the operation of another computer system. (For example, the transmission of a computer virus or an excessively large e-mail attachment.)
- Any commercial or profit-making activities.
- Any fundraising activities, unless specifically authorized by the ESC Governing Board.

Security and Integrity

Staff members shall not take any action which would compromise the security of any of the systems. This would include the unauthorized release or sharing of passwords and the intentional disabling of any security features of the systems. Staff members shall not take any actions which may adversely affect the integrity, functionality, or reliability of any computer (for example, the installation of hardware or software not authorized by the Technology Officer or Executive Director).

Staff members shall report to the Technology Officer any actions by staff or students which would violate the security or integrity of any of the systems whenever such actions become known to them in the normal course of their work duties. This shall not be construed as creating any liability for staff members for the computer-related misconduct of students.

Right of Access

Although the ESC respects the natural desire of all persons for privacy in their personal communications and will attempt to preserve this privacy whenever possible, the operational and security needs of the ESC's systems require that full access be available at all times. The ESC therefore reserves the right to access and inspect any computer, device, or electronic media within its systems and any data, information, or messages which may be contained therein. All such data, information, and messages are the property of the ESC and staff members should have no expectation that any messages sent or received on the ESC's systems will remain private.

INSTALLATION OF SOFTWARE / HARDWARE

Where staff members find it necessary to install specialized software / hardware onto ESC owned equipment, approval must be received from the staff member's immediate supervisor and the Office of Information Technology, prior to installation.

INFORMATION SECURITY

The Educational Service Center collects, classifies and retains data/information from and about students, staff, vendors/contractors and other individuals, about programs and initiatives undertaken by the school system, and about and related to the business of the agency.

Data/Information collected by the ESC of Central Ohio shall be classified as confidential, controlled or published.

Protecting agency information resources is of paramount importance. Information security requires everyone's active participation to keep the agency's data/information secure. When working from home, staff members should take extra care to ensure the confidentiality of sensitive agency data is maintained. All provisions of the Network Privacy and Acceptable Use Policy (AUP) apply when accessing agency resources from home.

Individuals who are granted access to data/information collected and retained by the agency must follow established procedures so that the information is protected and preserved. All staff members are required to certify annually that they shall comply with the information security protocols pertaining to confidential data/information by agreeing to the terms of the Staff Technology Acceptable Use Policy by signing this handbook.

DATA SECURITY

Student or staff data files should not be saved onto any computer other than an agency issued desktop computer, laptop computer, or an agency-issued storage device cloud storage account or storage device. Student or staff data files should never be stored on a personal cloud storage account or personal storage devices. Working from home is no exception to this rule. Encryption is the most effective way to achieve data security. When using any ESC-issued external storage device to store student or staff data, the device must be encrypted. Encryption is the process of transforming data into code which is unreadable by anyone who does not possess a special key (or password). To read an encrypted file, you must have access to the key that enables you to *decrypt* it. Staff with questions about whether or not a device is encrypted should contact the ESC Help Desk at help.desk@escoco.org.

ELECTRONIC SIGNATURES

"Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record. Through your signature of the Handbook Acknowledgement Form, you acknowledge and agree that electronic signatures are governed by the Uniform Electronic Transactions Act, and that you and the ESC both intend that the Act apply to the fullest extent possible to validate the ESC's ability to conduct business with you by electronic means. Pursuant to the Act, a record or signature may not be denied legal effect or enforceability solely because it is in electronic form.

AUTHORIZATION TO ACCEPT AND DISTRIBUTE ELECTRONIC RECORDS AND USE ELECTRONIC SIGNATURES

Unless a provision of law enacted after September 14, 2000, specifically prohibits the use of an electronic record for the specified purpose, the ESC-COG Board authorizes the acceptance and

distribution/transmission of electronic records and electronic signatures to and from the ESC of Central Ohio staff and other persons, as well as between ESC staff members. The ESC-COG Board further authorizes ESC staff to create, generate, send, communicate, receive, store, process, use and rely upon electronic records and electronic signatures.

Ohio Revised Code: Chapter 1306; adoption November 16, 2012.

E-MAIL

All ESC staff will be provided an ESC account to access ESC resources (e.g., ourESC, e-mail). In addition, staff are responsible for maintaining log-in credentials, and contacting the ESC Help Desk staff if there are any questions about their account. Staff are responsible for checking ESC provided e-mail account. Staff may elect to maintain an alternative district or agency e-mail address. Those who choose to do this are responsible for notifying the Center of Technology of the alternative contact e-mail, by completing the District Email Forwarding Request form located on the Staff page of the ESC website.

The ESC of Central Ohio is required to meet compliance standards related to personnel, such as open enrollment of benefits, the Affordable Care Act, state and federal regulations on training and tracking leave.

As such, as a condition of employment, all employees of the ESC of Central Ohio, regardless of work assignment location, are now required to use the ESC email system to receive important information about payroll, benefits, leave and other compliance issues.

Failure to regularly monitor your ESC email could result in failure to complete mandatory training, choose benefits or make adjustments to benefits during the open enrollment period and not having leave requests approved in a timely manner. Failure to comply with some of these items may impact your employment and payroll status.

If you have not established your ESC email account or if you have forgotten your user name or password, you must contact the ESC help desk by calling 614-542-4159.

It is understood that there may be some duplication based on the host district requirements, but please understand the requirements you receive through the ESC, via our email system, are requirements of your employer. You are required to fulfill conditions of your employment through the ESC.

SOCIAL MEDIA

The Educational Service Center of Central Ohio recognizes the importance of social media for its employees. However, use of social media by employees may become problematic if any of the following outcomes occur:

- Interference with the employee's work

- Channel used for harassing co-workers or clients
- Creation of a hostile work environment
- Violation of laws or regulations

The ESC encourages employees to use social media within the parameters of the following guidelines and in a way that does not produce the adverse consequences mentioned above. ESC participates in social media only through official authorized ESC channels. Only employees specifically authorized by ESC may speak on its behalf through these channels. If you are uncertain about the appropriateness of a social media post, check with the ESC communications team.

As used in this guideline, “social media” includes, but is not limited to, blogs, forums and social networking sites such as LinkedIn, Twitter, Facebook, Pinterest, Instagram, YouTube and Google+.

The following requirements apply to all social media posts by employees:

- All postings on social media must comply with the ESC privacy policy. If you are unsure about the confidential nature of information you are considering posting, you should first review the ESC privacy policy and then consult the ESC communications team.
- Only those designated as content providers are authorized to contribute on behalf of the ESC. Keep in mind you are representing the ESC to a large external audience.

Only employees designated as members of the ESC social media team may respond to client and media questions and concerns received through social media. The ESC has a designated team to respond to client service inquiries. If you are concerned someone has not received a response from a social media inquiry, please contact the ESC communications team.

- Comply with copyright laws, and cite or reference sources accurately.
- Do not post or otherwise disclose confidential or proprietary ESC material on a social media site.
- We encourage you to direct complaints or concerns about your job or working environment to your management team, rather than through social media.
- To ensure that the ESC communicates with the media in a consistent, timely and professional manner about ESC matters, all inquiries from journalists or the news media that are directed to ESC should be directed to the ESC communications director.
- All requests for employment or vendor references or recommendations, even those that are received through social networking, should be directed to the human resources department to handle in accordance with ESC standard procedures of responding to official reference requests.
- Any social media account established or used by the ESC, including login and password information, is ESC property.
- Managers and senior leadership must, by virtue of their positions, consider whether

personal thoughts they publish may be misunderstood as expressing ESC positions.

- All ESC policies apply to social media activity including, but not limited to, policies related to illegal harassment, code of conduct, nondisclosure, and protecting confidential and/or proprietary information as defined in the Employee Handbook and the Authorized Usage Policy (AUP).
- Please note that this guideline applies even if your social networking is anonymous or under a pseudonym. If you engage in such social networking, and violate this policy, the ESC may take steps to determine your identity.
- Do not refer to clients by name. Remember, there are privacy policies that protect client information from disclosure without their permission.

Unless you are authorized to speak on behalf of the ESC, do not use your ESC email address when registering or posting on personal social media networks. Violation of this guideline or associated policies may lead to discipline up to and including the immediate termination of employment. At no time will this guideline or associated policies be interpreted or applied in such a way as to interfere with any employee rights or protections under applicable local, state or federal law, , nor will any employee be disciplined for engaging in any legally protected activity.

COMPLIANCE

Employees of the ESC are expected to comply with the Network Privacy and Acceptable Use Policy for Staff Members. Access to the systems is a privilege which may be withdrawn in the event of noncompliance with the above Policy. Disciplinary and/or legal actions may be taken for violation of this Policy.

TELEPHONES

Telephones, including cell phones, are for use in performing official duties. Personal use of all ESC of Central Ohio telephones should be considered a privilege and used accordingly, i.e., in a very limited fashion. Employees using telephones should answer promptly, politely, and speak in a clear and pleasant tone.

COMMUNICATIONS ALLOWANCE

Recognizing the need for thorough and effective communications, the Governing Board shall provide a monthly allowance for communication expenses and Internet connectivity expenses for employees outlined in board policy or recommended to be eligible by the Superintendent. Governing Board Policy 7530.01 outlines rates and eligibility/usage guidelines and policies and procedures regarding use. The Governing Board requires that each staff member receiving the allowance provide his/her cellular phone number to the Office of Human Resources. Recipients must be accessible by telephone for Center business and exigencies when the need arises.

PUBLIC RECORDS

"Records" include any document, device, or item, regardless of physical form or characteristic, created or received by or coming under the jurisdiction of any public office of the state or its political subdivisions, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office.

With few exceptions, documents created in the course of business of a public office are considered to be public records. Pursuant to Ohio's Sunshine Laws, all records are considered to be the property of the public office, and must be delivered by outgoing officials and employees to their successors in office. Improper destruction or damage of a record is a violation of O.R.C. 149.351.

Records in ESC of Central Ohio e-mail accounts and private e-mail accounts used to conduct ESC business may be public records (defined below) and thus, subject to public records requests. E-mail is a means of transmitting messages and information. In order to determine whether or not an e-mail message is a public record, the content of e-mail messages must be evaluated. As such, all employees or representatives of the Center shall retain e-mails they create and receive that meet the definition of a public record, in accordance with the ESC records retention schedule.

The ESC of Central Ohio reserves the right to archive any and all e-mail messages sent and/or received from the ESC e mail system. In the case of private e-mail accounts used to conduct public business for the Center, staff should copy them to their ESC of Central Ohio e-mail accounts.

Visit <http://www.escco.org/wp-content/uploads/2015/08/records-retention.pdf> to view and download a copy of the ESC's record retention schedule.

INTELLECTUAL PROPERTY

All books, materials, devices, or products that result from the paid work time and/or prescribed duties of ESC staff members shall be considered work product and remain the property of the Board. The Board shall retain all rights and privileges pertaining to the ownership thereof. Therefore, the removal of such property without the express consent of the owner or a person authorized to give consent, constitutes theft. See, O.R.C. 2913.02(A)(1).

CONFIDENTIALITY

All staff members must at all times remember that by working with children with disabilities all information pertaining to an individual child is considered confidential. Legally, all children with disabilities have the right to confidentiality. This is very important to remember while working with professionals outside ESC programs, as well as with parents. Breach of confidentiality may lead to disciplinary action by a program administrator or supervisor, as well as legal liability. Protect yourself by sharing only the necessary information for successful mainstreaming. For any further clarification, consult with your immediate supervisor.

Staff members who have responsibility for dealing with personnel files and/or personal information, whether electronic or in hard copy, also must adhere to a confidentiality standard. It is important

to remember that sharing of certain information may be a violation of board policy, State, and/or Federal laws. Where deemed inappropriate such violations may lead to disciplinary action as well as legal liability.

MANDATORY REPORTING

REPORTING SUSPECTED CHILD ABUSE AND NEGLECT

Section 2151.421 of the Ohio Revised Code requires **all school employees** (includes all ESC of Central Ohio employees) who “know or suspect that a child under 18 years of age or a mentally retarded, developmentally disabled, or physically impaired child under 21 years of age has suffered or faces a threat of suffering any physical or mental wound, injury, disability or condition of a nature that reasonably indicates abuse or neglect of the child **shall immediately report** that knowledge or suspicion to the Children Services Board, the County Department of Human Services exercising the children services function, or a municipal or county peace officer in the county in which the child resides or in which the abuse or neglect is occurring or has occurred.”

The Educational Service Center of Central Ohio is concerned with the physical and mental well- being of the children it serves and will cooperate in the identification and reporting of cases of suspected child abuse and/or neglect in accordance with the law. Each employee of this service center, who has reasonable cause to suspect child abuse and/or neglect, **shall be personally responsible for immediately reporting the information to Central Ohio Children’s Services Intake ((614) 229-7000)** or a municipal or county peace officer in the county in which the child resides or in which the abuse and/or neglect is occurring or has occurred.

A quality report/referral typically includes: the name(s) and address(es) of the child(ren) and parent(s) or person(s) having custody of the child(ren); the child(ren)’s age(s) and birth date(s); the observable/factual information regarding the nature and extent of the suspected abuse and/or neglect; and any other first-hand/factual information that may be helpful.

REPORTING STAFF INJURIES OR ACCIDENTS WITHIN 24 HOURS

All injuries or accidents involving ESC of Central Ohio employees must be reported to the employee’s supervisor IMMEDIATELY by telephone or in person and followed up the same day with a written report using the [ESC of Central Ohio Employee Injury/Accident Report form](#). Alternate accident/injury forms are not acceptable.

Within 24 hours of the accident or injury, this report must be sent to the ESC of Central Ohio Business Services Office. The report should be as detailed as possible and contain all requested information.

Please also see Workers’ Compensation.

WEAPONS / THREATS OF VIOLENCE

Possession of by staff members or threats of violence made by staff members shall result in appropriate disciplinary action, up to and including termination.

Staff members shall report any information concerning weapons and/or threats of violence by students, staff members, or visitors to the appropriate building or central office administrator. Failure to report such information may subject the staff member to disciplinary action, up to and including termination. Where there is a threat of immediate physical harm, local law enforcement should be contacted.

WORK HOURS

The standard work week is 37.5 hours, Monday through Friday, with hours at 2080 Citygate Drive being from 8 a.m. to 4:30 p.m. with an hour lunch break. It is of vital importance that ESC of Central Ohio staff members be accessible to both internal and external customers during normal business hours. Therefore, all plans to leave prior to the end of the normal business day due to a staff member taking an abbreviated lunch period, adjusting when lunch is taken or arriving prior to the start of the normal business day must be approved in advance by the staff member's immediate supervisor.

BREAKS

To maintain the 37-1/2 hour work week, employees do not receive specified break periods. However, employees are free, within reason, to bring beverages to enjoy at their desk. Abuse of this privilege may result in the privilege being revoked or disciplinary action being taken.

COMPENSATORY TIME / OVERTIME

NON-TEACHING, NON-ADMINISTRATIVE EMPLOYEES

Note: Both Compensatory Time and Overtime are available solely to those staff members who are Non- Exempt from the Fair Labor Standards Act (FLSA). Although often closely aligned with job title and job classification, determination of Exempt/Non-Exempt status may require individual analysis. As a general rule, Administrators are considered to be Exempt employees.

COMPENSATORY (COMP) TIME

Compensatory time; or comp. time refers to an arrangement that allows non-exempt employees to take time off for hours worked beyond **forty (40) hours** in a work week as articulated by federal law. Non-Exempt staff may accrue and utilize comp time only when requested in advance and approved by their immediate supervisor. Those individuals who may approve comp time include: Superintendent; Treasurer/CFO, Deputy Superintendent, center directors, program directors, and others as authorized by the Superintendent and/or Treasurer/CFO.

Upon request and approval, employees may coordinate with their immediate supervisor to take paid time off for any hours worked beyond forty (40) hours in a given work week. Comp time will be earned at a ratio of one and one-half (1-1/2) the number of hours worked beyond forty (40). Comp time must be used within 30 days of accrual (or before the end of the current contract year if less than 30 days remain in the current contract year), or be paid out.

OVERTIME

Overtime is earned at a ratio of one and one-half (1-1/2) the employee's regular rate of hourly pay for any hours worked beyond the regular forty (40) hour week. The calculation of hours worked shall exclude all forms of official leave. Overtime hours are not to be worked without prior approval from an immediate supervisor.

COLLEGE FLEX TIME

The ESC of Central Ohio Governing Board and administration support all staff in their pursuit of higher education and retraining. On occasion, critical courses required for progress toward a degree are not offered during evening, weekend, or vacation periods, resulting in employees needing to flex their work schedules to attend class during regular working hours.

The following administrative guidelines will be used in considering staff requests for college flex time:

- The staff member's ESC of Central Ohio job must be the top priority.
- The staff member's immediate supervisor must assure that the use of college flex time will not have an adverse effect on the employee's primary job responsibilities at the ESC.
- The staff member must clearly demonstrate that the course is not being offered during evening, weekend, or vacation periods, thus requiring attendance during regular working hours.
- The staff member must clearly demonstrate that the course is critical to his/her progress towards a degree or additional certification/licensure that will directly benefit staff member's job at the ESC.

Course work focused on career change outside the ESC of Central Ohio is not eligible for college flex time. Career change course work must be scheduled during an employee's time – evenings, weekends, or vacation periods.

A maximum of one course per quarter or semester will be permitted under college flex time. Staff member requests for college flex time will be considered on a case-by-case basis following the chain-of-command with the ESC of Central Ohio Superintendent having the final decision. Requests for college flex time (reduced contract period) by contracted staff members shall be made to the staff member's immediate supervisor in the staff member's district or agency of assignment.

REDUCED CONTRACT PERIOD REQUESTS

The ESC of Central Ohio requires that each staff member complete the school year for which s/he has contracted. Any request for early release from responsibilities should be made to his/her immediate supervisor as early as possible giving full particulars. Requests for reduced contract period by contracted staff members shall be made to the staff member's immediate supervisor in their district or agency of assignment. A decision will be based on the impact on the students and the operation of center/school relative to the need of the professional staff member.

If a staff member is granted early release, his/her salary will reflect days worked only. Pay deductions shall be based on a prorated amount of the annual salary for each day not worked. Fringe benefits and vacation days shall also be adjusted on a prorated basis.

It is important to note that mere willingness to lose pay does not permit one to be absent arbitrarily. Early release will only be granted when the interests of the ESC of Central Ohio are not seriously jeopardized.

The same provisions shall apply when a staff member desires to start work at a date later than the contracted date.

CONFLICT RESOLUTION

CONFLICT RESOLUTION / GRIEVANCE PROCEDURE

It is the policy of the Governing Board to develop and practice reasonable and effective means of resolving difficulties which may arise among employees, to reduce potential areas of grievances, and to establish and maintain recognized two-way channels of communication between employees.

The Board intends in this grievance policy to expedite the process for all parties concerned.

There shall be no reprisals of any kind taken against any employees or their representatives because of participation in a grievance or support thereof, and under no circumstances will the procedure constitute a reflection on the employment record of the grievant nor shall the grievant or his/her representative conduct reprisals against the Board.

For purposes of this policy, the terms used herein shall have the following definitions:

Grievance: A grievance is any unresolved problem

Grievant: A grievant may be one or more employees of the Educational Service Center of Central Ohio

Conferee: A conferee is a representative chosen by the grievant

A Day: A day is any day that the ESC Central Administrative offices are open for business

Alleged grievances should be discussed in a private, informal conference between the parties involved, unless the issues involved make such conferences inappropriate.

Where applicable, at least two (2) such private meetings should take place between the parties before the grievance procedure is invoked.

The time limits provided in this policy may be extended by mutual written agreement of the parties. Any decision not appealed within the time limits established by this policy to move from one level to the next level in the grievance policy shall be considered settled on the basis of the last decision and not subject to further appeal.

Level One

Within ten (10) days after the occurrence of the act or omission giving rise to the grievance, the grievant must present his/her grievance in writing to the administrator/supervisor with immediate administrative responsibilities for the position to which the complainant is assigned.

This statement shall be a clear concise statement of the grievance.

Copies of this statement may be sent to the conferees.

Within ten (10) work days, the administrator shall communicate his/her decision to the employee in writing.

Level Two

Either party to the grievance shall have the right to request a personal conference in order to resolve the grievance. Either party may request the presence of one (1) conferee.

In the event the employee is not satisfied with the decision at Level One, he or she may appeal the decision in writing to the deputy Superintendent within ten (10) days after receiving it.

This written statement shall include:

- A copy of the original grievance
- The decision rendered
- The name of the appellant's conferee, if any
- A clear, concise statement of the reasons for the appeal from the decision.

The responding administrator shall communicate the decision to the grievant within (10) days.

Either party in the appeal may request a personal conference within the above time limits. If the decision has not been rendered within the time limits, the grievant may appeal to the next level.

Level Three

Within ten (10) work days after receiving the decision of the administrator at Level Two, the grievant may, on his/her own, or with his/her conferee appeal the decision of Level Two to the Superintendent. The appeal shall be in writing and shall be accompanied by a copy of the decisions of Level One and Level Two.

Within ten (10) work days after delivering of the appeal, the Superintendent shall submit his/her decision, in writing, together with the supporting reasons, to the grievant and the administrators involved.

Level Four

Within ten (10) work days after receiving the decision of the Superintendent, the grievant,

may, on his/her own, or through a conferee, appeal the decision in writing to the Board.

The Board shall schedule the matter for a hearing at an executive session to be held at the next regularly scheduled Board meeting. The grievant and/or his/her conferee shall be present at the hearing.

Within (10) work days, the Board will submit its decision in writing together with supporting reasons to the grievant. A copy shall be furnished to the administrators/supervisors involved and the Superintendent.

The decision of the Board is final.

STAFF DISCIPLINE

Whenever it becomes necessary to discipline a member of the staff, the Governing Board directs the Superintendent to utilize a progressive discipline procedure described in the Superintendent's administrative guidelines. Such guidelines are developed to ensure due process procedures throughout the investigation and disciplinary procedure. All matters that could involve dismissal from the District must be dealt with in accordance with O.R.C. 3319.16 or O.R.C. 3319.081.

In accordance with O.R.C. 3319.01, the Superintendent may reassign employees.

The Board authorizes the Superintendent to suspend a professional employee without pay up to five (5) working days. Longer suspensions require Board approval.

If it appears that disciplinary action may involve termination, the Superintendent shall determine the appropriate procedure and inform the Board president who will decide if a report should be made to the Governing Board in executive session. A staff member may request to address the Board in open session.

UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

The Uniformed Services Employment and Reemployment Rights Act (USERRA) protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

The ESC of Central Ohio Governing Board adheres to the rights outlined in the USERRA and Ohio law.

AUDITOR OF STATE | FRAUD REPORTING SYSTEM INFORMATION

Fraud Reporting - General Provisions:

If an employee of a public office becomes aware in the course of employment of a violation of state or federal statutes, rules, or regulations or the misuse of public resources, and the employee's supervisor or appointing authority has authority to correct the violation or misuse, the employee may file a written report identifying the violation or misuse with the supervisor or appointing authority. In addition to or instead of filing a written report with the supervisor or appointing authority, the employee may file a written report with the office of internal auditing created under section 126.45 of the Revised Code. ORC 124.341(A)

Whistleblower Protection:

No officer or employee of the public office shall take any disciplinary action against an employee for making any report authorized by division (A) of this section. ORC 124.341(B)

Reporting False Information:

An employee is subject to disciplinary action, including suspension or removal, as determined by the employee's appointing authority, for purposely, knowingly, or recklessly reporting false information under division (A). ORC 124.341(C)

Reporting Methods:

SEND a written complaint via U.S. Postal Service:

Ohio Auditor of State's Office
Special Investigations Unit
88 East Broad Street
Box 1140
Columbus, OH 43215

-or- CALL the SIU Fraud Hotline: 1-866-FRAUD OH -or- SUBMIT online at:
www.auditor.state.oh.us/fraudcenter/default.htm

Section IV

Discouraged/Prohibited Activities and/or Behaviors

DRUG-FREE WORKPLACE

Pursuant to Governing Board Policies 3122.01/4122.01, the ESC of Central Ohio provides a drug- free workplace. Drug or alcohol use in the workplace is strictly prohibited. The ESC of Central Ohio will enforce a policy requiring all employees to refrain from the unlawful manufacture, dispensation, use, sale, purchase, possession, or being under the influence of drugs or alcohol at the workplace.

Workplace means on the job, on employer premises during working hours, extracurricular hours, or on or while using employer equipment. Employees who fail to comply with this policy will be subject to disciplinary procedures up to and including termination.

Any staff member convicted of an offense under a criminal drug statute must report his/her conviction to the Office of Human Resources no later than five (5) working days after the conviction. Failure to do so may result in disciplinary action, up to and including termination.

The ESC of Central Ohio is concerned about any staff member who is a victim of alcohol or drug abuse, and may facilitate the process by which s/he receives help through the ESC's Employee Assistance Program (Governing Board Policy 3170.01). A staff member should contact his/her supervisor or the Office of Human Resources whenever such assistance is needed.

OUTSIDE ACTIVITIES OF STAFF **(Interfering with ESC of Central Ohio Activities)**

The ESC of Central Ohio recognizes that members of the staff enjoy private lives and may associate with others for political, economic, religious, cultural or personal reasons. However, when non-ESC activities impact a staff member's effectiveness, the ESC of Central Ohio reserves the right to address the impact of such activities.

No staff member shall obligate or involve himself/herself in interests or vestments outside his/her position with the ESC of Central Ohio that interfere with the normal contractual commitment to the ESC of Central Ohio Governing Board, except as approved by the Superintendent.

STAFF CONSULTING ACTIVITIES | CONFLICT OF INTEREST

The maintenance of high standards of honesty, integrity, impartiality, and professional conduct by service center staff members, both non-teaching, non-administrative employees and professional staff, is essential to ensure the proper performance of the Center's business as well as to earn and keep public confidence in the service center.

To accomplish this, the Governing Board has adopted the following guidelines to assure that conflicts of interest do not occur. These guidelines are not intended to be all inclusive, or to substitute for good judgment on the part of all staff members.

No staff member shall engage in or have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities in the school system, including but not limited to, solicitation or advertisement of any private business or service.

Employees shall not engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship they may have with any student, client, or parents of such students or clients in the course of their employment with the service center.

Included, by way of illustration, are the following examples:

- The provision of any private lessons or services for a fee, including after school and summer care, consultation, therapy, or any other services to a child who is under the individual's charge as a staff member of the service center.
- The use, sale, or improper sharing of any privileged information about a student or client gained in the course of the staff member's employment or through his/her access to the service center's records.
- The referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration for such referrals.
- The requirement of students or clients to purchase any private goods or services provided by a staff member or any business or professional practitioner with whom any staff member has a financial relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations.

Staff members shall not make use of materials, equipment, or facilities of the Center in private practice. Examples would include the use of the facilities before, during or after regular business hours for service to private practice clients, or the checking out of items from an instructional material center for private practice.

Exceptions to this policy shall be approved by the Superintendent before entering into any private relationship.

STAFF ETHICS

An effective educational program and successful operation of the ESC requires the services of individuals with integrity, high ideals and human understanding. To maintain and promote these

essentials, the Governing Board expects all professional staff members to maintain high standards in their working relationships, and in the performance of their professional duties, to:

- Recognize basic dignities of all individuals with whom they interact in the performance of duties
- Represent accurately their qualifications.
- Exercise due care to protect the mental and physical safety of students, colleagues and subordinates.
- Seek and apply the knowledge and skills appropriate to assigned responsibilities.
- Keep in confidence legally confidential information.
- Pledge that their actions and/or those of another on their behalf are not made with specific intent of advancing private economic interests.
- Refuse to accept anything of value offered by another for the purpose of influencing judgment.
- Refuse to accept compensation from any other source, other than the Board, for the performance of his/her official duties, any other act or service in his/her public capacity, for the general performance of the duties of his/her public employment, or as a supplement to his/her public compensation.

Refrain from using his/her position or public property, or permitting another person to use an employee's position or public property for partisan political or religious purposes. (This will in no way limit constitutionally or legally protected rights as a citizen.)

STAFF GIFTS

The Governing Board considers the presentation of gifts to professional staff members by students and their parents an undesirable practice. Doing so may unintentionally embarrass students with limited means and gives the appearance of currying favor. Based on the foregoing premise, it is the policy of the Board that professional staff members may accept gifts of nominal value from students or parents.

The superintendent may approve acts of generosity to individual staff members in unusual situations. However, at no time may a staff member accept compensation from any other source, other than the Board, for the performance of his/her official duties, any other act or service in his/her public capacity, for the general performance of the duties of his/her public employment, or as a supplement to his/her public compensation.

Upon the recommendation of the superintendent, the Board shall consider, as appropriate, the presentation of token gifts to retiring members of the staff who have rendered service for a period of time.

Professional staff members shall not accept any form of compensation from vendors that might influence their recommendations on the eventual purchase of equipment, supplies or services. Furthermore, professional staff members shall not accept any compensation from a vendor after a decision has been made to purchase equipment, supplies or services from said vendor. Staff who recommend purchases shall not enter into a contractual arrangement with a vendor seeking to do business with the ESC, or a vendor with whom the agency is doing business, whereby an individual professional staff member receives compensation in any form for services rendered.

Such compensation includes but is not limited to cash, checks, stocks, or any other form of securities and gifts of high value. In the event that a staff member receives such compensation, albeit unsolicited, from a vendor, the professional staff member shall notify the Treasurer, in writing, that

s/he received such compensation and shall thereafter promptly transmit said compensation to the Treasurer.

DISCRIMINATION AND HARASSMENT GENERAL POLICY STATEMENT

It is the policy of the Governing Board to maintain an education and work environment which is free from all forms of unlawful discrimination and harassment, including sexual harassment. This commitment applies to all Center operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful discrimination and harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

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

Legitimate complaints made in good faith are strongly encouraged. The Board will not tolerate false complaints and complaints made in bad faith. Failure to substantiate allegations of harassment or discrimination will not constitute a false complaint without evidence of bad faith. False complaints are a violation of this policy. Any individual who submits a false complaint or a complaint in bad faith will be subject to discipline up to and including termination.

Unlawful discrimination or harassment that affects an individual's employment may extend beyond the confines of the workplace. Conduct that occurs off duty and off premises may also be subject to this policy.

For purposes of this policy, "Center community" means students, administrators, teachers, staff, and all other school personnel, including Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on Center property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the Center community at school-related events/activities (whether on or off Center property).

(GBP 3362, 4362, 5517)

SEXUAL HARASSMENT

Pursuant to Governing Board Policy 3362/4362, the ESC of Central Ohio recognizes a staff member's right to freedom from employment discrimination which includes the opportunity to work in an environment free from sexual harassment. Sexually offensive speech and conduct are inappropriate and are not to be tolerated within the workplace.

Sexual harassment includes all unwelcome sexual advances, requests for sexual favors, and verbal or physical contacts of a sexual nature whenever submission to such conduct is made a condition of employment, or a basis for an employment decision, or when such conduct has the purpose or effect of unreasonably interfering with work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment of an ESC of Central Ohio staff member is strictly forbidden. The Superintendent instructs all staff members and agents of the ESC to refrain from speech and behavior patterns that may be sexually offensive. Any staff member or agent of the ESC who is found to have sexually harassed a staff member of this service center will be subject to disciplinary action.

Any staff member who has been exposed to sexual harassment by any staff member or agent of the ESC of Central Ohio is encouraged to report the harassment to the appropriate supervisor or the Office of Human Resources.

INVESTIGATION AND COMPLAINT PROCEDURE

Discrimination and harassment, including sexual harassment, of an ESC employee or member district employee is strictly forbidden. Any employee or agent of the ESC who is found to have engaged in unlawful discrimination or harassment of an employee of the ESC, the ESC of Central Ohio, or a member district will be subject to disciplinary action up to and including termination of employment. Any person who has been subjected to or exposed to unlawful discrimination or harassment by any employee or agent of the ESC shall promptly report the discrimination or harassment to the appropriate supervisor or the human resources official of the ESC. The human resources official of the ESC or designee will conduct an impartial investigation of the situation (including the interviewing of witnesses identified by the parties to the incident) to determine whether the incident in question constitutes unlawful conduct and, if so, what action should be taken.

This policy has been established to ensure ESC employees that the issue of discrimination and harassment will be dealt with in a prompt and efficient manner. Discrimination and harassment investigations will be kept confidential to the extent allowed by law. Employees will not be penalized or suffer any retaliation for reporting an incident of discrimination or harassment or participating in the investigation.

BULLYING AND OTHER FORMS OF AGGRESSIVE BEHAVIOR

Pursuant to Guideline 5517.01, the Governing Board is committed to providing a safe, positive, productive, and nurturing educational environment for all of its students. The Board encourages the promotion of positive interpersonal relations between members of the school community.

Harassment, intimidation, or bullying toward a student, whether by other students, staff, or third parties is strictly prohibited and will not be tolerated. This prohibition includes:

- a. Any intentional written, verbal, electronic, or physical act that a student or group of students exhibits toward another particular student(s) more than once and the behavior both causes mental or physical harm to the other student(s) and is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student(s). Aggressive behavior is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's educational, physical, or emotional well-being. This type of behavior is a form of intimidation and harassment, although it need not be based on any of the legally protected characteristics, such as sex, race, color, national origin, marital status, or disability. It would include, but not be limited to, such behaviors such as stalking, bullying/cyberbullying, intimidating, menacing, coercion, name-calling, taunting, making threats, and hazing.
- b. Violence within a dating relationship.

Staff should access ESCCO Policy 5517.01 for any questions on bullying and other forms of aggressive behavior.

This policy has been developed in consultation with parents, Center employees, volunteers, students, and community members as prescribed in R.C. 3313.666 and the State Governing Board's Model Policy.

WEAPONS

Pursuant to Governing Board Policy 3217/4217, the Governing Board prohibits all staff members from possessing, storing, making, or using a weapon, including a concealed weapon, in a school safety zone and any setting that is under the control and supervision of the Board for the purpose of school or Board activities approved and authorized by the Board including, but not limited to, property leased, owned, or contracted for by the Board, a school-sponsored event, or in a Board- owned vehicle.

The term "weapon" means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited to, firearms, guns of any type, including air and gas-powered guns (whether loaded or unloaded), knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives.

The Superintendent shall refer a staff member who violates this policy to law enforcement officials, regardless of whether such staff member possesses a valid concealed weapon license. The staff member will also be subject to disciplinary action, up to and including termination, as permitted by applicable Board policy.

Exceptions to this policy include weapons under the control of law enforcement personnel.

Staff members shall report any information concerning weapons and/or threats of violence by students, staff members, or visitors to the appropriate building or central office administrator. Failure to report such information may subject the staff member to disciplinary action, up to and including termination.

SMOKING AND USE OF TOBACCO BY EMPLOYEES

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

For purposes of this policy, " smoking and use of tobacco" shall mean use of electronic cigarettes and other such devices, all uses of tobacco, including cigars, cigarettes, pipe tobacco, chewing tobacco, snuff, any other matter or substances that contain tobacco, papers used to roll cigarettes and other lighted smoking devices for burning tobacco or any other plant.

The Governing Board of the ESC of Central Ohio is interested in protecting students and staff who choose not to smoke or use tobacco from an environment noxious to them. Additionally, the Board

does not condone smoking or the use of tobacco. Therefore, the Board prohibits smoking and the use of tobacco by ESC of Central Ohio staff members at all times within any facility owned, leased or contracted for use by the Board, including board-owned vehicles. Such prohibition also applies to school/agency grounds and school/agency-related events.

Section V

Benefits & Insurance

EMPLOYEE ASSISTANCE PROGRAM

The ESC of Central Ohio's employee assistance program offers a variety of counseling and information services. Some of the topics covered include: marriage and family issues, addiction, mental health guidance and counseling, legal, financial stress, anxiety, and depression information. Please review the information below, the program brochure or contact our provider, HelpNet at www.helpneteap.com, 1.800.969.6162 or 1.269.660.3900.

The Employee Assistance Program at the Educational Service Center of Central Ohio shall be to assist staff members and their eligible family members in resolving personal or career related issues which impact or have the capacity to impact day-to-day living.

The objectives of this program shall be as follows:

- i. To facilitate the early identification of personal/life management problems which may affect job performance
- ii. To motivate troubled staff members to seek and accept professional assistance
- iii. To assess the nature and scope of staff member's problems
- iv. To develop and recommend assistance/intervention plans for resolving assessed problems
- v. To provide confidential and professional services for the resolution of personal/life management problems or refer to community resources for the delivery of needed services
- vi. To follow up on the staff member's progress in delivered treatment services

Areas of assistance offered:

- i. *Mental health*
 - a. Stress, anxiety, depression, marital/relationships, family issues, child behavior, abuse, alcoholism/chemical dependency, grief resolution, emotional distress, adolescence.
- ii. *Legal assistance*
 - a. Estate planning/wills, divorce/separation/dissolution, contractual, real estate, traffic violations/auto accidents, personal injury, child support/custody, liability, criminal, bankruptcy.
- iii. *Financial advisement*
 - a. Financial planning, budgeting, debt management.
- iv. *Information resource*
 - a. Childcare, eldercare, community resources, relocation, mortgage options.

Eligibility

The EAP is available at the same rate of coverage to various members of the staff member's

immediate family as it is to the staff member as a part of his/her benefit package. Eligible family members consist of the spouse, significant other, children (under the age of 23) and dependent parents who are living with the covered staff member on a full-time basis.

Coverage

The first six (6) sessions, per issue, per rolling year.

Confidentiality

Staff members and their family members accessing the program to address issues of a personal nature are assured that their discussions with HelpNet staff and subsequent referrals to applicable professionals will be kept confidential.

Exceptions:

- The employee chooses to tell someone that they have accessed the service.
- Upon accessing the program, if the staff member presents a life-threatening situation to either him/herself or someone else, HelpNet is obligated by law to notify the proper authorities of such a situation.
- The staff member decides, for whatever reason, to sign a Release of Information document, thereby giving permission to HelpNet to release information (type may be specified by the staff member) to the party or parties they have designated.

Self-Referral

Any staff member, staff member’s spouse and/or dependent (under the age of 23), desiring assistance for a personal/life management problem may call the Employee Assistance Program and schedule a consultation time. The time should be a time other than the staff member’s assigned work hours, if the consultation is for the staff member.

TUITION WAIVERS

A limited number of tuition waivers are available to staff members who are seeking educational opportunities at local educational institutions. The availability of tuition waivers varies by position. Please see the information below.

Information regarding the availability of tuition waivers will be provided to staff members on a quarterly basis. The following criteria are used to determine the awarding of tuition waivers:

Non –Teaching / Non - Administrator Staff

Eligible to apply for Tuition Waivers at Columbus State Community College.

Level 1	To acquire a new license
Level 2	Degree/professional development

Tuition waiver requests for NTNA staff members in their initial contract year will be considered on a case by case basis. Tuition waiver requests must be signed by an immediate supervisor.

Licensed Staff (teacher; related service provider; administrator) and Non - Licensed Administrator Staff

Eligible to apply for tuition waivers at Columbus State Community College and The Ohio State University.

The following criteria are used to determine the awarding of tuition waivers.

Level 1	To renew a supplemental or alternative license under which presently assigned.
Level 2	To renew a license under which they are presently assigned.
Level 3	To acquire a new license.
Level 4	Professional Development/Other

Tuition waiver requests for licensed staff members in their initial contract year will be considered on a case by case basis. Tuition waiver requests must be signed by an immediate supervisor.

Contracted Staff

Contracted staff members are only authorized to access tuition waivers that have been accrued as part of clinical/practicum experiences in the specific District/school that is party to the exchange of services agreement and where the contracted staff member is assigned.

Application Procedure

Staff members must complete the Request for Tuition Waiver application form in advance of each term/quarter and prior to registering for any coursework for which they are applying for use of tuition waivers.

Staff members must indicate how many credit hours of tuition waivers they are requesting on the form.

GROUP HEALTH INSURANCE

Pre-2009 Merger

Educational Service Center of Central Ohio employees hired prior to January 1, 2009

The Governing Board shall provide the opportunity for part and full time non- teaching/non-administrative staff members to elect individual or family membership in a group hospitalization, major medical, and surgical health plan. The Board shall pay 80% of the total cost of the premium. Employees may also elect membership in a dental plan and the Board shall pay 100% of the total cost of the premium.

Eligible Employees

Persons who are employed to work at least 20 hours per week. Substitute employees are not eligible for Insurance Benefits.

Post 2009 Merger

Educational Service Center of Central Ohio employees employed after January 1, 2009

OR

ESCFC or DUESC employees who were employed prior to January 1, 2009 who elected Insurance

Benefits after January 1, 2009

Part-Time and Full-Time Employees

The Governing Board shall provide the opportunity for part and full time non-teaching/non-administrative employees to elect individual or family membership in a group hospitalization, major medical, surgical, and dental plan (see coverage amounts in table below).

Full-Time Definition

“Full-time” non-teaching/non-administrative employees shall be defined, for the purposes of this policy, as persons who are employed to work at least 30 hours per week.

Part-Time Definition

“Part-time” non-teaching/non-administrative employees shall be defined, for the purposes of this policy, as persons who are employed to work least 20 hours per week.

Insurance benefits for “part-time” employees shall be paid on a prorated basis

Coverage Table (% Governing Board/Employee Share)

Work hours/week	Health	Dental	Employee Assistance	Wellness
> 29 hours week	80/20	80/20	100	100
20-29 hours/week	50/50	50/50	100	100
< 20 hours/week	0/100	0/100	NA	NA

VISION INSURANCE

Staff members may choose to participate in a group vision plan at 100% of their own expense. Pre-tax payroll deductions will be made for eligible staff members who elect to enroll in this program.

LIABILITY INSURANCE

Liability insurance is purchased to cover all staff members in the performance of their duties with the following limitations: \$5,000,000 each occurrence / \$7,000,000 aggregate.

GROUP LIFE INSURANCE

All ESC Employees

Part-Time and Full-Time Employees

The Governing Board shall provide, at no cost to its staff members, a group life insurance policy for part and full time staff members in the amount of \$50,000.

Substitute staff members are not eligible for group life insurance benefits.

Part-Time and Full-Time Definition

"Part-time" and "full-time" non-teaching/non-administrative staff members shall be defined, for purposes of this policy, as those persons who are employed to work at least twenty (20) hours per week during the employee's contract.

WORKERS' COMPENSATION

In accordance with the Workers' Compensation Act, coverage is provided to employees who are injured or who contract an occupational disease in the course of, and arising out of, his/her employment. He or she is entitled to file a claim.

Workers' compensation provides for medical care as well as disability compensation, which is based on the employee's salary. Payment of compensation for work loss can only be filed when the injury causes more than seven (7) days of disability. .

In the event of a work-related injury, you must notify your supervisor immediately. The [ESC injury/accident report](#) must be completed within 24 hours and submitted to the Office of Business Services.

In regards to the Ohio Workers' Compensation Program, the ESC is self-insured. The ESC utilizes the services of *Hunter Consulting Company* to administer its claims:

Penny Lammers
plammers@hunterconsulting.com
1.800.486.6652, ext. 103

You must complete the Ohio Bureau of Workers' Compensation (BWC) First Report of Injury (FROI) form. Because the ESC is a self-insured employer, there will be no interaction between you and the BWC, and you are entitled to the same medical and compensation benefits.

In an emergency, always seek immediate medical attention.

If a staff member sustains a workplace injury while under the influence of alcohol or a controlled substance not prescribed by a physician, the employee may be disqualified for compensation and benefits under the Workers' Compensation Act. If the employee tests positive for alcohol and/or other drugs, or refuses to submit to a test, after sustaining a workplace injury, the employee may dispute or prove untrue the presumption or belief that alcohol and/or other drugs are the proximate cause of the injury (i.e., rebuttable presumption).

See Injuries/Accident Reporting

COBRA/HIPAA LAWS

The Consolidated Omnibus Budget Reconciliation Act (COBRA) provides employees (or former employees), their spouses, and dependents with a temporary extension of group health insurance

when coverage is lost due to certain “qualifying” events.

The Health Insurance Portability and Accountability Act (HIPAA) protects individuals and their dependents from losing their health insurance coverage based on pre-existing condition exclusions in the event of job change or loss.

Please contact the Business Services Center for more detailed information about either of these laws.

Section VI

Leaves of Absence

SUBMISSION OF LEAVE REQUESTS

Your immediate supervisor will let you know the method of submitting leave requests (Either via an online platform or paper forms) you are to follow. It is your responsibility to correctly submit leave requests following the procedures as instructed by your supervisor and contained in this handbook. If you have questions regarding leave requests, please see your immediate supervisor.

If you have any questions about leave requests, please contact human resources at leavesofabsence@escoco.org.

UNPAID LEAVE OF ABSENCE | SHORT TERM (FIVE (5) DAYS OR LESS)

Staff members may be granted leave without pay when, in the opinion of the Superintendent or designee, it is determined that such absence will not harm the program(s) of the ESC.

The absence shall not be counted as employed time and shall be used to reduce the obligation of the ESC for benefits based on length of employment.

Such an absence shall not exceed five (5) consecutive workdays without the written approval of the Superintendent and shall be requested in advance on the Request and Authorization for Leave Form. Said request must be approved by the staff member's immediate supervisor prior to the leave being taken.

Unapproved absences may be subject to disciplinary action.

UNPAID LEAVE OF ABSENCE | LONG TERM (MORE THAN FIVE (5) DAYS)

Requests for unpaid leaves of absence may be submitted for non-medical reasons as well as where the requested leave is due to a serious health condition or other FMLA qualifying event and no leave is available.

Written requests for unpaid leaves of absence shall be submitted to the Office of Human Resources in the form of a signed, dated letter. The request shall include the reason for the requested leave, the approximate beginning and ending dates of the proposed period of leave of absence requested, and the waiver of retirement benefits for that year.

The Superintendent shall make a recommendation to the ESC of Central Ohio Governing Board relative to the requested leave of absence. An employee returning from a leave of absence shall be given first consideration for reinstatement to a position of the same job description as existed at the time the person was granted a leave of absence. If the same job is available, the person returning from the leave of absence shall be provided first consideration in that same job.

In situations in which an employee is on an unpaid leave of absence for a school year, the Deputy Superintendent must be advised in writing by April 1, of the year in which the

approved leave terminates, of the intent to return to employment. Except in extraordinary circumstances, a letter of intent not to re-employ will be issued following the ESC of Central Ohio Governing Board's April meeting if the request to return to employment is not received prior to the regular April ESC of Central Ohio Governing Board Meeting. The Superintendent's discretion may be used due to extraordinary circumstances if timelines cannot be met.

MATERNITY LEAVE

LEAVE OF ABSENCE/FMLA LEAVE

The ESC of Central Ohio follows its formal leave policies and the Federal Family and Medical Leave Act to determine eligibility, length, paid or unpaid status, and length of paid/unpaid status for leave related to the birth or adoption of a child. (Please see **ESC Leave** and **FMLA Leave** sections)

If you need to request leave for the birth or placement of a child, please contact the Human Resources Office at leavesofabsence@escoco.org as early as possible.

QUALIFICATIONS FOR FMLA

Staff members are "eligible" if they have worked for the Board for at least twelve (12) months, and have worked for at least 1,250 hours over the twelve (12) months prior to the leave request, and are employed at a work site where fifty (50) or more employees are employed by the Board within seventy-five (75) miles of that work site. All full-time instructional employees will be considered to have met the 1,250-hour requirement unless the Board can clearly demonstrate that the instructional employee did not meet this hour requirement. Months and hours that members of the National Guard or Reserve would have worked if they had not been called up for military service counts towards the staff member's eligibility for FMLA leave. While the twelve (12) months of employment need not be consecutive, employment periods prior to a break in service of seven (7) years or more will not be counted unless the break is occasioned by the staff member's fulfillment of his/her National Guard or Reserve military obligation, or a written agreement exists concerning the Board's intention to rehire the staff member after the break in service.

FAMILY AND MEDICAL LEAVE ACT (AND MILITARY FAMILY LEAVE)

QUALIFYING REASONS FOR FMLA AND MILITARY FAMILY LEAVE

In accordance with the Family and Medical Leave Act of 1993, as amended, ("FMLA"), eligible staff members may qualify for up to twelve (12) or twenty-six (26) work weeks (depending on the reason) of unpaid leave for the reasons specified below.

REASONS FOR FMLA LEAVE

Eligible staff may qualify for up to twelve (12) work weeks of job-protected, unpaid leave, or substitute appropriate paid leave if the staff member has earned or accrued it, for the following reasons:

- i. Birth and/or care of a newborn child of the staff member and to care for the newborn child, within one (1) year of the child's birth ("Birth Leave").
- ii. Placement with the staff member of a child for adoption or foster care, within one (1) year of the child's placement ("Placement Leave").
- iii. Staff member is needed to provide physical and/or psychological care for a spouse or child with a serious health condition ("Family Health Leave").
- iv. Care for the staff member's parent with a serious health condition ("Parent Health Leave").
- v. Staff member's own serious health condition makes him/her unable to perform the functions of his/her position ("Employee Health Leave").
- vi. Any qualifying exigency (as defined in applicable Federal regulations) while the staff member's spouse, son, daughter, or parent (the military member) is on covered active duty or Call to Covered Active Duty status (or has been notified of an impending call or order to covered active duty) ("Qualifying Exigency Leave").

An eligible staff member who is a spouse, son, daughter, parent or next of kin of a covered service member may take up to a total of twenty-six (26) work weeks of job-protected, unpaid leave, or substitute appropriate paid leave if the staff member has earned or accrued it, during a "single twelve (12) month period" to care for the covered service member with a serious illness or injury ("Military Caregiver Leave").

DEFINITIONS

Covered Active Duty or Call to Covered Active Duty Status: In the case of a member of the Regular Armed Forces, this means duty during the deployment of the member with the Armed Forces to a foreign country. In the case of a member of the Reserve components of the Armed Forces, this means duty during the deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation.

Covered Service Member is defined as (1) a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness incurred by the member in the line of duty in covered active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating; or (2) a veteran of the Armed Forces who is undergoing medical treatment, recuperation or therapy, for a serious injury or illness covered by the FMLA . The veteran must have been a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five (5) years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy and must have been honorably discharged or released.

Next of Kin of a Covered Service Member means nearest blood relative or the relative identified in writing by the service member.

Parent means the biological, foster or adoptive parent, a stepparent, or any person who stood in *loco parentis*.

Qualifying Exigency: Qualifying exigencies may include things such as attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

"Single twelve (12) month period" for leave to care for a covered service member with a serious injury or illness begins the first day the staff member takes leave for this reason and ends twelve (12) months later, regardless of the twelve (12) month period established below for general FMLA leave. During the "single twelve (12) month period", an eligible staff member is limited to a combined total of twenty-six (26) work weeks of unpaid leave for any FMLA-qualifying reason. (Only twelve (12) of the twenty-six (26) work weeks total may be for a FMLA-qualifying reason other than to care for a covered service member.)

Son or Daughter: means a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in *loco parentis*. For all leaves except Exigency Leave and Military Caregiver Leave, the Son or Daughter must also be either under 18 years old or age 18 or older and incapable of self-care because of a disability as determined under the ADA.

Eligible Employees: Staff members are "eligible" if they have worked for the Board for at least twelve (12) months, and have worked for at least 1,250 hours over the twelve (12) months prior to the leave request, and are employed at a work site where fifty (50) or more employees are employed by the Board within seventy-five (75) miles of that work site. All full-time instructional employees will be considered to have met the 1,250-hour requirement unless the Board can clearly demonstrate that the instructional employee did not meet this hour requirement. Months and hours that members of the National Guard or Reserve would have worked if they had not been called up for military service counts towards the staff member's eligibility for FMLA leave. While the twelve (12) months of employment need not be consecutive, employment periods prior to a break in service of seven (7) years or more will not be counted unless the break is occasioned by the staff member's fulfillment of his/her National Guard or Reserve military obligation, or a written agreement exists concerning the Board's intention to rehire the staff member after the break in service.

Twelve (12) Month Period: Twelve (12) month period is defined as a rolling twelve (12) month period measured backward from the date the staff member's first FMLA leave begins (i.e. the "leave year" is specific to each individual staff member).

Serious Health Condition: Serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves in-patient care or continuing treatment by a health care provider. As utilized in this policy, the term "incapacity" means an inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefore, or recovery therefrom. The term "treatment" includes (but is not limited to) examinations to determine if a serious health condition exists and evaluations of the condition. (Treatment does not include routine physical examinations, eye examinations, or dental examinations.)

Inpatient care means an overnight stay in a hospital, hospice, or residential medical-care facility, including any period of incapacity or subsequent treatment in connection with such.

Continuing treatment by a health care provider, includes any one or more of the following:

- a. "Incapacity and treatment"
- b. Any incapacity related to pregnancy, or for prenatal care

- c. Any incapacity or treatment for such incapacity due to a chronic serious health condition
- d. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective (Alzheimer's, a severe stroke, terminal stages of a disease)
- e. Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider for:
 - i. Restorative surgery after an accident
 - ii. Other injury or a condition that would likely result in a period of incapacity of more than three (3) consecutive, full calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), or kidney disease (dialysis).

"Incapacity and treatment" involves a period of incapacity of more than three (3) consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:

- a) treatment two (2) or more times, within thirty (30) days of the first day of incapacity, unless extenuating circumstances exist, by a health care provider, by a nurse under direct supervision of a health care provider, or by a provider of health care services (e.g. physical therapist) under orders of, or on referral by, a health care provider, or
- b) treatment by a health care provider on at least one (1) occasion that results in a regimen of continuing treatment under the supervision of the health care provider.

Treatment by a health care provider as referenced above involves an in-person visit to a health care provider. The first (or only) in-person treatment visit must take place within seven (7) days of the first day of incapacity. The health care provider is responsible for determining whether additional treatment visits or a regimen of continuing treatment is necessary within the thirty (30) day period.

Regimen of continuing treatment includes a course of prescription medication (e.g. antibiotics), or therapy requiring special equipment to resolve or alleviate the health condition (e.g. oxygen).

A regimen of continuing treatment that includes the taking of over-the-counter medications such as aspirin, antihistamines, or salves; or bed-rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a health care provider, is not, by itself, sufficient to constitute a regimen of continuing treatment for purposes of FMLA leave.

A period of incapacity related to pregnancy need not involve a visit to the health care provider for each absence, and the absence need not last more than three (3) consecutive, full calendar days.

A chronic serious health condition is one that:

- a) requires periodic visits (i.e. at least twice a year) for treatment by a health care provider, or by a nurse under direct supervision of a health care provider;

- b) continues over an extended period of time (including recurring episodes of a single underlying condition); and
- c) may cause episodic rather than a continuing period of incapacity (e.g. asthma, diabetes, epilepsy, etc.). A visit to a health care provider is not necessary for each absence, and each absence need not last more than three (3) consecutive, full calendar days.

With regard to permanent or long-term conditions, the employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider.

Conditions for which cosmetic treatment are administered (e.g. most treatments for acne or plastic surgery) are not "serious health conditions" unless inpatient hospital care is required or complications develop. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomachs, minor ulcers, headaches other than migraines, routine dental or orthodontia problems, periodontal disease, etc., are conditions that do not meet the definition of a serious health condition and do not qualify for FMLA leave.

Intermittent and Reduced Schedule Leave

The Superintendent may allow a staff member to take FMLA leave intermittently (i.e. leave in separate blocks of time for a single qualifying reason) or on a reduced schedule leave (i.e. reducing the employee's usual weekly or daily work schedule) for Qualifying Exigency Leave and for Birth or Placement Leave. A staff member is entitled to take FMLA leave on an intermittent or reduced schedule leave when medically necessary for Employee Health, Family Health, Parent Health or Military Caregiver Leave. Regardless, the taking of FMLA leave intermittently or on a reduced schedule leave results in the total reduction of the twelve (12) or twenty-six weeks only by the amount of leave actually taken. Except in the case of Qualified Exigency Leave, the Superintendent may require the staff member taking scheduled leave intermittently or on a reduced leave schedule that is foreseeable based on planned medical treatments to transfer temporarily, during the period the intermittent or reduced schedule leave is required, to an available alternative position for which the staff member is qualified and which better accommodates recurring periods of leave than the staff member's regular position. The alternative position shall have equivalent pay and benefits but not necessarily equivalent duties. The Superintendent may also transfer the staff member to a part-time job with the same hourly rate of pay and benefits, provided the staff member is not required to take more leave than is medically necessary. Instructional staff members (i.e. individuals whose principal function is to teach and instruct students in a class, a small group, or an individual setting) who request intermittent leave or a reduced schedule leave because of Family, Employee, or Parental Health Leave or pursuant to Military Caregiver Leave and the leave would exceed twenty percent (20%) of the total number of working days over the period of anticipated leave must elect either to:

- a) take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or
- b) transfer temporarily to an available alternative position offered by the Superintendent for which the instructional staff member is qualified, and that has equivalent pay and benefits and that better accommodates the recurring periods of leave than the staff member's regular position.

When leave is needed for planned medical treatment, the staff member must make a reasonable effort to schedule the treatment so as not to unduly disrupt the Center's operations, subject to the approval of the health care provider.

If the Superintendent agrees to permit FMLA leave intermittently or on a reduced schedule

leave for Birth or Placement Leave, the Board may also require the staff member to transfer temporarily, during the period the intermittent or reduced schedule leave is required, to an available alternative position for which the staff member is qualified and which better accommodates recurring periods of leave than does the staff member's regular position.

Staff Member Notice Requirements (Forms available at the U.S. Department of Labor Website)

Staff members seeking to use FMLA leave (including Military Caregiver Leave) are required to provide thirty days' advance notice of the need to take FMLA leave when the need is foreseeable and such notice is practicable. If leave is foreseeable less than thirty (30) days in advance, the staff member must provide notice as soon as practicable - generally, either the same or next business day. When the need for leave is not foreseeable, the staff member must provide notice as soon as practicable under the facts and circumstances of the particular case. Absent unusual circumstances, staff members must comply with the Board's usual and customary notice and procedural requirements for requesting leave. Failure to provide timely notice may result in the leave being delayed or denied, and/or possible disciplinary action.

Staff members must provide "sufficient information" for the Superintendent to determine whether the FMLA may apply to the leave request. Depending on the situation, such information may include that the employee is incapacitated due to pregnancy, has been hospitalized overnight, is unable to perform the functions of the job, that the staff member or his/her qualifying family member is under the continuing care of a health care provider, that the requested leave is for a particular qualifying exigency related to a qualifying family member's covered active duty or call to covered active duty status, or that the leave is due to a qualifying family member who is a covered service member with a serious injury or illness. The information may also include the anticipated timing and duration of the leave.

When a staff member seeks leave for a FMLA-qualifying reason for the first time, the staff member need not expressly assert FMLA rights or even mention the FMLA. When an employee seeks leave, however, due to a FMLA-qualifying reason for which the Center has previously provided the staff member FMLA-protected leave, the staff member must specifically reference either the qualifying reason for leave or the need for FMLA leave.

Substitution of Paid Leave

The Board shall require the staff member to "substitute" (i.e. run concurrently) any of his/her earned or accrued paid leave (e.g. sick leave, personal leave, vacation leave, compensatory time) for unpaid FMLA leave.

Whether accrued paid leave will be substituted (i.e., run concurrently) is determined by the terms and conditions of the Center's normal leave policy. The use of any type of paid leave concurrently with FMLA leave must follow the same terms and conditions of the Board's policy that apply to other employees for use of such leave. The staff member is entitled to unpaid FMLA leave if s/he does not meet the Board's conditions for taking paid leave if he/she meets the eligibility criteria under the FMLA. On occasion the Board may, in its discretion, waive any procedural requirements for the taking of any type of paid leave.

If the staff member has not earned or accrued adequate paid leave to encompass the entire twelve (12) work week period of FMLA leave or a twenty-six (26) work week period of Military Caregiver Leave, the additional weeks of leave to obtain the twelve (12) work weeks of FMLA leave or twenty-six (26) work weeks of Military Caregiver Leave the staff member is entitled to shall be unpaid. Whenever a staff member uses paid leave in substitution for (i.e. concurrently with) unpaid FMLA leave/Military Caregiver Leave, such leave counts toward

the twelve (12) work week/twenty-six (26) work week maximum leave allowance provided by this policy and Federal law.

Center Notice Requirements *Forms available at the U.S. Department of Labor website*

The Superintendent is directed to post the Department of Labor approved Notice explaining employees' rights and responsibilities under the FMLA. Additionally, this general notice shall be included in employee handbooks or other written guidance to staff members concerning benefits or leave rights or, in the alternative, distributed to each new staff member upon hiring.

When a staff member requests FMLA leave or the Center acquires knowledge that leave may be for a FMLA purpose, the Superintendent shall notify the staff member of his/her eligibility to take leave, and inform the staff member of his/her rights and responsibilities under the FMLA (including the consequences of failing to meet those obligations). Along with the Notice of Rights and Responsibilities, the Superintendent will attach any medical certification that may be required, and a copy of the employee's essential job functions. If the Superintendent determines the staff member is not eligible for FMLA leave, the Superintendent must state at least one (1) reason why the staff member is not eligible. Such notice may be given orally or in writing and should be given within five (5) business days of the request for FMLA leave, absent extenuating circumstances. When oral notice is given, it must be followed by written notice within five (5) business days. Staff member eligibility is determined (and notice provided) at the commencement of the first instance of leave for each

FMLA-qualifying reason in the applicable twelve (12) month period. All FMLA absences for the same qualifying reason are considered a single leave and staff member eligibility as to that reason for leave does not change during the applicable twelve (12) month period. If at the time a staff member provides notice of a subsequent need for FMLA leave during the applicable twelve (12) month period due to a different FMLA-qualifying reason and the staff member's eligibility status has not changed, no additional eligibility notice is required. If, however, the staff member's eligibility status has changed, the Superintendent must notify the staff member of the change in eligibility status within five (5) business days, absent extenuating circumstances.

If the specific information provided by the Notice of Rights and Responsibilities changes, the Superintendent shall, within five (5) business days of receipt of the staff member's first notice of need for leave subsequent to any changes, provide written notice referencing the prior notice and setting forth any of the information in the Notice of Rights and Responsibilities that has changed.

When the Superintendent has sufficient information to determine that leave is being taken for a FMLA qualifying reason (e.g. after receiving certification), the Superintendent shall notify the staff member whether the leave will be designated and counted as FMLA leave. Leave that qualifies as both Military Caregiver Leave and Parental or Family Health Leave must be considered as Military Caregiver Leave in the first instance. This designation must be in writing and must be given within five (5) business days of the determination, absent extenuating circumstances. Additionally, when appropriate, the Superintendent shall notify the staff member of the number of hours, days and weeks that will be counted against the employee's FMLA entitlement, and whether the employee will be required to provide a fitness-for-duty certification to return to work.

Only one Designation Notice is required for each FMLA-qualifying reason per applicable twelve (12) month period, regardless of whether the leave taken due to the qualifying reason will be a continuous block of leave or as intermittent or on a reduced schedule leave. If the Superintendent determines the leave will not be designated as FMLA-qualifying (e.g. if the leave is not for a reason covered by the FMLA or the staff member's FMLA leave entitlement has been exhausted), the Superintendent shall notify the staff member of that determination. If the staff member is required to substitute paid leave for unpaid FMLA leave, or if paid leave taken under an existing leave plan is being counted as FMLA leave, the "Designation Notice" shall include this information. Additionally, the "Designation Notice" shall notify the staff member if s/he is required to present a fitness-for-duty certification to be restored to employment. Further, if the fitness-for-duty certification is required to address the staff member's ability to perform the essential functions of his/her job, that will be indicated on the Designation Notice, and a list of the essential functions of the staff member's position will be included.

If the information provided to the staff member in the Designation Notice changes, the Superintendent shall provide, within five (5) business days of receipt of the staff member's first notice of need for leave subsequent to any change, written notice of the change.

In the case of intermittent or reduced-leave schedule leave, only one such notice is required unless the circumstances regarding the leave have changed.

Limits on FMLA When Both Spouses Are Employed by the Board

When an eligible husband and wife are both employed by the Board and are eligible employees under the FMLA, they are limited to a combined total of twelve (12) workweeks of FMLA leave during any twelve (12) month period, rather than 12 workweeks each, for Birth, Placement or Parental Health Leave.

Where the husband and wife both use a portion of the total twelve (12) week FMLA leave entitlement for Birth, Placement or Parental Health Leave, the husband and wife are each entitled to the difference between the amount s/he has taken individually and the twelve (12) weeks of FMLA leave for other purposes.

When an eligible husband and wife are both employed by the Board and are eligible employees, they are limited to a combined total of twenty-six (26) workweeks of (1) Military Caregiver Leave or (2) Military Caregiver Leave in combination with Birth, Placement or Parental Health Leave, during the "single twelve (12) month period." When the leave taken includes both Military Caregiver Leave and Birth, Placement or Parental Health Leave, the limitation of a combined total of up to 12 weeks of leave during any 12-month period applies to the portion of the leave taken as Birth, Placement, or Parental Health Leave.

Certification

The Center will require that Family Health, Parent Health, Employee Health Leave or Military Caregiver Leave must be supported by certification from a bona fide health care provider of the eligible staff member or his/her immediate family member. The staff member may either:

- a) submit the completed medical certification to the Superintendent; or
- b) direct the health care provider to transfer the completed medical certification directly to the Superintendent, which will generally require the staff member to furnish the health care provider with a HIPAA-compliant authorization.

If the staff member fails to provide appropriate medical certification, any leave taken by the

employee shall not constitute FMLA leave.

When the need for FMLA leave is foreseeable and at least thirty (30) days' notice has been provided, the staff member must provide the medical certification before the leave begins. When this is not possible, the employee must provide the requested certification to the Superintendent within fifteen (15) calendar days of receipt of the certification paperwork, unless it is not practicable under the circumstances to do so despite the staff member's diligent and good faith efforts.

The Board reserves the right to require second or third opinions (at the Board's expense), and periodic recertification of a serious health condition. If a third opinion is sought, that opinion shall be binding and final. The staff member may either:

- a) Submit the opinion of the second health care provider, and the opinion of the third health care provider if applicable, to the Superintendent; or
- b) Direct the second or third health care provider to transfer his/her opinion directly to the Superintendent, which will generally require the staff member to furnish the health care provider with a HIPAA-compliant authorization.

In the event that the staff member fails to provide the medical opinion of the second or third health care provider, if applicable, any leave taken by the staff member shall not constitute FMLA leave.

If a staff member is requesting Exigency Leave, the leave must be supported by a certification that the staff member's covered family member is on Covered Active Duty. The certification forms are available from the Human Resources Department. The Board authorizes its health care provider and/or human resource professional—not the staff member's direct supervisor—to authenticate or clarify a medical certification of a serious health condition, or an ITO or ITA (i.e. medical certification provided for Employee Health, Parental Health, Family Health or Military Caregiver Leave). Additionally, the Superintendent is authorized to contact the individual or entity named in the Qualified Exigency Leave certification for purposes of verifying the existence and nature of the meeting.

Re-Certification

Re-certification may be required no more often than every thirty (30) days in connection with an absence by the staff member unless the condition will last for more than thirty (30) days. For conditions that are certified as having a minimum duration of more than thirty (30) days, the Center will not request recertification until the specified period has passed, except that in all cases the staff member must submit re-certification every six (6) months in connection with an absence by the employee. Additionally, the Superintendent may require a staff member to provide recertification in less than thirty (30) days if the staff member requests an extension of leave, the circumstances described in the previous certification have changed significantly, or if the Center receives information that casts doubt upon the staff member's stated reason for the absence or the continuing validity of the certification. Finally, staff members must provide a new medical certification each leave year for medical conditions that last longer than one (1) year.

Return to Work

A staff member who takes leave for Employee Health Leave prior to returning to work, must provide the Superintendent with a fitness-for-duty certification that specifically addresses the staff member's ability to perform the essential functions of his/her job. The fitness-for-duty

certification shall only apply to the particular health condition that caused the staff member's need for FMLA leave. If reasonable safety concerns exist, the Superintendent may, under certain circumstances, require a staff member to submit a fitness-for-duty certification before s/he returns to work from intermittent FMLA leave. The cost of the certification shall be borne by the staff member.

Job Restoration and Maintenance of Health Benefits

Upon return from FMLA leave, the Board shall restore the staff member to his/her former position, or to an equivalent position with equivalent pay, benefits, and other terms and conditions of employment. NOTE that there are exceptions for employees determined to be "key employees" defined as: a salaried FMLA-eligible employee who is among the highest paid 10 percent of all the employees employed by the employer within 75 miles of the employee's worksite. (See, 29 CFR § 825.217-.219)

During FMLA leave, the Board shall maintain the staff member's current coverage under the Board's group health insurance program on the same conditions as coverage would have been provided if the staff member had been continuously working during the leave period. If the staff member was paying all or part of the premium payments prior to going on FMLA leave, the staff member must continue to pay his/her share during the leave.

Any leave or return from leave during the last five (5) weeks of an academic term shall be reviewed individually by the Superintendent to minimize disruption to the students' program. The employee may be required to continue FMLA leave until the end of the academic term when:

- a) Leave of over 3 weeks is taken more than 5 weeks before the end of the term and the employee would return to work during the last 3 weeks of the term; or
- b) Leave of over 2 weeks is taken for a reason other than the employee's own serious health condition within the last 5 weeks of the term and the employee would return to work during the last 2 weeks of the term; or
- c) The employee takes leave for a reason other than employee's own serious health condition and the leave lasts more than 5 work days within the last 3 weeks of the term.

The staff member shall not accrue any sick leave, vacation, or other benefits during a period of unpaid FMLA leave.

The use of FMLA leave shall not result in the loss of any employment benefit that the staff member earned or was entitled to before using FMLA leave.

A staff member shall have no greater right to restoration or to other benefits and conditions of employment than if the employee had been continuously employed.

If the staff member fails to return to work at the end of the leave for reasons other than the continuation, recurrence, or onset of a serious health condition that entitles the staff member to leave for Employee Health, Parental Health, Family Health, or Military Caregiver Leave, or for circumstances beyond the control of the staff member, the staff member shall reimburse the Board for the health insurance premiums paid by the Board during the unpaid FMLA leave period.

Generally, a staff member may not be required to take more FMLA leave than necessary to

resolve the circumstance that precipitated the need for leave.

A staff member who fraudulently obtains FMLA leave is not protected by this policy's job restoration or maintenance of health benefits provisions.

Public Health Emergency Leave

Notwithstanding the above, effective April 1, 2020 through December 31, 2020, the ESC amends its FMLA policies. On January 1, 2021, this Policy automatically sunsets and is no longer effective.

Qualifying Condition. In addition to the qualifying reasons for Family Medical Leave identified above, employees who have been employed with the ESC for at least thirty (30) calendar days, regardless of the number of hours worked, are eligible for FMLA leave because of a qualifying need related to a public health emergency. "Qualifying need for leave" means the employee is unable to work or telework due to a need for leave to care for the son or daughter under 18 of such employee if the school or place of care has been closed, or if the child care provider of such son or daughter is unavailable, due to public health emergency.

Length of Leave. Leave available under this Section adds an additional qualifying event for FMLA leave. It does not add additional time that an employee may take FMLA. Employees who take public health emergency FMLA leave are entitled *up to* twelve (12) weeks of leave. Employees who take FMLA leave are required to include leave taken for other FMLA-qualifying events when calculating the total leave time available. For example, if an employee takes 8 weeks of FMLA qualifying leave for his/her own serious health condition, that employee only had 4 additional weeks of FMLA leave available under the public health emergency provision of this Policy.

Paid Leave. Employees are required to give as much notice as practicable to the ESC regarding the need for leave under this policy. Once leave is approved, employees may elect to use any form of paid leave (ie. sick leave, vacation leave, personal leave) or may elect to take the leave in unpaid leave status for the first ten (10) calendar days of the leave. Thereafter, employees will receive a maximum of two-thirds of regular rate of pay the duration of their leave taken for this qualifying condition. Employee leave provided under this policy will not exceed \$200 a day or \$10,000 in the aggregate.

Employees are permitted to elect to use any form of paid leave to cover the remainder of the one-third. Such use of the employee's paid leave will not count toward the maximum \$200/day, \$10,000 in the aggregate amount.

Restoration to Former Position. Employees who take leave for any form of FMLA, including for public health emergency leave, are entitled to reinstatement to their former position or an equivalent position.

Expiration of Public Health Emergency FMLA Leave. Leave available under this Section must be utilized by December 31, 2020. This leave does not available in the 2021 calendar year.

Notice to Employees Regarding Genetic Information

The Genetic Information Non-discrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, *the Board is asking that employees not provide any genetic information* when responding to any request for medical information by the Center, except as noted below and/or as may be noted in any specific forms regarding employee requests for leave due to the health condition of a family member.

“Genetic information” as defined by GINA, includes an individual’s family medical history, the results of an individual’s or family member’s genetic tests, the fact that an individual or an individual’s family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual’s family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Exception: GINA allows employers to request family medical history, defined as information about the manifestation of disease or disorder in family members of an individual, to substantiate an individual’s need for leave. In cases where this exception applies, **the Board is asking employees not to provide any other genetic information when responding to a request for medical information**, including the results of an individual’s or family member’s genetic tests, the fact that an individual or an individual’s family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual’s family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Lactation Breaks

Employees who have recently given birth will be allowed a reasonable break time in order to nurse or express breast milk, for up to one year after the child’s birth. The employee will be provided appropriate space, other than a bathroom, that is shielded from view and free from intrusion from employees and members of the public. Lactation breaks under this policy should, to the extent possible, run concurrently with any other break time available to the employee.

HOLIDAYS / OFFICE CLOSINGS (11- AND 12-MONTH CENTRAL OFFICE EMPLOYEES)

Holiday determinations are influenced by the ESC of Central Ohio’s adopted calendars and Central Office holidays. The official calendar is adopted annually by the ESC of Central Ohio Governing Board and is distributed to all staff by July 1 each year.

The holiday calendar is posted on the ESC website at: <https://www.escco.org/Staff.aspx>

PERSONAL LEAVE - QUICK REFERENCE

Personal leave is available for:

- I. Office or legal appointments/duties
- II. Ceremonies involving you or your family members
- III. Activities for your school (college) or your child's
- IV. Religious holidays
- V. Accidents to you, your family, or your property
- VI. Other legitimate reasons approved by your immediate supervisor

Personal Leave cannot be used to extend a holiday (immediately before or after a school break) or during the first and last 30 days of the contract year, school year or employment.

Apply to your immediate supervisor 5 or more days in advance.

Exceptions: accidents, etc.

This list is not intended to be exhaustive. See details on the following page.

PERSONAL LEAVE

Applications for personal leave shall be made through the process identified by staff member's program administrator (Frontline Education Absence Management or paper form) at least five (5) days prior to the beginning of such requested leave. When emergency situations arise making such application impossible, the program administrator shall be notified at the first opportunity and written application for personal leave shall be submitted within three (3) days after the absence.

For full-time staff members, three (3) days of personal leave shall be allowed each contract year, without loss of salary, to transact personal business or attend to affairs which are of personal nature and cannot be conducted at times other than during regular work hours. Personal leave days are not cumulative from one year to the next. Personal leave may not be utilized to extend a holiday. Part-time staff members' personal leave is prorated. The Superintendent may grant additional days of personal leave in situations where he/she deems it appropriate.

Personal leave shall be authorized for the following:

- I. Accidents or catastrophes involving the staff member's immediate family* or property.
- II. Court appearance as litigant or witness.
- III. Observance of religious holidays where absence from work is required.
- IV. Graduation exercises or other ceremonies honoring the employee or members of the immediate family.*
- V. Weddings of staff members or the staff member's immediate family* or participation of the staff member as a member of the wedding party.
- VI. Attending funerals for extended family or friends (refer to sick leave in cases involving immediate family* members).
- VII. Arranging for the purchase or sale of the staff member's residence.

- VIII. Appointment with attorney when such appointment cannot be made at times other than regular work day.
- IX. Conference/activity at school of the staff member's child when such cannot be scheduled at times other than regular work day.
- X. Adoption of a child by staff member or staff member's spouse.
- XI. Enrolling or conducting business at college or university regarding the staff member or the staff member's immediate family* when such activity cannot be scheduled at times other than the regular work day.
- XII. Other such reasons as may be approved by the Superintendent and/or designee

Personal leave shall not be authorized for such purposes as the following:

- I. Gainful employment
- II. Seeking employment
- III. Recreational purposes
- IV. Holiday
- V. Vacation
- VI. To extend a holiday or vacation
- VII. Shopping tours
- VIII. Accompanying a spouse on a business trip
- IX. In lieu of sick leave

Teachers, Teacher Assistants, and Educational Interpreters must realize that requesting personal leave cannot be considered notification of the need for a substitute. Only secure a substitute after you know your leave has been approved.

Applications for the use of personal leave are not permitted during the first thirty (30) days and the last thirty (30) days of the school calendar, contract year or employment generally, unless approved by the Superintendent or designee.

**For purposes of the use of personal leave, "immediate family" is defined as the staff member's spouse, child, mother, father, brother, sister.*

SICK LEAVE - QUICK REFERENCE

Sick leave is available for:

- I. Pregnancy
- II. Injury to yourself or immediate family*
- III. Illness of yourself or immediate family*
- IV. Death of a family member** (Should not exceed 5 days)
- V. Medical/dental appointment for yourself or immediate family

Sick leave accumulates at the rate of 1-1/4 days per month for full time staff members. Sick leave is used in quarter-day increments.

Every paycheck reflects accumulated leave. Remember to follow substitute procedures.

If more than five (5) consecutive work days are used for sick leave, the employee is required to list and submit the name and address of the attending physician and the date(s) on which consultation occurred.

** Immediate family for injury or illness defined: Any member of the employee's family residing in the home of said employee, the employee's parents, children, or brothers or sisters*

*** Immediate Family for a death defined: Any member of the employee's family residing in the home of said employee, and the employee's father, mother, brother, sister, son, daughter, husband, wife, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, niece, nephew, or grandparents.*

This list is not intended to be exhaustive. See details in the following section.

SICK LEAVE

This information governing sick leave is constructed within the parameters set by the Ohio Revised Code and includes provisions embodied within ESC of Central Ohio Governing Board policy.

Full-time employees shall be entitled to fifteen (15) days sick leave with pay, for each year under contract, which shall be credited to the employee at the rate of one and one-fourth (1-1/4) days per month.

Sick leave for employees who render regular part-time, per diem, or hourly service shall be granted at a rate of 4.6 hours of sick leave for each 80 hours of service.

Sick leave may be cash out sick leave in accordance with the Educational Service Center's Severance Policy.

Use of Sick Leave

Sick leave with pay may be used for the following reasons with the approval of the Superintendent or designee:

- I. For absence of the employee due to personal illness, injury, or exposure to contagious diseases which could be communicated to other employees or school children.
- II. For absence of the employee due to pregnancy, accumulated sick leave may be used before delivery as well as the time period following delivery while under a doctor's care. Upon returning to work, a doctor's release must be provided. *
- III. For absence of the employee due to paternity, accumulated sick leave may be used. *

** To determine employee eligibility, type, length and other criteria for leave related to the birth or adoption of a child, please contact the ESCCO Human Resources Department at leavesofabsence@escoco.org as early as possible. Also see FMLA Leave.*

- IV. For medical/dental appointments which cannot be scheduled outside of employee's normal work hours.
- V. For absence of the employee due to the illness or personal injury of someone in the employee's immediate family. Immediate family is defined as any member of the employee's family residing in the home of said employee and the employee's parents, children, brothers, or sisters, if not residing with the employee for sick leave purposes.
- VI. For absence of the employee due to the death of a member of the immediate family.
- VII. Immediate family, for use of sick leave as it is related to death is defined as any member of the employee's family residing in the home of said employee, and the employee's father, mother, brother, sister, son, daughter, husband, wife, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law or daughter-in-law, niece, nephew or grandparents. Absence due to death in the immediate family should not exceed five (5) days.
- VIII. Other such reasons as may be approved by the Superintendent and/or designee

Any employee who finds it necessary to be absent for any of the reasons listed above shall contact his/her appropriate supervisor at the earliest possible time by phone and/or email.

Returning to Work

An employee returning to work after unanticipated sick leave must complete and process a "Request and Authorization for Leave" Form immediately upon his/her return to work.

Beyond five (5) consecutive days of absence, medical documentation is required prior to returning to work.

Employees may also be required to submit documentation from a health care provider after each occurrence of sick leave if their sick leave usage is considered excessive. An "occurrence" is defined as a single absence consisting of a single or consecutive time period.

The following accumulations of occurrences may be deemed to be excessive:

- a) Three (3) or more occurrences of sick leave in any 30-day period.
- b) Five (5) or more occurrences of sick leave in within a contract year, for 9/10-month employees.
- c) Seven (7) or more occurrences of sick leave within a contract year, for 11/12-month employees.

Employees who call in sick after they have requested and been denied vacation or personal leave will be required to submit a doctor's note

All days of employee absence for which sick leave is used shall be calculated according to the provisions listed below. Said provisions apply to individuals who work full time (7.5 - 8.0 hour days). Individuals who work less than full time should adjust the information presented below accordingly.

- I. Absence up to and including two (2) hours equals one-fourth (1/4) of a day's absence.
- II. Absence beyond two (2) hours up to and including the fourth (4th) hour equals one-half (1/2) of a day's absence.
- III. Absence beyond four (4) hours up to and including the sixth (6th) hour equals three-fourths (3/4) of a day's absence.
- IV. Absence beyond six (6) hours equals a full day's absence.

It is the responsibility of a new employee transferring sick leave to the Educational Service Center of Central Ohio to have a verified record of unused sick leave earned and accrued from a prior public employer in Ohio filed with the payroll department. Sick leave transfers are not accepted from, nor delivered to other states.

FAILURE TO SUBMIT, PROPERLY SUBMIT, PROCESS OR FALSIFICATION OF A SICK LEAVE STATEMENT BY AN EMPLOYEE IS GROUNDS FOR DISCIPLINARY ACTION, UP TO AND INCLUDING SUSPENSION OR TERMINATION OF EMPLOYMENT. (ORC 3319.141). EMPLOYEES ARE RESPONSIBLE FOR KNOWING PROPER LEAVE SUBMISSION PROCEDURES.

Note to all employees: Also see **Attendance** and **FMLA Leave** sections of the handbook

Note to all Special Education Staff: Refer to the Student Services Section of this handbook for procedures regarding absence.

Emergency Paid Sick Leave

Effective April 1, 2020 through December 31, 2020, the ESC also provides emergency paid sick leave to those eligible under the Families First Coronavirus Response Act. On January 1, 2021, this Policy automatically sunsets and is no longer effective.

All full-time employees who are unable to work or telework due to reasons set forth below are entitled to up to eighty (80) hours of paid sick leave, separate from the paid sick leave made available to employees as set forth above. Part-time employees are entitled to the number of paid sick leave hours that is equal to the number of hours that the employee works on average over a two (2) week period.

Employees are permitted to take paid sick leave under this Section at 100% of their regular rate of pay (for a maximum of \$511/day or \$5,100 in the aggregate) for the following reasons:

1. The employee is subject to a federal, state, or local quarantine or isolation because of COVID-19; or
2. The employee has been advised by a health care provider to self-quarantine because of COVID-19; or
3. The employee is experiencing symptoms of COVID-19 and is seeking a medical diagnosis.

Employees are permitted to take paid sick leave under this Section at 2/3rds of their regular rate of pay (for a maximum of \$200/day or \$2,000 in the aggregate) for the following reasons:

4. The employee is caring for an individual who is subject to a quarantine/isolation or has been advised by a health care provider to self-quarantine because of a COVID-19; or
5. The employee is caring for his/her son or daughter because the school or place of care of the son/daughter has been closed or the day care provider of the son or daughter is unavailable because of COVID-19 precautions.; or
6. The employee is experiencing any other substantially-similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretary of Labor and Treasury.

Employees are permitted to elect to use any form of paid leave to cover the remainder of the 1/3rd not paid for reasons set forth in (4) – (6) listed above. Such use of the employee's paid leave will not count toward the maximum \$200/day, \$10,000 in the aggregate amount.

Paid leave under this Section terminates when the need for sick leave terminates. Paid leave taken for reasons set forth in (1) – (4) and/or (6) listed above cannot be taken intermittently. Paid leave taken for the reason set forth in (5) above may be taken intermittently, in a manner agreeable to the ESC.

Employees are required to provide documentation which substantiates the need for paid leave under this Section.

Paid leave available under this Section must be utilized by December 31, 2020. This paid leave does not carry over into the 2021 calendar year.

UNREQUESTED LEAVE OF ABSENCE

The ESC of Central Ohio Governing Board serves to protect students, staff members and the public by maintaining a safe and healthy work environment.

The ESC of Central Ohio Superintendent reserves the right to place a staff member on unrequested leave of absence or recommend disability retirement for his/her inability (medical condition for disability retirement) to perform assigned duties.

If the Superintendent believes that the staff member is unable to perform his or her job duties with or without a reasonable accommodation, the ESC shall order the staff member to submit to an appropriate examination by a designated physician. The ESC reserves the right to direct the staff member to provide confirmation of his or her ability to perform job duties from the staff member's qualified personal health care provider at the staff member's cost, or require the staff member to submit to an independent examination by a qualified health care provider at the ESC's own expense.

If, as a result of such examination, the staff member is found to be unable to perform assigned duties with or without a reasonable accommodation, the staff member shall be placed on unpaid leave of absence until proof of recovery, to the satisfaction of the ESC of Central Ohio Governing Board, is furnished, unless there is no reasonable likelihood of the staff member being able to return to work within a reasonable period of time.

Should a staff member refuse to submit to examination requested by the ESC, such refusal shall subject the staff member to disciplinary action. This action may include the due process procedures for termination of employment.

VACATION LEAVE

Group 1 – Pre-2009 Merger:

*Educational Service Center of Central Ohio employees hired prior to January 1, 2009.
Employees of the former Delaware/Union Educational Service Center.*

General Provisions

1. Definition of full-time employee
 - a. For purposes of vacation full-time employee shall be defined as one who works 11 or 12 months per year and 30 or more hours per week.
2. Vacation leave accumulation
 - a. Vacation days cannot be applied to official non-contract days contained within the ESC calendar.
 - b. Employees may carry a maximum vacation leave balance of 1.5 times the amount of vacation leave accrued per contract year. At no time shall a total accumulation of unused vacation leave exceed 1.5 times the annual contractual amount.

Example: Employee A earns ten (10) vacation days per contract year and may accumulate a maximum balance of fifteen (15) days of vacation leave. Employee B earns twelve (12) vacation days per contract year, and may accumulate a maximum balance of eighteen (18) days of vacation leave.

Non-Teaching / Non-Administrative (NTNA) Employees

1. Employees with less than ten (10) years of service in the DUESC shall be entitled to an annual vacation, exclusive of legal holidays, of thirteen (13) days.
2. Employees completing ten (10) or more years of service at the ESCCO shall be entitled to vacation leave for a minimum of fifteen (15) days in the next contract year.

3. Employees completing twenty (20) or more years of service at the ESCCO shall be entitled to vacation leave of twenty (20) days in the next contract year

Administrator Employees

1. Twelve (12) month employees are entitled to an annual vacation, with pay, of twenty (20) vacation days.
2. No more than five (5) days may be carried into the new contract year.

Group 2 – Post 2009 Merger

Educational Service Center of Central Ohio employees hired prior to and after January 1, 2009.

*Employees of the former Educational Service Center of Franklin County
Current ESC of Central Ohio employees*

General Provisions

1. Definition of full-time employee
 - a. For purposes of vacation fulltime employee shall be defined as one who works 11 or 12 months per year and 30 or more hours per week.
2. Vacation leave accumulation
 - a. Vacation days cannot be applied to official non-contract days contained within the ESC calendar.
 - b. Employees may carry a maximum vacation leave balance of 1.5 times the amount of vacation leave accrued per contract year. At no time shall a total accumulation of unused vacation leave exceed 1.5 times the annual contractual amount.

Example: Employee A earns ten (10) vacation days per contract year and may accumulate a maximum balance of fifteen (15) days of vacation leave. Employee B earns twelve (12) vacation days per contract year, and may accumulate a maximum balance of 18 days of vacation leave.

3. Scheduling time frame
 - a. Vacation leave is to be scheduled with regard to appropriate coverage in each program or ESCCO Center. Approval will be based on ESCCO peak work periods.
 - b. Applications require at least three (3) work days, preferably ten (10) work days, before departure time.
4. Approval
 - a. Approvals are to be obtained in advance from the staff member's immediate supervisor.
5. Usage Timeframe

- a. Vacation can be taken as it accrues.
- b. Generally, vacation leave is to be taken between October 16th and July 31st of each year to maintain a full staffing during peak periods. Exceptions may be made by the Superintendent in consultation with the staff member's immediate supervisor.

Non-Teaching / Non-Administrative (NTNA) Employees

1. Staff members employed pursuant to twelve (12) month contracts and working greater than or equal to thirty (30) hours per week are entitled to accrue vacation leave as follows:
 - a. One day per month under contract.
 - b. Employees completing ten (10) or more years of service at the ESCCO shall be entitled to vacation leave for a minimum of fifteen (15) days in the next contract year.
 - c. Employees completing twenty (20) or more years of service at the ESCCO shall be entitled to vacation leave of twenty (20) days in the next contract year. Vacation leave accrues in equal increments over the course of the school year.
 - d. Part-time employees shall receive a pro-rata share of vacation commensurate with the fraction of hours worked as compared to the number of hours worked by a full time employee in a like position.

Administrator Employees

1. All regular full time employees accrue annual vacation as follows:
 - a. Personnel employed pursuant to twelve (12) month contracts of employment are entitled to fifteen (15) days of vacation per contract year. Vacation is accrued at a rate of one and one-quarter (1.25) days per month. Vacation leave can be taken as it accrues.
 - b. Personnel employed pursuant to eleven (11) month contracts of employment are entitled to ten (10) days of vacation per contract year. Vacation is accrued at a rate of .833 days per month

Section VII

Compensation

SALARY SCHEDULES

The ESC of Central Ohio Governing Board shall provide salary and employee benefits as it deems appropriate and mutually beneficial to the ESC and its staff. Being cognizant of the changing times, the ESC of Central Ohio Governing Board will adjust salaries in accordance with law and at such times as it deems prudent and necessary. The ESC of Central Ohio Governing Board will review salary schedules and adopt new schedules annually and shall inform all staff of their salary for the following year. Salary schedules are available on the ESC of Central Ohio website under the Human Resources and Careers link.

PLACEMENT ON SALARY SCHEDULE

The ESC of Central Ohio Governing Board retains the authority to specify the salary of new positions and to determine the credit to be awarded for placement on an existing salary schedule. The Superintendent is authorized to credit for placement on the teacher salary schedule all appropriate years of service, not to exceed ten (10) years. Years of service shall be defined as 120 or more days worked in a contract year. In order to advance one (1) step on a salary schedule, an employee must have served at least 120 days of the previous contract year.

PAY PERIODS

All full-time salaried 9- through 12-month staff members are paid in twenty-four (24) equal installments during the contract year. Payment is made on the 5th and 20th day of each month or on the preceding workday whenever these dates fall on a weekend or on a holiday. Part time and non- salaried staff members shall be paid pursuant to the same schedule except where the nature of a particular work schedule necessitates a variance from this policy. Such nonstandard payments must be approved by the ESCCO Treasurer.

TIME SHEET SUBMISSION

Time sheets are to be submitted to the ESC of Central Ohio Business Services Office by emailing timesheets@escoco.org or faxed to 614.445.3772 the day after each pay date. Therefore, time sheets are due on the 6th and 21st of each month. If these dates fall on a weekend or holiday, time sheets are to be submitted the first workday following the pay date.

DIRECT DEPOSIT

Direct deposit of payroll is mandatory for all employees. Payroll funds can be deposited to any qualified banking institution or credit union. Funds may be distributed among four (4) accounts. Information and forms will be included in the new hire packet. It is the employee's responsibility to notify the payroll department of any changes to one's account or banking facility. Contact the payroll department to request a new form. (payroll@escoco.org)

Pay stubs will be sent to staff via electronic mail.

PAYROLL DEDUCTIONS

The ESC of Central Ohio Governing Board is required by law to make deductions from the wages of employees for Federal and State income tax, municipal income tax, school income tax, School Employees Retirement System (R.C. 3309.47, 3309.56), Social Security, State Teachers Retirement System and School Employees Retirement System (R.C. 3307.51, 3307.62) without prior authorization. Any other deduction requires prior ESC of Central Ohio Governing Board authorization. It is the employee's responsibility to notify the ESC of Central Ohio Payroll Office of any changes in building assignment, name, and/or home address by submitting an Employee Information Change Form.

Every effort is made to ensure that employees are paid accurately. To ensure that you are paid properly for all time worked and that no improper deductions are made, you must review each of your paystubs promptly after they are issued. Employees are responsible for bringing mistakes in their pay and improper deductions to the attention of the Treasurer's Office in a timely manner. Employees must specify in writing the manner in which the employee's pay is inaccurate so that the ESC can fully investigate the matter. The Treasurer will request that any action necessary to correct the employee's pay, including reimbursement for any improper deduction, be made promptly.

In addition, the ESC will not allow any form of retaliation against employees who report alleged improper pay practices or that their pay was inaccurate, or who cooperate in an investigation of such reports.

OHIO DEFERRED COMPENSATION | SUPPLEMENTAL RETIREMENT SAVINGS

Ohio Public employees have the ability to save supplemental retirement funds through the Ohio Deferred Compensation Program. Ohio Deferred Compensation is tax-deferred, which means the money that goes into your account comes out of your paycheck before it is subject to State and Federal income taxes.

For more information or to enroll in the program, go to <http://ohiodc.org>.

TAX DEFERRED RETIREMENT PLAN CONTRIBUTIONS

Employees of the ESC of Central Ohio may choose to make contributions to tax deferred retirement plans, such as 403b and 457 plans. Employees interested in enrolling and making contributions to such plans may obtain additional information from the Business Services Office.

SECTION 125 PROGRAM (FLEXIBLE SPENDING)

The Governing Board has approved participation in a Section 125 (Flexible Spending) program. This is a program providing employees a payroll deduction of a pre-tax amount to be used for out-of-pocket medical expenses and a separate program for child or adult care. Employees may sign up for this program during the open enrollment period.

IN LIEU OF BENEFITS

For those eligible employees not electing DUESC Governing Board paid group health insurance prior to January 1, 2009, and who previously received the "Benefits in lieu of" fringe benefit, the Governing Board of the ESC of Central Ohio will contribute annually a fringe benefit amount equal to 10% of their salary up to \$3,000 into a Governing Board sponsored Section 125 plan.

CREDIT UNIONS

Employees of the Educational Service Center of Central Ohio are eligible to participate in the SMART Federal Credit Union, CME (Columbus Municipal Employees) Federal Credit Union or the Education First Credit Union.

Education First Credit Union 614.221.9376 | www.educu.org/

SMART Federal Credit Union 614.261.0650 | www.smartfedcu.com

CME (Columbus Municipal Employees) Federal Credit Union 614.224.8890 | www.cmefcu.org/

JOB-RELATED EXPENSES AND PROFESSIONAL MEETINGS

For complete information and regulations regarding Professional Meetings and Reimbursement please see Administrative Guidelines 1440, 3440, and 4440 and Governing Board Policies 1440, 3440, and 4440

All expense reimbursement is subject to Board policy and guidelines and applicable State and Federal laws. All expenses reimbursed by the Board must be reasonable and business-related.

Expenses which are incurred by professional staff members as a result of authorized travel will be reimbursed to the extent provided for in these guidelines. Reimbursement is intended to provide for transportation, lodging, and food of reasonable and adequate quality. When traveling on Center business, a professional staff member is expected to use the same care in incurring expenses that a prudent person would exercise if traveling on personal business. For out-of-state travel, consideration shall be given to relevant cost-of living differences.

Of necessity, these guidelines must be general in nature because of the varying conditions under which travel is performed and the requirements of certain grants or contracts entered into by the Center.

Employees are required to reimburse the Center where the employee fails to attend a professional meeting where the Center had prepaid for travel services, conference registration, or other expenses, where the employee is without good reason for such failure.

AUTHORIZATION

Authorization for expenses is required pursuant to Board Policy.

Travel outside the Center to attend meetings or in connection with normal discharge of duties may be authorized by the Superintendent.

Travel to conventions or conferences which involve overnight stay away from the Center must be authorized by the Superintendent. All such requests must be received in the Central Office at least fifteen (15) days prior to the date of travel. The Superintendent may waive the requirement upon the consideration of specified circumstances.

All professional meeting requests and associated anticipated costs must be approved by the Superintendent. The Treasurer/CFO will approve related reimbursement requests. All Center costs associated with professional meetings shall be regularly reported to the Governing Board by the Treasurer.

PROCEDURE

Professional staff members are expected to exercise the same care incurring travel expenses that a prudent person would exercise if traveling on personal business and expending personal funds. Unauthorized costs and additional expenses incurred for personal preference or convenience will not

be reimbursed. Travel by first class or business class or upgrades to hotels, rooms, vehicles, or other travel amenities where additional costs are incurred is unauthorized and, absent extraordinary documented circumstances, will not be reimbursed beyond the base cost.

"Frequent Flyer" mileage accrued by employees and officials cannot be used to upgrade flyers to business class or first class unless acquiring such upgrade is reasonable in light of flight schedules and a lack of availability in coach class or its equivalent. Documentation of such use/redemption must be submitted. These restrictions apply to both in-state and out-of-state travel.

Each request for travel or conference funds should detail the reasons for the expenditures and should not be labeled in broad general terms.

Travel should be by the most reasonable, direct and economical route. The use of air, train, bus, or private vehicle shall be selected on the basis of the most reasonable and appropriate method, taking into account distance, time, and total costs. Where practical, employees are encouraged to carpool to the same function.

All persons authorized to travel on official business should keep a memorandum and detailed receipts of expenditures properly chargeable to the Board.

All airfare and hotel stays for official Center travel must be booked through an approved travel agency and paid for by the Center. The travel agency shall seek the best available rate on behalf of the Center. Failure to comply with the travel agency requirement will result in a reduction of the reimbursement to the employee by two percent (2%) of the cost of the first occasion, and a denial of reimbursement on subsequent occasions. All conference registration costs must be prepaid by the Center and is not reimbursable to employees. In situations where compliance with this paragraph is not possible (such as a weather emergency or a late-running meeting out of the area), employees must ask for and accept the best available rate including the government rate if available, and the Treasurer has discretion to reimburse, less a two percent (2%) reduction, upon the employee providing within three (3) business days written approval of his or her supervisor and evidence of both an attempt to comply and the situation that necessitated noncompliance.

In all instances of travel reimbursement, full itemization of expenditures is required.

Those doing such traveling should be expected to exercise the same care in incurring expenses that they would in travel on personal business of their own. Excessive and unnecessary travel will not be approved nor reimbursed.

REIMBURSEMENT

Reimbursement will be at the current rates approved by the Governing Board. Requests for reimbursement will be submitted on special forms provided for that purpose.

Employees shall not be reimbursed for mileage commuting from their residence to their assigned workplace or from their assigned workplace to their residence. If an employee is required to report to a location other than his/her assigned workplace, the employee will only be reimbursed for the distance from his/her residence to the alternate location, less the employee's normal commute. For example, if the employee's normal commute from his/her residence to his/her assigned workplace is ten miles, and the employee's commute from his/her residence to the authorized destination is thirty miles, the employee shall only be reimbursed for twenty miles.

Travel outside the Center will be reimbursed at the regular fare rate charged the general public by common carrier, unless travel by private conveyance is more economical, in which case mileage will be reimbursed at the Internal Revenue (IRS) rate, unless otherwise stipulated in a grant or contract paying for the travel. Employees may use a private vehicle only if the owner is insured under a liability policy that complies with Ohio law and only if the employee maintains a valid driver's license. Gasoline, damages, needed service, or repairs to private vehicles are the responsibility of the employee, as these

costs are included in the per mile cost reimbursement.

Taxi fare from home and conference destination to terminal and return is allowable with receipt.

Rental car reimbursements shall be authorized only if their use is more economical than any other type of available transportation.

Reimbursement for reasonable charges for tolls, lodging, parking, taxis, and official phone calls will be made upon presentation of supporting receipts.

The individual daily limit on meals is \$60 per day for overnight stays and \$15 for lunch for professional meetings not requiring an overnight stay unless preapproved by the Superintendent or designee for a different amount. If approval is given, it must be in written format and attached to the professional meeting request form. Gratuities of any kind will be reimbursed at a rate not more than twenty percent (20%) of the original bill unless the establishment has a set gratuity rate. The dollar limits on real reimbursement includes tip amounts. If meals are included in registration fees, duplicate meals shall not be reimbursed.

The Treasurer may deny any request for reimbursement, in whole or in part, on the basis of noncompliance with Board policy or guidelines, State or Federal law or regulations, or the requirements of any applicable grant or contract. In addition, when reimbursement for an expense would be considered a fringe benefit by the Internal Revenue Service, such expense shall be ineligible for reimbursement. For example, current guidance from the IRS indicates that where an employee eats a meal alone on a day trip, the cost of such meal if reimbursed would be considered a fringe benefit; therefore, such meals would not be reimbursed.

TAXES

Sales tax on hotel bills and non-exempt restaurants, soda, and meals are reimbursable.

JURY DUTY

The ESC of Central Ohio encourages each staff member called for jury duty to serve unless excused by the appropriate judicial authority and provided such jury duty does not impose a hardship on the operation of the Educational Service Center of Central Ohio.

The ESC of Central Ohio Governing Board shall pay to each staff member serving as a juror his/her regular salary while serving for each working day of jury duty. Any compensation received while on Educational Service Center of Central Ohio paid jury duty leave will be payable by the employee to the Educational Service Center of Central Ohio.

Note: This does not include substitute employees.

WITNESS DUTY

The ESC of Central Ohio encourages each staff member called as a witness to serve unless excused by the appropriate judicial authority and provided such witness duty does not impose a hardship on the operation of the Educational Service Center of Central Ohio.

The ESC of Central Ohio Governing Board shall pay to each staff member serving as witness his/her regular salary while serving for each working day as a witness. Any compensation received

while on Educational Service Center of Central Ohio paid witness duty leave will be payable by the employee to the Educational Service Center of Central Ohio.

UNEMPLOYMENT COMPENSATION

As provided by the State of Ohio, unemployment compensation is an insurance plan to afford employees, when eligible, protection against loss of earnings. The ESC of Central Ohio Governing Board pays the costs of the claim when incurred.

RETIREMENT CONTRIBUTIONS AND CREDIT ACCRUAL

Ohio law requires all certificated/licensed personnel to contribute to the State Teachers Retirement System and all non-certificated/licensed personnel to contribute to the School Employees Retirement System. There is no provision for any staff member to waive participation in either retirement system. Contribution rates are set by law.

Individuals working less than one hundred twenty (120) days in the contract year will receive a pro rata share of a full year's STRS / SERS credit.

SEVERANCE PAY

Educational Service Center of Central Ohio employees hired prior to January 1, 2009
(Includes employees of the former Educational Service Center of Franklin County)

If a professional or non-teaching/non-administrative employee has less than eight (8) years of experience with the ESCFC/ESCCO, the State, any political subdivision, or any combination thereof, and qualifies for retirement with the appropriate retirement system, the employee may elect, at the time of retirement from active service with the Board and upon presentation of evidence of service retirement from the appropriate system, to receive severance payment for their accrued but unused sick leave, in the amount of one-fourth (1/4) of 120 days to a maximum of thirty (30) days.

Additionally, unless otherwise set forth in terms of an individual contract, professional or non-teaching/non-administrative staff employed by the Governing Board with eight (8) or more years of service with the Board, may elect, at the time of retirement from active service with the Board and upon presentation of evidence of service retirement from the appropriate retirement system, to receive severance pay for their accrued but unused sick leave in the amount of one-fourth (1/4) of the total days within their individual, annual employment contract to a maximum of fifty (50) days.

Severance pay shall be based upon the professional or non-teaching/non-administrative employee's rate of pay at the time of retirement and eliminates the employee's entire sick leave accrual upon payment.

A professional or non-teaching/non-administrative employee, in order to receive severance pay in the amount determined above, shall have provided written notification to the Board of his/her intention to retire at least three (3) months prior to his/her last day of service and the Board shall have formally accepted such notification of intent to retire.

Payment shall be made no later than sixty (60) days after the Board acts to accept the notification of intent to retire and the employee's retirement is verified to the Office of the Superintendent by the retirement system.

Severance payment shall be made only once.

For employees who qualify for retirement* and are age 55 or older, payment will be made to a qualified employer-approved tax-sheltered 401, 457 or 403(b), or other qualified plan to the extent permitted by law. For employees who qualify for retirement* and are not yet 55 years of age prior to the effective date of retirement, severance will be paid through payroll to the employee.

**For the purposes of this policy, "retirement" means service retirement under any Ohio Retirement System (State Teachers Retirement System, School Employees Retirement System, and Public Employees Retirement System) and does not include disability retirement.*

Employees of the former Delaware/Union Educational Service Center

The Educational Service Center of Central Ohio shall provide for a cash payment to its professional or non-teaching/non-administrative staff employed a minimum of five (5) years for unused sick leave when an employee receives a disability or service retirement under any state retirement system.

As used herein, "retirement" means disability or service retirement under a state retirement system and "year of service" means service with the state, any political subdivision, or combination thereof. A "year of service" shall mean not less than one hundred twenty (120) days of service within a benefit year.

A professional or non-teaching/non-administrative employee will be paid for one-fourth (1/4) of the value of his/her accumulated but unused sick leave. Such payment shall be based on the employee's rate of pay at the time of retirement. An employee may receive, at the discretion of the ESCCO Governing Board and the aggregate value of the accrued but unused sick leave that is paid shall not exceed the value of thirty (30) days. The payment to an employee under this provision eliminates all sick leave credit accrued but unused at the time of retirement*.

Retirees must provide appropriate proof of retirement* (copy of initial retirement check or bank confirmation) to qualify for severance pay.

For employees who qualify for retirement* and are age 55 or older payment will be made to a qualified employer-approved tax-sheltered 401, 457 or 403(b), or other qualified plan to the extent permitted by law. For employees who qualify for retirement* and are not yet 55 years of age prior to the effective date of retirement, severance will be paid through payroll to the employee.

Educational Service Center of Central Ohio Employees Hired after January 1, 2009

If the professional or non-teaching/non-administrative employee has less than ten (10) years of experience with the ESCCO, the State, any political subdivision, or any combination thereof, and qualifies for retirement with the appropriate retirement system, the employee may elect, at the time of retirement from active service with the Board and upon presentation of evidence of service retirement

from the appropriate system, to receive severance payment for their accrued but unused sick leave, in the amount of one-fourth (1/4) of 120 days to a maximum of thirty (30) days.

Additionally, unless otherwise set forth in terms of an individual contract, professional or non-teaching/non-administrative staff employed by the Governing Board with ten (10) or more years of service with the Board, may elect, at the time of retirement from active service with the Board and upon presentation of evidence of service retirement from the appropriate retirement system, to receive severance pay for their accrued but unused sick leave in the amount of one-fourth (1/4) of the total days within their individual, annual employment contract to a maximum of fifty (50) days.

Severance pay shall be based upon the professional staff member's rate of pay at the time of retirement and eliminates the employee's entire sick leave accrual upon payment.

An employee, in order to receive severance pay in the amount determined above, shall have been employed by the Education Service Center of Central Ohio for five (5) consecutive years, shall have provided written notification to the Board of his/her intention to retire at least three (3) months prior to his/her last day of service and the Board shall have formally accepted such notification of intent to retire.

Payment shall be made no later than sixty (60) days after the Board acts to accept the notification of intent to retire and the employee's retirement is verified to the Office of the Superintendent by the retirement system.

Severance payment shall be made only once.

For employees who qualify for retirement and are age 55 or older payment will be made to a qualified employer-approved tax-sheltered 401, 457 or 403(b), or other qualified plan to the extent permitted by law. For employees who qualify for retirement and are not yet 55 years of age prior to the effective date of retirement, severance will be paid through payroll to the employee.

R.C. 124.39(B)

Section VIII

**Employee Evaluation &
Resignation**

EVALUATION OF PERSONNEL

EMPLOYEE EVALUATIONS

The evaluation of staff members will enable the ESC of Central Ohio to ensure the effectiveness and competence of staff members and to facilitate their professional growth and development.

At the start of the school year, supervisors will communicate evaluation timelines and procedures to staff members. Supervisors and program administrators will also provide staff members with a copy of the appropriate evaluation forms and documentation.

The ESCCO evaluates employees in two categories:

- I. Teaching Employees Subject to Standards-Based Evaluation (OTES)
- II. Non-Teaching Employees and Staff Not Subject to Standards-Based Evaluation

TEACHING EMPLOYEES

ESC Teaching employees are subject to a standards-based evaluation system required in State Law. The ESC Governing Board has adopted the Ohio Teacher Evaluation System in order to meet this requirement for teaching employees under its direct supervision.

EVALUATIONS OF CONTRACTED STAFF

Contracted staff members subject to Standards-Based Evaluation will be evaluated by the district/agency/school in which they are placed. If you are a contracted teaching employee, please contact your direct supervisor if you have any questions relating to evaluation.

The Board believes in the importance of ongoing assessment and meaningful feedback as a powerful vehicle to support improved teaching performance and student growth, as well as promotion and retention decisions for teachers.

DEFINITIONS

OTES: Ohio Teacher Evaluation System (OTES), as adopted by the Ohio State Board of Education in 2011, or as otherwise modified by the State Board of Education.

Teacher: For purposes of this policy, “teacher” means licensed instructors who spend at least fifty percent (50%) of his/her time providing student instruction and who is working under one of the following:

- I. A license issued under R.C. 3319.22, 3319.26, 3319.222 or 3319.226; or
- II. A professional or permanent certificate issued under former R.C. 3319.222.

Substitute teachers and teachers not meeting this definition are not subject to evaluation under this policy.

Credentialed Evaluator: For purposes of this policy, each teacher subject to evaluation will be evaluated by a person who meets the eligibility requirements under R.C. 3319.111(D)

STANDARDS BASED TEACHER EVALUATION

Teacher evaluations will utilize multiple factors, with the intent of providing meaningful feedback to each teacher and assigning an effectiveness rating based in equal part upon teacher performance and student growth.

Each teacher evaluation will result in an effectiveness rating of:

- a) Accomplished
- b) Skilled
- c) Developing
- d) Ineffective

The specific standards and criteria for distinguishing between these ratings/levels of performance shall be the same as those developed by the State Board of Education, as amended from time to time, which are incorporated herein by reference.

Fifty percent (50%) of each evaluation will be based upon teacher performance and fifty percent (50%) on measures of student growth as set forth herein.

ASSESSMENT OF TEACHER PERFORMANCE

Teacher performance will be evaluated during formal observations, informal observations also known as "classroom walkthroughs," and other methods of gathering teacher performance data. Such performance will be assessed by trained and credentialed evaluators based upon the *Ohio Standards for the Teaching Profession*.

Formal Observation and Classroom Walkthrough Sequence

All instructors who meet the definition of "teacher" under R.C. 3319.111 and this policy shall be evaluated based on at least two (2) formal observations and classroom walkthroughs each school year, except as provided below.

Teachers on a limited contract who are under consideration for nonrenewal shall receive at least three (3) formal observations in addition to classroom walkthroughs.

- I. A teacher who receives a rating of "Accomplished" on his/her most recent evaluation may be evaluated once every three years as long as the teacher's student academic growth measure for the most recent school year for which data is available is average or higher.
 - a. In any year that a teacher is not formally evaluated as a result of receiving a rating of "Accomplished" on the teacher's most recent evaluation, a credentialed evaluator shall conduct at least one observation of the teacher and hold at least one conference with the teacher.
- II. A teacher who receives a rating of "Accomplished" on his/her most recent evaluation may complete a project in place of one of the required observations, if the Board passes a resolution to that effect. The project must be approved by the Board.
- III. A teacher who receives a rating of "Skilled" on his/her most recent evaluation may be evaluated every other school year as long as the teacher's student academic growth measure for the most recent school year for which data is available is average or higher.
 - a. In any year that a teacher is not formally evaluated as a result of receiving a rating of "Skilled" on the teacher's most recent evaluation, a credentialed evaluator shall conduct at least one observation of the teacher and hold at least one conference with the teacher.

The Board may elect not to evaluate any teacher who:

- I. Was on leave from the Board for 50% or more of the school year as calculated by the Board, or
- II. Has submitted a notice of retirement that was accepted by the Board not later than December 1 of that school year.

Teaching employees are hereby advised that the Board may conduct evaluations more frequently than outlined within this policy.

Evaluations will be completed by May 1st and each teacher will be provided a written report of the results of his/her evaluation by May 10th. Written notice of nonrenewal will be provided by June 1st.

In evaluating teacher performance in these areas, the Board shall utilize the measures set forth by the Ohio Department of Education's OTES "Teacher Performance Evaluation Rubric" for instructional planning, instruction and assessment, and professionalism.

ASSESSMENT OF STUDENT GROWTH

In determining student growth measures, the Board shall comply with law and regulations adopted by the Ohio Department of Education. Where value-added methodologies exist for teachers, the Board will utilize them in the evaluation process, as required by law. Teachers instructing in value-added courses, but not exclusively, will utilize teacher value-added and locally determined measures proportionate to the teacher's schedule.

When an approved Ohio Department of Education vendor assessment is utilized in the measurement of student growth, it will be included in the evaluation process consistent with law.

When neither teacher-level value-added data nor Ohio Department of Education-approved assessments are available; the Center shall use locally-determined Student Growth Measures for teachers. Data from these approved measures of student growth will be scored in accordance with the Ohio Department of Education/OTES guidance.

FINAL EVALUATION PROCEDURES

Each teacher's performance rating will be combined with the assessment of student growth measures to produce the summative evaluation rating, based upon the "Evaluation Matrix" established by ODE in its framework, as amended from time to time.

The evaluator shall provide that each evaluation is submitted to the teacher for his/her acknowledgement by written receipt.

PROFESSIONAL GROWTH PLANS AND PROFESSIONAL IMPROVEMENT PLANS

Based upon the results of the annual teacher evaluation as converted to the "Evaluation Matrix," each teacher must develop either a professional growth plan or professional improvement plan as set forth in ODE's framework.

RETENTION AND PROMOTION DECISIONS/REMOVAL OF POORLY PERFORMING TEACHERS

It is the purpose of this Standards-Based Teacher Evaluation Policy to improve the quality of instruction, enhance student learning and strengthen professional competence through meaningful feedback and targeted professional development. In addition, the evaluations produced will serve to inform the Board on employment decisions, i.e., retention, promotion of teachers, renewal of teaching contracts, and the removal/nonrenewal of poorly performing teachers.

Nothing in this policy will be deemed to prevent the Board from exercising its rights to nonrenew, terminate, or suspend a teaching contract as provided by law. The evaluation system and procedures set forth in this policy shall not create an expectation of continued employment for teachers on a limited contract that are evaluated under this policy.

NON-TEACHING EMPLOYEES AND STAFF NOT SUBJECT TO STANDARDS-BASED EVALUATION

YEAR WHEN EMPLOYEE CONTRACT IS ENDING (*INTENSIVE EVALUATION*)

ESC of Central Ohio staff that possess one-year contracts or are in the final year of a multi-year contract will be evaluated according to the guidelines established for the intensive evaluation. The staff member's supervisor will meet with the staff member to review the elements of the evaluation and establish a timeline for implementation of the evaluation process.

The following are elements of the intensive evaluation:

- I. Mutually agreed upon goal(s) (evaluator and evaluatee) with strategies to achieve goals and establish indicators of success.
- II. Evaluation of job skills (from job description) according to a scale established by the ESC of Central Ohio evaluation committee. Teachers and other certificated/licensed staff may have elements of the Praxis/Pathwise domains incorporated into their evaluations.
- III. Section for Evaluator to provide comments, commendations, suggestions, positive feedback to the evaluatee.
- IV. Section for evaluatee comments regarding the school year.
- V. Summary of Observations made by supervisor (if applicable).

All dates/timelines must adhere to the guidelines as established in the Ohio Revised Code.

YEAR WHEN EMPLOYEE CONTRACT IS NOT ENDING (*NON-INTENSIVE EVALUATION*)

During a non-contract renewal year, ESC of Central Ohio staff will participate in an alternative evaluation process. Non-contract year employees will work with the supervisor to develop goals, strategies, and indicators of success for the evaluation year. In addition, the ESC employee will select *one of the following to accompany the goals section of the evaluation.

Self-assessment: Utilizing the skills section of the intensive year evaluation, the ESC staff member will complete a self-assessment.

Feedback: Utilizing an agreed upon instrument, the ESC staff member will secure feedback regarding his/her job performance from students, parents, and/or peers.

Critical Friends: The ESC staff member will participate in a critical friends group in order to secure support, feedback, assistance, etc. to enhance the staff member's skills/abilities as an employee of the organization.

Special Project: The ESC staff member will participate in a special project, i.e. curriculum-related, classroom environment, etc. which will enhance the staff member's skills and abilities.

Portfolio: The ESC staff member will develop a portfolio which may include student work samples, units/activities developed, summaries of professional development activities, reflection journal, etc. to be shared with the supervisor at the review conference.

Technology: The ESC staff member will participate in one professional development activity related to technology.

Options will be mutually agreed upon by supervisor and staff member.

A staff member on a continuing contract whose work performance declines may be evaluated on a more frequent basis and a plan for improvement will be developed. ESC of Central Ohio staff will be given opportunities to be supported in the process of improved work performance.

RESIGNATION

RESIGNATION PROCEDURE

Employees intending to resign their current contracts must submit a signed, dated letter of resignation to their immediate supervisor that is addressed to the Superintendent.

The following guidelines must be followed:

Professional/Certificated/Licensed and Non-teaching, Non-Administrative Educational Staff

1. At the conclusion of the school year, but prior to July 10th, an educational staff member may resign in accordance with the terms of his/her employment contract. After July 10th, an educational staff member's resignation may be accepted when an opportunity is offered for significant professional advancement and an acceptable replacement has been secured.
2. All resignations are first subject to the Superintendent's acceptance and then recommended to ESC of Central Ohio Governing Board for approval. Educational staff members should also refer to the LPDC Plan of Operation in order to request a transfer to his/her new school district of employment, if applicable.

Administrators and Non-teaching / Non-Administrative Support Staff

1. Non-educational staff members who are planning to resign should notify their immediate supervisor as soon as possible. A minimum of two weeks' notice is required.

Resignations tendered during the contract/school year will be effective *if and when* accepted by the ESC of Central Ohio Governing Board.

Section IX

**Student Services Program &
Classroom Procedures**

STUDENT SERVICES INTRODUCTION

The Student Services section to the Educational Service Center of Central Ohio Staff Handbook was developed for teachers, related service staff, teacher assistants and educational interpreters who are part of the special education program. It is intended to provide procedural clarifications, especially for teachers, who find themselves in the unique position of working within two school systems. While teachers, teacher assistants and educational interpreters are employed by the ESC of Central Ohio; they must also operate within the rules and regulations of the school building in which the class is housed. Understanding and working within both systems is crucial to the success of each class.

The ESC of Central Ohio Staff Handbook is not intended to be a substitute for the staff handbook used in the assigned building. Rather, it should be used in a complementary fashion to provide specific guidelines for areas that are not covered by the building handbook. The only exceptions to the above statement are the sections involving human resource issues such as requests for leave and evaluation procedures. In these cases, the information in the ESC of Central Ohio Staff Handbook should be followed.

If there are areas in the ESC of Central Ohio and building handbooks that appear to provide conflicting information, please consult your coordinator or building principal.

CONTACTS

ESC Student Services Support Staff

If you need to contact a Student Services administrative assistant, please refer to the topics below to identify the proper contact person. For questions not specific to student services or for contact information not listed here, refer to the Contact page at the beginning of this handbook.

SUSAN CRONIN

ESC Student Services Administrative Assistant

Susan.Cronin@escoco.org | 614.542.4106

- General Special Education Information
- Absence Management (Formerly AESOP)
- Budget
- HQT Data Collection
- Interpreter Requests
- Mileage Reimbursements
- Stipends
- Purchasing Cards or Receipts
- Peer Model
- Office Forms Supply

JOYCE ELLIS

ESC Student Services Administrative Assistant

Joyce.Ellis@escoco.org | 614.542.4107

- Cumulative Files
- Referrals
- ACT/CBT
- Student Records (MFE's, IEP's, etc.)
- Student Withdrawal Forms
- Record Releases
- Field Trips and Van Usage
- Student and Staff Solomon
- Student Information Changes

KIM PLETCHER

ESC Student Services Administrative Assistant, Ventures Academy

Kim.Pletcher@escoco.org | 740.369.1175

- Alternative Education Information
- Ventures Building Tours
- Purchase Orders and Building Supplies
- Budget
- Purchasing Cards and Receipts
- Ventures Trips and Van Usage

BEGINNING OF SCHOOL YEAR INFORMATION

CLASS LIST

Teachers and related service specialists will be given a class list electronically. Staff must check each column and line for accuracy. If any changes need to be made, phone or email the ESC of Central Ohio EMIS coordinator.

CUMULATIVE FILES

Cumulative files are to hold only the official school records. Remember, the contents of a cumulative file may be reviewed by the student's parent. Cumulative files may include:

- IEPs
- Progress reports
- Grade/Report cards
- Reports from related service staff, physicians, specialists and other agencies
- Record releases
- MFE Evaluation Team Reports
- Attendance
- Custody documents
- Birth certificate
- Immunization
- SS#
- Residency documents
- Formal disciplinary actions
- Withdrawal form
- Other documents such as work samples, parent notes and level sheets, should be kept in a separate teacher-working file.

INDIVIDUALIZED EDUCATION PROGRAM (IEP)

It is the responsibility of the teachers and specialists to ensure the implementation of each student's IEP. This includes the instruction of the goals and objectives, participation in general education, and all identified services.

Teachers need to check all of their students' IEPs to determine if they are enrolled in all of the regular education classes that are listed on the student's program plan. If there are classes listed that are now inappropriate; or, if you need to add classes to the student's IEP, please consult with your assigned coordinator. Teachers should note the related services on each child's IEP and cross check with the related service provider.

GRADES AND CREDITS

All school age students with disabilities will receive a grade/report card, at the end of each evaluation cycle. Teachers are expected to maintain documentation on IEP objectives and complete progress reports every grading period. The Progress Report will include a summary of student progress as well as the instructional accommodations and modifications implemented. Please complete the appropriate areas of the grade card and Progress Report. Follow your assigned building procedures regarding timelines and signatures. At the end of the school year, you will be expected to document grades on the student's cumulative file folder. For high school students, it is also necessary that credits be included with the grades.

EMERGENCY CARDS

Use the form from the building in which your class is housed. Check with the principal to determine where s/he wants them to be filed. For classes that are not located in a public school building, staff will find these cards in the front of the expandable forms file. A copy of these cards should be kept in the classroom as well as another copy sent to the ESC of Central Ohio Center for Student Services.

STUDENT ATTENDANCE | PROGRESSBOOK

All classroom teachers are expected to document student absences daily using the district's directed system.

If, during the school year, if you need to add new students in ProgressBook, please contact the ProgressBook Help Desk and make sure all enrollment forms are completed: emergency authorization; photography/publication release form; community-based trip; if applicable; and all other building forms.

STUDENT ENROLLMENT AND SERVICE TIME | SOLOMON

Specialists, therapists and preschool itinerant teachers will also use a web-based application called Solomon to document the date, duration, and type of service for each student served.

K-12 teachers whose programs bill based upon student enrollment will use Solomon to document student enrollment in their classroom in the Solomon application. Teachers will document enrollment daily.

If you need to add a new student in Solomon, please contact the Solomon Help Desk.

Solomon timecards must be completed and submitted to a coordinator by Fridays at 5:00 pm. If there are issues outside of the control of the teacher or related service staff member that prevents submission, the timecard will be due within two days of the issue's resolution.

Coordinators must review Solomon timecards and resolve any outstanding issues by Wednesdays at 8:00 am

The names of individuals who have failed to submit their timecards by the appropriate deadline shall be reported to the Director of Student Services by Wednesdays at 12:00 P.M.

**Preschool teachers and Ventures are not required to report in Solomon.*

IMMUNIZATION RECORDS

Give all green health folders to the school nurse, who will check whether immunization records are complete. S/he can also advise you of the legal deadline for assuring immunizations are complete. If records are missing or incomplete, ask the nurse for the typical procedure followed in the building, then consult with your immediate supervisor. These records must be reclaimed by the teacher at the end of each school year (or whenever a student withdraws) and turned into the ESC of Central Ohio Center for Student Services.

ADMINISTRATION OF ORAL MEDICATION AND MEDICAL PROCEDURES AT SCHOOL

Staff located in a public school building are expected to follow the housing district/building policy with regard to students and medications. This information is commonly found both in student and staff handbooks. For classes that are not located in an operating public school building staff must follow the following policies and guidelines adopted by the ESC of Central Ohio:

- ESC Bylaw & Policy 5330 – Use of Medications
- ESC Bylaw & Policy 5336 - Care of Students with Diabetes
- Administrative Guidelines 5330B – Emergency Medication

Staff should always consult with their assigned coordinator whenever there is any question regarding the dispensing of either prescriptive or over-the-counter medications.

PHOTOGRAPHY / PUBLICATION RELEASE FORM

At the beginning of each school year, teachers must have a photography/publication release form completed for each student. Also, whenever a new student enters the program, a photography/publication release form must be completed as soon as possible. Please keep the completed forms together in a folder where they are easily accessed. These must be kept for an entire school year. Before pictures or videos are made in the classroom where publication of any kind is a possibility, be sure to check each child's form for parental permission. Please contact your coordinator if questions arise.

ABSENCE

PROCEDURES REGARDING NECESSARY ABSENCE FOR TEACHERS, SPECIAL EDUCATION AND RELATED SERVICES

Please consult the *Attendance* and *Leave* sections in the main portion of the staff handbook. When a staff member realizes that s/he will need to be absent from class, the following steps are to be followed:

- I. Enter your absence in Absence Management, and then notify coordinator that you will be absent. If you are a teacher assistant or educational interpreter inform your teacher that you will be absent.
- II. Related Service providers must contact the Student Services Administrative Assistant and any teachers whose classrooms they service on the day of absence.

Teachers: Enter your absence in AESOP to secure a substitute, and then notify your coordinator that you will be absent.

Teachers, Teacher Assistants and Educational Interpreters: If a crisis arises after 8:00 a.m., teachers and teacher assistants should call 614-445-3750 and ask to speak directly with someone in student services "regarding an emergency absence." Do not leave a message on voicemail to report an emergency absence.

You must tell the receptionist the purpose of your call is to "report an emergency absence."

For procedures on how to access AESOP, please refer to your AESOP materials.

www.aesopeducation.com

1-800-942-3767

If for some unforeseen reason you cannot access AESOP prior to 8:00 a.m., please contact your assigned coordinator.

Be advised that you may log sick leave prior to an absence, however, all other types of leave require pre-approval. (See personal leave, quick reference – professional leave, quick reference)

Absence Management "Emergency" Procedure

The "Emergency" Procedure must be followed when an unexpected emergency arises, but the

reason for the absence does not meet the criteria for sick leave. When the emergency is due to injury to yourself or your immediate family, personal illness or illness of an immediate family member, or the death of a family member, the event should be entered as sick leave.

In most instances, this procedure will be used when an unanticipated emergency prohibits the prior approval of personal leave.

When a staff member realizes that s/he must be absent for a reason that does not meet the criteria for sick leave:

- I. Enter your absence in AESOP.
- II. Select "Other" from the drop down menu as the reason for the absence.
- III. You must type a brief explanation of the emergency in the "Notes to Administrator" text box.
- IV. Notify your teacher and/ coordinator that you will be absent.

The request for leave must include an explanation as to the reason for your absence, the type of leave you are requesting. You may also attach any pertinent supporting documentation

Notes

- I. Requests for personal or professional leave must be submitted and authorized in advance of the leave.
- II. Requests for personal leave: follow procedures outlined in the ESC of Central Ohio staff handbook.

ANNUAL REVIEW PROCEDURES

IEPs are reviewed annually prior to the anniversary date (the date the IEP was written the previous year). The IEP must be reviewed prior to the expiration date. Each staff member will be given an annual review schedule. Teachers and related service specialists must plan adequate time for assessing each child. For students recently placed in any program, staff needs to consult with their coordinator. Also, teachers and specialists need to consider if any student will need a change of placement.

Staff must arrange a conference with their immediate coordinator to determine which students may require a move out of the program; a move to a different kind of class within the program; a move up to an intermediate, middle school, or high school within the program; or a tentative discharge from related services. For those students where a change is recommended, it is the responsibility of the classroom coordinator to communicate with the director of student services and families. The Center for Student Services will notify the school district of residence.

Staff will receive a series of memos outlining step-by-step procedures for the annual review conferences. Please read each memo carefully and complete all forms by the deadline date.

At any time, if there are any questions, please contact your coordinator.

ASSISTIVE TECHNOLOGY EQUIPMENT

ASSISTIVE TECHNOLOGY (AT) EQUIPMENT (Switches, Cheaptalks, etc.)

Most of these items belong to ESCCO and are on loan to the speech and motor departments. Therefore, it is very important that they be signed out with the therapist's name and the classroom(s)

where the equipment will be used. There is no time limit on the use of equipment as long as students who need the equipment have top priority. All materials and equipment need to be returned to the ESC of Central Ohio-Central Office by the end of the school year.

EMERGENCY REMOVAL

Emergency removal is necessary when a student's continued presence poses an immediate danger to persons or property. Students will be expected to attend school the next school day.

The building administrator must decide if the teacher's action complies with adopted policy of the housing district and the ESC. The administrator's options for the student include:

- Return to class.
- Remain in the office area.
- Remove from the building.

If an administrator removes a student from the building on an emergency basis, the following steps must be followed:

- The building administrator, in collaboration with ESC administration, determines that the special class student's continued presence does indeed pose an immediate danger to persons or property.
- The parent(s) or custodian of the student shall be notified immediately of such emergency removal.
- The teacher will send a copy of the Emergency Removal form and an Unusual Incident Report form (5640 AR) to the director of student services.

Emergency removal and suspension may only be used after following the procedures dictated in the Ohio Revised Code (ORC). In some instances, such suspension may require an IEP conference as necessary to indicate a change in program.

EMERGENCY SCHOOL AND BUILDING CLOSINGS

EMERGENCY CLOSINGS: SPECIAL EDUCATION CLASSES (SNOW DAYS)

ESC of Central Ohio special education classes operate on the same schedule as the school district where the classroom is located. When there is an emergency closing in the housing school district, ESC of Central Ohio classes are also closed. Related service staff should follow their schedule for that given day and if a building or district is closed, such as in the case of a snow day, the staff member does not report to work for that district or building. Related service staff do not report to the ESC office in the event of an emergency school closing. The classroom teacher will call the related service staff scheduled for any day the district is closed. If the housing district schedules make-up days, the ESC of Central Ohio staff and related service personnel must follow the district's revised calendar.

EMERGENCY CLOSINGS: ONE BUILDING ONLY

Occasionally, a situation may occur in which a school building has an emergency closing when other buildings in the district remain open. In these instances, it is the teacher's responsibility to assure that parents and transportation supervisors are notified so that the student is not transported to school. It is important to have a calling procedure in place in the event this situation should occur. The help of the teacher assistant can be enlisted, as this constitutes a paid day for them also.

Please maintain a list of phone numbers to facilitate contact with each driver or district transportation supervisor in the event of school closings or early dismissals.

ENTRY YEAR TEACHER AND MENTOR PROGRAM

The ESC of Central Ohio recognizes the value of a quality mentor program for new staff that focuses on training, support and retention. The mission of the mentor program is to provide an effective support system that promotes and sustains excellence as identified in the Ohio Standards for the Teaching Profession (OSTP). The ESC of Central Ohio Mentor Program operates at two levels of mentorship.

The Ohio Resident Educator Program is a four-year program of support and mentoring for teachers entering the profession under a Resident Educator License (4 year). Through trained and committed mentors it provides quality mentoring and guidance essential for fulfilling the requirements to advance to a Professional Educator License (5 year).

The Educator Support Program is designed to support the veteran teacher/specialist who is new to the organization or a current ESC teacher/specialist who has been identified as needing additional support.

IN-SERVICE REQUIREMENTS

ALL STAFF

Safety and violence prevention training is required for all staff. Each staff member is responsible for turning in a verification certificate which will be placed in their personnel file. This and other in-service requirements may or may not be paid for by the Governing Board of Education and Center for Student Services.

Being a highly qualified teacher (HQT) is an employment requirement, and all intervention specialists are required to be HQT certified. The only exception are early learning intervention specialists (preschool teachers). The Center for Achievement offers these courses online. Please contact the Center for Achievement to enroll.

Assignment-specific training and in-services are scheduled and provided for staff during opening week and online. Staff must complete professional development for their assignment.

PRESCHOOL STAFF

A preschool staff member shall annually complete fifteen hours of in-service training in child development or early childhood education, child abuse recognition, first aid and management of communicable diseases until a total of forty-five (45) hours has been completed, unless s/he holds

an associate or higher degree in child development or early childhood education from an accredited college, university, or technical college, a prekindergarten associate certificate issued by the state board of education, or a prekindergarten teaching certificate.

Preschool staff members who have met the requirements as stated in the above paragraph shall be required to complete, at a minimum, ten (10) annual clock hours of in-service training in child care, child development, early childhood education, or other child care related subjects per employment year. The training shall be provided in accordance with rule 3301-22-01 of the Administrative Code.

The training specified shall be provided by an approved, trained individual who shall have at least two years of experience specific to the subject area and who possess one of the following:

- An associate or higher degree in child development or early childhood education, home economics, nursing, nutrition, psychology, dental hygiene, or social work.
- A valid prekindergarten certificate.
- A license as a physician or registered nurse.

All preschool staff members, including administrators, in a Step Up to Quality (SUTQ) rated program must complete 30 hours of Ohio Approved Professional Development within a specified two-year period.

Staff should submit the Professional Leave Form for approval of attendance at workshop/in-service prior to their attendance. Upon completion of the in-service hours, please have the in-service presenter sign a child day care in-service training form. Keep one copy in your classroom binder and return the original to your immediate supervisor.

LUNCH

Unlike school districts that may grant classroom staff a 30-minute uninterrupted lunch, ESC of Central Ohio classrooms may require ESC staff to monitor students during lunch time. Alternate arrangements for a classroom staff member's lunch will be made at the team level.

POSITIVE BEHAVIOR SUPPORTS

The quality of a classroom as a learning community can be measured by how effectively it addresses the needs of struggling students. ESC of Central Ohio classroom staff will work with the school community to create a safe and welcoming environment for our students. ESC of Central Ohio staff will adopt and model positive behavior interventions to all students. Behavioral expectations will be taught and practiced throughout the school year in a variety of school and community-based settings.

The ESC of Central Ohio supports staff training in verbal de-escalation strategies and learning the signals of students who are approaching crisis. When a student exhibits behavior that interferes with his/her learning and/or the learning of peers, a behavior intervention plan may be developed and frequently amended.

BEHAVIOR INTERVENTION PLAN

Behavior intervention plans are written and implemented with integrity by the team of professionals who knows the student best. BIPs are monitored and modified as needed.

There are several areas of focus in a behavior intervention plan:

- I. Problem identification (stated in observable and measurable terms)
- II. Function and contributing factors
- III. Defining the alternate desired behavior
- IV. Strategies to change behavior
- V. Data collection
- VI. Evaluation of the behavior plan

All behavior plans should be developed utilizing the expertise of the team under the direction of the assigned coordinator.

Behavior plans that include the use of adversives must be approved and monitored by the Human Rights Committee in advance of implementation.

PURCHASING

All teachers in the Center for Student Services have a classroom budget. You are responsible for purchasing supplies and materials that are appropriate for your classroom. These items must be obtained using your classroom budget, not from the building in which you are housed. If a purchase is not deemed educationally appropriate, you will be responsible for paying for the purchase.

Teachers are encouraged to sign up for an ESC of Central Ohio Purchasing Card, which is obtained through Fifth Third Bank. A Fifth Third Cardholder Agreement must be completed in order to receive a card. These purchasing cards will have your classroom line of credit on them and they are used just like a credit card to purchase appropriate items for your classroom. The cards may be used to purchase educational/classroom items only. The purchasing cards may be used at any store that accepts Master Card. Teacher assistants are not authorized to use the card at any time. Teachers are responsible for keeping track of how much money is being spent from their card and will be responsible for paying the bill of any purchases that go over the budgeted amount.

ESC of Central Ohio is a non-profit, tax-exempt organization which means you cannot be charged tax on any of your purchases. A Tax Exempt ID card will be given to you to show the vendor at the time of your purchase. It is your responsibility to check your receipt before leaving the store to make sure that you have not been charged tax. It will be the teacher's responsibility to pay for any purchase that has tax included, and your card may be taken away from you for the remainder of the school year.

An original, itemized cash register receipt and the Purchasing Card form are required to be turned in to the ESC of Central Ohio-Central Office for each purchase made. Attach the original receipt to the Purchasing Card form and mail it to Susan Cronin immediately. Always keep a copy of the receipt for your classroom records before mailing the original to the office. If the original receipt gets lost, you will always have a back-up copy. Do not purchase any items from a store that will not provide you with an itemized or detailed receipt. If you do not turn in an itemized receipt, you are responsible for paying for that purchase, and your card may be taken away from you for the remainder of the school year.

If you need to return an item that you have purchased, please notify Susan Cronin at 614-542-4106 prior to returning the item. Once the item has been returned, you will need to attach the original "credit receipt" to a purchasing card form and mail it to Susan Cronin immediately.

STEP-BY-STEP PURCHASING PROCEDURES

1. Purchase only educationally appropriate / classroom items with the card
2. Get an itemized / detailed cash register receipt from the vendor
3. Check the receipt before leaving the store to make sure that tax is not included
4. Complete the Purchasing Card form and attach it to the original receipt
5. Make a copy of the Purchasing Card form and the receipt for your records
6. Mail the Purchasing Card form and the receipt to Susan Cronin immediately
7. Record your purchased items in your inventory book

Teachers are responsible for turning in the card and Tax Exempt ID card at the end of the school year. If your card is lost or stolen, please contact Susan Cronin immediately.

FIELD TRIPS, COMMUNITY-BASED INSTRUCTION AND WALKING EXCURSIONS

Community-based experiences can be an important part of the learning process. Staff is encouraged to provide community learning experiences, when appropriate. The intent of these experiences is to enhance classroom instruction and expand learning opportunities, as they relate to the IEP.

When a field trip, community based instruction, or walking excursion has been approved, send the appropriate parent's permission form to parent(s)/legal guardian(s) and make sure all forms have been signed and returned prior to the date of the trip.

Due to the short time in which preschoolers are in session each day, and as an effort to maximize time for instruction across all the domains, preschoolers will not participate in field trips. The exception to this policy is for walking field trips around the school grounds.

Staff may access the community for Field Trips or Community Based Instruction via an ESC of Central Ohio van, district school bus or van, public transportation or other means. In any case, when you leave school grounds, it is necessary to complete the Field Trip/Community Based Instruction Form. The purpose of this form is twofold: to confirm a vehicle and/or request permission for a trip.

The Field Trip/Community Based Instruction Form must be completely filled out, including coordinator's signature, and turned in to the program administrative assistant by 4:00 p.m. on Thursday of the week prior to the trip. If the form is not completed properly or is not received by the deadline, the trip will not take place.

Inform the building principal of your pending trip. Once the trip has been approved, send the appropriate parent's permission form to parent(s)/legal guardian(s) and make sure all forms have been signed and returned before the date of the trip.

Note: See Special Education Vans section for further information.

REPORTING SCHOOL TRUANCY

Pursuant to Ohio Revised Code Section 3321.01, all students aged six to eighteen must be enrolled in and attending a school program. If a student fails to attend and does not have proper excuse, s/he is considered to be truant from school. A student absent (unexcused) for 38 hours in one month is considered excessively absent. When a student is deemed to be excessively absent, the teacher shall complete the HB410 Action Needed form and follow instructions as outlined on the form. A student absent for 30 consecutive hours in one month (unexcused), 42 hours in one month (unexcused), or 72 hours in one school year (unexcused) shall be considered habitually truant. When a student is deemed to be habitually truant, the teacher shall complete the HB410 Action Needed form and follow instructions as outlined on the form. The teacher should provide a copy of the completed form to the program coordinator for the student's cumulative file. The program coordinator will contact the district representative and indicate whether the child is excessively absent or habitually truant.

REPORTING STUDENT INJURIES OR ACCIDENTS

All injuries or accident involving students must be reported to the director of student services or coordinator immediately by telephone and followed up the same day with a written report using the **ESC of Central Ohio Unusual Incident Report form**. The report should be as detailed as possible and contain all requested information. Accurate documentation is very important.

SERVICE CONTRACTS FOR PRIVATELY PROVIDED OR PRIVATELY FUNDED PERSONNEL FOR STUDENTS WITH SPECIAL NEEDS

These guidelines apply to persons who provide services or supports to students in school or during school-related activities but who are privately funded or provided. Such persons are not Educational Service Center employees or agents and are not in any way affiliated with the Educational Service Center.

It is in the sole discretion of the ESC of Central Ohio Superintendent or Superintendent's designee to permit or deny a request by a parent, guardian, or custodian (hereinafter "parent") to allow the parent to privately provide or arrange for a person to provide services or supports to a student.

The Superintendent will evaluate requests for a private provider on a case-by-case basis.

The approval of privately provided personnel does not create a precedent for approval of such privately provided personnel in any other situation. The approval of such personnel for any student does not create any obligation for continued approval of such privately provided personnel for the student.

A written plan ("Private Provider Plan") will be developed by Educational Service Center personnel and must be approved by the ESC of Central Ohio Superintendent or the Superintendent's designee prior to any private personnel providing services or supports to a student in conjunction with any Educational Service Center program.

The ESC of Central Ohio Superintendent or the Superintendent's designee can terminate the arrangement outlined in the Private Provider Plan at any time without cause and prohibit the private provider from continuing to provide services or supports to a student.

The Private Provider Plan, as appropriate to the situation, should include information such as, but not limited to:

- I. The time/circumstances each school day that the private provider will be providing services or supports to the student;
- II. The specific supports or services that the provider will provide to the student;
- III. A written acknowledgement by the private provider and the parent that they have read and will follow these guidelines;
- IV. The duration of provision of the services or supports to the student by the private provider;
- V. An understanding as to what, if anything, will occur when the private provider is absent and not in attendance during all or part of any school day; and
- VI. Any other information / conditions deemed appropriate by the Educational Service Center.

Prior to providing services or supports to a student, the private provider and the parent will meet with the director of the center for student services or any other administrators as determined by the Educational Service Center (e.g., special education supervisor), to discuss the private provider's role in the classroom and school.

Criminal records checks, both BCI & FBI, including a fingerprint check, must be conducted and shall be paid for by the parent or private provider. Private providers must meet the same criminal records check standards as Educational Service Center teacher applicants.

ESC of Central Ohio personnel are responsible for the supervision, development and implementation of the student's educational program. The private provider shall abide by rules, policies and guidelines of the Educational Service Center and by all directives of the ESC of Central Ohio personnel in the provision of the student's educational program.

Private providers shall conduct themselves in an appropriate and professional manner and shall follow all relevant State and Federal laws and regulations, all relevant ESC and school building policies, regulations, and requirements, including but not limited to confidentiality requirements. A private provider shall interact and work cooperatively with all School District and ESC personnel. Any concerns regarding the provision of services by the ESC of Central Ohio staff shall be made directly to the special education coordinator.

The private provider is responsible for maintaining or assuring that s/he is covered by liability

insurance in an amount deemed appropriate by the ESC of Central Ohio Superintendent or the Superintendent's designee. The private provider is responsible for maintaining or assuring that s/he is covered by medical insurance, as deemed appropriate by the ESC of Central Ohio Superintendent or the Superintendent's designee. Proof of insurance shall be submitted to the Educational Service Center, upon request.

The private provider shall assume the risk of all accidents, injuries, or property damage caused by the private provider and related in any way whatsoever to the provision of services or supports to a student and shall sign a liability release as requested by the ESC of Central Ohio. The parent shall also sign a liability release as requested by the ESC of Central Ohio.

Provider will submit any written reports regarding observation, activities, interactions that occur within the school setting to the special education coordinator prior to submission to parents.

SPECIAL EDUCATION VANS

ELIGIBILITY TO BECOME A VAN DRIVER

Any staff member with the proper credentials may drive a van for a school-related activity. Staff members will only be permitted to drive the vehicle if they a) have had no more than six (6) points added to their driver's license within the past two (2) years, b) have not been convicted of driving while under the influence of alcohol and/or a controlled substance during the past ten (10) years, and c) have not received two (2) or more of the serious traffic violations as defined in RC 4506.01 over the past two (2) years. It is the employee's responsibility to notify the director's office when more than four (4) points have accumulated against his or her license.

Every year, these items must be completed:

- Photocopy of Driver's License submitted to ESC of Central Ohio Center for Student Services. *Please do not fax a photocopy to the office.*
- The passage of a medical evaluation submitted to ESC of Central Ohio Center for Student Services. This evaluation is offered at no cost to the employee prior to the start of school.
- Van Driver Re-Certification In-Service for those who already have completed van driver training.
- Provide evidence they do not have any of the three disqualifying standards listed above.

Once every six years:

- Van driver training must be completed. The training is offered prior to the start of school and consists of a written test and driver performance test.

If there is a student in your classroom in a wheelchair, you will also need to be trained in wheelchair tie-down procedures.

HOW TO SCHEDULE AND CONFIRM A VAN TRIP DATE

Contact the Office of Student Services administrative assistant to reserve the vans for specific dates. Scheduling will be done on a first come, first served basis with priority given to the campus-based transition (CBT) programs and STACK classrooms for community-based instruction.

Submit a completed and signed [Field Trip/Community-Based Instruction form](#)* to the administrative assistant before noon on the Thursday of the week before the trip, and be sure to inform the building

principal of your pending trip. Failure to follow all instructions will result in the trip being denied.

Once the trip has been approved, send the appropriate parent permission form to parent(s)/legal guardian(s) and make sure all forms have been signed and returned before the date of the trip.

The deadline for any van trips will be the last day of May.

Note: Van trips outside Central Ohio are discouraged and must have the approval of director of student services and the Governing Board before submitting the required paperwork.

Fleet Management cannot “rescue” outside of Central Ohio. Prior to approval for the trip, an adult who will be in the van must accept responsibility to use a personal AAA Plus card in the event of a breakdown.

*The ESC must be able to contact you in the event of an emergency. You are required to list your personal cell phone number on the form. If you do not have a personal cell phone, you need to notify the administrative assistant at least one (1) week prior to your trip to ensure the ESC cell phone is available for you.

PROCEDURES FOR ACTUAL VAN USAGE

Notify your building office of the trip itinerary for your class and provide them with a contact number in case of an emergency.

The teacher (or teacher assistant) must bring a copy of each student’s emergency medical form on any trips. Original copies of these forms must remain in the classroom.

If any kind of repair is needed at any time, notify the administrative assistant immediately at 614.542.4108. Please also document the problem on the trip pre-inspection form.

Picking Up

The van keys and approved trip sheet must be picked up at the ESC of Central Ohio Central Office on the morning of your trip. These will be located on the second floor of the building, at the Office of Student Services (northwest side of the building).

The vans are located in designated parking spots on the west side of the Central Office parking lot. You may only drive the van assigned specifically to you. You may not pick up the van the evening prior to your trip.

The van driver is expected to complete a pre-trip inspection and write the beginning mileage on the Field Trip/Community Based Instruction form (in van binder) before leaving the Central Office.

Return

After a trip, it is mandatory to clean the van carefully, remove items, close all windows and doors, and refill the gas tank at the Central Ohio Board of DD (located at 2897 Johnstown Road). You will find a Prokee with your van keys, which is necessary for obtaining gasoline at the Central Ohio Board of DD gas pumps. Further instructions are inside each van.

Vans may not be kept overnight. Return your van to the designated spaces at the ESC Central Office at the end of the school day. Please back the van into the space and return the keys to the ESC.

EMERGENCY SITUATIONS

If in the event of any emergency, contact the ESC of Central Ohio immediately at 614.445.3750 and ask to speak to someone in the student services department. Do not leave a voicemail message; insist on speaking to someone. Call your coordinator to inform them of your situation.

VAN RULES

Under no circumstances shall anyone other than authorized staff members drive the van.

Be sure the van is locked and secured when unoccupied.

Vans are to be refilled with gas at the end of every trip so that the next person to take the van has a full tank.

If a staff member receives a moving violation while driving the van, the staff member is responsible for reporting the violation to the director's office within 48 hours. The staff member incurs all consequences and/or fines.

Any authorized person using the board-owned van with permission is covered by the Board's liability insurance policy.

In cases of inclement weather, you must personally contact your coordinator or the director to determine if the van can be driven on that day.

No parents, family, non-ESC of Central Ohio students or friends may ride in the van. They must drive separately if accompanying a class.

No food, drink, chewing gum or smoking is permitted in the van. No writing on seats or interior of the van. A student who damages the van will be liable for restitution. No hands, etc., outside the van windows. Students must remain seated while the van is in motion. All passengers and driver must use seat belts at all times.

Do not use any county services (gas, car wash, etc.) for personal use.

Be aware of the low clearance at many parking garages. Allow for 10-foot clearance.

TELEPHONES AND CELL PHONES

ESC of Central Ohio telephones, including cell phones, are for use in performing official duties. Personal use of all ESC of Central Ohio telephones should be considered a privilege and used accordingly, in a very limited fashion. Employees using telephones should answer promptly, politely, and speak in a clear and pleasant tone.

Classroom phones are for the exclusive use of ESC employees. The phones are to be used for school-related business only. All of our classroom telephones are billed on a limited local call plan, which results in excess charges when we exceed a certain number of local calls each month.

They are to be used primarily for outgoing calls. The phone number is not the official number for the classroom.

As some incoming calls need to be received on the classroom phone, a system for taking messages should be established. When phone ringing is disruptive to the class, the ringer should be "switched off."

The classroom phones have a special calling plan, which does not allow for any outgoing long distance calls.

Voice mail should be utilized to promote internal communications. Please check your ESC of Central Ohio voice mail and email daily.

Personal cell phones should be used only in cases of emergency. Excessive use of personal cell phones during instructional time will be subject to disciplinary procedures.

Cell phone usage, such as, personal calls, texting, browsing the web, checking email and social media, etc. is strictly prohibited during instruction time.

VISITORS TO CLASSROOMS

All individuals requesting to visit an ESC of Central Ohio classroom must be approved in advance by the Director of Student Services. University students requesting field placements must submit a written request from his/her advisor stating the purpose, length of time, goals and copies of current FBI/BCI checks to the ESC of Central Ohio superintendent, or his/her designee, for prior approval.

A visitor must have a valid reason for observing the classes, and limits on visit length should be set. Groups of more than two are discouraged to minimize classroom disruption.

The teacher shall not leave the classroom to talk to visitors. Furthermore, visits should not disrupt the teaching schedule. Occasionally, a parent of a prospective candidate may have questions, in which an exception will be made.

Visitors should be discouraged from interacting with the children unless their involvement in an activity is specifically requested. Also, visitors should refrain from discussion of the program while they are in the classroom.

Confidential information regarding the children should not be shared with unauthorized individuals.

Each visitor will sign in at the building office and secure a visitor's badge. A written log of visitors, dates and their organizational affiliation will be kept.

WITHDRAWAL PROCEDURES

A withdrawal form is used when a student withdraws from ESC of Central Ohio. This form should be completed within one week of the student withdrawing from the program. Be sure all blanks on the Withdrawal Form are completed accurately since this information is linked to tuition billed to districts as well as information reported to the state. Please attach to the latest progress report and grade card to the Withdrawal Form.

PROCEDURES FOR WITHDRAWALS

- Complete all information on the [Withdrawal Form](#) and make a copy for your records.
- Attach all copies of the Withdrawal Form to the student cumulative file.
- Send student cumulative file with [Withdrawal Form](#) to the EMIS Coordinator for processing and sending to the student's district of residence. Please use Inter-office mail for sending files whenever possible.

If you should have any questions, please contact your coordinator or your EMIS coordinator.

WORK SCHEDULES AND CONTRACT DAYS

TEACHER AND TEACHER ASSISTANT WORK SCHEDULES

Teachers and teacher assistants who work in the ESC of Central Ohio Center for Student Services program follow the housing building's teacher schedule for both duty day and school calendar. If school is in session, you are expected to report to work according to the building's work schedule. Please be prompt in arriving and conscientious in working the full day.

Please be aware of the district's calamity day policy. If district staff are expected to report to their building on calamity days, ESC staff are also required to report.

TEACHER EXTRA CONTRACT DAYS

Extra days may be added to your contract based upon the schedule of the district. The extra contract days may also be used to cover in-service meetings, parent conference days or evenings, or other duties that are part of the expected duties for most teachers.

TEACHER ASSISTANT AND EDUCATIONAL INTERPRETER WORK SCHEDULE

Each assistant will follow the calendar/schedule provided at the beginning of each school year.

School-age (K-12+) employees, including teachers, teaching assistants and interpreters, will adhere to the same schedule as district staff working in the building up to a maximum of 7.5 hours per day.

Teachers have the responsibility of monitoring their assistant's schedules and should insist on promptness. If an employee is consistently tardy, this should be documented and reported to the coordinator of the classroom.

Teacher assistants and educational interpreters are expected to remain on school grounds throughout the school day. If you must leave the building working hours, prior permission must be obtained from the ESC of Central Ohio coordinator who oversees the classroom. The employee must sign out on the staff sign-out sheet in the building office.

RELATED SERVICES STAFF

Related services staff must submit a work calendar for the school year to the related services chairperson by the end of opening week. Related services staff work day is 7.5 hours.

END-OF-YEAR PROCEDURES

CLOSING THE SCHOOL YEAR

There are specific procedures for the closing of the school year that all teachers and related service specialists need to follow.

In late spring, all certified staff will receive a memo outlining check out procedures, including the dates that teachers and specialists may schedule an appointment with the ESC of Central Ohio Center for Student Services. Appointments are set up on a first call basis. Attached to that memo will be a check-out list. Please take the time to carefully look over and organize with that list in mind. When you arrive at the ESC office, have all the check out information ready and complete. If you have questions as you get ready for your appointment, please call the Center for Student Services.

EXTENDED SCHOOL YEAR (ESY)

It is important to note the unique position that ESC of Central Ohio teachers have in regard to extended school year services. No Center for Student Services staff member should recommend or discourage extended school year services for any student. ESC certificated staff may provide objective student performance data to the district of residence for the eligibility determination of ESY services. If staff has concerns or questions regarding student eligibility and ESY, s/he may contact his/her assigned coordinator.

INVENTORY

All classroom equipment and materials should be recorded in the ESC of Central Ohio Inventory Book. Please keep this book up to date and be sure the exact date you receive the item is listed, not just the month or year. It is recommended that at the end of the year large quantities of supplies (such as paints, reams of paper, and markers) be recorded in the inventory book.

Equipment received over \$500.00 must also be reported to the Center for Business Services. Please contact the ESC of Central Ohio Business Services Office regarding procedures for inventory numbers.

MILEAGE AND REIMBURSEMENT

In addition to the travel procedures outlined in the "Job-Related Expenses" section of the handbook, mileage must be submitted at the end of each month. It is critical that mileage is accurate and reflected only on non-commuting travel and on days worked.

Receipts for parking must be taped to one side of an 8.5 x 11" sheet of paper and attached to the mileage form with a paper clip (please avoid staples).