## Table of Contents

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Our Mission</td>
<td>1</td>
</tr>
<tr>
<td>Superintendent’s Message</td>
<td>2</td>
</tr>
<tr>
<td>School Board Members</td>
<td>3</td>
</tr>
<tr>
<td>Disciplinary Action</td>
<td>4</td>
</tr>
<tr>
<td>Employee Grievance Policy</td>
<td>5</td>
</tr>
<tr>
<td>Employee Leave</td>
<td>5</td>
</tr>
<tr>
<td>Fair Labor Standards Act</td>
<td>7</td>
</tr>
<tr>
<td>Hiring</td>
<td>9</td>
</tr>
<tr>
<td>Open Door Policy</td>
<td>9</td>
</tr>
<tr>
<td>Probationary Period</td>
<td>10</td>
</tr>
<tr>
<td>Resignation</td>
<td>11</td>
</tr>
<tr>
<td>Title IX: Discrimination and Sexual Harassment</td>
<td>12</td>
</tr>
<tr>
<td>Workplace Confidentiality</td>
<td>14</td>
</tr>
<tr>
<td>Staff Conduct and Responsibilities</td>
<td>14</td>
</tr>
<tr>
<td>Child Abuse and Neglect Reporting</td>
<td>15</td>
</tr>
<tr>
<td>Conflicts of Interest</td>
<td>15</td>
</tr>
<tr>
<td>Gifts to Employees</td>
<td>15</td>
</tr>
<tr>
<td>Soliciting</td>
<td>16</td>
</tr>
<tr>
<td>Selling Within the Division</td>
<td>16</td>
</tr>
<tr>
<td>Crowdfunding</td>
<td>16</td>
</tr>
<tr>
<td>Controlled Substance Prohibitions</td>
<td>16</td>
</tr>
<tr>
<td>Essential Personnel</td>
<td>17</td>
</tr>
<tr>
<td>Network Services/Internet Acceptable Use Policy</td>
<td>17</td>
</tr>
</tbody>
</table>
Outside Employment ................................................................. 21
Risk Management ................................................................. 21
  Lock-Out/Tag-Out Program (for Machines and Equipment) ................................................................. 21
Safety Awareness ........................................................................ 22
Worker’s Compensation/Reporting Requirements .......... 22
Frequently Asked Questions ..................................................... 23
APPENDICIES ........................................................................ 30
  A. Procedures For Adjusting Employee Grievances ..... 31
  B. Prohibition Against Harassment and Retaliation ........ 32
  C. School Employee Conflict of Interests ....................... 42
  D. School Bus Drivers .......................................................... 45
  E. Drug Free Work Place ....................................................... 49
  F. Staff Participation in Political Activities ......................... 50
The County School Board of York County, Virginia does not discriminate on the basis of color, national origin, sex, veteran status, disability, religion, gender, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the non-discrimination policies:

Chief Human Resources Officer  
302 Dare Road  
Yorktown, VA 23692  
(757) 898-0349

Our Mission

The mission of the York County School Division is to engage all students in acquiring the skills and knowledge needed to make productive contributions in the world.
Dear Teachers and Staff Members,

Welcome to the York County School Division. We are pleased you have joined our team. The purpose of this handbook is to provide all YCSD employees with important information and references to School Board policies, regulations, and procedures that will pave the way for employees to have a successful year and work experience. However, the handbook is not a detailed description of all employment policies and the school board retains the right to modify anything contained in this handbook at any time.

Please be sure to take the time to review the policies, Superintendent’s Regulations and Standard Operating Procedures, which govern employee practices and conduct and are available on the York County School Division website.

Every employee contributes to the overall success of our students and we must work together to ensure our students acquire the skills and knowledge they need to make productive contributions in our world. I hope you find your employment with our division a rewarding and enjoyable experience.

Kind Regards,

Victor D. Shandor, Ed.D.
Division Superintendent
School Board Members

Barbara S. Haywood, District 1
Brett Higginbotham District 2
Mark A. Medford, District 3
James E. Richardson, District 4
Robert W. George, D. D.S., District 5
Policies and Regulations

Disciplinary Action
It is the policy of the School Board to discourage behavior that violates rules, policy, procedures, acceptable standards of ethical conduct, regulations and laws, or other intentional conduct that results in unacceptable performance. Disciplinary action is designed to be fair, just and in proportion to the seriousness of the violation. Supervisors are primarily responsible for beginning the disciplinary process as situations that warrant discipline occur.

Behaviors warranting disciplinary measures include, but are not limited to, lying, cheating, stealing, disregard for work rules, willful failure to meet job standards, misusing position, improper use of School Board records, including personnel and payroll documents, conviction of a criminal offense, acts which place property or persons at risk of injury, and using or being under the influence of alcohol or drugs on the job or any of these acts in their various forms.

There are certain types of offenses, which may result in severe discipline, including termination. Examples include, but are not limited to, falsification or, sleeping on the job during working hours, refusal to comply with reasonable instructions from an authorized supervisor, theft, violation of established safety practices, tardiness, excessive absenteeism, and doing willful damage to School Board property or equipment. The preceding is intended as a guide for all employees with reference to disciplinary matters. The severity of the penalty will depend on the facts and circumstances of each particular instance.

Disciplinary action may result in:
1. Verbal Warning
2. Written Warning
3. Administrative Leave
4. Suspension
5. Dismissal
**Employee Grievance Policy**

Procedures for Adjusting Employee Grievances are handled in accordance with Policy GBM and/or the Permanent Non-Licensed Employee’s Grievance Procedure, as appropriate (see Appendix A).

**Employee Leave**

There are several categories of leave available to employees, including annual, sick, personal business, family and medical, long-term medical, administrative, military training/duty, summer study, professional development, sabbatical, jury duty and leave without pay.

**Annual Leave**, earned by 12-month employees, must be requested and approved in advance by the employee’s immediate supervisor or the Superintendent. Annual leave may only be used in two-hour increments by FLSA exempt staff and in 15-minute increments by FLSA non-exempt staff.

<table>
<thead>
<tr>
<th>Years of Service</th>
<th>Days per Month</th>
<th>Days per Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 – 5</td>
<td>1</td>
<td>12</td>
</tr>
<tr>
<td>6 – 10</td>
<td>1.25</td>
<td>15</td>
</tr>
<tr>
<td>11 – 15</td>
<td>1.5</td>
<td>18</td>
</tr>
<tr>
<td>Over 15</td>
<td>2</td>
<td>24</td>
</tr>
</tbody>
</table>

**Sick Leave**, available for full and part-time employees, may be used for any of the following reasons:

- personal illness
- health care provider appointments for the employee or immediate family members;
- illness in the immediate family
- death in the immediate family to also include the death of a brother, sister, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law or sister-in-law; and/or
- any religious holiday not recognized on the school year calendar
Full-time licensed employees earn sick leave at the rate of one day a month. Sick leave for the entire contract period is posted at the beginning of the contract.

Sick leave can be taken in hourly increments. For exempt employees and those that require a substitute, leave is taken in half-day increments only. Upon return to work, the employee will file a written request for sick leave.

Full-time non-licensed employees earn sick leave at the rate of one day a month. Leave is posted at the end of the month worked. Example: A food service worker, who normally works 5 hours per day, would earn 5 hours sick leave per month.

Part-time employees earn sick leave on a pro-rata basis and taken on half day and whole day increments.

**Personal Leave** is available for employees who are eligible for sick leave. These employees receive three (3) days of paid personal leave annually. At the end of the annual contract period, unused personal leave may accumulate in an individual personal leave account, which may hold up to five (5) personal leave days, such that no more than five personal leave days may be used in an annual contract period. Any unused personal leave above that limit shall automatically convert to sick leave. A written request for this leave must be filed in advance with the school principal or immediate supervisor.

Personal leave may be used in 15-minute increments by non-exempt employees. For exempt employees and those requiring a substitute, leave is taken in whole or half day increments.

A full time employee who has completed a minimum of two consecutive full time years of service may request personal leave donations by contacting the human resources department. The employee must have exhausted all of his/her available leave and have applied for sick leave under the Family Medical Leave or Long Term Medical Leave policies for personal leave donations to be made (certain conditions apply).
**Family and Medical Leave** is available for all employees who have been employed by the division for at least 12 months and have worked for at least 1,200 hours during the previous 12 months. An eligible employee may use up to 12 work-weeks of unpaid leave during any one contract period for a serious health condition that makes the employee unable to perform a required job function, personal illness, to provide care for illness or a serious health condition in the immediate family, the birth and first year care of a child, or placement of a child with the employee for adoption or foster care. Military Family Leave is also available or Exigency Leave and for the Care of Service Member as fully explained in Policy GCBD.

Accrued sick leave, vacation leave and/or personal leave shall be used as part of the 12-week allotment. Any Family Medical leave taken that is not covered by paid leave shall be taken as unpaid leave. Leave may be taken in consecutive days or intermittently.

For complete information concerning Family Medical Leave, consult Policy GCBD and Superintendent’s Regulation GCBD. For complete information regarding procedures for taking other categories of leave, consult Policy GCBD.

**Fair Labor Standards Act**
The Fair Labor Standards Act (FLSA) is the basic federal wage and hour law governing covered employers. The FLSA has provisions dealing with the following areas:

- minimum wages
- overtime
- equal pay between the sexes
- child labor

**Exempt or non-exempt employees**, according to the FLSA:

- Exempt employees are not entitled to overtime pay - they receive a salary which is intended to cover all work done within a certain period, regardless of how little or how much time may be required to complete the work.
• Nonexempt employees must be paid for all hours worked and paid an overtime rate of not less than one and one-half times the employee’s “regular rate of pay” for all hours worked in excess of 40 hours per week.

**Definition of Hours Worked:**
• Those hours labored or permitted to be worked.
• If the employer knows or has reason to believe an employee is working, that time must be counted as work time.
• The employer must exercise its control and ensure that work is not performed if it does not want it performed and does not intend to pay for the time worked. (Example: working from home or working through a meal.)

**Flex time (flexible scheduling):**
Flex time is defined as changing the number of hours worked on a given day from the number in the regular schedule. This is usually initiated by the employees. By the end of the workweek, an employee who has used flex time has worked a different number of hours on different days but has not worked more than 40 hours in the week. When an employee requires two hours or less absence from the office, and is due no compensatory time off, administrators can schedule that employee to make up the absence during the same workweek by working before or after regular work hours.

Matters requiring absence in excess of two hours or repeated absences of two hours or less must be handled by taking the appropriate type of leave. Exempt employees may schedule sick or personal leave in whole or half day increments; non-exempt employees may schedule sick or personal leave in 15-minute increments. Annual leave may be used in two hour increments by FLSA exempt staff and in 15 minute increments by FSLA non-exempt staff.

**Overtime:**
Pre-approved by the supervisor, overtime is pay at time and a half at the “constructive hourly rate” for each hour worked over 40 hours in a work week.
Hiring
It will be the policy of the York County School Board to employ, promote, retain, dismiss and/or transfer employees without regard to race, color, religion, national origin, ancestry, political affiliation, sex, gender, age, marital status, genetic information or disability.

Open Door Policy
Superintendent Regulation GBD controls the communication with their immediate management and ascending chain of management. It provides that employees routinely have direct communication with their immediate supervisor. When an employee wishes to bring a matter to the attention of a person above their immediate supervisor, there are implications for managerial and organizational efficiency and effectiveness. Routine matters should be and will be processed through the immediate supervisor to the supervisory level vested with the authority to decide the matter.

However, in extraordinary circumstances an employee may feel justified in communicating with a person above the immediate supervisor. This regulation establishes the procedures to be followed in the unusual instance when a School Board employee believes sufficient cause exists to address an issue, a question or a proposal to a person in the administrative organization higher than their immediate supervisor.

- All School Board employees are covered by this regulation.
- No School Board employee has the authority to prohibit a subordinate from using this channel of communication.
- Communications between the employee and the addressee of the question or proposal can be written or oral.
- The employee is encouraged, but not required, to inform the immediate supervisor of the question or the issue.
- The employee is encouraged, but not required to obtain comments on the matter from the immediate supervisor and the other persons in the organizational structure above the immediate supervisor who are cognizant of the matter.
• Because this channel of communication is for the unusual circumstance, the person to whom the issue, question or proposal is addressed will respond to the employee within three working days. The response may include disposing of an issue, answering a question, evaluating or stating intent to evaluate a proposal and/or providing a date certain when such action shall be commenced or completed.

• Employees are authorized to seek final resolution from the Superintendent.

• Communications with the School Board are governed by Policy GBD.

Probationary Period
Licensed employees hired on or after January 28, 2014, who are
• new to the profession (first year of licensure experience),
• transferring from another accredited Virginia school without having reached continuing contract status,
• transferring from an out-of-state licensed employee position,
• transferring from an unaccredited Virginia school,
• a Virginia licensed employee re-entering the profession after being inactive for more than two consecutive years, or
• former part-time licensed employees with York County beginning their first year of full-time employment.

may enter into a three-year probationary validation/evaluation cycle beginning with their first year of full-time employment (100% contract for minimum 160 days). This probationary validation/evaluation period may be extended by up to two additional one-year probationary periods. During the probationary validation/evaluation period, licensed employees are on an annual contract status. Probationary status contracts are not offered beyond the fifth full year of full-time employment with the division.

Licensed employees hired on or after January 28, 2014 who:
• have continuing contract status with another accredited Virginia school division when they transfer to York County, or
• had continuing contract status with a Virginia school division and are returning to the teaching profession after having been inactive in the field for two consecutive years or less and are beginning their first year of full-time employment (minimum 160 days) with the division enter a one-year probationary validation/evaluation period which may be extended for up to an additional one-year probationary period.

Licensed employees who fall into this latter group have one to two years to complete the validation process with the division. Probationary (non-continuing contract) status contracts are not offered to in-state experienced licensed employees beyond the second full year of full-time employment with the division.

**Non-Licensed**

All non-licensed employees will be placed on a probationary period for the first eighteen months of employment. A job description will be issued to each employee along with a copy of the appropriate evaluation tool for their position.

Evaluations will be completed annually during the employee’s anniversary month for 12-month employees. All other non-licensed evaluations are due by June 30 each year.

**Resignation**

The division superintendent is authorized to approve resignations of employees. Any resignation must be in writing.

A teacher may resign after June 15 of any school year with the approval of the division superintendent. The teacher shall request release from contract at least two weeks in advance of the intended date of resignation. Such request shall be in writing and state the cause of the resignation. The teacher may, within one week, withdraw a request to resign. Upon the expiration of the one week period, the division superintendent shall notify the York County School Board of the decision to accept or reject the resignation. The School Board, within two weeks, may reverse the decision of the division superintendent. In the event that the Board or the division
superintendent declines to grant the request for release on the grounds of insufficient or unjustifiable cause, and the teacher breaches such contract, disciplinary action, which may include revocation of the teacher’s license, may be taken pursuant to regulations prescribed by the Board of Education.

Other employees who wish to terminate their employment must give notice at least ten work days prior to their desired separation date. Notice should be given to the employee’s immediate supervisor, who will inform the division superintendent. The division superintendent will inform the School Board of the resignation at its next regular meeting.

The supervisor of any employee can document and submit a verbal resignation when there appears to be little likelihood of a written resignation being submitted. The division superintendent has the authority to waive the two-week notice requirement when the division superintendent determines the best interests of the school division will be served by such waiver.

**Title IX: Discrimination and Sexual Harassment**

Pursuant to Title IX of the Education Amendments of 1972, “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” Using the guideline of Title IX, the York County School Board is committed to providing employees with a working environment free from sexual harassment or gender discriminatory behavior.

Discrimination and Sexual Harassment is governed by the provisions of Policy GBDA (see Appendix B).

The School Board is committed to providing all employees with a positive work environment and will enforce that all individuals, regardless of gender, receive equitable treatment and benefits.

The protection of students from such misconduct is a division priority and it is the obligation of all division personnel to observe boundaries
governing interaction and communication with students. The division demonstrates its commitment to protecting students from sexual abuse and misconduct.

The York County School Division expects its entire staff, including the division superintendent, the School Board, teachers, other school board employees, employees of virtual school programs, school volunteers who work with or in its schools and other vendors providing services to the division and/or students, to set examples for students in terms of appropriate conduct and behavior.

It shall be a violation of policy for any employee, teacher, administrator, school personnel, agents, volunteers, or third parties subject to the supervision and control of the school board to harass or discriminate against another employee or a student based upon sex. Acts of sexual harassment or inappropriate employee-student relations or student-peer relations are prohibited at all times including while on school-sponsored transportation, during observation or participation in after-school activities, and during school-related functions such as sporting events, social activities or field trips.

An employee shall report harassment or discriminatory acts without fear of any retaliatory action regarding job security, or participation in work activities. Any employee who believes he or she has been the victim of harassment or discriminatory behavior by another employee, supervisor, administrator, school personnel, agent, volunteer or third party is to immediately report the alleged conduct. Complaints should be directed to:

    Title IX Coordinator  
    Chief Human Resources Officer  
    302 Dare Road  
    Yorktown, Virginia, 23692  
    (757) 898-0349  
    tvladu@ycsd.york.va.us

The Chief Human Resources Officer will then notify the school principal or supervisor of the alleged acts. Reporting and complaints of harassment or
Discriminatory behavior will be investigated and handled in accordance with the provisions of Policy GBA.

**Workplace Confidentiality**
Superintendent’s Regulation GA-1 applies to all administrative office employees.

Administrative office employees are forbidden to reveal confidential information. Employees who violate this prohibition in handling office–related matters shall be subject to disciplinary action. Disciplinary sanctions for violating this policy may include termination of employment. Any questions concerning this policy should be directed to the Chief Human Resource Officer.

**Definitions:**
**Administrative Office Employee** - All individuals who work either full or part-time in the administrative offices of school buildings, school counseling departments, the General Service and Maintenance office complex, the school division’s central office or other school division office centers. Graduate student and Cooperative Office Education employees, temporary workers and administrative interns are included in the definition of “administrative office employee.”

**Confidential** - Matters that are intended to remain private are confidential. In other words, information one is trusted not to divulge or communicate to others is confidential. In the administrative workplace, this term specifically includes information relating to program changes or personnel issues that may be revealed through conversation, written documentation, presentation, phone calls, email, faxed transmission, or other means.

**Staff Conduct and Responsibilities**
All employees have a responsibility to be aware of and abide by all laws, School Board policies and administrative regulations, which affect their work in the division. The School Board expects employees to conduct themselves in a professional and ethical manner. The School Board shall define “professional and ethical manner” as required by facts and
circumstances. The teacher will be responsible for leading children and youth to desirable patterns of conduct and behavior. The practice of exemplary conduct in all personal, social and professional affairs is expected of all employees.

Manner and dress will at all times be appropriate to the activity of the moment and will be such as to maintain dignity and respect. Standards of appropriate dress will be enforced by the building Administrator.

Any employee charged with a crime (Note: traffic citations, other than reckless driving and driving under the influence, are not crimes.) must report the charge to his/her supervisor on the next workday following the charge or within 48 hours, whichever is the lesser amount of time.

Child Abuse and Neglect Reporting

Every employee of the division who, in his professional or official capacity, has reason to suspect that a child is an abused or neglected child, in compliance with the code of Virginia 63.2-1509 et. seq. shall immediately report the matter to:

- the local department of social services where the child resides or where the abuse or neglect is believed to have occurred;
- to the Virginia Department of Social Services’ toll-free child abuse and neglect hotline; or
- to the person in charge of the school or department, or his designee, who shall make the report forthwith.

Conflicts of Interest

School Board policy requires all employees read and be familiar with the State and Local Government Conflict of Interest Act that applies to public school employee and officials. (See Appendix C for policy GAH).

Gifts to Employees

The State and Local Government Conflict of Interest Act defines and prohibits employees and their families from accepting personal gifts from
any person, corporation or entity engaged in business or financial services with the division.

**Soliciting**
No employee will solicit funds (or other staff members for non-school related activities) as a representative of a school or the division without the prior consent of the School Board.

**Selling Within the Division**
No employee will take advantage of his or her position in the division to promote or sell educational aids to division students or parents.

**Crowdfunding**
Crowdfunding solicitations through sites such as GoFundMe and DonorsChoose require the explicit prior written approval of the building principal. In lieu of other funding options, the division encourages teachers to work with the principal through the budget process for additional requests. As a general rule, crowdfunding methods for raising funds should only be considered after all other local budget options have been contemplated.

In the rare event when principal written approval is secured, the use of crowdfunding must comply with the SOP for Acceptance of Gifts, Bequests, and Donations as well as Policy DGCY.

**Controlled Substance Prohibitions**

**Smoking and Substance Abuse**
No persons (staff, contractors, visitors) are permitted to use or distribute any tobacco product at any time, including during non-school hours, on school property, and at school-sponsored activities away from school grounds.

The possession and consumption of alcoholic beverages and contraband on School Board property is prohibited by the laws of the Commonwealth of Virginia (see Appendix E).
Use of Alcohol and Controlled Substances Prohibited
The use of alcohol or any controlled substance, or of any other substance to a degree to which renders the employee incapable of safely operating a motor vehicle while driving a bus or other commercial vehicle, or while performing any “safety sensitive function” with respect to such a vehicle is prohibited.

Required testing and prohibited conduct by bus drivers and other employees of the division who are required or permitted in connection with their employment to operate a commercial vehicle is covered in Policy GDQ (see Appendix E).

Drug and Alcohol Testing
The division has a drug and alcohol testing program for school bus drivers and other employees who are required to hold a commercial driver’s license (CDL) by US Department of Transportation Regulators who perform safety sensitive functions as required by federal and state law and regulations per Policy GDQ (see Appendix D).

Furthermore, all employees suspected of being under the influence of alcohol and/or a controlled substance shall be directed to submit to a drug test per Policy GBEC.

Essential Personnel
Essential personnel are defined as employee whose presence on the job is necessary to prevent or limit disruption of services. Those in essential positions are notified upon hire and must be available to work as required up to and during severe weather events.

Network Services/Internet Acceptable Use Policy
Use of the York County School Division (YCSD) computer system, including the internet, is governed by policy.

Use of network services and the internet is a privilege, not a right. There is no right of privacy nor an expectation of privacy for any activities conducted on any division computer system or network, including but not limited to email or content sent, received and/or stored on any division
system. Division officials reserve the right to monitor and record all user activity. Should there be any evidence of violation of this Acceptable Use Policy (AUP), or any School Board Policy or regulation, or any local, state or federal law, Information Technology staff will provide such evidence to division administrators or to law enforcement officials, as appropriate, for disciplinary action and/or criminal prosecution.

User Privileges
- Staff will have access to division-provided technology, including but not limited to computers, communication services, and the internet, for the purpose of conducting School Board business.
- Staff may access information from outside resources via the internet that facilitates or supports the business needs as well as learning and educational activities.
- Staff may download and transfer data files necessary and approved for business needs and instructional data files over the network provided that such activity does not violate copyright or other laws, no fees are incurred, and/or no freeware, shareware, games or other executable files are placed on network stores.
- Staff may use division-provided technology for personal use under the following conditions:
  1. Use cannot interfere with School Board business.
  2. Use cannot generate any cost to the division.
  3. Use cannot generate personal financial gain for the employee.

Use Restrictions
- Use will be for legal purposes only, Division-provided technology may not be used to send, receive, create, view or download illegal material. Transmission of any material in violation of federal or state regulation is prohibited and will be dealt with according to criminal statutes.
- Use will not disrupt or obstruct the division’s computing environment. Examples include the intentional or inadvertent installation/download of malicious software (malware) whether the employee knows or should have known an action could disrupt the computing environment.
- Use of division-provided technology to access pornography and/or for instructions on making explosives is expressly prohibited.
User Responsibilities

- Staff will not share network account credentials with anyone including, but not limited to, a substitute employee, student teacher, or student. Staff may share their network password with Information Technology staff to facilitate the resolution of technical problems. In such cases, staff should immediately upon resolution contact the YCSD Help Desk for assistance in resetting the password.
- Staff will maintain the privacy and security of passwords and accounts at all times.
- Staff will not attempt to learn another user’s password, access another user’s account or impersonate another user on the network.
- Staff will not use the password used for their YCSD network account for any other account including, but not limited to, banking, shopping, social media, other email services, instructional web sites/resources, etc.
- Staff will respect the property of others. Staff will not access, modify or delete any network files, documents, applications or data files belonging to others.
- Staff will not attach equipment to the cable plant that serves the data and voice systems without express authorization from the Director of Information Technology or his designee. Data-connection prohibitions include but are not limited to computer workstations, laptops/notebooks/tablets, PCs, fileservers, printers, scanners, network switches or hubs, routers, and all other wired devices. Voice connection prohibitions include but are not limited to analog telephones, VOIP (digital) telephones, FAX machines and modems.
- Staff will utilize proper network and email etiquette. Harassment, discriminatory remarks, hate mail and threats, obscene or vulgar language, and conduct prohibited by School Board Policy, federal or state law are prohibited in email or other electronic communications.
- Staff will properly use and care for all hardware and ancillary computer and network equipment available for use at any division site.
- Staff will be responsible for all content associated with the employee’s network account and will ensure there is no inappropriate content, files or emails stored on the network.
- Personal software may not be installed on any division hardware.
• Users will adhere to the Copyright Act of 1976 and the Fair Use provisions as related to education.
• Any staff member who gains access to inappropriate or undesirable internet content, becomes aware of a network or hardware security problem, or copyright or fair use infringement will immediately notify the Department of Information Technology.
• Staff who engage with the public via digital communication or social media will comply with all policies and regulations regarding such communications and:
  1. Refrain from commenting on behalf of the division outside the scope of the employee’s job responsibility.
  2. Use appropriate language and tone at all times.
  3. Limit digital communication with students to school-related purposes (except for employee-student relatives).
  4. Respect copyright and fair use guidelines.
  5. Comply with all School Board Policies and Superintendent’s Regulations.
  6. Comply with FERPA.

YCSD will take precautions to restrict access to undesirable or inappropriate content using firewalls and filtering applications and other security measures. Despite these efforts, division staff responsible for students will monitor all student computer/internet activity in classrooms, labs, libraries and any location students have computer/internet access and will pursue appropriate disciplinary actions based on the Student Conduct Code or criminal statutes as appropriate for any violations of the Student AUP.

Violation of this Acceptable Use Policy will result in disciplinary action including suspension of network privileges and possible termination of employment.

YCSD makes no warranties of any kind, expressed or implied, for the network services it provides. YCSD is not responsible for any damages users may incur, including loss of data due to delays, non-deliveries, mis-deliveries, equipment failures or service interruptions. Due to the vast, diverse, unmanaged character of the internet, YCSD will not be responsible for the accuracy, nature or quality of information gathered from the internet. YCSD is not responsible for personal property used to
access division hardware or networks or the internet or for any financial obligations resulting from the internet access provided by the division.

**Outside Employment**

The division considers employment by the School Board to be the employee’s primary job. The division expects peak performance on the job by its employees. Employees may accept outside employment if such employment does not interfere with or affect the quality of performance for which they were hired. Employees are required to report outside employment in accordance with procedures established by the division superintendent.

**Risk Management**

Risk management in the division endeavors to protect the public interest and prevent financial and human losses. Safety programs, training and accident investigations assist division employees with the enforcement of safe work guidelines to reduce accidents and provide a safe environment for work and learning. Reduction in accidents prevents disruptions in operations and instruction. The safety and health of all staff and students are a number one priority for the division.

**Lock-Out/Tag-Out Program (for Machines and Equipment)**

The division’s lock-out/tag-out program is designed to ensure that employees are protected from the hazards of unexpected start up or release of stored energy. There are specific procedures for affixing appropriate lock-out or tag-out devices to isolate or disable machines or equipment to prevent energization, start up or release of stored energy.

This program has been developed to maintain compliance with OSHA standard 1910.147, Control of Hazardous Energy. These instructions establish the minimum requirements for the lock-out or tag-out of energy isolating devices whenever maintenance or servicing is performed on machines or equipment.

For complete information on Lock-Out/Tag-Out see the Superintendent’s Regulation EU-9.
Safety Awareness

It is the objective of the division to give employees an awareness of the importance of safety and their responsibility for maintaining a safe and healthy work environment. It is also our goal to give an overview of Workplace Safety Basics. The result should be more safety conscious employees.

Safety is one of the most important parts of your job. We want our employees to have the understanding and knowledge needed to prevent accidents. Safety is more than specific procedures; it is a way of life.

Some reasons why safety has become so important are:

- Safety is the law. Almost every piece of equipment we operate, or any substance we use, is subject to government safety regulations.
- Safety procedures can protect you from injuries and eliminate possible exposure to hazardous substances.
- Safety requires a commitment from everyone in the division. One person acting in an unsafe manner can put many others at risk.
- Safety involves two things: specific actions and responsible thinking. It means learning about risks, being alert to possible problems, and reacting intelligently and quickly when necessary.

For complete information on reporting safety and health concerns, see the Human Resources Standard Operating Procedure, “Reporting Safety and Health Concerns”.

Worker’s Compensation/Reporting Requirements

Worker’s compensation is a no-fault compromise between employers and employees. The York County School Division will assume the cost of medical treatment and lost wages for a work-related injury or notice of an occupational disease. It is the employee’s responsibility to report any accident immediately to his/her supervisor. Supervisors or their designee will complete the Employers’ First Report of Accident to be filed with the Risk Management/Payroll Technician.
Frequently Asked Questions

These FAQ’s should serve as a brief summary and are subject to change. Benefits provided by a contract with a third party are governed by the terms of those contracts, which may also change from time to time. For more specific information, employees may refer to the York County School Division website and review policy and superintendent regulations at this link: Policy Manual and Regulations. The Standard Operating Procedures (SOP’s) are available on the intranet, SID.

Absence Management (formerly AESOP)

Q. What is AESOP?
A. An automated system used to report absences and schedule substitutes via touch-tone phones.

Q. Do all employees use AESOP?
A. No. All employees who have received training should be reporting their absences and scheduling substitutes using the Absence Management system.

Q. What is the phone number for AESOP?
A. The phone number is 1-800-942-3767. The URL is http://www.aesoponline.com

Q. Do I still need to call my supervisor when I will be absent?
A. It is your responsibility to follow your supervisor’s established guidelines for reporting leave and to follow established procedures for approval for any type of leave.

Q. What do I do if I have a problem with AESOP?
A. If you have problems entering your absence or other difficulties with the system, please call your school’s secretary. If unable to reach the main office, you may call the Personnel Specialist at 898-0472 between 7:30 a.m. and 4:00 p.m.
BENEFITS
Q. What type of benefits am I entitled to?
A. All full-time employees are entitled to the following benefits:
   • VRS retirement, basic life insurance, optional life insurance for self and dependents (guaranteed issue within 31 days of hire date)
   • Virginia Local Disability Program (VLDP), Short Term disability (for Hybrid Members only)
   • Health insurance plan choices
   • Dental insurance plan choices
   • Premium conversion (tax favored)
   • Flexible Spending Accounts—health and/or dependent care
   • Voluntary Benefits – not contributed to by YCSD, but offered at reduced rates. These include: Long Term Care Insurance, AFLAC, Legal Resources; small whole life insurance policies for employees and family members
   • Tax Sheltered Annuities (403b Deferred Contribution Plan or 457-Deferred Compensation Plan) to supplement your VRS retirement
   • Employee Assistance Program

Part-time employees are eligible for the following benefits:
   • Pro-rated health plan coverage
   • Pro-rated dental plan coverage
   • Premium conversion – tax favored
   • Voluntary Benefits – not contributed to by YCSD, but offered at reduced rates. These include: Long Term Care Insurance (must work a minimum of 20 hours per week) AFLAC, Legal Resources; small whole life insurance policies for employees and family members
   • Tax Sheltered Annuities
   • Retirement counseling services
   • Employee Assistance Program (EAP)

INSURANCE
Q. When can I enroll in the health plans?
A. New employees may enroll at the time of hire.
Open enrollment takes place in the month of October for health and dental insurance, legal insurance, and flex spending accounts. Employees can add, drop or change their benefits selections during the open enrollment.

Q. When can employees make health and dental insurance changes?
A. Insurance changes cannot be made during the year except in the case of a qualifying event (ex: marriage, divorce, birth or adoption of a child, job change for spouse or employee). During open enrollment, employees may make changes to their health and dental insurance policies by contacting the Benefits office or accessing the information from the Benefits page on the York County School website.

Q. If I have a problem with a claim on health or dental insurance, whom should I call?
A. An employee with a claim problem should try to resolve it with Cigna or Delta Dental before calling the Benefits Program Specialist.

All CIGNA Health Insurance Plans 1-800-244-6224
All DELTA Dental Plans 1-800-237-6060

Please keep a record of the date, time and name of the person you contacted, as well as notes about your conversation.

Q. Where can I find more information about my benefits and retirement opportunities?
A. From the Benefits page on the York County School website.

Q. Where can I find more information on my compensation?
A. Contact the Compensation Program Specialist in the Human Resources department at 890-1046.

COMPUTERS
Q. Who do I call for help with computer software problems?
A. Depending on the nature of the software, contact either your Instructional Innovation Coach or the YCSD Help Desk at 898-0311.
Q. How do I get computer hardware, associated peripherals (printers, CD-ROMs, scanners, etc.) and software installed?
A. From 7 a.m. - 5 p.m., call the YCSD Help Desk at 898-0311.

Q. Who do I call for advice on computer and software purchases?
A. Contact the Director of Information Technology and/or the Instructional Innovation Coach at your location to discuss your needs and requirements.

FAIR LABOR STANDARDS ACT (FLSA)
Q. Can non-exempt employees volunteer to work in schools in excess of their assigned time?
A. Non-exempt employees cannot volunteer in any capacity that could be seen as a continuation of their job assignment. If they have a child in the school in which they work, they could volunteer in their “parent” capacity for any task that other parents would do.

Q. Can non-exempt employees write and answer work e-mail from home?
A. If non-exempt employees write and answer work e-mail from home it must be counted as time worked and appropriately compensated. The employee must understand that time worked outside of the standard workday should have prior approval of the principal or supervisor.

Q. Are teachers exempt or non-exempt?
A. All teachers are exempt as professional employees from FLSA regulation, including overtime and minimum wage provisions.

KRONOS IDENTIFICATION BADGES
Q. Are division employees required to wear badges?
A. In accordance with division policy EU-8, all employees are required to display their photo ID badges while on division property during the regular school or work day.

Q. What should I do if I lose my badge or if it is damaged?
A. Immediately notify your supervisor. If, after one workday, you are unable to find your identification badge, you must purchase a new one from the Human Resources department. The cost to replace a lost or damaged ID badge is $5.00 (paid in cash).

**PAYROLL**

Q. What is the cut-off date for payroll changes within a given month?
A. The 10th of the month is the cut-off date if the changes are to take effect that month.

Q. When are we paid?
A. All exempt employees are paid on the last working day of the month. Non-exempt staff are paid on every other Friday (or nearest working day).

Q. Why didn’t I have any federal taxes withheld from my paycheck?
A. You may be claiming too many exemptions on your W-4 withholding form, or your gross pay is minimal and falls below the federal withholding allowance table amounts.

(For 2019, an employee’s bi-weekly gross pay must exceed $146 for a single person and $454 for a married person before any federal tax will be withheld).

Q. How do I know the information on my paycheck is correct?
A. You should verify name, address and social security number as well as deductions for accuracy.

Q. How do I sign up for direct deposit?
A. Direct deposit is mandatory for all payments made to employees. No action is necessary if you wish to receive reimbursements to the same bank account or pay card used by Payroll (for additional information on pay cards see the SOP under Finance). If you want reimbursements deposited into a different bank account, you will need to complete the “Accounts Payable Direct Deposit Authorization Form” on SID.

Q. What is E-Payroll?
A. A secure, web-based payroll information access system. Employees may log on to E-Payroll to access E-Stub to view/print paycheck information. Employees can also view/print copies of their W-2’s. After enrolling in E-Payroll, select W-2 from the drop down box to “Function”. Click on Print Individual W-2 under Options, enter your last name and pin. Select year for W-2 you want to view/print.

Q. When may employees make payroll changes such as address changes, tax annuity, taxes withheld, etc.?
A. Employees may make such changes anytime during the school year.

RETIREMENT
Q. How do I apply for retirement?
A. An appointment must be made with the Benefits Program Specialist to complete the appropriate VRS retirement forms, and a letter of intent submitted to the Chief Human Resources Officer. Retirement applications should be submitted to the VRS 90 days prior to your retirement date. VRS approves retirements on the first day of the month. Further, you are encouraged to attend one of the Pre-Retirement sessions offered by the VRS at various local community colleges. This process is also to be followed for employees who are members of the “frozen” non-professional retirement contract, which was suspended in July 1992.

Q. What are my health insurance options after resignation or retirement?
A. Upon resignation, employees have the option to participate in COBRA health insurance coverage for 18 months. Retirees are qualified for the division’s Retiree Health Plan until age 65 and are qualified for the Retiree Dental Plan until age 66 ½. Should they choose to enroll, retirees with less than 20 years of service to the school division will be required to pay the full rate. The division will pay 50% of the premium charged for employees with 20 years of service to the division minus any VRS Health Insurance Credit. (This benefit does not apply to employees who have 20 years of VRS service and not 20 years of service to the division.)
WORKER’S COMPENSATION
Q. Who is eligible for Worker’s Compensation?
A. All employees are covered under Worker’s Compensation if their injury or occupational disease fulfills the requirements of a compensable injury or occupational disease under the Virginia Worker’s Compensation Law.

Q. What do I do if I am injured on the job?
A. Minor Injury: Report injury to your supervisor/principal immediately.
    Emergency: Go to hospital first, or visit a doctor on the division panel list. Report the accident immediately to your supervisor.

Q. Do I need to report a small injury such as a minor cut?
A. Yes. Report all accidents even if the injury seems minor. A small injury can develop into a serious problem.

Q. Where do I get the list of physicians on the panel for Worker’s Compensation?
A. The list are posted at all division office locations and also may be obtained from your immediate supervisor or the Risk Management/Payroll Technician in the Finance Department at the School Board Office.

MISCELLANEOUS
Q. What procedure should I follow in the event of severe weather?
A. Severe weather conditions pose hazards both to transporting students on school buses and to employees commuting between home and work, so procedures for dealing with severe weather in York County are based primarily on safety considerations.

A decision will be made by 5:30 a.m. Announcements are sent through the division’s telephone notification system, YCSD TV-47 and posted on the school’s website.
A. Procedures For Adjusting Employee Grievances

The York County School Board adopts the most recent version of Procedure for Adjusting Grievances promulgated by the Virginia Board of Education based on current statutory provisions.

However, grievances concerning dismissal or demotion of permanent non-licensed employees shall be adjusted pursuant to procedures promulgated by the division superintendent.

ADOPTED: January 27, 2014
REVISED: January 22, 2018

B. Prohibition Against Harassment and Retaliation

I. Policy Statement
The York County School Board is committed to maintaining an educational environment and workplace that is free from harassment. In accordance with law, the Board prohibits harassment against students, employees, or others on the basis of sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity. The Board is an equal opportunity employer.

It is a violation of this policy for any student or school personnel to harass a student or school personnel based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity. Further, it is a violation of this policy for any school personnel to tolerate harassment based on a student’s or employee’s sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status or genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity, by students, school personnel or third parties participating in, observing or otherwise engaged in school sponsored activities.

For the purpose of this policy, school personnel includes school board members, school employees, agents, volunteers, contractors or other persons subject to the supervision and control of the division.

The School Division shall: (1) promptly investigate all complaints, written or verbal, of harassment based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity; (2) promptly take appropriate action to stop any harassment and (3) take appropriate action against any student or school personnel who violates this policy and take any other action reasonably calculated to end and prevent further harassment of school personnel or students.
II. Definitions

A. Harassment Based on Sex
Harassment based on sex consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication, which may include use of cell phones or the internet, of a sexual nature when

- submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment or education;
- submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual’s employment or education; or
- that conduct or communication substantially or unreasonably interferes with an individual’s employment or education, or creates an intimidating, hostile or offensive employment or educational environment (i.e. the conduct is sufficiently serious to limit a student’s or employee’s ability to participate in or benefit from the educational program or work environment).

Examples of conduct which may constitute harassment based on sex if it meets the immediately preceding definition include:

- unwelcome sexual physical contact
- unwelcome ongoing or repeated sexual flirtation or propositions, or remarks
- sexual slurs, leering, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions
- graphic comments about an individual’s body
- sexual jokes, notes, stories, drawings, gestures or pictures
- spreading sexual rumors
- touching an individual’s body or clothes in a sexual way
- displaying sexual objects, pictures, cartoons or posters
- impeding or blocking movement in a sexually intimidating manner
- sexual violence
- display of written materials, pictures, or electronic images
- unwelcome acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex stereotyping
B. Harassment Based on Race, National Origin, Disability or Religion
Harassment based on race, national origin, disability or religion consists of physical or verbal conduct, which may include use of cell phones or the internet, relating to an individual’s race, national origin, disability or religion when the conduct

- creates an intimidating, hostile or offensive working or educational environment;
- substantially or unreasonably interferes with an individual’s work or education; or
- otherwise is sufficiently serious to limit an individual’s employment opportunities or to limit a student’s ability to participate in or benefit from the education program.

Examples of conduct which may constitute harassment based on race, national origin, disability or religion if it meets the immediately preceding definition include:

- graffiti containing racially offensive language
- name calling, jokes or rumors
- physical acts of aggression against a person or his property because of that person’s race, national origin, disability or religion
- hostile acts which are based on another’s race, national origin, religion or disability
- written or graphic material which is posted or circulated and which intimidates or threatens individuals based on their race, national origin, disability or religion

C. Additional Prohibited Behavior
Behavior that is not unlawful or does not rise to the level of illegal harassment or retaliation may nevertheless be unacceptable for the educational environment or the workplace. Demeaning or otherwise harmful actions are prohibited, particularly if directed at personal characteristics including, but not limited to, socioeconomic level, sexual orientation, gender identity, or perceived sexual orientation.

The York County School Division expects its entire staff, including the division superintendent, the School Board, teachers, other school board employees, employees of virtual school programs, school volunteers who work with or in its schools (“division personnel”) and other vendors providing services to the division and/or students, to set examples for
students in terms of appropriate conduct and behavior. Students are best served by a school climate that is both welcoming and professional with very clear standards of conduct. All adults in the division share the responsibility in creating a safe learning and teaching environment that is free from adult misconduct including adult sexual misconduct.

- The protection of students from such misconduct is a division priority and it is the obligation of all division personnel to observe boundaries governing interaction and communication with students. The division demonstrates its commitment to protecting students from sexual abuse and misconduct through:
  - Strict compliance with all state laws and regulations related to the screening of prospective employees for the conviction of barrier crimes and founded cases of child abuse and neglect;
  - The development, effective implementation, training and education relating to and enforcement of clear and reasonable policies governing the interaction of students and division Personnel;
  - The establishment of channels of reporting by students and parents of suspected misconduct and abuse, and the prompt notification of law enforcement when criminal activity is alleged or suspected;
  - Disclosure of formal reprimands and dismissals for violating Division policies on sexual misconduct and abuse prevention to school divisions seeking references; and
  - Strict compliance with all state laws and regulations related to reporting to the Virginia Department of Education of resignations and dismissals of licensed employees related to convictions of barrier crimes and founded cases of abuse.

Adherence to division policy on student - division personnel interactions not only creates a safe and healthy environment for students, it also serves to protect division personnel from false accusations and accusations based on misunderstandings.

This policy expands upon, and is established in addition to, the division policy on the prevention of unlawful harassment.
The division superintendent shall take appropriate steps to implement and oversee this policy by promulgating and implementing Regulations which address:

- Communications between division personnel and students;
- Physical contact between division personnel and students;
- Social interaction between division personnel and students;
- Training relating to and dissemination of this policy;
- Reporting of suspected misconduct or abuse; and
- Such other topics as may be necessary for the implementation of the provisions of this policy.

III. Complaint Procedure

A. Formal Procedure

1. File Report
Any student or Division personnel who believes he or she has been the victim of harassment based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, or genetic information or any other characteristic protected by law or based on a belief that such characteristic exists by a student, school personnel or a third party should report the alleged harassment to one of the Compliance Officers designated in this policy or to any school personnel. The alleged harassment should be reported as soon as possible, and the report generally should be made within fifteen (15) school days of the occurrence. Further, any student who has knowledge of conduct which may constitute prohibited harassment should report such conduct to one of the Compliance Officers designated in this policy or to any school personnel. Any school personnel who has notice that a student or other school personnel may have been a victim of prohibited harassment shall immediately report the alleged harassment to one of the Compliance Officers designated in this policy.

The reporting party should use the form, Report of Harassment, GBA-F/JFHA-F, to make complaints of harassment. However, oral reports and other written reports shall also be accepted. The complaint should be filed with either the building principal or one of the Compliance Officers designated in this policy. The principal shall immediately forward any report of alleged prohibited harassment to the Compliance Officer. Any
complaint that involves the Compliance Officer or principal shall be reported to the division superintendent.

The complaint, and identity of the complainant and alleged harasser, will be disclosed only to the extent necessary to fully investigate the complaint and only when such disclosure is required or permitted by law. Additionally, a complainant who wishes to remain anonymous shall be advised that such confidentiality may limit the division’s ability to fully respond to the complaint.

2. Investigation
Upon receipt of a report of alleged prohibited harassment, the Compliance Officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division. The investigation shall be completed as soon as practicable, which generally should be not later than 14 school days after receipt of the report by the Compliance Officer. Upon receiving the complaint, the Compliance Officer shall acknowledge receipt of the complaint by giving written notice that the complaint has been received to both the person complaining of harassment and the person accused of harassment. Also upon receiving the complaint, the Compliance Officer shall determine whether interim measures should be taken pending the outcome of the investigation. Such interim measures may include, but are not limited to, separating the alleged harasser and the complainant and, in cases involving potential criminal conduct, determining whether law enforcement officials should be notified. If the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the complainant and the accused shall be notified of the reason for the extended investigation and of the date by which the investigation will be concluded. If the alleged harassment may also constitute child abuse, then it must be reported to the Department of Social Service in accordance with Policy JHG, Child Abuse and Neglect Reporting.

The investigation may consist of personal interviews with the complainant, the alleged harasser, and any others who may have knowledge of the alleged harassment or the circumstances giving rise to the complaint. The investigation will consider witnesses and evidence from both the alleged harasser and the person allegedly harassed. The investigation may also consist of the inspection of any other documents
or information deemed relevant by the investigator. The school division shall take necessary steps to protect the complainant and others pending the completion of the investigation.

In determining whether alleged conduct constitutes a violation of this policy, the division shall consider, at a minimum:
(1) the surrounding circumstances;
(2) the nature of the behavior;
(3) past incidents or past or continuing patterns of behavior; (4) the relationship between the parties;
(5) how often the conduct occurred;
(6) the identity of the alleged perpetrator in relation to the alleged victim (i.e. whether the alleged perpetrator was in a position of power over the alleged victim);
(7) the location of the alleged harassment;
(8) the ages of the parties and
(9) the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all of the facts and circumstances revealed after a complete and thorough investigation.

The Compliance Officer shall issue a written report to the division superintendent upon completion of the investigation. If the complaint involves the division superintendent, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any.

All employees shall cooperate with any investigation of alleged harassment conducted under this policy or by an appropriate state or federal agency.

3. Action by Division Superintendent
Within (5) five school days of receiving the Compliance Officer’s report, the division superintendent or designee shall issue a decision regarding whether this policy was violated. This decision must be provided in writing to the complainant and the alleged perpetrator. If the division superintendent or designee determines that it is more likely than not that prohibited harassment occurred, the division shall take prompt,
appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including expulsion or discharge. Whether or not the division superintendent or designee determines that prohibited harassment occurred, the division superintendent or designee may determine that school-wide or division-wide training be conducted or that the complainant receives counseling.

4. Appeal
If the division superintendent or designee determines that no prohibited harassment occurred, the employee or student who was allegedly subjected to harassment may appeal this finding to the School Board within 5 school days of receiving the decision. Notice of appeal must be filed with the division superintendent who shall forward the record to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may ask for oral or written argument from the aggrieved party, the division superintendent and any other individual the School Board deems relevant. Written notice of the School Board’s decision will be given to both the alleged harasser and the person allegedly harassed.

If the division superintendent or designee determines that prohibited harassment occurred and discipline is imposed, the disciplined person may appeal the disciplinary sanction in the same manner as any other such sanction would be appealed.

Employees may choose to pursue their complaints under this policy through the relevant employee grievance procedure instead of the complaint procedure in this policy.

Compliance Officer and Alternate Compliance Officer
The School Board has designated the Chief Human Resources Officer as the Compliance Officer responsible for identifying, investigating, preventing and remedying prohibited harassment. Complaints of harassment may also be made to the Alternate Compliance Officer(s), the Division’s Director of School Administration or Director of Student Services.

The Compliance Officer shall
- receive reports or complaints of harassment;
- conduct or oversee the investigation of any alleged harassment;
• assess the training needs of the school division in connection with this policy;
• arrange necessary training to achieve compliance with this policy; and
• ensure that any harassment investigation is conducted by an impartial investigator who is trained in the requirements of equal employment/education opportunity, and has the authority to protect the alleged victim and others during the investigation.

B. Informal Procedure
If the complainant and the person accused of harassment agree, the student’s principal or designee may arrange for them to resolve the complaint informally with the help of a counselor, teacher, or administrator.
If the complainant and the person accused of harassment agree to resolve the complaint informally, they shall each be informed that they have the right to abandon the informal procedure at any time in favor of the initiation of the Formal Procedures set forth herein. The principal or designee shall notify the complainant and the person accused of harassment in writing when the complaint has been resolved. The written notice shall state whether prohibited harassment occurred.

IV. Retaliation
Retaliation against students or school personnel who report harassment or participate in any related proceedings is prohibited. The school division shall take appropriate action against students or school personnel who retaliate against any student or school personnel who reports alleged harassment or participates in related proceedings. The Compliance Officer will inform persons who make complaints, who are the subject of complaints, and who participate in investigations, of how to report any subsequent problems.

V. Right to Alternative Complaint Procedure
Nothing in this policy shall deny the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited harassment including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law.
VI. Prevention and Notice of Policy
Training to prevent harassment based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, and genetic information should be included in employee and student orientations as well as employee in-service training.
This policy shall be (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel, (2) included in the student and employee handbooks; and (3) sent to parents of all students within 30 calendar days of the start of school. Further, all students, and their parents/guardians, and employees shall be notified annually of the names and contact information of the Compliance Officers.

VII. False Charges
Students or school personnel who knowingly make false charges of harassment shall be subject to disciplinary action as well as any civil or criminal legal proceedings.

ADOPTED: January 27, 2014

REVISED: January 22, 2018


CROSS REFERENCES: AC Nondiscrimination
GB Equal Employment Opportunity/Nondiscrimination
GBA-F/JFHA-F Report of Harassment
GBM Professional Staff Grievances
JB Equal Educational Opportunities/Nondiscrimination
JFC Student Conduct
GCPD Professional Staff Discipline
JHG Child Abuse and Neglect Reporting
C. School Employee Conflict of Interests

A. Purpose
The State and Local Government Conflict of Interests Act (the Act), applies to public school employees and officials. The Act creates uniform standards of conduct for all public employees and officials. The Act also defines and prohibits inappropriate conflicts of interest and requires disclosure of economic interests in some circumstances. The purpose of this policy is to provide an introduction to the Act for employees. Additional information regarding the Act may be obtained from Policy BBFA Conflict of Interests and Disclosure of Economic Interests and from the Virginia Conflict of Interest and Ethics Advisory Council (the Ethics Council) which assists with compliance with the Act.

B. Compliance
York County School Board employees are required to read and be familiar with the Act. The division superintendent provides employees with information regarding how to access the Act and how to contact the Ethics Council.

The Act’s provisions are complex and their application is fact-specific. A violation of the Act could result in civil or criminal penalties. Therefore, if an employee has any question whether an interest the employee has in a contract or transaction involving the school division is prohibited under the Act, the employee should contact the division superintendent’s office or the Ethics Council for assistance.

C. Areas of Regulation
The Act prohibits school employees from having a “personal interest,” as that term is defined by the Act, in certain contracts and transactions that involve the division and from engaging in other specified conduct related to the schools. The prohibited personal interest also may be that of the school employee’s immediate family (a spouse or any other person who resides in the same household as the employee and who is a dependent of the employee).

Under the Act, an employee may be considered to have a prohibited conflict arising from:
• a personal interest in a contract;
• a personal interest in a transaction;
• business opportunities tied to official acts;
• misuse of confidential information; or
• Receipt or solicitation of certain gifts.

Examples of prohibited conduct include:
• soliciting or accepting money or other thing of value for services performed within the scope of the employee’s official duties, except for the employee’s compensation, expenses or other remuneration paid by the division;
• using for the employee’s own economic benefit or that of another party, confidential information that the employee has acquired by reason of the employee’s public position and which is not available to the public;
• accepting any money, loan, gift, favor, service or business or professional opportunity that reasonably tends to influence the employee in the performance of the employee’s official duties;
• accepting any business or professional opportunity when the employee knows that there is a reasonable likelihood that the opportunity is being afforded to influence the employee in the performance of the employee’s official duties;
• entering into contracts with the school division under certain circumstances;
• accepting a gift from a person who has interests that may be substantially affected by the performance of the employee’s official duties under circumstances where the timing and nature of the gift would cause a reasonable person to question the employee’s impartiality in the matter affecting the donor; and
• accepting gifts from sources on a basis so frequent as to raise an appearance of the use of the employee’s position for private gain.

D. Awards to Employees for Exceptional Service
The Act does not prohibit or apply to the acceptance by a teacher or other employee of the School of an award or payment in honor of meritorious or exceptional services performed by the teacher or employee and made
by an organization exempt from federal income taxation pursuant to the provisions of Section 501(c)(3) of the Internal Revenue Code.

E. Advisory Opinions
Employees may seek written opinions regarding application of the Act from the local Commonwealth’s Attorney, the local County Attorney or the Ethics Council. Good faith reliance on a written opinion of the Commonwealth’s Attorney or a formal opinion or written informal advice of the Ethics Council made in response to a written request for such opinion or advice regardless of whether such opinion or advice is later withdrawn, provided that the alleged violation occurred prior to the withdrawal of the opinion or advice, bars prosecution for a knowing violation of the Act provided the opinion or advice was made after a full disclosure of the facts. If the employee relies on written informal advice given by the Ethics Council in a prosecution for a knowing violation of the Act, the record of the request and the written informal advice given shall be a public record and released upon request. An opinion of the local County Attorney may be introduced at trial as evidence that the employee did not knowingly violate the Act.

ADOPTED: January 22, 2018

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 2.2-3101, 2.2-3102, 2.2-3103, 2.2-3103.2, 2.2-3104.1, 2.2-3109, 2.2-3110, 2.2-3112, 2.2-3121, 2.2-3124 and 30-356.

CROSS REFERENCE: BBFA Conflict of Interests and Disclosure Requirements
CBCA Disclosure Statement Required of Superintendent
DJG Vendor Relations
GCCB Employment of Family Members
GCQA Nonschool Employment by Staff Members
KGA Sales and Solicitations in Schools
KJ Advertising in the Schools

© 5/23/17 VSBA
D. School Bus Drivers

Eligibility for Employment

Any applicant for employment operating a school bus transporting pupils must:

a. have a physical examination of a scope prescribed by the Board of Education and furnish a form prescribed by the Board of Education showing the results of such examination.

b. permit the division to obtain a statement or copy of records from the Department of Motor Vehicles showing that the applicant, within the preceding five years, has not been convicted of a charge of driving under the influence of alcohol or drugs, convicted of a charge of refusing to take a blood or breath test, convicted of a felony or assigned to any alcohol safety action program or driver alcohol rehabilitation program pursuant to Va. Code § 18.2-271.1 or, within the preceding 12 months, has not been convicted of two or more moving traffic violations or required to attend a driver improvement clinic by the Commissioner of the Department of Motor Vehicles pursuant to Va. Code § 46.2-498.

c. furnish a statement signed by two reputable persons who reside in the school division or in the applicant's community that the person is of good moral character.

d. exhibit a license showing the person has successfully undertaken the examination prescribed by Va. Code § 46.2-339.

e. have reached the age of 21 on the first day of the school year.

f. submit to testing for alcohol and controlled substances as required by state and federal law and regulation.

Persons for whom registration with the Sex Offender and Crimes Against Minors Registry is required are not eligible for employment as a school bus driver.
Persons hired as school bus drivers must annually furnish the documents listed in (a) and (b) above prior to the anniversary date of their employment as a condition of continued employment as a school bus operator.

**Drug and Alcohol Testing**
The division has a drug and alcohol testing program for bus drivers and other employees who are required to hold a commercial driver's license (CDL) by U.S. Department of Transportation Regulations who perform safety-sensitive functions as required by federal and state law and regulations.

**Prohibited Conduct**
Drivers are prohibited from alcohol possession and/or use on the job, use during the four hours before performing safety-sensitive functions, having prohibited concentrations of alcohol in their systems while on duty or performing safety-sensitive functions, and use during eight hours following an accident or until after undergoing a post-accident alcohol test, whichever occurs first.

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substances except when the use is pursuant to the instructions of a licensed medical practitioner who has advised the driver that the substance does not adversely affect his ability to safely operate a commercial motor vehicle.

**Required Testing**
Drivers are subject to pre-employment/pre-duty drug testing, reasonable suspicion alcohol and drug testing, random alcohol and drug testing, post-accident alcohol and drug testing, return-to-duty and follow-up alcohol and drug testing pursuant to procedures set out in the federal regulations. Pursuant to state law, drivers are subject to pre-employment alcohol testing. Any employee who refuses to submit to a post-accident, random, reasonable suspicion or follow up test shall not perform or continue to perform safety-sensitive functions.
Notification
Each driver receives educational materials that explain the requirements of federal law and regulations together with a copy of the division's policy and procedures for meeting these requirements. Each driver must sign a statement certifying that he/she has received a copy of the above materials and the division maintains this signed copy.

Before performing each alcohol or controlled substances test, the division will notify the driver that the test is required by federal law or regulation.

Consequences if Testing Indicates Drug or Alcohol Misuse
If the testing confirms prohibited alcohol concentration levels or the presence of a controlled substance, the employee shall be removed immediately from safety-sensitive functions in accordance with the federal regulations. All drivers shall be advised of resources available and before a driver is re-instated, if at all, the driver shall undergo an evaluation by a substance abuse professional, comply with any required rehabilitation and undergo a return-to-duty test with negative urine sample.

Record Retention
The division maintains records in compliance with the federal regulations in a secure location with controlled access. With the driver's consent, the division may obtain any of the information concerning drug and alcohol testing from the driver's previous employer. A driver is entitled upon written request to obtain copies of any records pertaining to the driver's use of alcohol or controlled substances including information pertaining to alcohol or drug tests.

Records shall be made available to a subsequent employer upon receipt of a written request from a driver. Disclosure by the subsequent employer is permitted only as expressly authorized by the terms of the driver's request.
Test procedure
The division administers alcohol and controlled substance tests in accordance with federal laws.

ADOPTED: January 27, 2014
REVISED: January 22, 2018


CROSS REFERENCES: GBEA Unlawful Manufacture, Distribution, Dispensing, Possession or Use of a Controlled Substance

© 5/13 VSBA
E. Drug Free Work Place

The York County School Board is committed to maintaining a Drug Free Workplace.

Prohibited Conduct
Employees may not unlawfully manufacture, distribute, dispense, possess or use a controlled substance on school property, at any school activity, or on any school-sponsored trip. It is a condition of employment that each employee of the School Board will not engage in such prohibited conduct and will notify the School Board of any criminal drug conviction for a violation occurring on school property, at any school activity, or on any school-sponsored trip no later than (5) five days after such conviction. An employee who is convicted of criminal drug activity for a violation occurring on school property, at any school activity, or on any school-sponsored trip will be subject to appropriate discipline, up to and including termination, or required to satisfactorily participate in a drug abuse assistance or rehabilitation program.

Discipline
The division superintendent and School Board will take appropriate personnel action up to and including dismissal of any employee found to have engaged in prohibited conduct listed above. Such personnel action will include the imposition of a sanction on, or the requiring of the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee who is convicted of a violation occurring on school property, at any school activity, or on any school-sponsored trip.

Distribution of Policy
All employees shall be given a copy of this policy.

ADOPTED: January 27, 2014
RESTATEMENT: January 22, 2018
REVISED: June 13, 2014
CROSS REFERENCES: GCPD Professional Staff Discipline
GDQ School Bus Drivers
F. Staff Participation in Political Activities

The York County School Board recognizes the right of its employees to engage in political activity.

The Board also recognizes that school time and school property should not be used for partisan political purposes. Thus, in his or her political activities, an employee may not:

• use his or her position within the school division to further a political cause;

• engage in any activity supporting or opposing a candidate or political party while on duty, while on school property during school hours, or while representing the school division;

• suggest in any manner that the school division or any component of it supports or opposes a candidate for election to any office; or

• use any school division property to engage in any activity supporting or opposing a candidate for public office or a political party.

These restrictions are not intended to limit the rights of school division employees to support or oppose any political candidate or party on their own time. They are intended to minimize distractions from instruction, to assure that no public funds are used to support any candidate for public office, and to assure that the public is not given the false impression that the school division supports or opposes any political candidate or party. School division employees who engage in political activities on their own time must make it clear that their views and actions represent their individual positions and do not represent the views of the school division.

ADOPTED: January 27, 2014
RESTATEMENT: January 22, 2018
LEGAL REFERENCES: Code of Virginia, 1950, as amended, Sections 22.1.70, 22.1-78
© 2/12 VSBA