

Wibaux Public School

Receipt of Material

Classified Handbook
Emergency Response Procedure Handbook

*By signing this form I verify I have received this handbook and I am responsible
for its contents.*

Signature

Date



Larry Helvik, Superintendent
Annie Begger, Principal 9-12
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Classified Handbook

Wibaux Public School

2020-2021

Introduction

As a non-certified employee of the Wibaux Public School you are an important part of our educational team. If you are not successful in your work, then the school will not be successful. The entire community and its children are very dependent on your success.

This handbook has been prepared to give you basic information about procedures to follow. It is not all-inclusive. If you have a question concerning the regulations or procedures in this booklet, please contact your supervisor or the superintendent. Material contained herein may, therefore, be superseded by such Board policy, administrative regulation, negotiated agreement, or changes in state or federal law.

Any information contained in this classified staff handbook is subject to unilateral revision or elimination, from time to time, without notice.

No information in this document shall be viewed as an offer, expressed or implied, or as a guarantee of any employment of any duration.

Your Employer

You are employed by Wibaux Public School, K-12 District. This district is an independent subdivision of the State of Montana, who answers only to the State Office of Public Instruction and the Board of Public Education. They are not governed by any other local agency. All employees are employed by the K-12 Wibaux Public School District.

A five member Board of Trustees, who delegate most responsibilities for school operation to the superintendent, governs the school. Trustees approve all employment contracts and wages, determine number of employees to be hired, and determine general policies. They are not responsible for the day-to-day operation of the school. In law, trustees only have authority when sitting in a duly called board meeting.

Equal Employment

Equal employment opportunity and treatment shall be practiced by the district regardless of race, color, national origin, religion, sex, age, marital status, and disability, if the employee, with or without reasonable accommodation, is able to perform the essential functions of the position.

Questions, comments, complaints, or suggestions about your work should be directed to your immediate supervisor or to the superintendent, but not to individual trustees. District policy, as well as common courtesy and good practice, require that you discuss matters of concern with your supervisor and the administration first. Failure to follow the appropriate administrative channels in resolving concerns and disputes are disruptive to the effective operation of the school district and will not be tolerated. If the complaint is not resolved informally, formal complaint procedures may be initiated by staff in accordance with Board policy and administrative regulations.

Public and Student Relations

Most students greet you first thing in the morning and see you as they leave school in the evening. You have an opportunity to set the tone for each student's day and leave him or her with a smile each afternoon. You also deal with many parents during the day and affect them the same way. It is important, therefore, that you are pleasant, professional, and competent at all times.

Discipline: Your job includes disciplining students in ways similar to those of a teacher. Bus drivers have a particular duty in this regard because they are often the sole supervisors of the students in their care. In all other situations, teachers directly or indirectly supervise students. However, each employee has a clear duty to assist in the minor discipline of all children. Major discipline should be referred to the supervising teacher or the building administrator.

Confidentiality: You have access to a great deal of confidential information about students, teachers, parents, and other employees. This information is not to be communicated to anyone without a specific need to know it. Such information must not leave the school or be told around in the community. This refers to nearly all school business, as well. Improper dissemination of confidential information may result in the imposition of discipline. All employees are to refrain from gossip or rumor mongering both among the staff and in the community.

Problems: If you are having difficulty in your work or note that someone else is, please talk to your supervisor. Such information should be kept at school and resolved at school rather than being discussed in the community. Your supervisors cannot solve a problem not referred to them first.

Definition – Non-Certified Personnel

The term non-certified personnel refers to all employees of the school district whose position of employment does not require a Montana teaching certificate or other professional license under Montana law. These positions include, but are not limited to, clerk, secretary, aide, custodian, maintenance worker, bus driver, cook, and cafeteria worker. The status and time worked of these positions are as follows:

Status

- “12 – Month”
- “Seasonal” (less than 12 month)
- “Probationary” (has worked less than six months)
- “Short-term” (works less than six months in a continuous 12 month period.)
- “Temporary” (definite period of time less than year)

Time

- “Full-time (40 hrs/week)
- “Part-time (less than 40 hrs/week)

Definitions follow 2-18-601 (MCA)

District Office Hours

The district office hours will follow the school calendar and times. Office hours for summer and holidays will be posted.

Assignment of Supervisors

The superintendent is delegated supervisory responsibility over non-certified employees. He/she, in turn, may delegate supervisory authority to others:

Title	Primary Supervisor
Clerk	Board of Trustees
H.S. Secretary	Superintendent
Elementary Secretary	Elementary Principal
H.S. Aides	Superintendent - Teacher
Elementary Aides	Elementary Principal - Teacher
Cooks	Elementary Principal - Head Cook
Bus Drivers	Superintendent – Principals – A.D.
Director of Maintenance	Superintendent
Custodians	Dir. of Maintenance - Principals – Superintendent
Coaches/Assistant coaches	Athletic Director

Performance Evaluation

The supervisor will evaluate the work performance of non-teaching personnel at least annually. This evaluation shall be made prior to determination of salaries for the ensuing year and will be used as a basis for salary increases and retention of employment. All evaluations will be presented in writing, on a form, prescribed by the superintendent and will be discussed with the employee. All employee evaluations will be filed in the office of the superintendent.

The Work Day

Each employee will be assigned working hours by the supervisor. The hours will vary according to specific needs of the job and the School district. No overtime will be worked (or paid) without the permission of the superintendent. Normally an arrangement for specified amounts of overtime will be made on the employee contract. (Policy 5336)

Each employee is expected to be at his or her assigned workstation by the hour set by his or her supervisor and to continue working until the end of the shift. Reasonable breaks (normally 15 minutes) will be allowed during each half of an eight-hour shift.

If you have questions about your working hours, please consult your supervisor.

Time Records

All employees are expected to keep detailed time records of time worked and time absent. Your supervisor will supply you with a proper form. Each employee is responsible for the proper completion of the form and for turning it in to the clerk's office by 9 am on the first working day of the month.

The data generated by the form will be used to calculate payrolls on the computer accounting system. Failure to turn in the form may cause a delayed or missing paycheck.

Employee Absences

All absences should be reported to your supervisor at the earliest possible time so that a substitute may be hired. Do not hire your own substitute unless you are directed to do so by your supervisor.

All absences must be reported on your time sheet and on an employee absences approval form, which may be obtained from each building administrator. Note that non-certified employees are entitled only to sick leave and annual leave (see sick leave and annual leave.) Failure to properly report sick leave may result in loss of pay for that day.

Storm Days/ School Delays

In the event that school is canceled or delayed, classified staff will still receive pay for a standard work day.

Holiday

Full time employees are entitled to the school holidays outlined in Montana Law. Temporary and seasonal employees will not receive holiday pay. Part-time employees will receive holiday pay on a prorated basis. The holidays for classified staff include: New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. Twelve-month full time employees shall be entitled to vacation, without charge to accumulated vacation leave, for all Monday's designated as State holidays when those Monday's are not scheduled as pupil instruction days. Designated Monday holidays refer to those Monday's which are designated as holidays because the actual holiday falls on Saturday or Sunday. Twelve month, full time employees shall also be entitled to vacation, without charge to accumulated vacation leave, for Good Friday, Easter Monday, and the day after Thanksgiving when those days are not scheduled as pupil instruction days. Twelve month, full time employees shall also be entitled to two personal days per year. The personal days shall not accumulate or carry over, nor shall they be subject to cash payout upon retirement, resignation or contract termination. More after 5 years.

Seasonal employees are normally contracted for a certain number of days and do not receive holidays with additional pay or time off. These employees are expected to work all days when school is in session unless otherwise specified in their contracts.

Sick Leave and Annual Leave

Non-teaching employees are entitled to sick leave and annual (vacation) leave by Montana Law. This, plus bereavement, are the only leaves allowed, and any absence not qualifying for sick leave or bereavement must be charged to annual leave. A sick leave bank will be available for all classified employees who have passed the probationary period of six months.

Classified employees shall be granted sick leave benefits in accordance with § 2-18-601(5), 618, MCA. For classified staff, "sick leave" means a leave of absence, with pay, for a sickness suffered by an employee or his or her immediate family. Each request will be judged by the district in accordance with Policy 5321. Full time employees will earn sick leave at the rate of one workday per month worked. Leave entitlement will be prorated to actual hours of the work assignment in a given year. If an employee does not take the full amount of leave allowed in a year the unused amount would be allowed to accumulate from year to year without limit. Sick leave may be used after 90 calendar days.

Annual leave is leave taken for any purpose other than for sickness as defined above. Full time employees earn annual leave each year as follows:

a.	1-10 years service	1 1/4 days per month
b.	10-15 years service	1 1/2 days per month
c.	15-20 years service	1 3/4 days per month
d.	20 + years service	2 days per month

Seasonal and part time personnel will earn annual leave credits by prorating the time worked to the amounts earned above. For example, a person employed seven hours per day for 180 days would earn ten days annual leave in a year.

Annual Leave Accrual: All full-time employees serving in permanent and seasonal positions may accumulate two (2) times the total number of annual leave credits they are eligible to earn per year, according to the rate-earned schedule.

Annual leave accumulates from the start of employment, but no annual leave with pay may be taken until the person has been employed continuously for six calendar months.

Annual leaves and vacation time must be scheduled in advance with the superintendent. The convenience of the district will govern assignment of vacation times.

Leave Payoffs: Twelve-month employees must use their annual leave or lose it. Annual leave can be accumulated up to two years entitlement.

Seasonal employees may carry to the next school term 1.5 times the hours they earn annually. Vacation time, which exceeds this amount, for seasonal employees is not forfeited, but will be compensated for during each June pay period at one hundred percent of the employee's current hourly rate.

Unused sick leave will be paid off at the rate of one-fourth of the unused amount at the end of employment. Some seasonal employees may be paid-off for both leaves on an annual basis at the discretion of the trustees or to satisfy the terms of federal programs. (Policy 5334P)

All leave payoffs will be made at the employee's rate of pay at the time of the payoff.

Bereavement Leave

Three days of leave may be used upon death of a family member. Family member is defined as any person related or connected by consanguinity or affinity within the third degree.

Insurance

The Board of Trustees agrees to provide \$8040 per eligible classified employee per year.

Eligible classified employees shall be all full time or permanent part time employees who regularly work 20 or more hours per week as provided by law or individual contract.

Classified employees who are less than half time (that is, who are regularly scheduled to work less than twenty (20) hours per week) will not be eligible for group health, dental and life insurance, and will not be considered a member of the defined employee insurance benefit groups.

Classified Sick Leave Bank

SECTION 1

The Sick Leave Bank will be available for all classified employees who have passed the probationary period of six (6) months employment and have donated to the leave bank. The Sick Leave Bank is meant to provide temporary assistance during an extended illness or injury. It is not meant as a full means of support.

SECTION 2

The employee recognizes the Superintendent and Clerk as the governing agent for management and disbursement of the Sick Leave Bank. A request form for submitting and requesting hours from the Sick Leave Bank must be submitted to the Clerk, and approved by a committee made up of at least two non-certified personal and one board member.

SECTION 3

At the end of the contract year, any classified employee may, at his/her discretion, donate from four (4) to forty (40) hours of his/her sick leave hours, in four (4) hour increments, to the nonrefundable Sick

Leave Bank. A statement must be signed verifying their contribution. If an employee terminates his/her position, there is no limit to the amount of hours they may donate to the Sick Leave Bank.

SECTION 4

The Classified Sick Leave Bank will have a ceiling of six hundred eighty (680) hours per year. If the Sick Leave Bank is depleted at any time during the year, the Superintendent and Clerk may solicit for additional hours in increments of four (4) hours, not to exceed forty (40) hours per fiscal year per

employee. Under no circumstance may individual employees solicit donations of sick leave hours for the Sick Leave Bank.

SECTION 5

Employees must exhaust all of their sick leave and annual leave before applying to the Sick Leave Bank. An employee shall not be granted hours if he/she is receiving Unemployment Compensation, Workers' Compensation or is eligible for Disability Benefits.

SECTION 6

Leave from the Sick Leave Bank will not be available for elective surgery or procedures which cannot be delayed or postponed until the end of the school term. The District may require a statement or documentation from a licensed physician or medical doctor to determine whether the surgery or procedure is necessary and/or imminent. Leave for reasons related to immediate family members may only be granted to employees from the Sick Leave Bank when immediate family members are in life threatening situations. Immediate family includes an employee's spouse, parent, or child.

SECTION 7

An employee eligible for receipt of sick leave donations may receive no more than a maximum of one hundred seventy five (175) hours of sick leave per request. Additional hours may be granted for special circumstances if the committee grants special permission and there are adequate hours left in the Bank.

SECTION 8

The Sick Leave Bank cannot be used for maternity leave unless complications arise from the pregnancy or delivery. A doctor's statement will be requested.

SECTION 9

Each application to the Sick Leave Bank shall require a statement from a licensed medical doctor attesting there is an illness or injury and the period of convalescence. Anyone requesting use of the Sick Leave Bank will be required to submit a written application to the Superintendent and Clerk. Applications can be obtained from the District Clerk.

SECTION 10

The District Clerk will maintain a record keeping system for the Sick Leave Bank. Such records shall include donor and application forms, hours donated, and hours used.

Adopted: March 12, 2002

Salary Determination

The trustees set salaries for each position based on the current classified salary matrix. This matrix may be adjusted each spring. This is normally done at the May or June regular meeting

and is based on the recommendation of the superintendent. There is no statute or policy that guarantees any employee will receive a raise. This is entirely at the discretion of the Board.

Pay Procedures

Employees will be paid the tenth of each month. If the tenth is not a working day, employees will be paid the last working day of that week.

The building administrators will normally distribute checks on the afternoon of the tenth. Do not ask for your check prior to that time.

Compensation Time (Policy 5336)

Whenever an employee has worked for a total of 40 hours before the end of his/her workweek, the District may relieve that employee from duty at that time for the remainder of the workweek or for any remaining portion of the workweek.

Whenever an employee works for more than 40 hours in any workweek, the district may credit all or any portion of such hours in excess of 40 to compensatory time. The employee may use these credits and new hours may be credited from time-to-time, and so his/her balance may vary.

However, an employee's balance may not exceed 160 hours at any time. Should an employee have 160 hours of compensatory time credit, all subsequent hours worked over 40 in any work

week will be paid for in cash at the normal overtime rate until his/her compensatory time balance drops below 160. Compensation time must be used prior to sick leave or annual leave.

An employee may use his/her compensatory time credits under the following rules:

- A. For each hour compensatory time credit, one and one half-hours may be taken off without loss of pay.
- B. The employee will give his/her appropriate supervisor as much advance notice as is possible for his/her desire to use compensatory time credits, and shall use the appropriate leave request form.
- C. Use of compensatory time credits may be denied when the needs of the district require the presence of the employee.

The district may require an employee to take time off and use his/her compensatory time credits at such time.

Should an employee leave the employ of the district with compensatory time credits remaining, all such credits shall be cashed-out at one and one-half times the employee's current rate of pay, or the average of the employee's hourly rate for the 1st three years earning, whichever is greater.

Under Montana law and the Federal Fair Labor Standards Act, a classified employee may not volunteer work time in an assignment similar to his or her regular work without pay.

A non-exempt employee who works overtime without authorization may be subject to disciplinary action.

Employees will fill out the employee absence forms for any comp time taken.

Child Abuse Reporting

Any staff member who has reasonable cause or reasonable suspicion to believe that any child under 18 years of age with whom he/she has come in contact has suffered abuse or neglect, or that any adult with whom he/she is in contact has abused a child, shall immediately orally report to the Department of Family Services or local law enforcement agency. The building principal is also to be immediately informed. Hot Line # 866-820-5437.

Written documentation of this report must be completed and submitted to the building principal. Forms are available in the office.

Failure to report a suspected child abuse is a violation punishable by law and by district disciplinary action up to and including dismissal.
(Refer to Policy 5232 & 5232F)

A staff member who, based on reasonable grounds, participates in the good-faith making of a child abuse report shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed as provided by law.

Procedures

The district provides for the reasonable protection against the risk of exposure to communicable disease to all staff while engaged in the performance of their duties. Protection is provided through immunization and exclusion in accordance with Montana Code Annotated and the Administrative Rules of Montana. Infection control procedures, including provisions for handling and disposing of contaminated fluids, have also been established through Board policy and administrative regulations for staff and student protection.

All staff shall comply with measures adopted by the district and with all rules set by the Montana State Health Department and the county health department.

Staff members have a responsibility to report to the district when infected with a communicable disease unless otherwise stated by law. (Refer to Policy 5130)

Discipline and Discharge

Discipline and dismissal of staff will follow due process, administrative regulation, relevant provisions of negotiated agreements, and applicable law. (See Policy 5255)

Personal Use of Facilities

Employees are allowed to use school facilities only with the permission of the superintendent. In no case are school supplies or equipment to be diverted to personal use. Employees are not authorized to let anyone else use the facilities unless instructed to do so by the superintendent. The school has available a district owned vehicle and it will be used for travel when available.

Keys and Security

Most employees will be issued one or more keys to school facilities. These keys remain the property of the district and must be returned on request. Employees are not authorized to lend keys to anyone except another employee and are required to perform lockup procedures appropriate to his or her position at the end of each shift.

Participation In Political Activities

Staff members may exercise their right to participate fully in affairs of public interest on a local, county, state, and national level, on the same basis as any citizen in public or private employment and within the law.

Staff members may, within the limitations imposed by the state and federal laws and regulations, choose any side of a particular issue and support their viewpoints as they desire, by vote, discussion, or persuading others. Such discussion and persuasion, however, may not be carried on during the performance of district duties.

On all controversial issues, staff members are expected to make clear that the viewpoints they represent are personal and are not to be interpreted as the district's official viewpoint. (Refer to Policy 5224)

Resignation

When an employee intends to terminate his or her employment with the district he or she shall give two weeks written notice to the superintendent unless the superintendent waives such notice.

- A. Confer with supervisor about the resignation.
- B. Submit written notice to the superintendent.
- C. Turn in all school district owned equipment including keys, tools, materials, and any other items prior to resignation.
- D. Make proper clearance with your supervisor on the completion of work.
- E. The final paycheck with severance pay will be issued on the next regular payday. Pay will be withheld until all the above items have been properly completed.

Staff Conduct

Employees are expected to maintain high standards of honesty, integrity and impartiality in the conduct of district business.

In accordance with state law, an employee should not dispense or utilize any information gained from employment with the district, accept gifts or benefits, or participate in business enterprises or employment which creates a conflict of interest with the faithful and impartial discharge of the employee's district duties. A district employee may, prior to acting in a manner which may impinge on any fiduciary duty, disclose the nature of the private interest which creates a conflict.

Care should be taken to avoid using, or avoid the appearance of using, official positions and confidential information for personal advantage or gain.

Further, employees should hold confidential all information deemed to be not for public consumption as determined by state law and Board policy. Employees shall also respect the confidentiality of people served in the course of the employee's duties and use information gained in a responsible manner. Discretion should be employed even within the school system's own network of communication.

(Refer to Policy 5223)

Electronic Resources and Social Networking

Use of social media to communicate... Facebook, text messaging, twitter, email, etc. should align to district standards. The best practice of staff (certified and classified), coaches, sponsors and advisors is to refrain from engaging in social networking with student and/or student athletes...

Recommended Best Practice for dealing with students and social media:

- Email students through school controlled and monitored accounts;
- If you need to communicate through Facebook, then contact administration and set up an account on the District server;
- Do NOT solicit students as friends or contacts on social networking sites;
- Do NOT accept the solicitation of students as friends or contacts on social networking sites;
- Do NOT share with students access information to personal websites or other media through which a staff member would share personal information and occurrences;
- Refrain from accessing social networking websites for individual use during school hours, unless asked to do so by administration;
- Except in an emergency situation, staff should not access social networking sites using district equipment or personal equipment, during instructional time;

Termination of Employment

The employment of non-certified personnel is discretionary with the trustees of the district. Termination as a result of reduction in force or disciplinary action will occur when it is judged in the best interest of the school district.

Disciplinary action will commence against any employee for the following or other pertinent causes:

1. Immoral conduct.
2. Improper conduct with students or other employees.
3. Profanity.
4. Physical or mental conditions rendering the employee unfit to associate with students.
5. Sex offenses.
6. Dishonesty and false statements.
7. Theft.
8. Unauthorized taking or personal use of school property.

9. Violations or refusal to obey Montana law, Administrative regulations of Montana, School Board Policy or the lawful orders of any superior.
10. Incompetence and unsatisfactory performance of duties.
11. Unauthorized or unduly frequent absences.
12. Chronic tardiness.
13. Insubordination.
14. Incompatibility with fellow employees.
15. Persistent violation of safety regulations.

When disciplinary action is necessary because of any of the above or similar causes, the superintendent or designee shall take appropriate action. The superintendent or designee will investigate any charges of wrong doing and, where warranted, makes a recommendation for termination to the Board of Trustees.

In the event the superintendent or designee recommends termination, the employee would have 30 days, from notification, to make a written request for a hearing before the Board of Trustees.

Purchasing Procedure

A well-managed purchasing program relies on careful planning. It is the policy of this school district to purchase most equipment and supplies annually with supplements to provide for unforeseen circumstances and other contingencies.

Instructional Purchasing Procedure – Bill to be Paid by Tax Dollars

1. Discuss the purchase with your building administrator. He/she will issue a requisition form.
2. Properly complete the requisition. It must be complete. Return it to your building administrator.
3. Submit requisition to the superintendent.
4. A purchase order will be written and executed, if the order is approved.
5. On receipt of goods, employee will check the contents with packing slip and the requisition noting any discrepancies and report them to the secretary for action.
6. On receipt of the invoice, the secretary will verify its accuracy, attach the claim form and the purchase order, and forward to the superintendent.
7. The superintendent will code the claim and submit to the clerk for Board approval and payment.

Activity Purchasing Procedure – Bill to be Paid by Activity Funds

1. The class or organization approves the purchase and records the same in their minutes.

Equal Employment Opportunity and Non-Discrimination

The District shall provide equal employment opportunities to all persons, regardless of their race, color, religion, creed, national origin, sex, age, ancestry, martial status, military status,

citizenship status, use of lawful products while not at work, physical mental handicap or disability, if other wise able to perform the essential functions of the job with reasonable accommodations, and other legally protected categories.

The District will make reasonable accommodation for an individual with a disability known to the District, if the individual is otherwise qualified for the position, unless the accommodation would impose an undue hardship upon the District.

Inquiries regarding discrimination should be direct to the Title IX Coordinator. Specific written complaints should follow the Uniform Grievance Procedure.

Assignments, Reassignments, Transfers

All Staff shall be subject to assignment, reassignment and/or transfer of position and duties by the Superintendent. The Superintendent shall provide for system of assignment, reassignment and transfer of classified staff, including voluntary transfers and promotions. Nothing in this policy shall prevent the reassignment of a staff member during the school year. (Policy 5210)

Classified Staff

The right of assignment, reassignment and transfer shall remain that of the District. Written notice of a reassignment or involuntary transfer shall be given the employee. Opportunity shall be given for the staff member to discuss the proposed transfer or reassignment with the Superintendent. (Policy 5210)

Drug and Alcohol (Policy 5226)

Employees of Wibaux Public School are prohibited from being under the influence of, manufacturing, possessing, using, or distributing illicit drugs or alcohol on school premises or at any school related activity including employees possessing a “medical marijuana” card.

Compliance with the drug and alcohol rules is mandatory. Employees who are found to be manufacturing, under the influence of, possessing, or using these substance on school premises or at school related activities will be subject to five days suspension without pay on the first offense. On the second offense the employee will be terminated.

Any employee found to be distributing alcohol or illegal drugs to students will be immediately terminated and law enforcement authorities will be notified.

Referral and Re-entry

Referral services will be provided to staff members when necessary. Re-entry will be subject to Board approval. Staff may be required to obtain an evaluation and treatment at their own expense.

Tobacco-Free Environment

The District maintains tobacco-free buildings and grounds. Tobacco includes but is not limited to cigarettes, cigars, snuff, smoking tobacco, and smokeless tobacco.

Use of tobacco products in a public school building or on public school property is prohibited, unless the use of a tobacco product in a classroom or on other school property as part of a lecture, demonstration, or educational forum sanctioned by a school administrator or faculty member, concerning the risks associated with using tobacco products.

For this purpose, “public school building or public school property” means:

- Public land, fixtures, buildings, or other property owned or occupied by an institution for the teaching of minor children that is established and maintained under the laws of the state of Montana at public expense; and
- Includes playgrounds, school steps, parking lots, administration buildings, athletic facilities, gymnasiums, locker rooms, and school buses.

Worker’s Compensation

All employees of the District are covered by workers’ compensation benefits. In the event of an industrial accident, an employee should:

1. Attend to first aid and/or medical treatment during an emergency;
2. Correct or report as needing correction a hazardous situation as soon as possible after an emergency situation is stabilized;
3. Report an injury or disabling condition, whether actual or possible, to the immediate supervisor, within forty-eight (48) hours, on the Employer’s First Report of Occupational Injury or Disease; and
4. Call or visit the administrative office after medical treatment, if needed, to complete the necessary report of accident or injury on an Occupational Injury or Disease form.

(Refer to Policy 5337)

Disclaimer

The Wibaux Board of Trustees retain right to revise (modify, add, or delete) the contents of this handbook as needed, due to unforeseen circumstances or policy changes that occur during the 2020-2021 school year.

STUDENTS 3431F
Accident Report

**This form is to be completed by the appropriate employee(s) as soon as possible after an accident occurs.
Please Print or Type.**

District Name _____ School Name _____
Principal's Name _____ School Phone _____
Date of Accident: _____ Time: ____ AM PM Supervising Employee _____

Claimant's Name _____
Last Name *First Name* *Middle Initial*
Claimant's Address _____
Street or P.O. Box *City* *State* *ZIP Code*
Claimant's SS # _____ Home Phone Number (____) _____
Claimant's Age _____ Date of Birth _____ Sex _____ Grade _____
Parent's Name (if student) _____ Work Phone Number (____) _____

<i>Nature of Injury</i>	
<input type="checkbox"/> Scratch	<input type="checkbox"/> Concussion
<input type="checkbox"/> Fracture	<input type="checkbox"/> Head Injury
<input type="checkbox"/> Bruise	<input type="checkbox"/> Sprain/Strain
<input type="checkbox"/> Burn	<input type="checkbox"/> Cut/Puncture
<input type="checkbox"/> Dislocation	<input type="checkbox"/> Bite
<input type="checkbox"/> Other _____	

<i>Place of Accident</i>	
<input type="checkbox"/> Classroom	<input type="checkbox"/> Gymnasium
<input type="checkbox"/> Hallway	<input type="checkbox"/> Parking Lot
<input type="checkbox"/> Bathroom	<input type="checkbox"/> Sidewalk
<input type="checkbox"/> Cafeteria	<input type="checkbox"/> Stairs
<input type="checkbox"/> Playground	<input type="checkbox"/> Athletic Field
<input type="checkbox"/> Other _____	

<i>Body Part Injured</i>		
<input type="checkbox"/> Ankle	<input type="checkbox"/> Foot	<input type="checkbox"/> Leg
<input type="checkbox"/> Arm	<input type="checkbox"/> Face	<input type="checkbox"/> Nose
<input type="checkbox"/> Back	<input type="checkbox"/> Finger	<input type="checkbox"/> Teeth
<input type="checkbox"/> Neck	<input type="checkbox"/> Hand	<input type="checkbox"/> Wrist
<input type="checkbox"/> Eye	<input type="checkbox"/> Knee	<input type="checkbox"/> Shoulder
<input type="checkbox"/> Other _____		

Describe accident and injury in detail: (Attach additional description as necessary.) _____

Were efforts made to contact the parent/guardian about the accident? Yes No

Was first aid administered? Yes No By whom? _____

Was the student Sent home Sent to physician Sent to hospital

Is student covered by Student Accident Insurance? Yes No If yes, please list Company Name, address and phone number _____

If medical or hospital treatment was required, please complete the following information. (Attach a copy of medical bills, if available.)

Name and address of doctor or hospital _____

Witnesses (Name, Address & Phone) _____

Signature/Name of Person Completing the Report

Date

Policy History:

Adopted on: October 11, 2005

Sexual Harassment/Sexual Intimidation in the Workplace

The District shall do everything in its power to provide employees an employment environment free of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communications constituting sexual harassment, as defined and otherwise prohibited by state and federal law.

District employees shall not make sexual advances or request sexual favors or engage in any conduct of a sexual nature when:

- (1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- (2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- (3) Such conduct has the purpose or effect of substantially interfering with the individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment prohibited by this policy includes verbal or physical conduct. The terms "intimidating", "hostile", or "offensive" include, but are not limited to, conduct which has the effect of humiliation, embarrassment, or discomfort. Sexual harassment will be evaluated in light of all of the circumstances.

A violation of this policy may result in discipline, up to and including discharge. Any person making a knowingly false accusation regarding sexual harassment will likewise be subject to disciplinary action, up to and including discharge.

Aggrieved persons who feel comfortable doing so, should directly inform the person engaging in sexually harassing conduct or communication, that such conduct or communication is offensive and must stop.

Employees who believe they may have been sexually harassed or intimidated should contact the Title IX coordinator or an administrator, who will assist them in filing a complaint. An individual with a complaint alleging a violation of this policy shall follow the Uniform Grievance Procedure.

Cross Reference: 3215 Uniform Grievance Procedure

Legal Reference: Title VII of the Civil Rights Act, 42 U.S.C. §§ 2000(e), et seq., 29 C.F.R. § 1604.11
 Title IX of Education Amendments, 20 U.S.C. §§ 1681, et seq.
 Montana Constitution, Art. X, § 1
 § 49-2-101, MCA Human Rights Act
Harris v. Fork Lift Systems, 114 S.Ct. 367 (1993)

Policy History:

Adopted on: September 11, 2001

Revised on:

Staff Health

Medical Examinations

Through its overall safety program and various policies pertaining to school personnel, the Board shall promote the safety of employees during working hours and assist them in the maintenance of good health. It shall encourage all its employees to maintain optimum health through the practice of good health habits.

Under the circumstances defined below, the Board may require physical examinations of its employees. Results of such physical examinations shall be maintained in separate medical files and not in the employee's personnel file and may be released only as permitted by law.

Physical Examinations

If the work is of a physically demanding nature, subsequent to a conditional offer of employment and prior to a commencement of work, the District may require an applicant to have a medical examination and to meet any other health requirements that may be imposed by the State. The District may condition an offer of employment on the results of such examination, if all entering employees in the applicable job category are subject to such examination. If approved by personnel services, a thirty-(30)-day grace period beginning from the date of employment may be allowed for the employee to obtain the required medical examination.

All bus drivers, including full-time, regular part-time or temporary part-time drivers, are required by state law to have a satisfactory medical examination prior to employment.

Communicable Diseases

If a staff person has a communicable disease and has knowledge that a person with compromised or suppressed immunity attends the school, the staff person must notify the school nurse or other responsible person designated by the Board that he has a communicable disease which could be life threatening to an immune compromised person. The school nurse or other responsible person designated by the Board must determine, after consultation with and on the advice of public health, if the immune compromised person needs appropriate accommodation to protect their health and safety.

An employee with a communicable disease shall not report to work during the period of time in which the employee is infectious. An employee afflicted with a communicable disease capable of being readily transmitted in the school setting (e.g., airborne transmission of tuberculosis) shall be encouraged to report the existence of the illness in case there are precautions that must be taken to protect the health of others. The District reserves the right to require a statement from the employee's primary care provider prior to the employee's return to work.

Confidentiality

In all instances, District personnel shall respect the individual's right to privacy and treat any medical diagnosis as confidential information. Any information obtained regarding the medical condition or history of any employee shall be collected and maintained on separate forms and in separate medical files and be treated as confidential information. Only those individuals with a legitimate need to know (i.e., those persons with a direct responsibility for the care of or for determining work place accommodation for the staff person) will be provided with necessary medical information.

Supervisors and managers may be informed of the necessary restrictions on the work or duties of the employee and necessary accommodations. First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment.

Legal Reference:

29 U.S.C. 794, Section 504 of the Rehabilitation Act
29 CFR, Section 1630.14(c)(1)(2)(3)
41 U.S.C. 12101, et seq.
Title 49, Chapter 4, MCA
Title 49, Chapter 2, MCA
§ 20-10-103(4), MCA
24.9.1401, et seq., ARM
16.28.1005, ARM

Americans with Disabilities Act
Rights of the Handicapped
Illegal Discrimination

Policy History:

Adopted on: September 11, 2001

Revised on:

Wibaux School District

PERSONNEL

5223

Personal Conduct

Employees are expected to maintain high standards of honesty, integrity and impartiality in the conduct of District business.

In accordance with state law, an employee should not dispense or utilize any information gained from employment with the District, accept gifts or benefits, or participate in business enterprises or employment which create a conflict of interest with the faithful and impartial discharge of the employee’s District duties. A District employee may, prior to acting in a manner which may impinge on any fiduciary duty, disclose the nature of the private interest which creates a conflict. Care should be taken to avoid using, or avoid the appearance of using, official positions and confidential information for personal advantage or gain.

Further, employees should hold confidential all information deemed to be not for public consumption as determined by state law and Board policy. Employees shall also respect the confidentiality of people served in the course of the employee’s duties and use information gained in a responsible manner. Discretion should be employed even within the school system’s own network of communication.

Administrators and supervisors may set forth specific rules and regulations governing an employee’s conduct on the job within a particular building.

Legal Reference:

§ 20-1-201, MCA

School officers not to act as agents

Policy History:

Adopted on: September 11, 2001

Revised on:

Wibaux School District

PERSONNEL

5232

Abused and Neglected Child Reporting

A District employee who has reasonable cause to suspect that a student may be an abused or neglected child shall report such a case to the Montana Department of Public Health and Human Services. The employee shall notify the Superintendent or principal that a report has been made by the employee. An employee does not discharge the obligation to personally report by notifying the Superintendent or principal.

Any District employee who fails to report a suspected case of abuse or neglect to the Department of Public Health and Human Services, or who prevents another person from doing so, may be civilly liable for the damages

proximately caused by such failure or prevention, and is guilty of a misdemeanor. The employee will also be subject to disciplinary action up to and including termination.

Legal Reference: § 41-3-201, MCA

§ 41-3-202, MCA

§ 41-3-203, MCA

§ 41-3-205, MCA

§ 41-3-207, MCA

Reports

Action on reporting

Immunity from liability

Confidentiality - disclosure exceptions

Penalty for failure to report

Policy History:

Adopted on: September 11, 2001

Revised on:

PERSONNEL

Wibaux School District
Report of Suspected Child Abuse or Neglect

Original to: Department of Family Services
Copy to: Building Principal

From: _____ Title: _____

School: _____ Phone: _____

Persons contacted: Principal Teacher School Nurse Other

Name of Minor: _____ Date of Birth: _____

Address: _____ Phone: _____

Date of Report: _____ Attendance Pattern: _____

Father: _____ Address: _____
Phone: _____

Mother: _____ Address: _____
Phone: _____

Guardian or Step-Parent: _____ Address: _____
Phone: _____

Any suspicion of injury/neglect to other family members:

Nature and extent of the child's injuries, including any evidence of previous injuries, and any other information which may be helpful in showing abuse or neglect, including all acts which lead you to believe the child has been abused or neglected:

Previous action taken, if any:

Follow-up by Department of Family Services (DFS to complete and return copy to the Building Principal):

Date Received: _____ Date of Investigation: _____

Wibaux School District

PERSONNEL

5240

Resolution of Staff Complaints/Problem-Solving

As circumstances allow, the District will attempt to provide the best working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question is answered quickly and accurately by District supervisors or administration.

The District will endeavor to promote fair and honest treatment of all employees. Administrators and employees are all expected to treat each other with mutual respect. Each employee has the right to express his or her views concerning policies or practices to the administration in a businesslike manner, without fear of retaliation. Employees are encouraged to offer positive and constructive criticism.

Each employee is expected to follow established rules of conduct, policies, and practices. Should an employee disagree with a policy or practice, the employee can express his or her disagreement through the District's grievance procedure. No employee shall be penalized, formally or informally, for voicing a disagreement with the District in a reasonable, businesslike manner, or for using the grievance procedure. **An employee filing a grievance under a collective bargaining agreement is required to follow the grievance procedure for that particular agreement.**

Policy History:

Adopted on: September 11, 2001

Revised on:

Wibaux School District

THE BOARD OF TRUSTEES

1700P

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Uniform Complaint Procedure

The Board establishes this Uniform Complaint Procedure as a means to address complaints arising within the District. This Uniform Complaint Procedure is intended to be used for all complaints except those involving challenges to educational material and those governed by a collective bargaining agreement.

The District requests all individuals to use this complaint procedure, when the individual believes the Board or its employees or agents have violated the individual's rights under: (1) Montana constitutional, statutory, or administrative law; (2) United States constitutional, statutory, or regulatory law; or (3) Board policy.

The District will endeavor to respond to and resolve complaints without resorting to this formal complaint procedure and, when a complaint is filed, to address the complaint promptly and equitably. The right of a person to prompt and equitable resolution of a complaint filed hereunder will not be impaired by a person's pursuit of other remedies. Use of this complaint procedure is not a prerequisite to pursuit of other remedies, and use of this complaint procedure does not extend any filing deadline related to pursuit of other remedies.

Level 1: Informal

An individual with a complaint is first encouraged to discuss it with the appropriate teacher, counselor, or building administrator, with the objective of resolving the matter promptly and informally. An exception is that a complaint of sexual harassment should be discussed directly with an administrator not involved in the alleged harassment.

Level 2: Building Administrator

When a complaint has not been or cannot be resolved at Level 1, an individual may file a signed and dated written complaint stating: (1) the nature of the complaint; (2) a description of the event or incident giving rise to the complaint, including any school personnel involved; and (3) the remedy or resolution requested. This written complaint must be filed within thirty (30) days of the event or incident or from the date an individual could reasonably become aware of such event or incident.

When a complaint alleges violation of Board policy or procedure, the building administrator will investigate and attempt to resolve the complaint. The administrator will respond in writing to the complaint, within thirty (30) days of the administrator's receipt of the complaint.

If either the complainant or the person against whom the complaint is filed is dissatisfied with the administrator's decision, either may request, in writing, that the Superintendent review the Administrator's decision. (See Level 3.) This request must be submitted to the Superintendent within fifteen (15) days of the administrator's decision.

When a complaint alleges sexual harassment or a violation of Title IX of the Education Amendments of 1972 (the Civil Rights Act), Title II of the Americans with Disabilities Act of 1990, or Section 504 of the Rehabilitation Act of 1973, the building administrator may turn the complaint over to a District nondiscrimination coordinator. The coordinator will complete an investigation and file a report and recommendation with the Superintendent, within thirty (30) days of the nondiscrimination coordinator's receipt of the written complaint. A coordinator may hire an outside investigator to conduct the investigation. Within fifteen (15) days of the Superintendent's receipt of the coordinator's report and recommendation, the Superintendent will respond to the complaint and take such administrative steps as the Superintendent deems appropriate and necessary. If either the complainant or the person against whom the complaint is filed is dissatisfied with the Superintendent's decision, either may request, in writing, that the Board consider an appeal of the Superintendent's decision. (See Level 4.) This request must be submitted in writing to the Superintendent, within fifteen (15) days of the Superintendent's written response to the complaint, for transmission to the Board.

Level 3: Superintendent

If either the complainant or the person against whom the complaint is filed appeals the administrator's decision provided for in Level 2, the Superintendent will review the complaint and the administrator's decision. The Superintendent will respond in writing to the appeal, within thirty (30) days of the Superintendent's receipt of the written appeal. In responding to the appeal, the Superintendent may: (1) meet with the parties involved in the complaint; (2) conduct a separate or supplementary investigation; (3) engage an outside investigator or other District employees to assist with the appeal; and/or (4) take other steps appropriate or helpful in resolving the complaint.

If either the complainant or the person against whom the complaint is filed is dissatisfied with the Superintendent's decision, either may request, in writing, that the Board consider an appeal of the Superintendent's decision. (See Level 4.) This request must be submitted in writing to the Superintendent,

within fifteen (15) days of the Superintendent's written response to the complaint, for transmission to the Board.

Level 4: The Board

Upon written appeal, the Board will consider the Superintendent's decision in Level 2 or 3. Upon receipt of written request for appeal, the Chair will either: (1) place the appeal on the agenda of a regular or special Board meeting; or (2) appoint an appeals panel of not less than three (3) trustees to hear the appeal and make a recommendation to the Board. If the Chair appoints a panel to consider the appeal, the panel will meet to consider the appeal and then make written recommendation to the full Board. The Board will report its decision on the appeal, in writing, to all parties, within thirty (30) days of the Board meeting at which the Board considered the appeal or the recommendation of the panel. A decision of the Board is final, unless it is appealed pursuant to Montana law within the period provided by law.

Level 5: County Superintendent

When a matter falls within the jurisdiction of a county superintendent of schools, the decision of the Board may be appealed to the county superintendent by filing written appeal within thirty (30) days of the Board's decision, pursuant to Montana law.

Legal Reference: Title IX of the Education Amendments of 1972 (Civil Rights Act)
Title II of the Americans with Disabilities Act of 1990
' 504 of the Rehabilitation Act of 1973

Policy History:

Adoption on: October 11, 2005
Revised on:

Wibaux School District

PERSONNEL

5255

Disciplinary Action

District employees who fail to fulfill their job responsibilities or follow the reasonable directions of their supervisors or who conduct themselves on or off the job in ways that affect their effectiveness on the job or in other such ways that the law determines to be good cause shall be subject to discipline. Behavior, conduct or action which may institute disciplinary action or dismissal may include, but is not limited to, reasonable job-related grounds based on a failure to satisfactorily perform job duties, disruption of the District's operation, or other legitimate business reason.

Discipline shall be reasonably appropriate to the circumstance and shall include, but is not limited to, the supervisor's right to reprimand and the Superintendent's right to suspend with or without pay or impose other appropriate disciplinary sanctions. In accordance with Montana law, only the Board may terminate or non-renew an employee.

The Superintendent is authorized to suspend a staff member immediately.

Legal Reference: § 20-3-324, MCA Powers and duties
§ 20-4-207, MCA Dismissal of teacher under contract
§ 20-3-210, MCA Controversy appeals and hearings
§ 39-2-903, MCA Definition of good cause

Policy History:

Adopted on: September 11, 2001

Revised on:

Employee Electronic Mail and On-Line Services Usage

Electronic mail (“e-mail”) is an electronic message that is transmitted between two or more computers or electronic terminals, whether or not the message is converted to hard copy format after receipt and whether or not the message is viewed upon transmission or stored for later retrieval. Electronic mail includes all electronic messages that are transmitted through a local, regional, or global computer network.

Because of the unique nature of e-mail/Internet, and because the District desires to protect its interest with regard to its electronic records, the following rules have been established to address e-mail/Internet usage by all employees:

The District e-mail and Internet systems are owned by the District and are intended to be used for educational purposes only. While occasional personal use is allowed, employees should have no expectation of privacy when using the electronic mail or Internet systems for any purpose.

Users of district e-mail and Internet systems are responsible for their appropriate use. All illegal and improper uses of the electronic mail and Internet system, including but not limited to extreme network etiquette violations including mail that degrades or demeans other individuals, pornography, obscenity, harassment, solicitation, gambling, and violating copyright or intellectual property rights are prohibited. Abuse of the e-mail or Internet systems, through excessive personal use, or use in violation of the law or District policies, will result in disciplinary action, up to and including termination of employment.

All e-mail/Internet records are considered District records and should be transmitted only to individuals who have a need to receive them. If the sender of an electronic mail or Internet message does not intend for the mail or Internet message to be forwarded, the sender should clearly mark the message "Do Not Forward".

In order to keep district electronic mail and Internet systems secure, users may not leave the terminal “signed on” when unattended and may not leave their password available in an obvious place near the terminal or share their password with anyone except the system administrator. The district reserves the right to bypass individual passwords at any time and to monitor the use of such systems by employees.

Additionally, District records, e-mail/Internet records, are subject to disclosure to law enforcement or government officials or to other third parties through subpoena or other process. Consequently, the district retains the right to access stored records in cases where there is reasonable cause to expect wrong-doing or misuse of the system, review, store, and

disclose all information sent over the district electronic mail systems for any legally permissible reason,

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including but not limited to determining whether the information is a public record, whether it contains information discoverable in litigation, and to access district information in the_ employee's absence. E-mail/Internet messages by employees may not necessarily reflect the views of the District.

Except as provided herein, district employees are prohibited from accessing another employee's electronic mail without the expressed consent of the employee. All district employees should be aware that electronic mail messages can be retrieved even if they have been deleted and that statements made in electronic mail communications can form the basis of various legal claims against the individual author or the district.

Electronic mail sent or received by the district or the district's employees may be considered a public record subject to public disclosure or inspection. All district electronic mail and Internet communications may be monitored.

Policy History:

Adopted on: August 12, 2008

Reviewed on: July 8, 2008

Revised on: August 12, 2008



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July 6, 2020

TO: Parents and Students of Wibaux Public School:

Uncontrolled asbestos contamination in buildings can be a significant environmental and public health problem. Both the public and private sectors have been dealing with the asbestos issue for many years. In 1986, Congress enacted the Asbestos Hazard Emergency Response Act (AHERA) primarily to require school districts to identify asbestos-containing materials (ACM) in their school buildings and take appropriate actions to control the release of asbestos fibers. In 1987, the U.S. Environmental Protection Agency finalized a regulatory program, which enforces the AHERA mandate.

In compliance with the AHERA regulations, we recently had our school facilities inspected by an EPA certified building inspector. During the inspection, samples were taken from building materials suspected of containing asbestos. The results of the inspection and laboratory analysis of the samples have confirmed the presence of ACM in portions of the school facilities. It is important to note that these materials are in a form and conditions that does NOT pose an imminent health threat to students, faculty, or employees.

With confirmation of the presence of ACM, an Asbestos Management Plan was developed for our school by an EPA certified management planner. The Management Plan includes the inspection and physical assessment reports, the program for our custodial and maintenance personnel, the plans and procedures to be followed to minimize disturbance of the asbestos-containing materials, and a program for regular surveillance of the ACM.

A copy of the Asbestos Management Plan is available for your review in our administrative offices during regular office hours. Larry Helvik, Superintendent, is our designated Asbestos Program Coordinator and all inquiries regarding the plan should be directed to him.

We have begun implementing the Asbestos Management Plan. It is our intent to not only comply with, but exceed applicable regulations in dealing with the asbestos issue. We will take whatever steps are necessary to insure that our students, teachers, and employees have a healthy and safe environment in which to learn and work.

If you have any questions, please feel free to contact me.

Sincerely,

Larry Helvik Superintendent