

EMPLOYEE POLICY MANUAL

for the

YPSILANTI COMMUNITY SCHOOLS

July 2013

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-Ypsilanti Community Schools-

EMPLOYEE POLICY MANUAL

1.0.0 GENERAL TERMS AND NON-DISCRIMINATION

1.1.0 PURPOSE AND SCOPE

The purpose of the Ypsilanti Community School District's ("District") Employee Policy Manual is to promote unity among the various units within the District, to encourage consistent employment practices by the District, and to comply with Federal and State laws. It is intended to be a reference and working guide for employees, supervisors and administrators in the day-to-day administration of human resource policies and programs.

THIS POLICY MANUAL IS NOT A CONTRACT. This Manual contains statements of the District's human resources policies and procedures. This Manual serves as a reference and working guide for all District employees. Nothing in this Manual, in other documents (other than designated written employment agreements as indicated below) or oral statements should be construed as an employment contract, promise of employment or promise of benefits. No District official or representative has the authority to enter into any employment contract with any employee other than the Superintendent, and then only to the extent authorized by the Board of Education, and any such agreement must be in writing and signed by both the applicable employee and the Superintendent in order for it to be binding. This Manual also supersedes any previously issued statements of employment policy.

Employee benefits and benefit programs described in this Manual or otherwise provided to employees may be modified, suspended or terminated at any time at the sole discretion of the District. In the event there is a discrepancy between any information in this Manual and information contained in a benefit plan description or plan document, the plan document, or provider contract will control.

Departments or other operational units may have policies and procedures regarding their respective operations. Those policies and procedures must be read in conjunction with the terms of this Employee Policy Manual and be consistent with its terms. Should there be a conflict between any departmental/unit policy and the terms of this Manual, this Manual shall control unless specifically authorized by the Superintendent (or designee), in writing. Any dispute with respect to the meaning or interpretation of this Manual or any other statement of policy or procedure shall be resolved by the District as it deems appropriate.

The absence of a specific policy, statement, or provision does not preclude the District from enforcing such an item. The District reserves the right to take such actions as are determined, at its sole discretion, to be necessary to ensure efficient operations and to further the District's interests.

All of the statements contained in this Manual are broad internal guidelines that the District may, from time to time, modify, add to or delete at its sole discretion. Reasonable efforts will be made

to notify employees of policy changes. Each individual must adhere to all human resources policies and procedures. The interpretation, administration and monitoring for compliance of this Manual shall be sole responsibility of the Superintendent (or designee),

Furthermore, this Manual is not be construed as limiting the District's or its Board of Education's rights as provided by Michigan law. Among those rights, without limitation, are the right: to manage District operations and to direct and assign the work force; to determine and change the methods and manner services are provided; to introduce new methods or improved methods of instruction, operations or equipment (including on-line/distance learning); to determine and change the size, composition and qualifications of the work force; to determine the curriculum and means for educating students, including determining class size; to determine qualifications; to determine and modify the size of the workforce, including the right to determine when vacancies exist and the means for filling vacancies; to determine the extent to which and the manner and means its business will be operated or shut down in whole or in part; to determine whether and to what extent any work shall be performed by employees and how it shall be performed; to maintain order and efficiency in the school facilities and its programs including the right to select, hire, promote, schedule, demote, discipline, lay off, assign, transfer, train and terminate employees; to determine the hours and days of work, instruction and breaks; to determine rates of pay and types of employee benefits; to determine performance evaluation instruments and standards; to subcontract any part of its operations; to select and determine supervisory and non-supervisory staff; to bid/negotiate or not bid/negotiate, or to rebid, renegotiate or not rebid/renegotiate, contracts; to renew or not renew employment agreements, and to set their terms; to make and change work assignments, and to transfer or reassign employees; to determine and change starting times, quitting times, schedules and days of work; to determine and change methods and means by which operations are to be carried on; to establish, change and abolish its policies, work rules, regulations, practices and standards/codes of conduct and to adopt new policies, work rules, regulations, and practices; and to assign duties to employees in accordance with the needs and requirements of the District, as determined by the District.

1.2.0 EMPLOYMENT STATUS OF DISTRICT EMPLOYEES

Notwithstanding any other policy or provision of this Manual or any other verbal or written statement by District officials or representatives, except as specifically provided by state or federal statute (e.g., the Michigan Teachers' Tenure Act and the Revised School Code) or a written agreement specifically authorized by the Board of Education, all District employees are employed on an at-will basis. As at-will employees, employees have the right to resign their employment at any time, with or without notice, with or without cause, and for any reason or no reason at all. Similarly, as to all employees, subject to the foregoing exceptions, as an employer, the District has the same rights to terminate its employment relationship with any employee at any time, with or without notice, with or without cause, and for any reason or for no reason at all. The at-will employment relationships described in this policy cannot be modified verbally. Rather, this relationship can only be modified by a signed written agreement specifically doing so, and then only if signed by the applicable employee (or legal representative) and the Superintendent, if authorized by the Board.

As to employees with written contracts, the District (through its Board) reserves the right to terminate or not renew any employment contract at its sole discretion, except to the extent limited by statute. Employees under contract shall have no right or expectation of contract renewal beyond that provided by statute. Notwithstanding any of the terms of any employment

agreement, the District may assign employees duties as it deems necessary and appropriate, change titles and assignments, modify rates of pay and benefits, layoff employees during contract terms due to reductions-in-force deemed necessary by the District, or terminate employee during their contract terms for misconduct or unsatisfactory performance as determined appropriate by the District.

1.3.0 EQUAL EMPLOYMENT OPPORTUNITY AND ACCOMMODATIONS OF DISABILITIES

As required by applicable law, the District will not discriminate on the basis of race, color, religion, national origin, citizenship, sex, age, height, weight, condition of pregnancy, marital status, physical or mental disability, family responsibilities, sexual orientation or gender identity, or any other legally protected characteristics.

As a part of this policy, the District recognizes its obligation to employ qualified disabled applicants. In accordance with applicable law, the District will make reasonable accommodations when necessary to aid the employment of disabled workers who are able to perform essential job functions. An individual with a disability who needs an accommodation to perform his or her job has the responsibility to request an accommodation. Under Michigan law, such requests are to be made in writing within 182 days of when the need for the accommodation was first known or should have been known by the requesting individual, and failing to do so may constitute a waiver of the right to an accommodation under Michigan law. To qualify for reasonable accommodation, the employee must meet the definition of a qualified individual with a disability as defined by the federal Americans with Disabilities Act and Michigan's Persons with Disabilities Civil Rights Act. Requests should be made to the District's Human Resources Office.

1.4.0 DISCRIMINATION AND HARASSMENT PROHIBITION

The District is committed to maintaining a work environment free from discrimination, including sexual, racial or other forms of harassment as defined and otherwise prohibited by federal, state and local laws. In keeping with that commitment, the District will not tolerate harassment of its employees, students, volunteers or others within the school community in any manner by anyone, including any Board member, administrator, supervisor, co-worker, vendor, parent or student. Conduct that affects tangible job benefits or opportunities, interferes unreasonably with an individual's work performance, or creates an intimidating, hostile, or offensive working environment is prohibited.

1.4.1 Prohibited Conduct

- a. The District adheres to the laws prohibiting discrimination (including harassment) against any employee, student, or other member of the school community on the basis of such legally protected characteristics as a person's actual or perceived race, color, religion, national origin, citizenship, sex, age, height, weight, condition of pregnancy, marital status, physical or mental disability, source of income, family responsibilities, sexual orientation or gender identity.

- b. In addition, conduct of a sexual nature is absolutely prohibited in the workplace or while performing work or services for the District, and violates this policy regardless of the effect it has on any other employee, student, volunteer, member of the public, or other party.
- c. Harassment based on one's sex, race, age, national origin, citizenship, disability, religion, or other legally protected classification, is also prohibited. Sexual harassment as prohibited by this policy, is defined as unwelcome advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:
 - 1, Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment or status in a course, program, or activity;
 - 2, Submission to or rejection of such conduct is used as a basis for employment or educational decision affecting an individual; or
 - 3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance, or of creating an intimidating, hostile, or offensive environment for work or learning.
- d. Examples of conduct that violate this policy include but are not limited to:
 - 1. Verbal abuse (i.e., obscene comments, jokes, commenting on appearance)
 - 2. Visual abuse (i.e., leering, staring, gesturing, scantily-clad individuals)
 - 3. Written abuse (i.e., e-mail, letters, notes)
 - 4. Physical abuse (i.e., stalking, physical assault, coerced sexual activity)
 - 5. Direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion, grades, or letters of recommendation
 - 6. Direct propositions of a sexual nature which are unwelcome or intimidating to the recipient
 - 7. Subtle pressure for sexual activity, an element of which may be conduct such as repeated and unwanted staring that would discomfort or humiliate a reasonable person at whom the staring was directed
 - 8. An unwelcome pattern of conduct (not legitimately related to the subject matter of a course if one is involved) intended to discomfort and/or humiliate a reasonable person at whom the conduct was directed that includes one or more of the following: (i) comments of a sexual nature; or (ii) sexually explicit statements, questions, jokes, or anecdotes

9. An unwelcome pattern of conduct that would discomfort and/or humiliate, a reasonable person at whom the conduct was directed that includes one or more of the following: (i) unnecessary touching, patting, hugging, or brushing against a person's body; (ii) remarks of a sexual nature about a person's clothing or body; or (iii) remarks about sexual activity or speculations about previous sexual experience.

1.4.2 Employee Responsibilities

- a. Any employee who experiences or witnesses conduct which violates this policy has a responsibility to report the incident immediately to the Executive Administrator responsible for the employee's work (that is, the applicable Assistant Superintendent or above), or the Human Resources Specialist.
- b. All employees are expected to cooperate with any investigation. Failure to cooperate in an investigation may result in disciplinary action up to and including discharge.

1.4.3 District Responsibilities

- a. The District and all supervisors have a legal obligation to respond appropriately to any suspected or identified proscribed harassment.
- b. This duty exists even if: (i) no employee registers a complaint; (ii) the employee reporting harassment requests that no investigation occur; (iii) the employee reporting harassment was not a direct or intended target of the harassment; or (iv) the employee situation giving rise to the harassment complaint has been resolved.

1.4.4 Complaint Procedure and Reporting/Investigation Process

- a. Any employee who experiences or witnesses conduct that violates this policy has a responsibility to report the incident immediately to the employee's Executive Administrator responsible for the employee's work (that is, the applicable Assistant Superintendent or above) or to the Human Resources Specialist, in writing.
- b. Any supervisor or manager who suspects or becomes aware that harassment as proscribed by this policy has occurred or is occurring in the workplace must immediately report the incident to their Executive Administrator, as applicable, or to the Human Resources Specialist.
- c. If it is determined that the alleged conduct violates or may violate this policy, an investigation will be conducted and corrective action will be taken if necessary, to ensure uniform enforcement of this policy.
- d. Once a harassment investigation is complete, the complainant is to be promptly informed of the results of the investigation. A letter of determination shall be issued to the complainant. The complainant is entitled to learn: (i)

whether the charges were sustained; and (ii) if so, whether corrective action will ensue.

- e. If the complaining party is not satisfied with the handling of the complaint or investigation, or believes that the complaint is not being addressed in a prompt and effective manner, then the complaining party shall immediately notify the Superintendent of those concerns, in writing.

1.4.6 Retaliation Prohibition

- a. Retaliation (whether actual or threatened) against any complainant making a good faith complaint under this policy, or retaliation (whether actual or threatened) against witnesses assisting in an investigation of a complaint, is expressly prohibited by this policy and is subject to discipline up to and including discharge as determined appropriate by the District.
- b. Any employee who believes that he or she has been retaliated against as prohibited by this policy must promptly submit a Complaint regarding that belief under the above Complaint Procedure.

1.4.7 Corrective Action

- a. If a complaint that this policy has been violated is sustained, the District will determine the appropriate corrective action. "Appropriate corrective action" refers to action that is calculated to ensure that the harassment ceases and will not recur.
- b. Appropriate corrective action includes corrective counseling and/or other forms of discipline up to and including discharge. This determination will vary depending on: (i) the seriousness of the charge; (ii) the employee's disciplinary history, particularly with respect to related misconduct; (iii) and the likelihood that the proposed discipline will discourage future harassment.
- c. All formal discipline for violations of this policy will be documented and placed in the disciplined employee's personnel file.
- d. A finding that an employee has violated this policy does not constitute an admission or finding that the employee or the District has violated federal, state or local law.

2.0.0 GENERAL PERSONNEL POLICIES

2.1.0 PERSONNEL DATA CHANGES

It is the responsibility of each employee to promptly notify the Human Resources Office of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishments, and other such status reports should be accurate and current at all times.

2.2.0 ORIENTATION/PROBATIONARY PERIODS AND PERFORMANCE EVALUATION

- 2.2.1 a. Employees in positions subject to the Michigan Teachers' Tenure Act shall serve probationary periods in accordance with that Act and shall be evaluated as required by that Act and the Michigan Revised School Code.
 - b. All other employees (other than those employed by the District on July 1, 2013 and who were employed by either the Ypsilanti Public Schools or Willow Run Community Schools on June 15, 2013) shall serve an orientation period of at least the first 120 days of work for the District. The District may, in its sole discretion, extend the orientation period by up to another 40 days of work if it believes further time is necessary to determine the employee's suitability for the position.
 - c. During an orientation period, employees who are eligible to accrue vacation days shall not be entitled to utilize those days.
- 2.2.2 All employees are subject to being informally evaluated on a daily basis. Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Additional formal performance evaluations are normally conducted annually to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals. New employees are typically evaluated more frequently while serving probationary periods and orientation periods, as applicable. The evaluation instruments utilized and criteria will be set by the District in accordance with the Michigan Teachers' Tenure Act and the Revised School Code, as may be applicable, and may be modified at its sole discretion. To the extent evaluations and their use are regulated by these laws, the District will also adhere to those requirements.

2.3.0 COMPENSATION POLICY

- 2.3.1 The District strives to compensate employees fairly and equitably in light of its limited resources, market demands and general financial principles.
- 2.3.2 Each employee's rate of pay will be determined by the District in light of the above, as well as the employee's qualifications and experience.

- 2.3.3 Pay rates will be periodically reviewed, normally each year. Adjustments from year-to-year are not assured and will depend on such factors as the employee's performance, change in job responsibilities, District revenue projections, and general economic conditions.
- 2.3.4 The District also reserves the right to provide performance related incentives and/or bonuses to employees, as it determines to be appropriate and as permitted under applicable law.

2.4.0 FITNESS FOR DUTY

- 2.4.1 The health and safety of employees and others utilizing the District's services is of prime concern. The District will strive for the highest possible level of safety in all activities and operations. District employees have a responsibility to report to work free of conditions that would prevent them from safely and effectively performing their required job responsibilities.
- 2.4.2 A Fitness for Duty evaluation may be ordered for the following, but not exclusive of:
 - a. Exhibiting erratic behavior
 - b. Illness
 - c. Return to work from injury
 - d. Injury
 - e. Accident
 - f. Unable to perform essential functions of the job
- 2.4.3 If a supervisor suspects that an employee is unfit, it may be necessary for the employee to be immediately released from continuing their on-the-job responsibilities for the remainder of the day. Fitness for Duty exams require prior approval of the Human Resources Specialist (or designee).

2.5.0 REDUCTIONS IN WORKFORCE AND RECALLS

- 2.5.1 Discontinuance of a program, loss of funding, loss of enrollment, or other circumstances may result in layoffs, if deemed necessary by the District. Layoff is defined as a reduction of staff not primarily related to the performance or competence of the employee. Recognizing that all positions are not interchangeable, a laid-off employee may be reassigned or transferred to other programs or positions if the position is available and the employee has the qualifications to perform the job without significant training. In deciding which staff will be laid off, the following factors may be considered by the District as it determines appropriate: the needs of the District, competence and qualifications of the employee in the employee's current position and for other positions; the effectiveness of the employee; and the employee's length of service. The administration of the above procedure, as well as the determination that layoffs

are necessary rest exclusively with the District except were specifically mandated by the Michigan Teachers' Tenure Act or the Revised School Code, and the District's decision as to layoffs will be final. Unless otherwise required by law or contract, the District will attempt, whenever possible, to give employees being laid off a prior notice of at least 15 workdays. The District reserves the right to reinstate any employee affected by a reduction in workforce as deemed appropriate by the District. In the event of a layoff, it is the employee's responsibility to inquire about current and future openings. Laid-off employees on "layoff" are not given preferential treatment. Full-time employees called back within a 4-month period from date of layoff to a full-time position, are immediately eligible for all District benefits except as may be limited by the terms of applicable plans or policies.

- 2.5.2 Employees laid-off may be subject to recall during the year following the layoff or as otherwise required by applicable law. The order of layoff will be determined by the District in accordance with applicable law. If an employee is recalled to a job which is substantially different in job classification than that held when laid-off, the employee may turn down that recall. Otherwise, an employee recalled must report to work within two weeks of the issuance of the recall notice. Failure to report as required will result in a waiver of any right to future recall.

2.6.0 REIMBURSABLE BUSINESS EXPENSES

The District will pay its employees for all reasonable and necessary expenses incurred by the employee in fulfilling the duties of employment in accordance with the following policies and procedures:

- 2.6.1 The expense must be incurred while performing services for and on behalf of the District and otherwise be deductible as employee business expenses for Federal income tax purposes. The expense must also be approved by appropriate management in order for it to be paid. The cost of alcoholic beverages will not be reimbursed.
- 2.6.2 Within 45 days of the date an expense is paid or incurred, the employee must provide a statement of the date, nature and purpose of the expense incurred, together with a detailed receipt or other documentary evidence of such expense. Receipts for mileage are not required, but a log specifying each trip's date, purpose, beginning point, destination and mileage must be provided. Mileage is reimbursed at the IRS recognized rate as in effect from time-to-time. Meals receipts must also indicate the guests' names, if any and appropriate, and business purpose of the meal.
- 2.6.3 All decisions as to qualification of expenses under this Policy shall be made by the District in its sole and absolute discretion and in accordance with its other finance policies, and all such decisions shall be final.

2.7.0 CELL PHONE POLICY

- 2.7.1 The District may issue cellular phones to employees who are required to utilize cell phones as a regular part of their job. Employees may also need to use their personal cell phones in the course of the work day. While cell phones are a necessary convenience of the business world, we require that our employees follow the guidelines listed below for their own and others' safety.
- 2.7.2 It is understood that those employees who are issued a cellular phone understand the phones are issued for business use only. Employees are expected to make every effort to not exceed the current contracted allowed minutes. Cellular phone bills are reviewed when they arrive, any employee who exceeds their contracted allowed minutes is subject to additional usage review.
- 2.7.3 For the safety of our employees and others, it is imperative that you pull over and stop at a safe location to dial, receive or converse on the cell phone in any way.
- 2.7.4 Cell phones (whether a District phone or a personal phone) shall not be used for personal reasons while on duty in a classroom or other student activity except in the case of emergencies. Cell phone use under this policy includes texting. Use of cell phones for personal reasons at other times during a workday should be limited. Excessive use may subject the employee to discipline.

2.8.0 PARKING

During regular business hours for non-school facilities, and during special events and programs, employees shall only park in areas designated for staff. All reserved spaces must be respected at all times. Failure to adhere to this Policy may result in discipline and/or the vehicle being towed, as determined appropriate by the District.

2.9.0 BULLETIN BOARDS

Bulletin boards and other areas reserved for District information notices are reserved for District-related business and programs, only. All postings must be approved by management, as applicable to the area involved. Postings for personal announcements, promoting any non-District sponsored enterprise or program, or any commercial or other purpose are not permitted.

2.10.0 EMERGENCY CLOSINGS

- 2.10.1 In case of school cancellation, delayed opening, and/or early dismissal of school due to emergency and/or hazardous conditions, the following procedure shall govern all employees. The official closing notice will be put on the District's website. Local television and radio stations will be notified, when necessary, early on the mornings(s) of hazardous conditions, if possible. Other phone notification procedures may also be used.
- 2.10.2 Instructional personnel, administrative personnel, and select support staff may be required to report to work during these times.

- 2.10.3 When school is canceled for the day(s) due to hazardous conditions, the canceled day(s) may be rescheduled as determined to be necessary and appropriate by the District.
- 2.10.4 It is mandatory that custodial and maintenance personnel report to work at their normally scheduled work time unless otherwise instructed by their supervisor. Any custodial or maintenance staff member who does not report to work will be considered absent without notice and could be subject to disciplinary action up to and including termination.

2.11.0 EXIT INTERVIEWS/SEPARATION PROCEDURES

- 2.11.1 On the last day of work, the supervisor (or designee) must sign off and complete a separation checklist with the employee and obtain all equipment, security cards, password and keys from the separated employee. This checklist, once completed, will be forwarded to the Human Resources Office.
- 2.11.2 All employees separating from the District, whether voluntary or involuntary, will be referred, by their supervisors, to Human Resources Office for an exit interview on or before their last day of work.

2.12.0 MEDIA RELATIONS

Only employees authorized to speak to the media on matters pertaining to District business may speak to the media on such matters on the District's behalf. Inquiries from the media should be referred to the appropriate Executive Administrator unless otherwise authorized by the District (e.g., discussing athletic or performing arts events). Student identifying information must never be disclosed in any communications with the media or any third party without prior District authorization.

2.13.0 SECURITY/VISITORS

Each employee is to wear District identification badges in a visible manner at all times while on District premises. Security protocols as provided must also be followed, as directed. Employees may not bring visitors to any District facility without proper authorization and pursuant to all security protocols.

2.14.0 CRIMINAL BACKGROUND CHECKS AND CRIMINAL RECORDS

- 2.14.1 The District reserves the right to conduct criminal background checks as required by the Revised School Code and also as otherwise deemed appropriate by the District. Employees convicted of crimes or who plead no contest may be immediately terminated in accordance with applicable laws.
- 2.14.2 Job applicants will also be subject to criminal background checks in accordance with the requirements of the Revised School Code, and employment may be

denied or revoked after receiving and evaluating checks revealing convictions as required by law or as the District otherwise deems appropriate.

- 2.14.3 Any employee charged with a crime in any jurisdiction with the United States shall report to the District and the Michigan Department of Education that he or she has been charged with the crime.
- a. The employee shall make the report on a form prescribed by the Department of Education.
 - b. The employee shall submit the report to the Department of Education and to the District's Superintendent.
 - c. The employee shall submit the report within 3 business days after being arraigned for the crime.
 - d. If the employee enters a plea of guilty or no contest to or is the subject of a finding of guilt by a judge or jury of any crime after having been initially charged with a crime, then the employee immediately shall disclose to the court, on a form prescribed by the state court administrative office, that he or she is employed by the District, and shall immediately provide a copy of the form to the prosecuting attorney in charge of the case, to the State Superintendent of Public Instruction, and to the District's Superintendent.
 - e. Failure to comply with the above may be a misdemeanor or felony under state law and subject the employee to prosecution and/or termination.

2.15.0 PROTECTION OF SOCIAL SECURITY NUMBERS (MCL 445.81, et seq.)

It is the policy of the District to ensure, to the extent practicable, the confidentiality of applicants', employees', vendors', citizens' and others' Social Security numbers obtained and used in the course of business and as required by law.

- 2.15.1 Social Security numbers should be collected only where required by Federal and State law or as otherwise permitted by Federal and State law for legitimate business reasons consistent with Michigan law.
- 2.15.2 Social Security numbers will not be publicly displayed or used as the primary account number or identifier for an individual.
- 2.15.3 Employees using records or records systems containing Social Security numbers must take appropriate steps to ensure the integrity of such records or record systems when not in immediate use.
- 2.15.4 Records or record systems containing Social Security numbers will be discarded or destroyed only in a manner that protects the confidentiality of the Social Security number(s).

2.16.0 CONFLICTS OF INTEREST

2.16.1 All District employees are obliged to refrain from actions which could be harmful to the reputation of the District. In particular, actions are prohibited which give third parties or the general public the impression of corrupt or inappropriate dealings. Employees must manage their personal and business affairs to avoid conflicts of interest. For instance:

- a. Employees must function within all applicable laws and regulations, Federal and State, both statutory and regulatory, as well as within the District's own policies and procedures. No employee should encourage another to take any action contrary to these laws, regulations, and policies.
- b. Employees must not use their employed position to make personal profit or gain other personal advantage for themselves, their friends or their relatives.
- d. Employees shall not use confidential information or District property for personal profit or gain.
- e. Employees shall not conspire with or influence another individual to engage in conflict of interest acts.

2.16.2 Business with the District

- a. For an employee involved in the purchasing process, the employee, member of the employee's household, or a trust in which the employee is involved shall not have an interest in a company or own a company which sells goods or services to the District, or is being considered as a vendor for the District.
- b. When an employee, member of the employee's household, or a trust in which the employee is involved, has a financial interest in, or obligation to, an actual or potential supplier or provider to the District, the employee must declare to the Chief Financial Officer such financial interest.

2.17.0 EMPLOYMENT OF RELATIVES

It is the policy of the District to hire, promote, and transfer employees on the basis of individual merit and to avoid any favoritism or discrimination in making such decisions. Relationship by family, marriage or domestic partnership to another District employee shall be neither an advantage nor a deterrent to employment, promotion, and level of salary or other condition of employment. To ensure this policy, relatives of current employees must meet certain conditions of employment. An employee may not hold a position that directly or indirectly reports to a relative. Even if favoritism or discrimination is not shown, the occurrence of an employee reporting to a relative may have the appearance of favoritism or may cause some discomfort for the individuals involved.

For the purpose of this policy, a relative is defined as: an employee's spouse, domestic partner, father, mother, child (including stepchild), sibling, grandparent, grandchild, uncle, aunt, cousin,

nephew, niece, step-parent; or an employee's parent or sibling in-law or similar relationship, based on marriage or domestic relationship.

- 2.17.1 When a situation that runs contrary to the above policy arises such as through promotion, transfer, domestic partnership or marriage, the affected individuals have ninety (90) days in which to settle the issue voluntarily (i.e. by having one of them change assignment or leave District employment) pending final approval being granted by the Human Resources Specialist.
- 2.17.2 The District reserves the right to make employment, transfer and promotion decisions where conflict of interest or business impropriety could result.
- 2.17.3 If the affected parties are unable to resolve the situation on their own, their immediate supervisors will meet and review the case at the end of the ninety (90) day period. The Human Resources Specialist will make the final decision in such cases.

3.0.0 EMPLOYEE CONDUCT RULES

3.1.0 EMPLOYEE STANDARDS OF CONDUCT

All employees are expected to adhere to at least the Employee Standards of Conduct set forth in this policy. Further, these guidelines are not intended to be all-inclusive, but rather are a list of examples of some of the types of behavior which are not acceptable to the District. The guidelines may be altered or amended from time to time by the District.

Any employee who does not comply with these standards will be subject to disciplinary action ranging from a verbal reprimand to immediate discharge, depending on the seriousness of the offense, as determined appropriate by the District. The District recognizes the concept of progressive discipline, but the application of progressive discipline and the level of discipline to be applied is subject to the District's sole discretion.

- 3.1.1 Accordingly, the following is a listing of examples of misconduct, some of which may also pertain to acts that could be performed using electronic devices, which may result in disciplinary action up to and including discharge from employment. This list is not intended to be exhaustive.
- a. Abuse of authority;
 - b. Neglect of duties;
 - c. Inappropriate conduct directed at students, parents, staff or the general public;
 - d. Insubordination or other disrespectful conduct;
 - e. Dishonesty, misappropriation of funds, theft or assault;
 - f. Being impaired by alcohol or illegal drugs while on duty, or illegally using or possessing drugs and narcotics, possessing alcohol at any worksite, or violating the District's substance abuse policy;
 - g. Failure to pass a required drug or alcohol test;
 - h. Violating the District's no-smoking rules;
 - i. Violating the District's technology policies, or otherwise abusing technology relating to the District's operations;
 - j. Unauthorized reproduction or disclosure of proprietary or confidential information, including but not limited to confidential student information, student records, tests and testing information, medical and insurance information, confidential counseling and family information, personnel records, confidential vendor information, and minutes and the substance of closed session meetings of the Board of Education;

- k. Possession of firearms, explosive devices and weapons (unless authorized by the Superintendent);
- l. Excessive absenteeism, unapproved absences from work, or tardiness;
- m. Violation of safety and housekeeping rules and standards;
- n. Discriminatory conduct deemed contrary to law, including but not limited to sexual and other proscribed harassment, or use of racial, ethnic or sexual orientation slurs;
- o. Unsatisfactory performance;
- p. Disorderly or immoral conduct;
- q. Destruction of property;
- r. Failure to comply with work rules, administrative policies or procedures, or the law;
- s. Criminal misconduct;
- t. Leaving the building or assigned working place during work hours without permission of supervisor or other person authorized to grant this permission, and/or failing to record such time on the employee's time record when leaving District premises (including breaks), as applicable;
- u. Having unauthorized personal visitors, including relatives, in the work area.
- v. Failing to notify supervisor of absence due to illness or injury prior to your scheduled work time; failure to report for work on a scheduled workday without reporting the absence (i.e., no call/no show);
- w. Doing personal work or conducting personal business while on duty;
- x. Failing to adhere to dress codes;
- y. Failing to be at your workstation at the start of a shift/workday, or failing to return to the workstation promptly at the end of a break or lunch;
- z. Misuse of working time by reading newspapers, magazines or other materials not required for work performance during work hours;
- aa. Neglect in the care or use of machinery, equipment or materials belonging to the District;
- bb. Accepting gifts or gratuities from vendors or prospective vendors of the District or otherwise violating the District's Conflicts of Interest policy;
- cc. Gambling on District premises or while on or in the course of duty;

- dd. Inattentive or negligent performance of duties, whether or not it causes damage or injury to production, equipment or other persons;
- ee. Disorderly or indecent conduct, including horseplay, during working hours or on District property, or otherwise while on duty or in the course of work;
- ff. Failing to record own time record as instructed;
- gg. Conduct which may impugn or disparage, or does impugn or disparage, the District or students, except when such conduct is privileged under the specific law;
- hh. Sleeping or assuming the posture and appearance of sleeping during working hours on District premises or while otherwise on duty;
- ii. Falsifying, misrepresenting and/or intentionally giving false information on District or other official or work-related documents;
- jj. Possessing or recording the time card or time statement of another employee;
- kk. Verbally or otherwise abusing or using abusive or profane language toward employees, students, parents, vendors, volunteers, visitors, or members of the general public;
- ll. Threatening, intimidating, coercing or assaulting employees, students, parents, vendors, volunteers, visitors, or members of the general public.
- mm. Participating in any criminal act at any time;
- nn. Failing to call and report an absence for three consecutive scheduled workdays;
- oo. Failing to return to work on expiration of vacation or leave of absence;
- pp. Unauthorized possession or use of District or District-related property;
- qq. Violating the rules regarding the use, or misuse, of digital communications, social media and computer equipment and software;
- rr. Violating the rules proscribing corporal punishment;
- ss. Violating the rules proscribing the use or distribution of performance enhancement drugs;
- tt. Violating applicable law;
- uu. Allowing a required license or certification to be suspended, expire or lapse; and
- vv. Failing to comply with work rules and employment policies.

- 3.1.2 The District may place an employee who has been arrested on unpaid leave if, in its judgment, having the employee work while criminal charges are pending may be contrary to the best interests of the District. In such cases, reinstatement after conclusion of the criminal proceeding, if not convicted or plea bargained, may occur at the District's discretion and subject to the availability of a position for which the employee is certified and qualified to fill.
- 3.1.3 Any employee with tenure at the District under the Michigan Teachers' Tenure Act will only be demoted, suspended or terminated in accordance with the requirements of that Act.

3.2.0 HEALTH AND SAFETY

The District recognizes that the safety and health of its employees, students and the public are paramount concerns in the delivery of its services. Safety shall receive first consideration in the design and performance of any job. The safety and health of employees, students and the public shall not be compromised to provide expedient service. Every employee should manage their personal conduct in such a way that they abide by the required safety rules intended to maintain a safe work environment.

3.2.1 In the event of a workplace safety accident:

- a. After appropriate emergency medical care has been secured, employees shall immediately notify their supervisor, the Human Resources Office, and if appropriate, law enforcement authorities, of any accident causing injury to an employee, student or guest requires professional medical attention, or involves damage to a District vehicle or property, or damage and/or injury to private property or person.
- b. The immediate supervisor, in the instance of a work place accident involving a subordinate employee, student, member of the public, or contractor, shall take immediate action to obtain medical care, secure the accident area and conduct an accident investigation, as warranted. The District's Human Resources Office shall be notified as soon as possible.

3.2.2 General safety and preventive procedures:

- a. Safety rules are subject to periodic change. In addition, employees are expected to exercise common sense in the performance of their duties.
- b. Any employee who violates a safety rules shall be subject to disciplinary action, up to and including discharge, as determined appropriate by the District. The following is a list of general safety rules all employees should follow. This list is not intended to be all-inclusive. Employees shall not linger in work areas where they are not assigned.
 - 1. Written and unwritten safety procedures and standard operating procedures must be followed at all times.

2. Be safety conscious at all times.
3. Follow established safety and health rules, policies, and procedures in performing work assignments.
4. Maintain a valid, appropriate Michigan Driver's license, if required for the operation of District owned or assigned vehicles and if required to drive other vehicles (including personal vehicles) in the course of duty.
5. Request additional information or clarification on assignments that are unclear and for which there may be a hazard.
6. Operate all equipment, tools, machinery, and vehicles in accordance with manufacturer guidelines, safety practices, and operator training instructions.
7. Poor housekeeping and contributing to unsanitary or unsafe conditions are prohibited.
8. Lap and shoulder belts, where provided, are to be used at all times while operating or riding as a passenger in a District provided vehicle or private vehicle on District business.
9. Any unsafe working condition, equipment malfunction, or other situations that could endanger employees or the public, are to be immediately reported to the employee's immediate supervisor and, as necessary, coworkers.
10. Personal injuries are to be reported to management and the District's Human Resources Office as soon as possible, but no later than 24 hours after injury.
11. If an employee is unsure of or believes he/she is not properly trained to do a certain job or task, the employee must notify his/her supervisor before proceeding.
12. The use of personally owned electrical appliances in the workplace, such as radios, fans, space heaters, etc., without authorization from management, is prohibited.
13. The unauthorized use of District owned or controlled equipment is prohibited.
14. Employees shall not be impaired by drugs or alcohol while on the job. (See Substance Abuse/Drug-Free Workplace Policy)

3.3.0 PROHIBITION ON USE OF TOBACCO PRODUCTS

The use of tobacco products (smoking and chewing) is prohibited at any District worksite without exception, as well as anywhere in any District-related structure, facility or campus. This

includes common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, cafeterias, restrooms, break rooms, lounges, stairwells, District-owned or leased vehicles, and all other District-related property including all parking lots, fields and athletic venues. The use of tobacco products is also prohibited at non-District schools and their facilities and campuses. The use of tobacco products includes the carrying of a lighted cigar, cigarette, pipe or other lighted smoking device, or otherwise chewing or inhaling a tobacco product, as well as the placing of a tobacco product in one's mouth. A violation of this policy may be a misdemeanor and subject the violator to prosecution under State law.

3.4.0 EMPLOYEE DRIVING POLICY

3.4.1 This policy is directed to the following:

- a. Employees whose positions require driving as an essential function of the job.
- b. Employees who drive non-CDL District provided vehicles for District business. (Driving CDL vehicles refer to Department of Transportation (DOT) regulations.)
- c. Employees who drive their personal vehicles on District business.

3.4.2 Employees shall not drive any vehicles in the course of their employment, with a suspended license (unable to drive per Michigan Department of State (MDOS)).

3.4.3 Employees who drive their personal vehicles in the course of their employment must have a valid driver's license, valid vehicle insurance in force, and their vehicles must be properly registered.

3.4.4 Distractions should be avoided while driving. The use of cell phones, for talking, texting, reading of emails and other messages, internet use, etc. while driving is prohibited.

3.4.5 Employees driving District provided vehicles must only use those vehicles for official District business. These vehicles may not be used for personal errands, giving rides or other non-official purposes.

3.5.0 SUBSTANCE ABUSE/DRUG-FREE WORKPLACE

3.5.1 Involvement with drugs and alcohol can take its toll on job performance and employee safety. Our concern is that employees are in a condition to perform their duties safely and efficiently, in the interests of their fellow workers and the public, as well as themselves. Further, substance abuse increases the potential for accidents, absenteeism, substandard performance, poor employee morale or damage to property, public or private, or to the District's reputation. Accordingly, pursuant to this policy and otherwise, the District is committed to keeping its workplace free from substance abuse. Employees violating this policy will be subject to discipline, up to and including discharge, as determined appropriate by the District.

- 3.5.2 Employees shall not be impaired by alcohol or drugs while subject to being called to work or while at work, nor report for work following the use of alcohol or drugs, nor use alcohol or drugs during the course of a work day. As a part of this policy, the possession and/or use of illegal substances while on duty or while on District controlled property or in the course of work is strictly prohibited and will not be tolerated. Possession alone is grounds for discipline up to and including discharge as determined appropriate by the District. The manufacture, dispensing, sale or distribution of illegal drugs is also prohibited. Notwithstanding this policy, the possession and consumption of alcohol at a conference or after-work hours event, may be allowed provided the employee does not become impaired or violate other rules, and the employee is not on District property, the property of another District, in a school vehicle, or in the presence of students,
- 3.5.3 The use of medically prescribed medications and drugs is not a violation of this policy. However, it is the responsibility of the employee to notify his/her supervisor, prior to beginning work, of any substance, which to the employee's knowledge, might interfere with the safe and effective performance of duties or operation of work-related equipment or driving in the course of duty. Failure to do so can result in discipline, up to and including discharge. In the event there is a question regarding an employee's ability to perform safely and effectively the duties of his/her job as a result of medications or drugs, clearance from a qualified physician may be required.
- 3.5.4 The District reserves the right to search, without employee consent, all areas and property in which the District maintains control or joint control (such as desks, closets and lockers) with the employee. The District may also notify the appropriate law enforcement agency that an employee may have illegal drugs in his or her possession.
- 3.5.5 Employees reasonably believed, in the District's sole judgment, to be impaired by alcohol or drugs shall be prevented from engaging in further work and shall be requested to remain at the work site for a reasonable time until he or she can be safely transported from the work site.
- 3.5.6 Employees may be required to submit to laboratory testing for the presence of drugs or alcohol (or their metabolites) at any time if directed by an Executive Administrator or Assistant Superintendent rank or higher, or the Human Resources Specialist, or their respective designees. Such tests may be ordered if there is a reasonable suspicion that this policy has been violated.
- 3.5.7 Employees may be subject to searches of their personal property (i.e., handbags, lunch boxes, brief cases, etc.) when there is reasonable suspicion of substance abuse or of the presence of alcohol/drugs in the workplace. Refusing to cooperate with such search is cause for disciplinary action up to and including discharge. All planned searches must have the approval of the Human Resources Specialist, an Executive Administrator, or a law enforcement officer with appropriate jurisdiction, prior to being conducted.
- 3.5.8 An employee who is at fault in a work-related accident which causes or has the potential for causing serious bodily harm to self or other employees may be tested for drugs and/or alcohol as part of the investigation in determining the

cause of the accident. An employee involved in an injury accident who is found to be impaired by alcohol and/or drugs, may be held personally liable for the accident and injuries including punitive damages.

- 3.5.9 A positive test for the presence of illegal drugs (including marijuana) under the federal standards for drug tests shall be conclusive evidence of a violation of this policy. A BAC of 0.03% or more shall be conclusive evidence of impairment by alcohol. Failure to submit to a test as directed, or having a positive test, shall result in discipline up to immediate termination, as determined appropriate by the District.
- 3.5.10 The District encourages employees to seek professional help for their drug or alcohol problems. Employees who seek help before their problem becomes a disciplinary matter benefit themselves and the District. An employee who voluntarily notifies the District that he or she has a drug or alcohol problem may be allowed, upon request, to take a medical leave of absence to undergo rehabilitation. In compliance with the American with Disabilities Act and its state law counterpart, the District will review an employee's request for such a leave of absence and promptly notify the employee of its decision and any conditions of the leave.
- 3.5.11 Under the federal Drug Free Workplace Act, an employee who performs work for a government contract or grant must notify the District of a criminal conviction for drug-related activity occurring in the workplace. The report must be made in writing to the Human Resources Office within five days of the conviction.

3.6.0 VIOLENCE IN THE WORKPLACE

- 3.6.1 The District is committed to maintaining a safe and non-violent environment for its employees, students, volunteers and visitors. This means an environment that is free of threats, harassment, intimidation, physical abuse, verbal abuse and coercion. Threatening, harassing, intimidating, physically abusing, verbally abusing, stalking or coercing District employees, students, parents or others within the school community are considered serious offenses. Threats made as a joke, prank, in jest or in connection with horseplay are considered real threats under this policy and will not be permitted. Employee conduct contrary to this policy may be subject to immediate and appropriate disciplinary action up to and including discharge, as determined appropriate by the District.
- 3.6.2 Employees who believe they are subject to, or are aware of threats, harassment, intimidation, physical abuse, verbal abuse or coercion from employees, students, parents, visitors or others must report all specific occurrences and circumstances to their Executive Administrator responsible for the employee's work (that is, the applicable Assistant Superintendent or above) or the Human Resources Specialist. Complaints covered by the Discrimination and Harassment Prohibition Policy in this Manual should, instead, be processed under that policy. Due to the potential for permanent injury or loss of life, employees who do not make reports under this Violence in the Workplace Policy will be subject to disciplinary action up to and including discharge, as determined appropriate by the District.

- 3.6.3 If a threat is imminent and direct in nature, 911 emergency or the local law enforcement authority should be contacted immediately.
- 3.6.4 The District reserves the right, at all times, and without prior notice to inspect and search any and all District property, work areas and personal belongings brought onto the District or other work-related premises. Failure to cooperate in such a search will be considered insubordination and result in corrective action up to and including discharge. Searches must have the approval of an Executive Administrator or Human Resources Specialist (or designee) prior to being conducted.

3.7.0 PERSONAL APPEARANCE

- 3.7.1 Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and students, and affect the image the District presents to students and visitors. Each employee is required to use good judgment in their choice of work attire and is further required to conduct themselves at all times in a way that best represents the District.
- 3.7.2 Absent approval of the District or for special events/trips as designated by the District, jeans, cut-offs, torn clothing, sweatshirts, sweatpants, t-shirts, collarless shirts, sandals, tank tops without cover, tube tops, halter tops, short pants (except for designated special events and athletic programs), short skirts/dresses (more than 4" above the knee), clothing with advertisements/slogans or non-YCS logos, revealing attire, athletic attire (except for coaches) are not permitted. Make-up, colognes and perfumes, if used, should be used sparingly.
- 3.7.3 If you have questions regarding appropriate attire, contact your supervisor. The final determination of appropriateness will be made by supervisors, and employees may be relieved from working if they appear for work in attire deemed inappropriate.

3.8.0 LIMITATIONS ON SOLICITATIONS

The District strives to establish a work environment that is productive and without undue disruptions to the workday. Therefore, soliciting by one employee of another, or collecting from one employee by another, is not permitted while either employee is on work time. Solicitations for fund-raisers, birthdays, weddings, etc., may be made with a supervisor's permission, but then only by supervisors. "Work time" is all time on the premises other than before and after work, at meal periods and break times. Distribution of non-District related literature in work areas is also prohibited. Soliciting or distributing literature by anyone outside the District is prohibited without an Executive Administrator's (that is, the applicable Assistant Superintendent or above) approval.

4.0.0 TECHNOLOGY POLICIES

4.1.0 INFORMATION SYSTEMS AND ELECTRONIC COMMUNICATIONS POLICY

This policy relates to the use of interactive digital equipment (“Devices”) used to support the District’s external and internal operations. These Devices include, but are not limited to, equipment such as landline and cell telephones, smart phones, pagers, external drives (flash drives, thumb drives), computers (PCs, laptops, netbooks, iPads and other tablets, ultra-mobile PCs, etc.), digital still and video cameras, PDAs, photocopiers, facsimile machines, and any mobile device capable of storing or accessing District data. This policy applies to all employees using District-provided Devices and/or accessing the District’s Information Systems (referred to in this policy as “Information System(s).” This policy supplements, and should be read in conjunction with, other District policies.

The term "Information System(s)" includes, but is not limited to, all District or District-related computer hardware, software, communications equipment (such as landline and cell telephones, pagers, smart phones, external drives, computers, digital cameras, PDAs, and photocopy and facsimile machines), all communications and information communicated through these items, including email, internet communications and voicemail and all communications and information transmitted by, received from, entered into, or stored in these systems. If, for example, an employee uses a personal smart phone to access the District’s Information System(s), this policy applies. If an employee uses a District supplied laptop to access a third-party network, this policy applies. The Information System(s) serves to support both the District’s internal and external operations and each user’s legitimate business activities. Thus, this policy regulates access to and use of the District’s Information System(s) and transmission of all communications each user sends, receives or forwards when he or she uses District Devices.

The use of Devices and the Information System(s) are privileges extended by the District, which may be withdrawn at any time. An employee’s use of computer systems may be suspended immediately upon the discovery of a possible violation of these policies. A violation of these policies may result in disciplinary action up to and including termination as determined appropriate by the District.

- 4.1.1 Acceptable Use by Employees – All employees must have on file with the Human Resources office a signed and dated copy of the Ypsilanti Community Schools Network and Internet Access Agreement. It is each employee’s responsibility to ensure that the employee’s electronic communications do not contain content that violates District policies or compromises the confidentiality of student, a student’s education records, proprietary or other sensitive information of the District, its students or its business partners. Any use of a Device or the Information System in a manner that is not within an employee’s scope of work or not reasonably described as incidental personal use, is strictly prohibited. The term “incidental” is defined both by time and network resources. As an example, the Information System is not designed for multiple users to access and view web-streaming video at the same time. Unless an employee has sought and received prior written approval, the employee may not establish, maintain, or access a web presence that promotes the employee’s affiliation and association with the District using a District Device or the Information System. The term “web presence” includes, but is not limited to Social Media sites such as Facebook,

LinkedIn, YouTube, Pinterest, or Twitter. For guidance on the proper use of Social Media, see Social Media Policy.

- 4.1.2 Compliance with Laws - Transmission of any electronic communication in violation of applicable foreign, federal, state or local laws or regulations is strictly prohibited. For example, electronic communications may not contain content that is threatening or obscene, protected by any laws governing trade secrets, or that discriminates against anyone on the basis of race, gender, religion, national origin, political beliefs, age, sexual identity, or sexual preference. If the District believes that a user's electronic communications are in violation of District policies or applicable law, it will take appropriate action. Any suspect electronic communications may be reported or disclosed to the proper authorities without the user's prior consent.
- 4.1.3 Property Rights; Privacy - The Devices and Network are District property, and the District has the right to access and monitor all electronic communications stored on or transmitted to or from the Devices and/or the Information System(s). All electronic communications transmitted and/or stored on the Information System(s) or a Device are deemed to be public. No user has and should not expect to have any right to privacy using a Device and/or the District's Information System(s).
- 4.1.4 Unacceptable Activities - The following activities are, in general, prohibited. Users may be exempted from these restrictions during the course of their legitimate job responsibilities. Under no circumstances is a User authorized to engage in any activity that is illegal under local, state, federal or foreign law while using District Information System(s). The lists below are by no means exhaustive but are an attempt to provide a framework for activities that fall into the category of unacceptable use.
- a. System and Network Activities
1. Violating any copyright, trade secret, patent, or other intellectual property right, or similar laws or regulations by acts such as the installation or distribution of "pirated" or other software products that are not licensed for use by the applicable party.
 2. Violating any export control laws by acts such as exporting software, technical information, encryption software, or technology. Users must receive District authorization prior to exporting of any material in question.
 3. Introducing malicious programs into the District's Information System(s) (e.g., viruses, worms, Trojan horses, email bombs, and similar malicious programs).
 4. Revealing your user password to others or allowing use of your account by others, including family and other household members when working away from the District's premises.

5. Using District Information System(s) to engage in procuring, storing, creating, or transmitting material that is in violation of any federal, state, or local employment discrimination laws.
6. Making fraudulent offers of products, items, or services originating from any District information system.
7. Unauthorized attempts to access or disrupt any information systems or to circumvent any security systems, whether of the District or another organization.
8. Transmitting personal information (e.g., name, email address, or similar personally identifying information) about, or lists of, District employees, students, parents, contractors, agents or others in violation of privacy laws and the District's confidentiality requirements.
9. Copying, transferring, posting, transmitting, or deleting confidential information or the personal information of another user from the network in violation of confidentiality requirements.
10. Downloading entertainment software or games for personal use, or playing games against opponents over the Internet that violates the "incidental personal use" description above.
11. Downloading images or videos, in excess of incidental personal use, unless there is an explicit business-related use for the material.
12. Using programs that are not installed and/or approved by the District.

b. Electronic Communications Activities

1. Violating the CAN-SPAM Act of 2003 or sending unsolicited commercial electronic communications, including the sending of "junk mail" or other advertising material to individuals or groups who did not specifically request such material.
2. Transmitting any form of harassment via electronic communications, telephone, or paging, whether through language, frequency, or size of messages.
3. Using email header information in any unauthorized or illegal manner.
4. Soliciting any other email address or addresses with the intent to harass or to collect replies.
5. Pretexting, or gathering information of others, under false pretenses.
6. Creating or forwarding "chain letters," "Ponzi," or other "pyramid" schemes of any type.

7. Use of unsolicited email originating from within the District's Information System(s) of other Internet/Intranet/Extranet or Cloud service providers on behalf of, or to advertise, any service hosted or shared by the District or connected via the District's network.

- 4.1.5 Protected Communications – Federal and State law give Users certain rights that are protected by statute. This means that the District cannot improperly restrict any user's right to engage in legal union activities or to discuss wages, hours and working conditions with fellow employees and others, and this policy is to be construed accordingly.

4.2.0 SOCIAL MEDIA POLICY

This social media policy is in addition to and complements the District's Information Systems and Electronic Communications Policy and is intended to respect the interests of employees and the District. The absence of, or lack of explicit reference to a specific site does not limit the extent of the application of this policy. This policy applies to all existing and future social media, including, for example only, blogs, networking sites, photo sharing, video sharing, micro blogging, podcasts, including but not limited to Facebook, LinkedIn, YouTube, Twitter and others (collectively "Social Media"), as well as comments posted on the sites. Where no provision of the policy applies to a particular situation, an employee should use his or her professional judgment, act in the most prudent manner possible, and consult with his or her supervisor if he or she is uncertain. Some employees are specifically authorized to use Social Media on behalf of the District as part of their job duties. If you are among those employees, not only does this policy apply, but also additional rules and requirements in other policies apply as well. Keep in mind that any conduct by an employee which adversely affects the employee's job performance, the performance of fellow employees, or otherwise adversely affects parties to cases, attorneys, suppliers and others, including the District's legitimate interests, may result in disciplinary action up to and including termination, as determined appropriate by the District.

- 4.2.1 Block Access - The District may from time to time block normal access to certain Social Media. Employees must not attempt to reach these sites by other means.
- 4.2.2 Disclaimers – Any posts that you make to your personal Social Media accounts that reference your District employment should not imply, and should in fact disclaim, any implication that the content on the post(s) is sponsored or endorsed by the District. In other words, employees should clearly state that they are expressing their personal views in any posts they make.
- 4.2.3 Do Not Speak For The District Unless Authorized To Do So - Express only your personal opinion, unless you are asked to be a spokesperson for the District.
- 4.2.4 Keep It Personal - Employees should be clear they are expressing their personal views. Employees are to open and use their Social Media accounts by using their personal email addresses. As noted above, Social Media postings should not imply that the Social Media site or an employee's post is sponsored or endorsed by the District. Unless specifically authorized, employees generally do not have the right to speak for the District. Employees should clearly state that they are expressing their personal views in any posts made. Supervisors in particular must take care to not post in a manner where it could appear the manager is speaking for the District. Supervisors must assume that their posts

will be read by subordinates and superiors, and the possible effects on these groups must be considered. When expressing unauthorized personal opinions, it is best to include a statement such as, “the postings on this site are my own and do not necessarily reflect the views of the Ypsilanti Community Schools.” Employees are not to create a link to or from a Social Media site to a District or District-related website without identifying him or herself as a District employee, and then only as permitted under the applicable terms of use of that Social Media site.

- 4.2.5 Comply With All District Policies - There are other District policies which may affect what employees post and maintain on their own sites. For example, information published on employee blogs should comply with the District’s confidentiality and disclosure of proprietary data policies. This also applies to comments posted by employees on other blogs, forums, and social networking sites. Inappropriate postings that may include discriminatory remarks, harassment, threats of violence, or similar inappropriate or unlawful conduct will not be tolerated and may result in disciplinary action up to an including termination, as determined appropriate by the District.
- 4.2.6 Civility – Employees must always strive to be fair and courteous to fellow employees, students, parents, suppliers or people who work on behalf of the District. Also, keep in mind that employees are more likely to resolve work-related complaints by speaking with their co-workers, by taking advantage of our open door policy or complaint procedures, as opposed to posting complaints to Social Media. Nevertheless, if an employee decides to post complaints or criticism, the employee is to avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage students, parents or other members of the public, employees or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts that could contribute to a hostile work environment on the basis of race, sex, age, disability, national origin or religion, or other status protected by law or District policy. The posting of any information or rumors that the employee knows to be false about the District, its employees, or others within our educational community, is also prohibited.
- 4.2.7 **Interference With District Obligations – Employees may not post to Social Media during the work day or at other times if such activities would interfere with the performance of their duties to the District. Normally, Social Media should not be used for personal reasons during working time.**
- 4.2.8 Think Before You Act Or Speak - Many statements or activities engaged in during and after the work day can be easily photographed or otherwise recorded and published on the internet. The online presence and characterization of an employee can adversely reflect on the employee and the District. Employees should avoid situations that could result in conduct and speech that would have adverse effects on themselves or the District being posted on Social Media. If such material is posted by others and references an employee or other individual involved with the District, the employee may ask that it be taken down.

- 4.2.9 Comply With All Laws - Respect all copyrights, and laws, and give credit where credit is due by referencing sources. Remember, too, that Social Media sites have governing terms of use that must be followed.
- 4.2.10 Use Good Judgment - Employees must remember that there are always consequences to what they publish. If any employee is about to publish something that makes him or her even the slightest bit uncomfortable, the employee should review the provisions above and think about why that is. If the employee is still unsure, and it is related to District business, the employee should feel free to discuss it with his or her supervisor. Ultimately, however, each employee has the sole responsibility for what he or she posts to any Social Media Site.
- 4.2.11 Confidential Information – Employees must remember that all policies related to non-disclosure of confidential District documents apply to postings to Social Media. Also, be mindful of the possibility of unintentional disclosure of confidential information through Social Media. Confidential information may include District documents, photographs or videos of students or visitors to the District, and related information. Do not post internal District reports, policies, memoranda, procedures, student information, or other similar confidential information not meant for publication to Social Media Sites.

5.0.0 ATTENDANCE AND PAYROLL POLICIES

5.1.0 PAYROLL

- 5.1.1 Accurately recording time worked is the responsibility of every employee. Federal and State laws require the District to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.
- 5.1.2 Employees are currently paid on a semi-monthly basis; the 15th and last day of the month. For non-exempt employees, work performed between the 1st and the 15th will be paid on the last day of the month. Work performed between the 16th and the last day of the month will be paid on the 15th of the following month. If the 15th or the last day of the month falls on a weekend, payroll will be paid on the Friday before the weekend. If the 15th or the last day of the month falls on a holiday, payroll will be paid on the first previous work day.
- 5.1.3 Salaried, exempt employees working a traditional academic year schedule currently may have their pay spread over a 12 month period. Requests to do so must be made before the commencement of the applicable academic year. Authorization forms are available at the Human Resources Office.
- 5.1.4 Employees may have District pay deposited directly into their personal checking or savings accounts if their present bank or credit union is a member of the Direct Deposit System. With direct deposit, paychecks will automatically be deposited into personal checking or savings accounts on payday. Direct deposit alleviates delays or lapses in receipt of paychecks (e.g., vacation or snow days). All employees are encouraged to utilize this service. Those employees who do not authorize payment by direct deposit will be paid by payroll debit card. Changes from one mode of payment to another may be made with 30 days' prior written notice to the Payroll Office. Employees may access their pay information via the internet at a site specified by the Payroll Office.

5.2.0 PAY CLASSIFICATIONS

- 5.2.1 Each employee will be formally classified as one of the following:
 - a. Full-Time (Academic Year) – Regular schedule is to work only during (including immediately before and after, as applicable) a traditional academic year, on a full time basis of 40 hours per week;
 - b. Full-Time (Full Year) – Regular schedule is to work throughout the entire calendar year on a full time basis of 40 hours per week;
 - c. Regular Part-Time (Academic Year) – Regular schedule is to work only during (including immediately before and after, as applicable) a traditional academic year for at least 30 hours per week, but less than 40 hours;

- d. Regular Part-Time (Full Year) - Regular schedule is to work throughout the calendar year for at least 30 hours per week, but less than 40 hours per week;
- e. Part-Time – Regularly schedule is to work less than 30 hours per week;
- f. Temporary/Substitute – Position is project specific with a set time duration/expectation, or to temporarily cover a vacant position or an employee's leave.

5.2.2 The District's Human Resources Office will also formally classify each employee as "exempt" or "non-exempt" in addition to whatever other job classification status the employee may hold (such as full-time, part-time, temporary, etc.).

"Non-exempt" employees are eligible for overtime pay.

"Exempt" employees are not eligible for overtime pay.

Among the employees who are exempt from the federal overtime pay requirements (and whom the District may classify as "exempt") are executive, administrative and professional employees, as well as certain employees in computer-related classifications. To qualify as exempt, most of these employees must meet both the duties and the salary basis criteria contained in the regulations implementing the Federal Fair Labor Standards Act ("the FLSA").

5.2.3 Any change to an employee's formal classification or exempt status requires the prior written approval of the Human Resources Services Specialist.

5.2.4 An employee's classification may impact the employee's eligibility for benefits. Most benefits are only available to full-time employees, and regular part-time on a prorated basis.

5.3.0 ATTENDANCE AND DEPENDABILITY

5.3.1 Good attendance and timeliness are vital to the effectiveness of the District's operations. Whenever someone is absent or tardy the workload must be shifted to others or in some cases left until the worker returns. Frequent absences and tardiness increase the workload burdens and diminish the ability to meet goals.

5.3.2 The District recognizes an occasional unscheduled absence or reporting to work late is unavoidable. In such an event, the employee should inform his or her supervisor or designee of the absence or tardiness before the employee's scheduled starting time and also report the absence via the AESOP system, if applicable. If the supervisor is unavailable, the employee must contact a senior District manager in the employee's chain-of-management. Employees are to call personally. Calls from friends or relatives are not appropriate unless the employee is incapable of using the telephone. Each department may have additional call-in protocols applicable to the department's staff. Failure to make

timely notification will result in lost pay (for non-exempt employees) and may be grounds for disciplinary action.

- 5.3.3 It is the employee's responsibility to report his or her inability to work daily. The only exception to this is when the employee has obtained medical verification from work and notifies his or her supervisor of the date the employee is released to return to work. Each employee must inform his or her supervisor in advance if released with restrictions. Management will determine if restriction accommodations are possible.
- 5.3.4 In the event an employee must leave the workplace as the result of illness, emergency, or other unforeseen problems, the employee must contact his or her supervisor to secure leave approval. In the event that the employee's supervisor is not available, the employee should notify a senior District manager in the employee's chain-of-management. Each employee must explain the reason for leaving and a phone number where the employee can be reached to answer questions that may result from the early departure.
- 5.3.5 In the event the District determines that a pattern or inappropriate use of time off is being taken, the employee may be subject to discipline and/or a loss of pay as determined appropriate by the District. Among the types of instances such action may occur include:
 - a. An absence occurring in conjunction with holidays or other days off;
 - b. Absences on scheduled weekends, Saturday, Sunday, or both;
 - c. Absence the day before and/or the day after a scheduled school vacation period, holiday or day off (holiday pay may be withheld in such cases);
 - d. Calling in sick as sick time is accrued, especially if used one day at a time; and/or
 - e. Coincidence of absence with desirable days off.
- 5.3.6 A non-exempt employee shall not receive pay for unexcused/unapproved absences. Exempt employees may be docked as allowed by applicable law.
- 5.3.7 Unexcused absences and excessive excused absences and tardiness are cause for progressive discipline up to and including discharge.
- 5.3.8 Job abandonment will be considered a voluntary resignation and employment will be terminated.

5.4.0 SCHEDULES AND OVERTIME

- 5.4.1 For the majority of full-time employees, the normal work week consists of 40 hours based on an 8 hour day, 5 days a week. Work schedules for some employees will vary throughout District. Supervisors will advise employees of their individual work schedules and may adjust schedules and shifts as they deem necessary and appropriate for effective operations. Staffing needs and operational demands may necessitate variations in starting and ending times.

Accordingly, the District may establish and may modify each employee's work schedule as it determines operational needs demand.

- 5.4.2 Non-exempt employees working at least 6 hours during a workday are normally provided with an unpaid and duty-free meal break of at least 30 minutes. Meal breaks are to be taken in the employee's regular building assignment unless otherwise authorized by the employee's supervisor.
- 5.4.3 When classes are in session, teachers, school building administrators and other exempt employees assigned to a classroom facility or other student participation program, are to report to work at least 30 minutes before the start of the school day for students at that building or facility. These employees also may be required to attend meetings or programs during, before or after the student school day.
- 5.4.4 Employees may be required to attend after school or evening special events such as fun nights, curriculum nights, interest fairs, and other building/extra-curricular events, as well as PTO and school board meetings, parent-teacher conferences and other meetings.
- 5.4.5 The length of the academic year, including starting and ending dates, breaks and conferences, shall be determined by the District. Notification of the planned schedule will normally be announced by the June 15 preceding the beginning of an academic year. Schedules for staff may vary by position/assignment.
- 5.4.6 Working overtime may be required by the District. Non-exempt employees who work beyond 40 hours in a workweek, shall be paid 1.5 times their regular hourly rates of pay for each hour worked over 40.
- 5.4.7 Overtime is based on *actual hours worked*. Paid and unpaid leave time is not included in calculating overtime.
- 5.4.8 Non-exempt employees who are called in to work on a holiday or a weekend day on which they are not regularly scheduled to work, will be paid at the rate of 1.5 times their regular rates of pay for such hours worked, if they are not otherwise entitled to overtime premiums for such work.
- 5.4.9 Approval for a non-exempt employee to work on holidays or unscheduled weekends must be obtained from the employee's supervisor in advance to be eligible for premium pay.
- 5.4.10 All overtime worked by non-exempt employees must be approved by the applicable supervisors in advance. Management may flex schedules during a workweek to avoid employees from working overtime.
- 5.4.11 Non-exempt employees are not to work prior to their schedule start-times, or after their schedule end-times, if applicable, without the prior permission of their supervisor, and without properly accounting for that work time in the time recording system.

- 5.4.12 Non-exempt employees are also not to perform any work during their meal periods without the prior permission of their supervisor.
- 5.4.13 Non-exempt employees may work remotely (e.g., from home) only with the prior permission of their supervisor.
- 5.4.14 Any time worked by a non-exempt employee prior to a normal start-time or after a normal end-time, during a lunch period, or from a remote location must be accurately recorded.
- 5.4.15 All time must be accurately recorded by all employees. The District's payroll system presumes that full-time non-exempt employees work their full 8 hour workdays. Any deviations from this must be properly and accurately recorded by the employee. Any other procedures applicable for documenting time-off must also be followed.
- 5.4.16 Any time worked beyond the normal 8 hour workday must be reported according to procedures provided by the District. Any regular workdays during which less than 8 hours are worked must also be accurately and properly reported.
- 5.4.17 Non-exempt employee may not work off-the-clock at anytime, for any reason. No supervisor has the authority or right to allow, permit or require any employee to not record all time worked.

5.5.0 OVERTIME PAY COMPLIANCE POLICY

It is the District's policy to comply with the state and federal laws regarding overtime pay eligibility.

- 5.5.1 As required by state and federal law, all "non-exempt" employees shall be paid at the rate of one and one-half times their regular hourly rates of pay for each hour actually worked over 40 in a workweek. Employees eligible for overtime pay must have their supervisors' prior permission to work the extra hours in order for their time and pay to be approved. Rules governing working and recording overtime, and the payment of overtime, are specified above.
- 5.5.2 Pay Requirements for Salaried Exempt Employees
 - a. Under federal law, in order for most executive, administrative or professional employees to be classified as exempt and therefore not eligible for overtime pay, in addition to meeting the legal definition of their executive, administrative or professional designation, they must receive a salary of at least \$455 per workweek on a "salary basis." Employees in certain computer-related occupations may be paid a weekly salary of at least \$455 or an hourly rate of at least \$27.63 per hour. Employees employed as teachers need not be paid on a salary basis or otherwise be paid in accordance with the FLSA's salary rules in order to be regarded as exempt from the FLSA's overtime pay provisions.

- b. As to those executives, administrative and professional employees who must be paid on salary basis in order to be exempt from being paid an overtime premium, they must receive their base weekly salary for any workweek during which work is performed without regard to the number of days or quality of work performed in that workweek. Under the FLSA, though, the District may make deductions from their salaries for the following reasons without impacting their exempt status:
 - 1. For absences from work for one or more full days for personal reasons, other than sickness or disability;
 - 2. For absences from work for one or more full days due to sickness or disability under the District's sick leave or paid time off plan;
 - 3. To offset any amounts received as payment for jury fees, witness fees, or military pay;
 - 4. For disciplinary penalties imposed in good faith for violating safety rules of "major significance";
 - 5. For unpaid disciplinary suspensions of one or more full days imposed in good faith for violations of workplace conduct rules;
 - 6. For a proportionate part of an employee's full salary as earned for time actually worked in the first and last weeks of employment; and
 - 7. When unpaid leave is taken under the Family and Medical Leave Act.
- c. If time off for periods of less than a full day is involved under subparagraphs b1 and b2 above, then partial day deductions may be applied when accrued paid leave is not used because: i) permission for its use has not been sought or has been denied; ii) accrued leave has been exhausted; or iii) the employee chooses to use leave without pay.
- d. Further, and as allowed by federal law, deductions from pay due to absences due to a budget-required furlough will not alter an otherwise exempt employee's exempt status.

5.5.3 Payroll Complaint Procedure

- a. It is the District's intent to comply with its obligations under the FLSA and to pay for all time worked, as summarized above.
- b. The following Complaint Procedure is to be followed with respect to:
 - 1. Any employee who believes that he or she has not been properly and fully paid for all time worked;
 - 2. Any exempt employee who believes that any improper deductions to his or her salary have been made;

3. Any employee who believes that these payroll related policies relating to paid and unpaid time off, pay for time worked, or pay for overtime have otherwise not been followed.
 - c. Any employee with any concern regarding pay as described above must notify the Human Resources Specialist of the concern as soon as possible, but absent extraordinary circumstances, not later than the end of the pay period following the pay period during which the concern first arose. The notice should be in writing (or e-mail) and include a statement of the nature of the error, the period involved, and the amount (if any) at issue. The employee should receive a response from the Human Resources Specialist (or designee) within 10 business days. If no response is provided during this period, or if the employee is not satisfied with the Human Resources Specialist's response, then the employee should notify the Executive Administrator of the Business Office, in writing, of the original notification and that a response has not yet been received or that it was not satisfactory.
 - d. Complaints will be promptly investigated, and any errors discovered through this Complaint Procedure will be promptly corrected, including reimbursing the complaining employees for any improper deductions made, any paying for any unpaid time or overtime, as required by the law. The District will also take steps to avoid such errors from being made in the future.
 - e. No retaliation will occur against employees who in good faith raise concerns under this policy.

6.0.0 DAYS OFF AND LEAVES OF ABSENCE

6.1.0 PAID LEAVE

Paid leaves are absences from work during which eligible employees are paid. A statement of accrued vacation and sick leave can be found on the website the employer maintains for employees to access their employment-related information. Any employee who is discharged may forfeit all accrued leave days for which they would otherwise be paid.

6.1.1 Holidays

The District currently observes the following holidays:

Independence Day	Five Days at Winter Break
Labor Day	Martin Luther King Day
Thanksgiving Day	Memorial Day
Day after Thanksgiving Day	

Whenever a holiday falls on Saturday and Sunday, it will be observed on the preceding Friday or the following Monday. The District will publish its holiday schedule each year.

Sick or other leave taken the day prior or after a holiday may require medical documentation. If a non-exempt employee's scheduled workday before or after a holiday is not worked by the employee for any reason other than paid sick leave, the employee shall not be paid for the holiday.

Non-exempt full-time and regular part-time non-exempt employees are currently eligible to be paid for the above holidays provided they are otherwise normally scheduled to work on the day on which the holiday is observed.

6.1.2 Vacations

- a. Only Full Year employees are eligible for paid vacation time, and all vacation time is subject to this policy. Unless otherwise provided by an employee's employment contract, an eligible Full Year employee's entitlement to earn vacation is based on the most recent employment anniversary date, per the following schedule. Employees that leave the District and return to the district at a future date will be treated as new employees for the purposes of vacation leave. For the purpose of this provision, employees who worked for either the Ypsilanti Public Schools or the Willow Run Community Schools as of June 15, 2013, but hired by the Ypsilanti Community Schools prior to September 1, 2013, shall use their most recent hire date by that employer as a full-time employee. Academic Year employees and other employees who are not classified as Full Year employees are not eligible for paid vacation.
- b. Full-time (Full Year) employees are eligible for paid vacation time as follows:

1. Date of Hire until the end of the 4th Year of Continuous Service: After one month of service, and upon completion of each additional month of service through the end of the 4th year of service, vacation may be earned at 6.67 hours per month of service for a total of 80 hours per full year of service.
 2. Beginning the 5th Year of Continuous Service through end of the 9th Year of Continuous Service: After 4 years of service, an employee is eligible to earn 10 hours or paid vacation time per month of service for a total of 120 hours per full year of service.
 3. After 9 Full Years of Continuous Service: After 9 full years of continuous service, an employee is eligible to earn 13.33 hours of paid vacation time per month of service for a total of 160 hours per full year of service.
- c. Regular Part-Time (Full Year) Employees are eligible for and accrue paid vacation time on a pro-rata basis as compared to full-time (Full Year) employees, based on the percentage of hours their regular weekly schedule is of 40 hours, and their maximum accruals and carryovers shall be similarly prorated.
- d. Full Year employees with dates of service beginning on or after July 1, 2013, currently accrue vacation benefits during the orientation and training period. However, during this period, this benefit time is not available for use until the orientation period is completed. At the successful completion of this period, vacation accrual is retroactive to the date of hire.
- e. For vacation accrual purposes, the Superintendent may credit employees filling exempt positions with part of or all years of experience those employees may have had with other employers or the District.
- f. Vacation time for eligible Full Year employees is earned at the end of each full month of service. It is not earned during any month during which an unpaid leave of absence is taken, or during a paid leave that exceeds a maximum of 30 calendar days. Upon return to active status, regular accrual of vacation resumes.
- g. Scheduling and Maximum Accruals
1. Selection of vacation dates must be scheduled and approved by the Full Year employee's supervisor before becoming effective. When the vacation time approved would subsequently interfere with the District's operations, such approval may be rescinded and the vacation time rescheduled.
 2. A maximum of 80 hours or 10 days of vacation eligibility may be carried over and taken in the following year. Vacation hours in excess of the maximum of 80 hours, if not used during the year, will no longer be available for use in the following year.

3. Vacation may not be used to extend time away from work following the 12 weeks allowed for FMLA leave. Vacation leave must be used during FMLA and other illness-related leaves, after sick leave has been exhausted, pursuant to the applicable leave policies.
 4. Vacation days are to be taken in increments of at least 2 hours.
- h. If a holiday for which the Full Year employee is otherwise eligible is observed during the vacation leave of an employee, the holiday is not charged as a vacation day. If a serious illness occurs during the vacation leave, the time may be charged to sick leave. In these instances, proper medical documentation may be required.
 - i. Unused earned vacation is paid to Full Year employees upon separation, provided they have completed at least 12 months of continuous service, have provided at least 4 weeks of prior notice of their voluntary separation or permanent layoff, and have otherwise followed established policies pertaining to leaving employment. Any employee who is discharged shall forfeit all accrued leave days for which they would otherwise be paid. Pay will be computed based on the rate earned at the time of separation.

6.1.3 Paid Sick Leave Time

a. Accruals

1. Full-time (Full Year) employees currently earn sick leave with pay at the rate of 6.67 hours per month of active employment, to be earned at the end of the first full calendar month of employment for each full month of active employment thereafter (up to 80 hours per year). Active employment for purposes of accruing sick leave under this provision is defined as a completed calendar month during which no regular days of work are taken without pay. Also for the purposes of this Paid Sick Leave Day policy, a full day shall be regarded as the employee's regularly scheduled workday.
2. Full-time (Academic Year) employees, currently earn 32 hours of sick leave per regular academic semester (fall or winter), as of the beginning of each academic semester. When employment begins after the beginning of an academic semester, sick leave accrual shall be prorated for that semester. In the event of separation for any reason during a regular Academic Year, however, any prorated portion of such accrual used but not earned shall be due to the District as an overpayment, and shall be deducted from the employee's last pay, if possible.
3. Sick time may accrue to a maximum of 240 hours based on the employee's regular daily schedule. For the purpose of this provision, employees who worked for either the Ypsilanti Public Schools or the Willow Run Community Schools as of June 15, 2013, but hired by the Ypsilanti Community Schools prior to September 1, 2013, shall be allowed to accrue to a maximum of 320 hours based on the employee's regular daily schedule. Any days used by an employee from the

employee's bank of the prior fiscal year's accumulation shall be paid at 70% of the employee's regular base daily rate of pay.

4. Regular part-time employees shall earn sick leave days on a pro-rata basis as compared with their full time counterparts. The maximum hours the employee will be allowed to accumulate will also be prorated.
 5. Unused sick time shall have no cash value upon termination of employment.
- b. Use of Sick Paid Leave - Sick leave shall not be used for the purpose of making extra time available, rather, it shall only be used to protect employees against sudden loss in pay due to the following:
1. Acute personal illness or incapacity, including childbirth;
 2. Illness of an immediate family member (i.e., the employee's spouse, domestic partner, parent, or dependent child or other legal dependent) for which care by the employee is required;
 3. Absence from work due to exposure to contagious disease which, according to public health standards, would constitute danger to the health of others by the employee's attendance at work; and
 4. Medical and dental appointments which cannot be scheduled during non-work hours or during regular school breaks.
 5. Sick leave shall be taken in half-day increments.
 6. Sick leave taken the day prior or after a holiday may require medical documentation.
 7. Frequent intermittent illnesses and/or absences will be brought to the attention of Human Resources. Human Resources will review with the supervisor and/or employee eligibility under the Family and Medical Leave Act (FMLA). Certification from a physician may be required confirming the illness in order for sick leave to be used. Accrued vacation must be used after accrued sick leave benefits are exhausted.
 8. Abuse of sick leave or excessive absenteeism may subject the employee to discipline, up to and including discharge, as determined appropriate by the District.

6.1.4 Paid Personal Business Leave Days

Eligible full-time and regular part-time academic year employees are eligible for up to one paid day in each academic year for personal business. Eligible full-time and regular part-time Full Year employees are eligible for up to 2 days in each fiscal year for personal business. Time earned will be prorated for partial years of service. This leave may be taken at any time of the year with supervisory approval, provided that the requested time does not interfere with the

regular operations of the District. This leave is not cumulative and there is no cash value for unused days. Unused days, however, will be added to the employee's sick leave accrual, subject to the maximum sick leave hours accrual allowed. An employee becomes eligible for personal business leave after six months of employment. Time taken under this policy shall be limited to when the personal business (e.g., legal appointments) cannot be scheduled for times not interfering with the work schedule. Further in this regard, best efforts are always to be made to schedule time off under this policy in a manner not interfering with the employee's academic or instructional duties. For the purposes of this Paid Personal Leave Days policy, a full day shall be regarded as the employee's regularly scheduled workday.

6.1.5 Paid Bereavement Leave Days

Full-time and regular part-time employees may be granted bereavement leave necessary for attending the funeral and dealing with the deceased's affairs when a death occurs in the employee's immediate family. Immediate family is defined as parent, child, spouse, domestic partner, grandparent, sibling, step-sibling, brother/sister-in-law, mother/father-in-law, or step-parent. Up to three days will be granted if needed for this purpose. Bereavement leave without pay may be extended beyond the 3 day allotment with the approval of the Human Resources Specialist (or designee). For the purposes of this Paid Bereavement Leave Days policy, a full day shall be regarded as the employee's regularly scheduled workday

6.1.6 Jury Duty

Full-time and regular part-time employees called to serve on a jury at a court of record will be granted paid leave of up to 10 of their regularly scheduled workdays for this purpose. Paid time off in excess of 10 days will be considered on a case-by-case basis and must be approved by the Human Resources Specialist. Any per diem compensation received for jury service by the employee on paid jury duty leave will be turned over to the District or, at the District's discretion, setoff against the employee's pay. The employee must keep his/her supervisor informed as to the dates of jury duty, and the supervisor will in turn inform the Human Resources Office so that proper accountability is provided.

6.1.7. Military Duty

Full-time and regular part-time employees who must serve two weeks per year with the National Guard or Army Reserve will be granted leave from work with pay for this purpose. Any per diem compensation received by the employee will be turned over to the District or, at the District's discretion, setoff against the employee's pay.

6.2.0 UNPAID LEAVES OF ABSENCE

6.2.1 General Unpaid Leave Policy

All employees may be granted unpaid leaves. Requests for unpaid leave must be made in advance, in writing, to the Human Resources Office and include a statement of the reason for the request. The granting of such requests for unpaid leave is at the District's discretion, and such factors as the employee's record and the impact such a leave will have on operations, will be considered.

- a. Unpaid leaves will normally be for a fixed duration of no more than 30 calendar days, with exceptions due to recovery from illness or disability or other extenuating circumstances considered. Leaves may be extended if requested before their expirations, but for no longer than for a total of 90 calendar days, and not in addition to FMLA leave. The employee will normally be returned to his or her former position upon the conclusion of the leave, if it is available. Failure to return to work as scheduled by the expiration of the leave will be deemed to be voluntary termination of employment.
- b. Subject to the terms, conditions, and limitations of applicable health plans, District sponsored health insurance benefits will continue for the duration of the leave. Employees on unpaid leave, greater than 5 days, are responsible for a prorated monthly premium, based on the amount of unpaid leave, toward health insurance and must forward that contribution to the District on a monthly basis. Vacation and sick benefits, as may be applicable, will not continue to accrue during an unpaid leave of absence. Earning resumes upon return to active status.
- c. Employees may not engage in any other employment during any leave of absence unless approved by the District in advance. Violation of this requirement may result in termination.
- d. If an employee fails to report to work promptly at the end of the approved leave, the employee may be subject to corrective action up to and including termination of employment.

6.2.2 Family and Medical Leaves of Absence

The District provides employees who are eligible for leaves under the federal Family and Medical Leave Act in accordance with the requirements of the FMLA. This policy summarizes those rights. This summary is provided to provide guidance to employees as to their statutory rights and the procedures they need to follow to exercise their rights. This summary is not to be construed as providing employees rights greater than what is required by the FMLA.

- a. In accordance with the FMLA, the District provides family or medical leaves of absence up to 12 weeks without pay to eligible employees who wish to take time off from work duties to fulfill obligations relating directly to: the birth and care of a newborn, newly adopted child, or child newly placed in foster care; or due to the serious health condition of a child, spouse, parent, or the employee.
- b. In addition, up to 12 weeks of unpaid leave is also available to eligible employees required because of an exigency (as defined under federal law) arising out of the fact that the spouse, child or parent of the employee is on

active duty, or has been called to active duty, in the Regular Armed Forces and the National Guard or Reserves in support of a contingency operation in a foreign country.

- c. Further, an eligible employee who is a spouse, child, parent or next of kin of a member of the U.S. Armed Forces (including the National Guard or Reserves) or recent veteran (i.e. 5 years since discharge or release from the military) who is undergoing medical treatment, recuperation or therapy, is otherwise on outpatient status, or is otherwise on temporary disability retired status, for a serious illness or injury incurred or aggravated in the line of active duty in the Armed Forces, may take up to a total of 26 weeks of FMLA leave (inclusive of all FMLA leaves) during a 12 month period.
- d. All employees are eligible to be granted family or medical leave as described in this policy provided they have been employed by the District (as well as the Ypsilanti Public Schools or Willow Run Community Schools, as may be applicable) for a minimum of 12 months and have worked at least 1250 hours during the same period.
- e. As soon as an eligible employee becomes aware of the present or potential need for a family or medical leave of absence, a written request for leave should be submitted to the Human Resources Office, no later than 30 days prior to taking leave. This minimum 30-day notice is required, unless it is an emergency situation, in which case as much notice as practicable is to be given, which normally means the same business day the employee learns of the need for the leave or the next day. A request for a leave for the birth or placement of a child must be within the 12 months prior to that birth or placement.
- f. Eligibility for FMLA is renewed every 12 months and will be calculated from the date that the employee begins the first day of FMLA leave. FMLA can be requested by an eligible employee or designated by the District, as appropriate.
- g. Employees requesting leave related to illness may be required to provide an appropriate physician's statement verifying the serious health condition and basis for the leave request, its beginning and its expected ending date, and in the case of intermittent leave, an estimation of the treatment schedule and/or the medical necessity to be absent from work due to episodic flare-ups . Forms for this purpose are available from the Human Resources Office. The District may require recertifications periodically, and in the case of an employee's serious health condition, the District may require second and third medical opinions. Eligible employees may request the maximum of 12 weeks, or 26 weeks for the care of a covered uniformed servicemember, within any applicable 12-month period. Employees must take available accrued paid vacation and sick leave benefits as part of the approved period of leave and as allowed by the FMLA. Any use of vacation that will extend this leave beyond the maximum 12-week period is subject to the policy with respect to use of vacation leave.

- h. Subject to the terms, conditions, and limitations of applicable health plans, District sponsored health insurance benefits will continue for the duration of the FMLA leave. Affected employees are responsible for their normal contribution toward health insurance premiums and must forward that contribution to the District on a monthly basis. Vacation and sick benefits will continue to accrue only during the portion of the leave period for which the employee is on paid leave. Earning resumes upon return to active status.
- i. FMLA permits eligible employees to take leave "intermittently or on a reduced leave schedule" under certain conditions. An eligible employee may take an intermittent leave to care for a qualifying exigency, to care for an injured servicemember, to care for an immediate family member with a serious health condition or because of that employee's own serious health condition. Intermittent leave may be taken for the birth of a child (and to care for such child) and for the placement of a child for adoption or foster care only if the District and employee agree to such a schedule.

Leave taken for a period that ends with the school year and begins the next semester is leave taken consecutively rather than intermittently. The period during summer vacation when the employee would not have been required to report for duty is not counted against the employee's FMLA leave entitlement.

Employees must make a reasonable effort to schedule their intermittent leave that is foreseeable based on their own or a family member's planned medical treatments so as not to unduly disrupt the District's operations. If an eligible instructional employee (i.e., teachers, coaches, certain special education assistants) needs intermittent leave or leave on a reduced schedule, for their or a family member's planned medical treatments, and the employee would be on leave for more than 20% of the total number of working days over the period the leave would extend, the District may transfer that employee temporarily to an alternative position which has equivalent pay and benefits and which better accommodates the employee's period of recurrent leave.

An instructional employee who begins leave more than five weeks before the end of a term may be required to continue leave until the end of the term if the employee's leave will last at least three weeks and the employee would return to work during the three-week period before the end of the term. An instructional employee who begins leave during the five-week period before the end of a term because of the birth of a child, the placement of child for adoption or foster care, to care for a spouse or child with a serious health condition or to care for a covered servicemember, may be required to continue leave until the end of the term if the employee's leave will last more than two weeks and the employee would return to work during the two-week period before the end of the term. An instructional employee who begins leave during the three-week period before the end of a term because of the birth of a child, the placement of child for adoption or foster care, to care for a spouse or child with a serious health condition or to care for a covered servicemember, may be required to continue leave until the end of the term if the employee's leave will last more than five days. If the employee is required to continue leave until the end of the term, the employee will only be charged with FMLA leave until the employee is ready and able to return to

work. Any additional leave is not counted as FMLA leave, but the District will continue to maintain the employee's group health benefits and restore the employee to the same or equivalent job at the conclusion of the leave.

- j. When the leave period ends, the District will make every reasonable effort to return the employee to the same position if it is available. Exceptions to this right may apply to "key employees," as defined by the FMLA. If the position is no longer available, a position of equivalent compensation will be offered in accordance with, and to the extent required by the FMLA. Compensation and benefits will be reinstated at the same level afforded to the employee prior to taking leave as defined by FMLA and this policy, as required by the FMLA.
- k. Any cost of health insurance paid for the employee by the District during the period of family or medical leave will be reimbursed to the District by those employees who are able to, but who do not return to work, as allowed by the FMLA.

6.2.3 Military Leaves of Absence

- a. Employees will be granted leaves for military duty as required by applicable law.
- b. Under the Uniformed Services Employment and Reemployment Rights Act (which is known as "USERRA") as now in effect, employees who serve in the military have the right to be reemployed in his or her job with the District if the employee leaves that job to perform service in the uniformed service and: 1) the employee provides the District advance written or verbal notice of that service; 2) the employee has five years or less of cumulative service in the uniformed service while employed or on leave from the District; 3) the employee returns to work or applies for reemployment in a timely manner after conclusion of service; and 4) the employee has not been separated from service with a disqualifying discharge or under other than honorable conditions. If the employee is eligible to be reemployed, the employee will be restored to the job and benefits he or she would have had attained if the employee had not been absent due to military service or, in some cases, a comparable job. The employee will also have the right to be free from discrimination or retaliation with respect to uniformed service, if the employee: 1) is a past or present member of the uniformed service; 2) has applied for membership in the uniformed service; or 3) is obligated to serve in the uniformed service. Individuals in these categories cannot be denied initial employment, reemployment, continued employment, promotion, or any benefit of employment due to their protected status. In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA.
- c. Further, under USERRA, an employee who leaves his or her job to perform military service has the right to elect to continue his or her any employer-based health plan coverage which the employee may be receiving for the employee and the employee's dependents for up to 24 months while in the military – subject to the general COBRA rules. Even if the employee doesn't

elect to continue coverage during his or her military service, the employee has the right to be reinstated (if applicable) in the District's health plan when the employee is reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions), except for service-connected illnesses or injuries. The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations. There are also other remedies available to covered employees under the law.

6.2.4 Educational/Sabbatical Leave

The District provides educational leaves of absence without pay or benefits to full time faculty and administrative employees who wish to take time off from work duties to pursue course work that is applicable to their job duties with the District. Eligible employees may apply for such leaves by submitting an application to the Human Resources Office. The leave may be granted at the District's discretion. When an educational leave ends, a reasonable effort will be made to return the employee to the same position or to a similar available position for which the employee is qualified.

7.0.0 OTHER FRINGE BENEFITS

7.1.0 INSURED AND MANDATED BENEFIT PROGRAMS

7.1.1 The District currently sponsors a comprehensive group insurance program for benefits to eligible employees. No employee working less than an average of 30 hours per week during the Employer's established measurement period, as defined by the Patient Protection and Affordable Care Act, will be eligible for non-mandated benefits. Employees with specific questions regarding coverage and benefits should refer to the applicable summary plan description or plan document available through the Human Resources Office. Most insured benefits are only available to full-time employees. Temporary/substitute employees are not eligible to participate in any insured program, even at their own expense. Currently, among the programs eligible employees may participate in are: group health insurance; group dental insurance; group vision insurance; long-term disability insurance; and group term life insurance. The District also provides unemployment and workers' compensation coverage as required by law, as well as participation in the Michigan Public School Employees Retirement System and federal Social Security system.

- a. New employees, other than those who worked for either the Ypsilanti Public Schools or the Willow Run Community Schools as of June 15, 2013, and were hired by the Ypsilanti Community Schools prior to September 1, 2013, shall be first eligible to participate in the District's sponsored health plan as of the first day of the month following 32 days of employment. Other rules for eligibility may exist under the rules of each of plan.
- b. Coverage under any plan shall cease upon an employee's failure to pay his or her share of the applicable premium(s), upon the end of the month of the employee's last day of employment or when the employee no longer qualifies for the plan participation, or as otherwise required by the applicable plan. The employee may, however, have the right to continue his or her participation in certain plans under the continuation rules of COBRA, at the employee's sole expense.
- c. Except as provided below, the District's annualized contribution to employee insurance coverages shall not exceed, per employee for all coverages, the annualized insurance premium maximum contributions as adopted by the Board from time-to-time. District and employee monthly and per pay contributions will be calculated at least once annually and the employee contribution amounts will be communicated to employees. Those annualized maximums are currently:

Single Coverage	\$ 5,000
Two Person Coverage	\$11,000
Full Family Coverage	\$13,000

- d. As allowed by Public Act 152 of 2011, the District may instead opt to pay up to 80% of the health insurance premiums applicable to each employee's coverage.
 - e. Subject to the above, the District will establish the annual dollar maximums it will contribute toward all District-sponsored insurance plans (including health, dental, vision, disability and other insured plans) to which it will contribute towards the insurance premiums of eligible employees.
- 7.1.2 As a condition for participating in any plan, Employees shall have their share of premiums paid via payroll deduction, whenever possible.
- 7.1.3 Notwithstanding any provision of this Manual or any other statement by the District, all issues regarding eligibility and benefit entitlement are subject to the rules and regulations of the plans, underwriters and/or carriers.
- 7.1.4 As to insured programs, the District is only obligated to pay its share of premiums and not provide any coverage or benefits on its own. To the fullest extent allowed by applicable law, the District reserves the right to modify the benefits it provides (whether insured or otherwise provided), including adding or discontinuing any benefits, at any time, at its discretion. The selection of carriers and/or plan administrators shall rest solely with District.
- 7.1.5 The District also currently sponsors flexible spending plans through which may use pre-tax dollars to pay for health insurance premiums, medical expenses and childcare expense as allowed under federal law. Details regarding these plans may be obtained from the Human Resources Office.

7.2.0 WORKERS' COMPENSATION

The District provides coverage for employees with work-incurred injuries or illnesses through the State's worker's compensation program to help pay for the employee's medical treatment and for part of the income lost while recovering. Specific benefits are prescribed by law depending on the circumstances in each case. To be assured of maximum coverage, all work-related accidents must be reported immediately to supervisors and the Human Resources Office so the District can file a timely claim. The District does require that employees report all accidents, no matter how minor, to their supervisor.

7.3.0 UNEMPLOYMENT BENEFITS

Through the State of Michigan, the District pays weekly benefits to employees who become unemployed through no fault of their own or circumstances as required by State law.

7.4.0 OTHER BENEFITS

The District reserves the right to create, add to, modify or terminate any benefit program as it deems to be appropriate.

8.0.0 GRIEVANCE PROCEDURE

8.1.0 PURPOSE AND DEFINITIONS

For purposes of this Manual, a grievance shall mean a claimed violation, misinterpretation or misapplication of any provision of this Manual or the challenge of any disciplinary action taken against an employee who has successfully completed his or her orientation or probationary period, whichever is longer. The term "days" as used in this procedure shall not include Saturday, Sunday and holidays (as observed by the District). Vacations during the District's academic year (i.e., not the break between academic years) are considered "holidays" for purposes of this provision.

8.2.0 TIME LIMITS

The number of days provided for in the presentation and processing of grievances in each step of the grievance procedure shall establish the maximum time allowed for the presentation and processing of a grievance. The time limits specified, however, may be extended by written mutual agreement. The failure of a grieving employee to proceed to the next step of the grievance procedure within the time limits specified shall be deemed an acceptance of the decision previously rendered and shall constitute a waiver of any future appeal concerning the grievance. The failure of the District to answer a grievance within the time limits specified shall permit the grieving employee to proceed to the next step of the grievance procedure. No grievance may be filed or processed based upon facts or events which have occurred more than 10 days before the grievance is reduced to writing.

8.3.0 PROCEDURE

All grievances shall be presented and processed in accordance with the following procedure:

- 8.3.1 Step One -- Any employee having a complaint, or an employee designated by a group of employees having a complaint, may discuss the complaint with the employee's supervisor.
- 8.3.2 Step Two -- If the grievance is not resolved at Step One, the grievance shall be reduced to writing and presented to the employee's supervisor within 10 days from the date the event giving rise to the grievance occurs. The written grievance shall be signed by the grieving employee and shall set forth the nature of the grievance and the adjustment sought if known. The employee and the supervisor (or designee) shall meet to discuss the grievance. The supervisor shall give a written decision to the employee within 10 days after receipt of the grievance.
- 8.3.3 Step Three -- If the grievance is not resolved at Step Two, the grieving employee must refer the grievance to the Human Resources Specialist within 10 days after the completion of Step Two. The Human Resources Specialist (or designee) may meet with the grievant to discuss the grievance. The Human Resources Specialist shall give a written decision grievant within 15 days after receipt grievance.

8.3.4 Step Four -- If the grievance is not resolved at Step Two, the grieving employee must refer the grievance to the Superintendent within 10 days after the completion of Step Three. The Superintendent (or designee) may meet with the grievant to discuss the grievance. The Superintendent shall give a written decision to the grievant within 15 days after receipt grievance. The Superintendent's decision shall be final and binding unless the matter is subject to and appealed to arbitration pursuant to a written arbitration agreement between the employee and the District.

ACKNOWLEDGEMENT AND WAIVER

I acknowledge receipt of the Ypsilanti Community Schools' Employee Policy Manual. This Manual describes important information about the District and my employment, and I understand that I should consult with the Human Resources Office regarding any questions not answered.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to this Manual may occur. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the Superintendent of the Ypsilanti Community Schools has the ability to revise this Manual, and then only as authorized by the Board of Education.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. My signature below indicates that I have received the handbook, and that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it. By signing below, I also agree that the terms of this Manual supersede any previously issued statement or description relating to its subject matter, whether written or verbal.

By signing below, I further agree not to commence any action which in any way relates to my employment and/or termination of employment by the District, including any arbitration, administrative claim or lawsuit, against the District, including its Board of Education, its Board members, and its employees and agents, more than 180 days after the date of the event giving rise to the action, and I waive any statutes of limitations to the contrary which provides a longer period for bringing such an action. Further, to the extent any such claim is a lawsuit, I also waive any right I may have to a jury trial of that matter, as well as my right to participate in any class or collective action against the District, its Board of Education, employees and agents.

By signing below, I further agree that the District may withhold from my pay any amount due to the District for unpaid employee contributions towards fringe benefits. The District may also withhold from my pay an amount equal to the replacement cost of District equipment in my possession that I do not return to the District upon request by the district. Further, the District may also withhold from my pay the cost of rekeying of District locks if I do not return keys issued to me by the District.

Signature

Print Name

Date