

Wythe County Public Schools



Employee Handbook

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MESSAGE FROM THE SUPERINTENDENT

WCPS Employees,

Welcome to another exciting school year!

As a lifelong resident of Wythe County, I am exceedingly proud of our school division and the many amazing accomplishments that have been achieved through the hard work and dedication of our faculty, staff, students, and community. WCPS continues to grow and excel as a school division through your hard work and willingness to do what needs to be done in order to succeed. The mission of Wythe County Public Schools, in partnership with our community, is to ensure students are empowered with the knowledge and skills necessary to meet the challenges of the future. Together, as a team, we will continue to reach these goals. On behalf of the Wythe County School Board, thank you for your support of WCPS.

The purpose of this handbook is to provide you with information needed for another successful school year. It contains the answers to many commonly asked questions by teachers and staff. Please note that not all division policies and procedures are included in this document. A WCPS policy manual is available for all to review on our school division's website.

This handbook is not intended to be a substitute for the policy manual. This is only a guide that contains brief explanations of policies and procedures related to your duties as a Wythe County Public School employee. Our school board will occasionally make changes to our policy manual. Changes in the policy manual will supersede any provisions in this handbook that are not compatible.

Please read this handbook and address any questions you have with your building principal. If I can be of assistance to you, please do not hesitate to contact me.

Have a great year!

G. Wesley Poole, Ed.D.
Division Superintendent

INTRODUCTION

Although this Employee Handbook will answer many questions about employment-related matters, benefits and compensation, the contents in this handbook are not intended to create or imply a contract or contractual rights with any employee or employee group. It is important to note that the handbook is both selective and general in its coverage of Wythe County Public Schools' policies and procedures. As a result, this handbook is not a full and complete official statement of the Wythe County Public Schools Policy Manual. Consequently, employees are expected to review the published policies of the Wythe County Public Schools Board of Education and to comply with them. Copies of the Wythe County Public Schools Policy Manual are accessible to employees on-line, in each school and the central office. Additional materials, including individual school procedures are available from principals or supervisors.

Changes in policy, regulation and procedure occur frequently. Please note, when changes in policy, regulation and/or procedure occur, this handbook will be amended. Since the handbook is easily accessible, periodically reviewing the handbook is recommended.

Please read this handbook carefully. Although this handbook summarizes many detailed provisions about employment, benefits, and other related matters, the official policies, regulations and procedures will always govern when questions arise. The policy letters are in parentheses after headings for ease of reference. If there are points that are not clear to you, or if problems arise, please consult with your immediate supervisor.

By September 1st of each school year, please complete the two documents found in Appendix F and return to your immediate supervisor.

COMMUNICATION

Equal Employment/Non-Discrimination Policy (GB) /Equal Education Opportunity/Non-Discrimination Policy (JB)

The Wythe County School Board is an equal opportunity employer, committed to nondiscrimination in recruitment, selection, hiring, pay, promotion, retention and other personnel actions affecting employees or candidates for employment. Therefore, discrimination in employment against any person on the basis of race, color, creed, religion, national origin, ancestry, political affiliation, sex, sexual orientation, gender, gender identity, age, pregnancy, childbirth or related medical conditions, marital status, military status, genetic information or disability is prohibited. Personnel decisions are based on merit and the ability to perform the essential functions of the job, with or without reasonable accommodation. All personnel are directed to familiarize themselves with this policy and to act in accordance. The policy and Complaint of Discrimination Form is located in Appendix B of the handbook.

Equal educational opportunities are available for all students, without regard to sex, sexual orientation, race, creed, color, national origin, gender, gender identity, ethnicity, religion, disability, ancestry, marital or parental status or any other unlawful basis. Educational programs are designed to meet the varying needs of all students.

Professional Staff Meeting

The Superintendent schedules regular meetings for the central office staff and principals. The principals schedule regular meetings for their faculties and staff.

Evaluation (GCG) (GCN) (GDN)

The Wythe County School Board requires that all full-time and part-time employees be regularly evaluated in accordance with policies approved by the School Board. The deadline for school board members to notify teachers, principals, assistant principals, or supervisors under continuing contract of their reassignment is June 15. Teachers and administrators will be evaluated every year, informally or formally, to include student academic progress in an overall summative rating. Before a teacher is issued a continuing contract, a probationary term of service of at least three years is required.

Staff Communication (GBD) (BG)

The Wythe County School Board desires open channels of communication with all employees. Employees are encouraged to communicate their ideas and concerns in a constructive and orderly manner to the school division administrative staff, Superintendent of Schools and School Board. The Superintendent and the School Board are accessible to all employees.

Any questions, problems, complaints, or suggestions that may arise as a result of your job, should first be discussed with your immediate supervisor who will attempt to give you an answer within a reasonable time. If this response is not to your satisfaction, you may make the complaint in writing to the next supervisor pursuant to the Wythe County Public Schools' Organizational Chart. The Organizational Chart is located in Appendix C of the handbook.

Complaints and Grievances (GBM) (GBMA)

The School Board adopts the Support Staff Grievances in accordance with Virginia law for disputes concerning the application, interpretation, or violation of any of the provisions of local school board policies, rules, and regulations as they affect the work of teachers, other than dismissals or probations. A full copy of the Grievance Procedure may be obtained from the Procedure Manual. To obtain Employee Grievance forms, please contact the Director of Human Resources.

Personnel Records (GBL) (GCBA)

The school system maintains personnel information that are vital to you as an employee. Access to personnel information is granted by appointment with the Director of Human Resources. Personnel files will not be released, communicated, or distributed unless required by federal and/or state law, or court ordered. If information in your records is not correct, it is your responsibility to notify the Human Resource Office immediately. Personnel information will be maintained in accordance with the Library of Virginia Schedule and Series Numbers.

Annually, the School Board adopts a county-wide salary schedule for all categories of employees. All employees are placed on the appropriate schedule according to educational level, experience, and responsibilities of their position.

Job Description

A copy of any job description may be obtained by contacting the Office of Human Resources.

COMMUNITY RELATIONS

Wythe County Public Schools desires to establish and maintain mutually beneficial relationships through interactions between the school division and the community leaders, groups and agencies located in the Southwest Virginia region. Employees of the Wythe County School Board have a responsibility to act consistently with the school division's philosophy and mission. No person may speak on behalf of the school division other than the Superintendent of Schools or Superintendent's designee, and no person may speak on behalf of a school other than the principal or principal's designee.

Political Activities – Staff Participation (GBG)

School time and school property should not be used for partisan political purposes.

Third Party Complaints Against Employees (GBLA)

Any parent or legal guardian of a student who is enrolled in the Wythe County Public Schools or any resident of Wythe County may file a complaint regarding an employee of the Wythe County School Board.

Staff Gifts and Solicitations (GBI)

Exchange of gifts between students and staff is discouraged.

No school division employee shall solicit goods or services for personal use or for student use during school hours on school property without written authorization from the superintendent.

BENEFITS

Payroll Deductions (DLB)

It is the policy of the School Board to deduct Federal and State taxes and the employee's part of social security. The employee may elect payroll deductions, e.g., Education Association dues, Flexible Spending Accounts, Tax Sheltered Annuities, etc.

A Tax-Sheltered Annuity (TSA) provides you with the opportunity to save for retirement on a tax-advantage basis. The TSA is a type of qualified plan commonly referred to as a 403(b) plan. The Plan is available to all eligible employees without exception. As a participant under

the Plan, you may elect to reduce your compensation by a specific amount and have that amount contributed to the TSA as a salary deferral.

Contact the Payroll Department for a list of other types of insurances and Tax-Sheltered Annuity vendors that can be processed as a voluntary payroll deduction.

Insurance

The School Board participates in applicable programs of the Virginia Retirement System. Health insurance is a benefit in which eligible Wythe County Public School employees may participate. There are several health insurance choices; the school board pays the majority of the premium for the single employee coverage plan. The cost to the employee is determined by the coverage selected by the employee. Additional Optional Life Insurance may be purchased through a voluntary payroll deduction.

Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA)

Continued group health insurance is offered to full-time employees and/or dependents at their full expense for limited periods:

- 18 months – termination of employment (except for gross misconduct).
- 36 months – death of employee. Spouse or dependents must notify the school division within sixty days of employee's death if they desire to continue to enroll in the group health insurance plan.

The full cost to continue the group health insurance benefit must be paid by the employee, spouse or dependents.

Retirement (GBO)

All eligible employees are required to be members of the Virginia Retirement System (VRS). Currently, there are three VRS plans. A Plan 1 member was hired or rehired before July 1, 2010, has at least five years of service credit as of January 1, 2013 and has not taken a refund. A Plan 2 member was hired or rehired before July 1, 2010, and does not have at least five years of service credit as of January 1, 2013, or was hired or rehired from July 1, 2010, to December 31, 2013 and has not taken a refund. A Hybrid retirement Plan member was hired on or after January 1, 2014.

After determining under which Plan you are covered, specific VRS plan information can be found at varetire.org.

403(b) Retirement Pay Plan (Unused Sick Leave Days & Unused Vacation Leave Days)

Payment to retiring employees for unused sick leave days and for unused vacation leave days (twelve (12) month employees) will be in the form of a Group Fixed Annuity 403(b) Special Pay Plan if over \$1000. The 403(b) plan saves retiring employees Social Security taxes and Medicare taxes. Social Security taxes and Medicare taxes are never paid on the money. The 403(b) plan also delays payment of Federal and Virginia income taxes until the funds are withdrawn or distributed. Funds in a 403(b) plan may grow or decrease tax-deferred until withdrawn or distributed.

The money in a 403(b) plan may be withdrawn immediately (forms are available through Virginia Retirement Specialists) or delayed to future years or the money may be immediately transferred (waiver granted) to a retiring employee's existing IRA or 403 (b) account with a different financial services provider. Surrender charges (front end or back end) will never be charged to the 403(b) account of the retired employee unless the Wythe County School Board moves the whole 403(b) plan to a different financial services provider. If individuals withdraw funds from a 403(b) plan in a lump sum payment prior to reaching age 55, a 10% excise tax will be levied in addition to the Federal and Virginia income taxes being levied. At age 55, certain exemptions from the 10% excise tax penalty exist for retired employees. At the age of 59 ½, only Federal and Virginia income taxes are deducted from 403(b) funds at withdrawal or distribution.

The 403(b) Special Pay Plan can't be optional for School Board employees in order for the retirement pay plan to meet Internal Revenue Service's (IRS) guidelines. Thus, participation in the 403(b) plan is mandatory for retiring employees with unused sick leave, personal leave and/or unused vacation leave days.

Retirement Annuity for Bus Drivers

For regular route school bus drivers only, the Wythe County School Board pays \$100.00 each month into an Employee-selected tax-deferred annuity for each month that the school bus driver is employed by the School Board. If a school bus driver works the entire school year; he/she will also receive this annuity benefit during the months of July and August. Regular route bus drivers, who do **not** work the entire school year, will receive this annuity benefit **only** for the months they are employed. Also, regular route school bus drivers will have the option of authorizing additional contributions to their School Board initiated tax deferred annuity with pre tax wages that they earn as employees of the Wythe County School Board.

Retirement – Health Insurance

The retired employee must pay the whole monthly health insurance premium. All or a portion of the monthly health insurance premium may be paid on a pre tax bases, during the period of eligibility, if the retired employee was eligible for and did retire under a previous Wythe County Public Schools Early Retirement Plan. If a retired employee withdraws from the School Board's health insurance plan, the retiree may not re-enroll in the health insurance plan. At the age of eligibility for Medicare, the retired employee is subsequently removed from the School Board's health insurance plan.

Retirement – Health Insurance Retirement Benefit Plan (GCPC) (GCPC-R)

Wythe County School Board contracted employees who are members of the Virginia Retirement System and are eligible to retire with 15 years of service in the Virginia Retirement System may participate, if otherwise eligible, in the Wythe County Public Schools Health Insurance Retirement Benefit Plan ("Plan").

To be eligible for the Health Insurance Retirement Benefit Plan, an employee must have been enrolled in the school division's health insurance plan for the last year of employment with WCPS.

After Employee's retirement and for so long as the current age of Retiree is less than Medicare eligible age, Employer will pay the balance of the current individual insurance premium for the basic coverage option (Key Advantage 1000 or similar coverage) in Employer's group plan, after reducing the premium by the amount of the 30-year-or-more VRS Health Insurance Credit ("Credit") (e.g., if the premium for basic coverage is \$500 per month and the 30-year-or-more VRS Credit is \$120, Employer would pay the remaining \$380 per month). Retiree will be responsible for contributing the amount of the 30-year-or-more VRS Health Insurance Credit and the amount of any additional premiums due for participation in any upgraded coverage option (Key Advantage 500 or other similar coverage) if selected by Retiree. Any Retiree who does not qualify for the 30-year-or-more Credit will be responsible for contributing the balance of between the VRS Health Insurance Credit he/she actually received and the amount of the 30-year-or-more Credit established by VRS for the time period in question. All retirees will contribute a minimum of \$120 or the amount of the 30-year-or-more Health Insurance Credit set by VRS, whichever is higher. Amounts due from Retiree must be received by WCPS Payroll Services no later than the 20th day of the each month. Failure of Retiree to contribute any amounts due will result in termination of coverage and no further benefits will be available under this Agreement, the Plan or Policy GCPC.

Upon annual increases in insurance premiums from the date of retirement until Retiree reaches Medicare eligible age, Employer will pay up to a four percent (4%) increase for premiums per year. Any amount of premium increase during this term period of more than the four percent (4%) allowance will be the responsibility of Retiree to the extent Retiree's VRS credit, if any, does not fully cover such increases. Any reduction in annual insurance premiums will apply toward reducing Employer's share first. Under no circumstances will Retiree be entitled to a direct cash payment from WCPS by virtue of participation in this Plan.

Vacation Leave (GCBC-W)

In addition to recognized holidays, all full-time 12 month employees of the Wythe County Public Schools with 10 or more years of service in public education shall be entitled to 1 ½ days of vacation leave per month. All full-time 12 month employees with less than 10 years of service in public education shall be entitled to one 1 day of vacation leave per month. Vacation leave shall accumulate up to thirty (30) days with unused vacation leave beyond thirty (30) days added to the sick leave accumulation. Vacation leave will accrue on the last working day of each month.

Eligible retiring employees are paid the daily rate of pay as dictated by the contractual agreement in effect at the time of employee's retirement or resignation. No employee will be entitled to receive more than thirty (30) days vacation pay.

An employee must have completed 6 months of full-time employment before being eligible to use accumulated vacation leave.

Military Leave (GCBEB)

All employees of Wythe County School Board who are members of the state or federal military reserves are entitled to leaves of absence from their duties on all days during which they are engaged in federally funded military duty, including training duty, or when called forth by the Governor.

All employees on military leave will receive up to 21 days paid leave per federally funded tour of duty.

Sick Leave (GCBD-WR) (GCBC-U) (GCBE)

Each full-time employee of the Wythe County School Board earns a maximum of one (1) day of sick leave per month of employment (10, 11, or 12) each year. VRS Plan 1 and Plan 2 employees may accumulate unlimited sick days. VRS Hybrid Plan employees may accumulate a maximum of 90 days of sick leave. Sick leave provisions do not apply to summer school, evening adult school, substitutes, or temporary employees. Sick leave days may be used for physical examinations, personal illness (including quarantine), illness in the immediate family, and death in the immediate family.

Each regularly employed part-time employee of the Wythe County School Board may earn a maximum of six (6) days of sick leave each year. A sick leave day for a part-time employee is defined as the number of hours that the part-time employee works per day. Examples of eligible employees are bus and car drivers and cafeteria workers.

An employee who has not requested and been granted leave by the Wythe County School Division under the Family and Medical Leave policy may be required by the employer to provide certification by a physician or licensed nurse practitioner of the need for the use of sick leave days. Any certification requested by the employer shall be at the employee's expense. At the employer's discretion and expense, a second medical opinion may be required. The employer may also require certification by a physician or licensed nurse practitioner of the suitability of the employee to return to work and any limitations that have been created by the employee's illness or injury.

An employee without advanced authorization of his/her immediate supervisor may use sick leave days. Personal leave requires advanced notification.

On the first day of work per new annual contract, an employee receives his/her allotted sick leave days for the entire year. To access and use the new allotment of sick leave days, an employee must report to work for at least one day. If the employee terminates employment before earning the advanced sick leave days, the per diem rate of pay times the number of sick leave days advanced will be deducted from the employee's pay. Sick leave days, personal leave days, and vacation leave days must be taken in a minimum of one-half (1/2) day increments.

The following paragraph applies to VRS Non-Hybrid Plan employees only. An employee may transfer a maximum of ten (10) sick leave days each school year to another employee, who has ten (10) days or less of sick leave and who still has a legitimate and continuing need for sick leave as verified by a medical doctor. An exception to the preceding sentence requires a written detailed request from the employee, desiring to transfer more than ten (10) sick leave days, to and approved by the superintendent or designee. Employees who wish to transfer sick leave days to another employee must complete a **Request for Transfer of Sick Leave Days** form and submit the form to the Superintendent or the Superintendent's designee. A **Request for Transfer of Sick Leave Days** by an employee becomes void if the employee resigns his/her position or is terminated by the School Board before the sick leave days are

transferred to the designated recipient(s).

Eligible retiring employees are paid thirty (\$30.00) dollars per day for all unused sick leave and personal days. No payment is given for accumulated sick leave days when an employee resigns his/her position. However, for an employee who has resigned, accumulated sick leave days may be transferred to any public school division or private school that will accept the sick leave days.

Family Medical Leave Act (GCBE)

The Wythe County School Board recognizes its obligation to provide eligible employees with unpaid leave pursuant to the Family and Medical Leave Act (FMLA). To obtain FMLA required forms, please contact the Director of Human Resources.

Personal Leave (GCBC-U) (GCBC-R)

Each full-time employee receives three (3) days of personal leave per year. Each part-time employee receives one (1) day of personal leave per year.

Personal leave for full-time employees and part-time employees may be accumulated up to five (5) days. Personal leave days in excess of the accumulated five (5) days are added to an employee's accumulated sick leave days. Principals and/or an employee's immediate supervisor shall be notified at least two (2) days before such personal leave may be taken.

Persons serving on jury duty will not forfeit leave.

Part-time teachers, summer school teachers, homebound teachers, and substitute teachers will average less than 30 hours per week in any one position or a combination thereof during a school or calendar year.

If an employee resigns or retires during his/her contract year, personal leave days are prorated and unused earned personal leave days are transferred to sick leave days and processed as sick leave days in accordance with sick leave policy (GCBD-WR).

Professional Leave (GCBD-W)

The Wythe County School Board recognizes the benefit of professional leave and provides qualified staff opportunities for professional development and growth, thereby enhancing the value of their future service to Wythe County Public Schools.

Leave Without Pay

When an employee has been on leave without pay in excess of ½ month, the employee must pay his/her whole monthly health insurance premium.

Other Leave (GCBC-U)

Any employee requesting a leave of absence should contact the Office of Human Resources at the school board office.

WORK RULES

Professional Staff/Support Staff Time Schedules (GAA)

The workday for full-time licensed and professional staff will be a minimum of seven hours and thirty minutes and will continue until professional responsibilities to the student and school are completed. Elementary school teachers will be provided at least an average of thirty minutes per day during the students' school week as planning time. Administrative meetings, curriculum development, pupil supervision, assigned duties, parent conferences, group or individual planning and extra-curricular activities may require hours beyond the stated minimum. Work schedules for other employees will be defined by the superintendent or his/her designee, consistent with the Fair Labor Standards Act and the provisions of this policy.

All employees are expected to be present during all work hours. Absence without prior approval, chronic absences, habitual tardiness or abuses of designated working hours are all considered neglect of duty and will result in disciplinary action up to and including dismissal.

Emergency or Weather Related Closing of Schools (EBCD)

For changes in the normal school schedules, School Messenger instant alert messages will be sent via phone and/or email. Information regarding school delays or closings may also be accessed via Wythe County Public Schools' website and local/regional media.

All twelve (12) month employees are to report to work at the regular work time when schools are closed due to emergencies or weather conditions unless WCPS has issued a code.

Staff Dress Code (GCBC-S)

The Wythe County School Board, in keeping with its philosophy of providing quality education and encouraging staff to present themselves as role models in dress, conduct and interpersonal relationships, recognizes that staff are continuously observed by students. The division's dress code requires each employee of the school system to dress professionally and appropriately for the position in which he or she is employed. After reviewing the policy, remaining questions concerning appropriate dress should be referred to your supervisor.

Smoking (GBEC) (JFCH) (KGB) (KGC)

The use of tobacco, tobacco products and/or electronic cigarettes is prohibited inside any building that is owned by the Wythe County School Board. This prohibition includes any vehicle owned, rented, or leased by the School Board. Employees are prohibited from using tobacco, tobacco products and/or electronic cigarettes in the presence of students or in view of students on any school property during the school day and at any time while supervising, directing, or assisting with a school sponsored activity on or off school property.

Absences on Early Dismissal of Student Days

Employees who are paid for a whole day of work on early dismissal of student days, but who are absent from work on early dismissal of student days for personal illness, illness or death in the immediate family, personal leave, or leave without pay will forfeit a whole day of leave or a

whole day of pay.

Assignments – Support Staff (GDI)

Support staff shall be assigned to positions for which their qualifications meet the needs of the school division's operations. Support staff personnel are entitled to initiate a transfer request for a position within their area of competence and for which they are qualified.

Assignments and Transfers – Professional Staff (GCI)

The division superintendent assigns employees to positions consistent with their abilities and may reassign any teacher, principal or assistant principal for that school year to any school within such division provided no change or reassignment during a school year will affect the salary of such teacher, principal or assistant principal for that school year. Teachers may request a change of assignment within the areas of their certification.

Child Abuse and Neglect Reporting (JHG)

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

- the local department of social services where the child resides or where the abuse or neglect is believed to have occurred;
- to the Virginia Department of Social Services' toll-free child abuse and neglect Hotline available 24 hours per day, 7 days per week at (800) 552-7096; or
- his/her supervisor, who shall make the report immediately.

Time Sheets

All non-exempt employees are to complete monthly a Wythe County Public Schools time sheet for each workday. The principal or immediate supervisor must verify the accuracy of the information and forward the timesheets to the School Board Office in accordance with the due date on the payroll schedule. No daily or hourly employee is paid unless a daily or hourly time sheet is received in the payroll department with the accurate number of days and/or hours worked. For homebound students, parents/legal guardians are required to verify the accuracy of a homebound teacher's time sheet.

Tutoring (GCQAB)

Professional staff members may not be paid by anyone other than the Wythe County School Board for tutoring students enrolled in a class under their direction.

Harassment (GBA/JFHA)

The Wythe County School Board is committed to maintaining an educational environment and workplace that is free from harassment. In accordance with law, the Board prohibits harassment against students, employees, or others on the basis of sex, sexual orientation, gender, gender identity, race, color, national origin, disability, religion, ancestry, age, marital

status, pregnancy, childbirth or related medical conditions, military status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists, hereinafter referred to as protected group status, political affiliation, and provides equal access to the Boy Scouts and other designated youth groups, at school or any school sponsored activity. Demeaning or otherwise harmful actions are prohibited, particularly if directed at personal characteristics including, but not limited to, socioeconomic level, sexual orientation, perceived sexual orientation or gender identity. The policy and Complaint of Harassment Form is located in Appendix D of the handbook.

Fraternization with Students

School Board employees may not become romantically involved, date, or marry current students. School Board employees are not to attend or sponsor parties and socialize with adolescents and young adults who are current students in Wythe County Public Schools.

Staff Research and Publishing (GCQB)

The Wythe County School Board encourages employee innovation in creating and developing high-quality materials to improve student achievement and the efficiency of division operations. The School Board is the author of works produced by its employees within the scope of their employment and retains all rights to such works unless those rights are expressly waived or assigned to the employee who produced the work.

Employees who develop materials, including instructional materials and computer programs, outside the scope of their employment that have a connection to or are related to the division shall inform the superintendent in writing of their intent to develop such materials prior to commencing work.

COMPENSATION

Absentee Pay

All regular employees, full-time and part-time, who are absent from work for any reason are to submit an **Application for Absentee Pay** form on the first day back at work. If the absence was due to professional leave, a copy of the approved leave form must be attached to the absentee pay form.

After Regular Work Hours Pay

School custodians and cafeteria workers who work in schools after regular work hours are paid through the School Board payroll department even when a non-school organization or individual has been granted permission to use a specific portion of a school after regular school hours, in the evening, during weekends, or on holidays. Federal and Virginia taxes and social security taxes are withheld from the pay before any money is distributed to a school employee.

Overtime and Compensatory Time (GAA)

Working hours for all employees not classified as exempt under the Fair Labor Standards Act, including secretaries, bus drivers, cafeteria, janitorial and maintenance personnel, conform to federal and state regulations. The superintendent ensures that job positions are classified as exempt or non-exempt and that employees are made aware of such classifications. Supervisors make every effort to avoid circumstances which require non-exempt employees to work more than 40 hours each week. The Wythe County School Board discourages overtime work by non-exempt employees. A non-exempt employee will not work overtime without the express approval of the employee's supervisor. All overtime work must be expressly approved in writing by the superintendent or superintendent's designee. All supervisory personnel must monitor overtime on a weekly basis and report such time to the superintendent or superintendent's designee. Principals and supervisors monitor employees' work, ensure that overtime provisions of this policy and the Fair Labor Standards Act are followed and ensure that all employees are compensated for any overtime worked. Principals or supervisors may need to adjust daily schedules to prevent non-exempt employees from working more than 40 hours in a workweek. Accurate and complete time sheets of actual hours worked during the workweek must be signed by each employee and submitted to the finance officer. The finance officer reviews work records of employees on a regular basis to make an assessment of overtime use.

In lieu of overtime compensation, non-exempt employees may receive compensatory time off at a rate of not less than one and one-half (1.5) hours for each one hour of overtime worked, if such compensatory time

- is pursuant to an agreement between the employer and employee reached before overtime work is performed, and
- is authorized by the immediate supervisor.

Employees will be allowed to use compensatory time within a reasonable period after requesting such use if the requested use of the compensatory time does not unduly disrupt the operation of the school division. Employees may accrue a maximum of 240 compensatory time hours before they will be provided overtime pay at the rate earned by the employee at the time the employee receives such payment. In addition, upon leaving the school division, an employee will be paid for any unused compensatory time at the rate of not less than the higher of

- the average regular rate received by the employee during the employee's last three years of employment, or
- the final regular rate received by the employee.

Non-exempt employees whose workweek is less than 40 hours are paid at the regular rate of pay for time worked up to 40 hours. Such employees are provided overtime pay as provided above for working more than 40 hours in a workweek.

Employees are provided with a copy of this policy and are required to sign this policy to acknowledge their understanding of overtime and compensatory time provisions. Such signed policy constitutes the written agreement required in this section.

Supplementary Pay (GCBB)

The School Board will approve all categories of athletic coaching and other extracurricular activity sponsorships for which supplemental pay will be provided. The Board will also establish the amount of compensation for employees who coach or supervise such activities.

Personnel who are paid a supplement are selected and recommended for school board appointment each year. Compensation for coaching athletic teams or sponsoring student activities are paid as designated by the Coaching and Academic Supplement Schedule found in Appendix E.

Reduction of Hours

The School Board may reduce the number of hours of a non-exempt employee's contract with a two week written notice.

Questions on Pay Checks and Pay Vouchers

Errors, overpayments, underpayments, lost pay vouchers, or questions related to pay checks should be addressed to the payroll department. Any necessary actions or corrections would be made by the payroll department.

Payday (DL) (GBC-E2)

Unless specified otherwise, the employee is paid in 12 equal installments through direct deposit. Pay day is the last working day of each month. If an employee is paid for 2 work days during 1 extended work (calendar) day, an absence on that day would require 2 days deduction of leave or pay.

Supplements for ½ Masters, Masters, Masters + 30, National Board Certification Specialist, Second Masters, and Doctoral Degrees

Pay supplements have a fiscal impact on the school division. Consequently, pay supplements for graduate degrees or graduate credits are granted only for those earned prior to the beginning date of a contract. However, if the final graduate courses to earn the supplement were begun prior to the beginning date of the contract and are scheduled to end within the first month of the contract, the pay supplement will be granted. Courses that are taken to earn a pay supplement must be at the graduate course (500 or higher) level. Courses that are taken for the master's degree + 30 pay supplement are to be taken after the masters degree is conferred.

HEALTH AND SAFETY

Wythe County School Board is committed to providing a safe and healthy working environment. Employees are asked to assist in maintaining safe and healthy working conditions by exercising care and good judgment at all times to prevent accidents and injuries. Unsafe conditions, equipment and behaviors are to be reported immediately to the principal or immediate supervisor.

Photo Identification Badge

All full-time and regularly employed part-time employees will be issued a Wythe County Public Schools photo identification badge by the Department of Human Resources. When schools are in session, an employee's photo identification badge is to be worn by the employee and visible

to others at all times when the employee is inside a school building or on school grounds.

Blood Borne Pathogens Exposure Control (GE-W)

This exposure control policy has been established by the Wythe County Public Schools to minimize and to prevent, when possible, the exposure of employees to disease-causing microorganisms transmitted through human blood and other body fluids, and to provide a means of complying with the Bloodborne Pathogens Standards. All employees who are exposed to blood and other potentially infectious materials as a part of their job duties are included in this program.

Staff Health and Safety (GBE) (GDQ) (GBEA-R) (GBEA)

As a condition of employment, every new employee of the School Board shall submit a certificate signed by a licensed physician, physician assistant, advanced practice registered nurse, or registered nurse stating the employee appears free of communicable tuberculosis.

No person shall be employed as a bus driver unless he/she has a physical exam of the scope required by the Board of Education. In addition, every bus driver and bus mechanic shall undergo an annual physical exam as a condition of continued employment. The School Board also requires drug testing for bus drivers upon initial employment and alcohol and drug testing on a random basis thereafter.

Employees may not lawfully manufacture, distribute, dispense, or possess a controlled substance on school property, at any school activity, or on any school-sponsored trip. It is a condition of employment that each employee of the Wythe County School Board will not engage in such prohibited conduct and will notify the Wythe County School Board of any criminal drug conviction for a violation occurring in the work place no later than 5 days after such conviction. This policy can be found in Appendix A.

Weapons in School – Staff Members (GBEB)

Staff members are prohibited from carrying, bringing, using or possessing any weapon, as defined in Policy JFCD, in any school building, on school grounds, in any school vehicle or at any school-sponsored activity without the authorization of the Superintendent of Schools. Violation of the policy could be grounds for immediate dismissal.

Workers' Compensation (GCBC-V)

The School Board provides workers' compensation insurance coverage for its employees. Accidents to employees that occur in the school or elsewhere while on School business come under the jurisdiction of the Workers' Compensation and Occupational Disease Law. Injuries occurring during the course of employment, even though they seem trivial, must be reported to your immediate supervisor, or if that person is unavailable, another school administrator, in order to ensure proper treatment and to establish eligibility for workers' compensation benefits, if appropriate. If an employee contracts an occupational disease during the course of employment, the employee is to contact his/her immediate supervisor as soon as the occupational disease is diagnosed by a licensed physician. On notification of an accident, the School will complete an accident form, which must be forwarded to the insurance

carrier.

This insurance covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment based on the provisions of the plan. Subject to applicable legal requirements and the terms of the plan, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately. The School Board maintains a workers' compensation panel of physicians. In the event of a work related injury the employee will be required to choose a physician from the provided panel. If an employee declines to visit a physician among the Workers' Compensation Panel of Physicians, he/she must pay for any medical treatment or hospitalization and could be denied wages and workers' compensation for any absence based on a disability which is not certified by a physician who is approved by the employer.

Neither the School Board nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the School system. Compensation will not be awarded in Virginia if the injury is the result of the employee's willful misconduct, intentional self-inflicted injury, intent to injure another, intoxication, or willful breach of a safety rule.

Absences from work that result from injury on the job will not reduce an employee's accumulated sick leave days. An absence from work that results from a work related injury is recorded as a professional leave day.

EMPLOYMENT

Vacancies – Hiring (GBN)

It is the desire of the Wythe County School Board to recruit and retain the best possible qualified applicants. Qualified applicants within the division will be given an opportunity to apply for positions for which they are qualified.

All vacancies in professional and support positions are posted on the Wythe County Public Schools website.

Application for employment in the Wythe County Schools shall be in writing and on forms provided by the Department of Human Resources. It shall be the responsibility of the applicant to furnish accurate information. Any falsification of either information or credentials shall be cause for immediate dismissal or refusal to employ.

The School Board, upon recommendation by the Superintendent, employs all school personnel. The school principal(s), appropriate director/supervisor, and any others deemed appropriate by the Superintendent, participate in the selection process and make recommendations to the Superintendent.

Professional Staff Probationary Term and Continuing Contract (GCG)

A teacher is eligible for continuing contract after three consecutive years of satisfactory

service. A teacher, new to Wythe County Public Schools, who has achieved continuing contract status in another Virginia division, may be required to serve a period of probationary service, not to exceed two years, before achieving continuing contract status in Wythe County Public Schools. If a probationary teacher's evaluation is **not** satisfactory, the School Board shall **not** reemploy such teacher.

Professional Staff Contracts and Discipline (GCB) (GCPD)

The School Board shall enter into written contracts or issue letters of intent to employ professional staff (teachers, assistant principals, principals and supervisors) except those temporarily employed as substitute teachers, before such employees assume their duties.

Teachers may be dismissed for incompetency, immorality, non-compliance with school laws and regulations, disability in accordance with State and Federal law, conviction of a felony or crime of moral turpitude or other good and just cause. "Incompetency" includes, but is not limited to, one or more unsatisfactory performance evaluations.

Professional Staff (GC)

No teacher shall be regularly employed by the School Board or paid from public funds unless such teacher holds a local teacher license or a license or provisional license issued by the State Board of Education.

Support Staff (GD) (GDB)

Support staff personnel are those employees who need not hold a license issued by state education authorities in order to obtain their positions. This category includes, but is not limited to, non-licensed administrative, clerical, maintenance, transportation, food services, and paraprofessional positions.

Annual Contract – Support Staff

Each support staff employee is issued an annual contract that indicates the assignment or position, hourly rate of pay or salary, and any unique working conditions.

Teachers with Tenure in Virginia – New or Re-Employed Teachers

When continuing contract teachers have a lapse in employment service, they must return to employment within 3 years to maintain their continuing contract status.

Part-time and Substitute Teacher Employment (GCE-R) (GCBC-R)

A part-time employee is an employee who averages less than thirty (30) hours per week in anyone position or a combination thereof during the contractual year and does not meet all the criteria of a Full-time employee. Part-time employees will receive only the following fringe benefits:

- sick leave
- personal leave

A substitute teacher or substitute paraprofessional shall be at least 18 years old, with preference given to persons 21 years old or older; possess good moral character; hold a high school diploma or passed a high school equivalency examination, attend orientation to school policies and be free of communicable tuberculosis.

Experience Credit – Employees with a Teaching License

A year of experience credit will be given for each whole year of contracted teaching experience in another accredited public school in the United States or its territories. A year of experience credit will be given for past experience in an accredited private school if the experience is equivalent to public school experience. A year of experience credit will be given for college or university teaching of each eighteen (18) semester hours per year or for each two (2) semesters of teaching nine (9) semester hours.

Experience Credit – Re-employed Support Staff Employees

Re-employed support staff personnel may be granted experience credit, if the employee was in good standing when he/she ended previous employment by the Wythe County School Board.

Experience Credit – Other

For comparable full-time secretarial experience outside the school division, newly hired secretaries may be given up to a maximum of ten (10) years of experience credit on the secretarial salary schedules. Newly hired secretaries are given one year for one year experience credit on the secretarial salary schedule for prior full-time service as a clerical aide within Wythe County Public Schools.

Resignations (GCPB)

A teacher who requests a release from contract should submit the request in to the Superintendent of Schools at least two weeks in advance of the intended date of resignation. Other personnel who request a release from contract should submit the request in writing to the Superintendent of Schools at least ten (10) days prior to the intended date of separation. The Superintendent of Schools is authorized to approve resignations of employees upon receipt of letters of notification. A teacher may, within one week, withdraw a written request to resign. For licensed personnel, a release from contract after July 1 may not be granted until an acceptable replacement has been employed.

A licensed employee who breaks a contract without School Board approval may engender a request to the Virginia Board of Education for revocation of the individual's license to teach in Virginia. The Wythe County School Board has authorized the Superintendent of Schools to accept employees' resignations on its behalf.

Suspension (GCPD) (GCPF)

The Superintendent of Schools or Superintendent's designee may suspend an employee for up to sixty (60) days, whether full-time or part-time, permanent or temporary may be suspended for good and just cause when the safety or welfare of the school division or the students therein are threatened or when the teacher or other employee has been charged by

summons, warrant, indictment or information with the commission of a felony, a misdemeanor involving sexual assault, obscenity and related offenses, drugs, moral turpitude, or the physical or sexual abuse or neglect of a child; or an equivalent offense in another state.

Dismissal or Placement On Probation - Teacher (GCPD)

Teachers may be dismissed or placed on probation for incompetence, immorality, noncompliance with school laws and regulations, disability in accordance with State and federal law, conviction of a felony or a crime of moral turpitude, or other good and just cause. "Incompetence" includes, but is not limited to, consistent failure to meet the endorsement requirements for the position or one or more unsatisfactory performance evaluations.

Criminal Conviction (GCDA)

The Board will not hire or continue the employment of any part-time, full-time, temporary, or permanent personnel who are determined to be unsuited for service by reason of criminal conviction or information appearing in the registry of founded complaints of child abuse and neglect maintained by the Department of Social Services.

Support Staff Members: Discipline and Employment Status (GCDA) (GCPF)

Support personnel may be subject to immediate dismissal for just cause.

Support personnel who are removed from employment for just cause shall be ineligible thereafter for employment in the school division.

Support personnel, whether full-time or part-time, permanent or temporary may be suspended for good and just cause when the safety or welfare of the school division or the students therein are threatened or when the teacher or other employee has been charged by summons, warrant, indictment or information with the commission of a felony, a misdemeanor involving sexual assault, obscenity and related offenses, drugs, moral turpitude, or the physical or sexual abuse or neglect of a child; or an equivalent offense in another state.

Reduction in Professional Staff (GCPA) (GCPA-R) (GCPA-S) (GCPA-T)

In the event of a decrease in pupil enrollment, insufficient allocation of financial resources, abolition of particular subjects, and/or other conditions which may cause a reduction in the number of staff needed in a building, program or department or in the entire school division. Reductions will not be made solely on the basis of seniority; they will include consideration of the performance evaluations of the teachers potentially affected by the reduction in workforce.

License Renewal

Each licensed employee has the responsibility of keeping his/her license active. The principal/immediate supervisor serves as the advisor and assists the employee in the process. Once licensure activities have been completed, the license holder must supply the appropriate document(s) to his/her advisor and a check for licensure renewal fee. After January 1, of the license renewal year, the advisor is to submit the employee's "Individual Renewal Record" to the Office of Human Resources.

Provisional License

The provisional license is a three-year, nonrenewable license that is available to individuals who have been employed by a school division and meet specific requirements. Teachers with provisional license are encouraged not to wait for the last year of eligibility to submit to the Director of Human Resources the required college transcripts and/or praxis tests scores for the Collegiate Professional License. All requirements for the Collegiate Professional License are to be submitted to the Director of Human Resources at the first opportunity.

Professional Staff Development (GCL)

The Wythe County School Board will provide a program of high-quality professional development. The professional development program will include, but not be limited to, a program designed to educate School Board employees about bullying and the need to create a bully-free environment.

Outside Employment (GCQA)

Employees may, during the hours not required of them to fulfill their responsibilities to Wythe County School Board, engage in other employment as long as such employment does not detract from or interfere with their employment by Wythe County School Board.

An employee who is on leave from Wythe County School Board, in a paid or unpaid status, may not be employed by the School Board or any other employer in any capacity during the period of leave except with the prior written authorization of the superintendent.

Acceptable Computer System Use (GAB/IIBEA)

The School Board provides a computer system, including the internet, to promote educational excellence by facilitating learning, resource sharing, innovation and communication. The term computer system includes, but is not limited to, hardware, software, data, communication lines and devices, terminals, display devices, printers, CD, DVD and other media devices, tape or flash drives, storage devices, servers, mainframe and personal computers, tablets, laptops, telephones, cameras, projectors, interactive whiteboards/panels, audio-visual equipment, multimedia devices, workstations, remote network access, cloud services, the internet and other electronic services and internal or external networks. This includes any device that may be connected to or used to connect to the school division's network or electronically stored division material.

All use of the division's computer system must be (1) in support of education and/or research, or (2) for legitimate division business. Use of the computer system is a privilege, not a right. Inappropriate use may result in cancellation of those privileges, disciplinary action, and/or legal action. Any communication or material generated using the computer system, including electronic mail, social media posts, instant or text messages, tweets, and other files, including communications and materials deleted from a user's account, may be monitored, read, and/or archived by division staff.

Each employee must read and sign the Acceptable Computer System Use form located in Appendix F.

Temporary Telecommuting Regulation

In the event of an emergency such as a weather disaster or pandemic, Wythe County Public Schools (WCPS) may allow or require employees to temporarily work from home to ensure continuity of student learning and organizational operations.

Procedures:

In the event of an emergency, WCPS may require certain employees to work remotely. Preparations should be made by employees and their administrators in advance, to the extent possible, to allow remote work in emergency circumstances. This includes appropriate equipment needs, such as hardware, software, and other needs. The Technology Department should be consulted to review these equipment needs with employees and to provide support to employees in the event of emergency telework situations.

For telework arrangements, the employee and administrator will discuss the job responsibilities and determine if the job is appropriate for a telecommuting arrangement, including equipment needs, workspace design considerations and scheduling issues.

The employee will establish an appropriate work environment within his or her home for work purposes. WCPS will not be responsible for costs associated with the setup of the employee's home office or workspace, such as remodeling, furniture or lighting, nor for repairs or modifications to the home office space.

WCPS will determine the equipment needs for each employee on a case-by-case basis. Equipment supplied by the organization is to be used for business purposes only.

Consistent with the WCPS' expectations of information security for employees working at the office, telecommuting employees will be expected to ensure the protection of confidential and/or proprietary information accessible from their home. Telecommuting employees are also expected to abide by the Acceptable Use Policy and Agreement, regardless of whether working in the office or from home.

Employees should not assume any specified period of time for emergency telework arrangements, and WCPS may require employees to return to regular, in-office work at any time.

Non-Discrimination Notice

Notice of Non-Discrimination: The Wythe County School Board is committed to nondiscrimination with regard to sex, sexual orientation, gender, gender identity, race, color, national origin, disability, religion, ancestry, age, marital status, pregnancy, childbirth or related medical conditions, military status, genetic information or any other characteristic protected by law, political affiliation, and provides equal access to the Boy Scouts and other designated youth groups. This commitment prevails in all of its policies and practices concerning staff, students, educational programs and services, and individuals and entities with whom the Board does business.

The following persons have been designated to handle inquiries regarding the non-discrimination policies: School Social Worker or Director of Personnel and Human Resources: 1570 W. Reservoir Wytheville, VA 24382, 276-228-5411.

You may also contact these individuals at:

wythe.k12.va.us/cms/One.aspx?portalId=433983&pageId=2352681

For further information on notice of nondiscrimination, visit www2.ed.gov/about/offices/list/ocr/index.html for the address and phone number of the office that serves your area, or call 1-800-421-3481

School Nutrition Program:

The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the basis of race, color, national origin, age, disability, sex, gender identity, religion, reprisal and, where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or if all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.)

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at www.ascr.usda.gov/complaint_filing_cust, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov.

Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish).

USDA is an equal opportunity provider and employer.

Appendix A

STAFF TIME SCHEDULES

Policy: GAA

Work Schedules

The workday for full-time licensed and professional staff is a minimum of seven hours and thirty minutes and continues until professional responsibilities to the students and school division are completed. Administrative meetings, curriculum development, pupil supervision, assigned duties, parent conferences, group or individual planning and extra-curricular activities may require hours beyond the stated minimum. Elementary school classroom teachers are provided at least an average of thirty minutes per day during the students' school week as planning time. Each full-time middle and secondary classroom teacher is provided one planning period per day, or the equivalent, as defined by the Board of Education, unencumbered of any teaching or supervisory duties. If a middle or secondary school classroom teacher teaches more than the standard load of students or class periods per week, as defined by the Board of Education, an appropriate contractual arrangement and compensation is provided.

Work schedules for other employees are defined by the superintendent or superintendent's designee consistent with the Fair Labor Standards Act and the provisions of this policy.

Workweek Defined

For purposes of compliance with the Fair Labor Standards Act, the workweek for employees of Wythe County School Board is 12:00 a.m. Saturday until 11:59 p.m. Friday.

Overtime and Compensatory Time

Working hours for all employees not classified as exempt under the Fair Labor Standards Act, including secretaries, bus drivers, cafeteria, janitorial and maintenance personnel, conform to federal and state regulations. The superintendent ensures that job positions are classified as exempt or non-exempt and that employees are made aware of such classifications. Supervisors make every effort to avoid circumstances which require non-exempt employees to work more than 40 hours each week. The Wythe County School Board discourages overtime work by non-exempt employees. A non-exempt employee will not work overtime without the express approval of the employee's supervisor. All overtime work must be expressly approved in writing by the superintendent or superintendent's designee. All supervisory personnel must monitor overtime on a weekly basis and report such time to the superintendent or superintendent's designee. Principals and supervisors monitor employees' work, ensure that overtime provisions of this policy and the Fair Labor Standards Act are followed and ensure that all employees are compensated for any overtime worked. Principals or supervisors may need to adjust daily schedules to prevent non-exempt employees from working more than 40 hours in a workweek. Accurate and complete time sheets of actual hours worked during the workweek must be signed by each employee and submitted to the finance officer. The finance officer reviews work records of employees on a regular basis to make an assessment of overtime use.

In lieu of overtime compensation, non-exempt employees may receive compensatory time off at a rate of not less than one and one-half (1.5) hours for each one hour of overtime worked, if such compensatory time

- is pursuant to an agreement between the employer and employee reached before overtime work is performed, and
- is authorized by the immediate supervisor.

Employees will be allowed to use compensatory time within a reasonable period after requesting such use if the requested use of the compensatory time does not unduly disrupt the operation of the school division. Employees may accrue a maximum of 240 compensatory time hours before they will be provided overtime pay at the rate earned by the employee at the time the employee receives such payment. In addition, upon leaving the school division, an employee will be paid for any unused compensatory time at the rate of not less than the higher of

- the average regular rate received by the employee during the employee's last three years of employment, or
- the final regular rate received by the employee.

Non-exempt employees whose workweek is less than 40 hours are paid at the regular rate of pay for time worked up to 40 hours. Such employees are provided overtime pay as provided above for working more than 40 hours in a workweek.

Employees are provided with a copy of this policy and are required to sign this policy to acknowledge their understanding of overtime and compensatory time provisions. Such signed policy constitutes the written agreement required in this section.

Attendance Expectations

All employees are expected to be present during all work hours. Absence without prior approval, chronic absences, habitual tardiness or abuses of designated working hours are all considered neglect of duty and will result in disciplinary action up to and including dismissal.

Adopted: January 14, 2004

Revised: July 15, 2009
July 10, 2014
May 9, 2019
July 8, 2021
April 7, 2022

Legal Refs.: 29 U.S.C. 29 U.S.C. §§ 203, 207.

29 C.F.R § 516.1 et seq.

Code of Virginia, 1950, as amended, §§ 22.1-253.13:2, 22.1-253.13:3, 22.1-291.1, 40.1-29.2.

8 VAC 20-131-240.

Cross Ref.:	GCBD	Staff Leaves and Absences
	IC/ID	School Year/School Day

UNLAWFUL MANUFACTURE, DISTRIBUTION, DISPENSING, POSSESSION OR USE OF A CONTROLLED SUBSTANCE

Policy: GBEA

Generally

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

Prohibited Conduct

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

Discipline

Within 30 days of receiving notice from a School Board employee as described above, the superintendent and School Board will take appropriate personnel action up to and including dismissal of any employee found to have engaged in prohibited conduct listed above or require satisfactory participation in a drug abuse assistance or rehabilitation program approved by a federal, state, or local health, law enforcement, or other appropriate agency.

Distribution of Policy

All employees are given a copy of this policy.

Drug-Free Awareness Program

The Wythe County School Board shall establish a drug-free awareness program to inform its employees about the dangers of drug abuse in the workplace, the Board's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs and the penalties that may be imposed upon employees for violations of laws and policies regarding drug abuse.

Adopted: July 14, 1997

Revised: August 8, 2001
July 12, 2002
July 13, 2011
July 10, 2014
June 11, 2020

Legal Refs.: 41 U.S.C. §§ 8103, 8104.

Code of Virginia, 1950, as amended, § 22.1-78.

Cross Refs.: GCPD Professional Staff Discipline
 GDQ School Bus Drivers

APPENDIX B

EQUAL EDUCATIONAL OPPORTUNITIES/ NONDISCRIMINATION

Policy: JB

I. Policy Statement

Equal educational opportunities are available for all students, without regard to sex, sexual orientation, race, creed, color, national origin, gender, gender identity, ethnicity, religion, disability, ancestry, marital or parental status or any other unlawful basis. Educational programs are designed to meet the varying needs of all students.

II. Complaint Procedure

A. File Report

Any student who believes he or she has been the victim of prohibited discrimination should report the alleged discrimination as soon as possible to one of the Compliance Officers designated in this policy or to any other school personnel. The alleged discrimination should be reported as soon as possible, and the report generally should be made within fifteen (15) school days of the occurrence. Further, any student who has knowledge of conduct which may constitute prohibited discrimination should report such conduct to one of the Compliance Officers designated in this policy or to any school personnel. Any employee who has knowledge of conduct which may constitute prohibited discrimination shall immediately report such conduct to one of the Compliance Officers designated in this policy.

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

The complaint, and identity of the complainant and of the person or persons allegedly responsible for the discrimination, will not be disclosed except as required by law or policy, as necessary to fully investigate the complaint or as authorized by the complainant. A complainant who wishes to remain anonymous will be advised that such confidentiality may limit the school division's ability to fully respond to the complaint.

B. Investigation

Upon receipt of a report of alleged prohibited discrimination, the Compliance Officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division. The investigation shall be completed as soon as practicable, which should generally be not later than 14 school days after receipt of the report by the Compliance Officer. Upon receiving

the complaint, the Compliance Officer shall acknowledge receipt of the complaint, by giving

written notice that the complaint has been received, to both the person complaining of discrimination and the person or persons allegedly responsible for the discrimination. Also upon receiving the complaint, the Compliance Officer shall determine whether interim measures should be taken pending the outcome of the investigation. If the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the complainant and the person or persons allegedly responsible for the discrimination will be notified of the reason for the extended investigation and of the date by which the investigation will be concluded.

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

Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all of the facts and circumstances revealed by a complete and thorough investigation.

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

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

C. Action by Superintendent

Within 5 school days of receiving the Compliance Officer's report, the superintendent or designee shall issue a decision regarding (1) whether this policy was violated and (2) what action, if any, should be taken. This decision must be provided in writing to the complainant. If the superintendent or designee determines that prohibited discrimination occurred, the Wythe County School Division shall take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including expulsion or discharge.

D. Appeal

If the superintendent or designee determines that no prohibited discrimination occurred, the student who was allegedly subjected to discrimination may appeal this finding to the School Board within 5 school days of receiving the decision. Notice of appeal must be filed with the superintendent who shall forward the record to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The

School Board may ask for oral or written argument from the aggrieved party and the superintendent and any other individual the School Board deems relevant. Written notice of the School Board's decision will be given to both the complainant and the person or persons responsible for the alleged discrimination.

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

E. Compliance Officer and Alternate Compliance Officer

The School Board designates a Compliance Officer responsible for identifying, preventing and remedying discrimination as well as receiving complaints under this Policy. The name and contact information for the Compliance Officer is posted on the Division's website at all times. The Compliance Officer may be contacted at wythe.k12.va.us/district/central_office_staff. Complaints of discrimination may also be made to the Alternate Compliance Officer at wythe.k12.va.us/district/central_office_staff.

The Compliance Officer

- receives reports or complaints of discrimination;
- conducts or oversees the investigation of any alleged discrimination;
- assesses the training needs of the school division in connection with this policy;
- arranges necessary training to achieve compliance with this policy; and
- ensures that any discrimination investigation is conducted by an impartial investigator who is trained in the requirements of equal education opportunity and has the authority to protect the alleged victim and others during the investigation.

III. Retaliation

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

IV. Right to Alternative Complaint Procedure

Nothing in this policy denies the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited discrimination including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law.

V. Prevention and Notice of Policy

Training to prevent discrimination should be included in employee and student orientations as well as employee in-service training.

This policy shall be (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel, (2) included in the student and employee handbooks; and (3) sent to parents of all students within 30 calendar days of the start of school. All students and their parents/guardians shall be notified annually of the names and contact information of the Compliance Officers.

VI. False Charges

Students or school personnel who knowingly make false charges of discrimination shall be subject to disciplinary action.

Adopted: March 8, 2000

Revised: August 8, 2001
April 14, 2004
January 10, 2008
July 13, 2011
June 12, 2013
July 9, 2020
July 8, 2021

Legal Refs: 20 U.S.C. §§ 1681-1688.
29 U.S.C. §§ 794.
42 U.S.C. §§ 2000d through 2000d-7.

34 CFR 106.9.

Code of Virginia, 1950 as amended, §§ 2.2-3900, 2.2-3901, 2.2-3902, 22.1-23.3, 22.1-212.6:1.

Cross Refs: AC Nondiscrimination
AD Educational Philosophy
GB Equal Employment Opportunity/Nondiscrimination
JB-F Report of Discrimination
JBA Section 504 Nondiscrimination Policy and Grievance Procedures
JFHA/GBA Prohibition Against Harassment and Retaliation

Wythe County Public Schools: REPORT OF DISCRIMINATION
Policy: JB-F

Name of Complainant:

Student's School and Class:

Address, Phone Number and Email Address:

Date(s) of Alleged Discrimination:

Name(s) of person(s) you believe discriminated against you or others:

Please describe in detail the incident(s) of alleged discrimination, including where and when the incident(s) occurred. Please name any witnesses that may have information regarding the situation. Please include a description of any past incidents that may be related to this complaint. Attach additional pages if necessary.

I certify that the information provided in this report is true, correct and complete to the best of my knowledge.

Signature of Complainant

Date

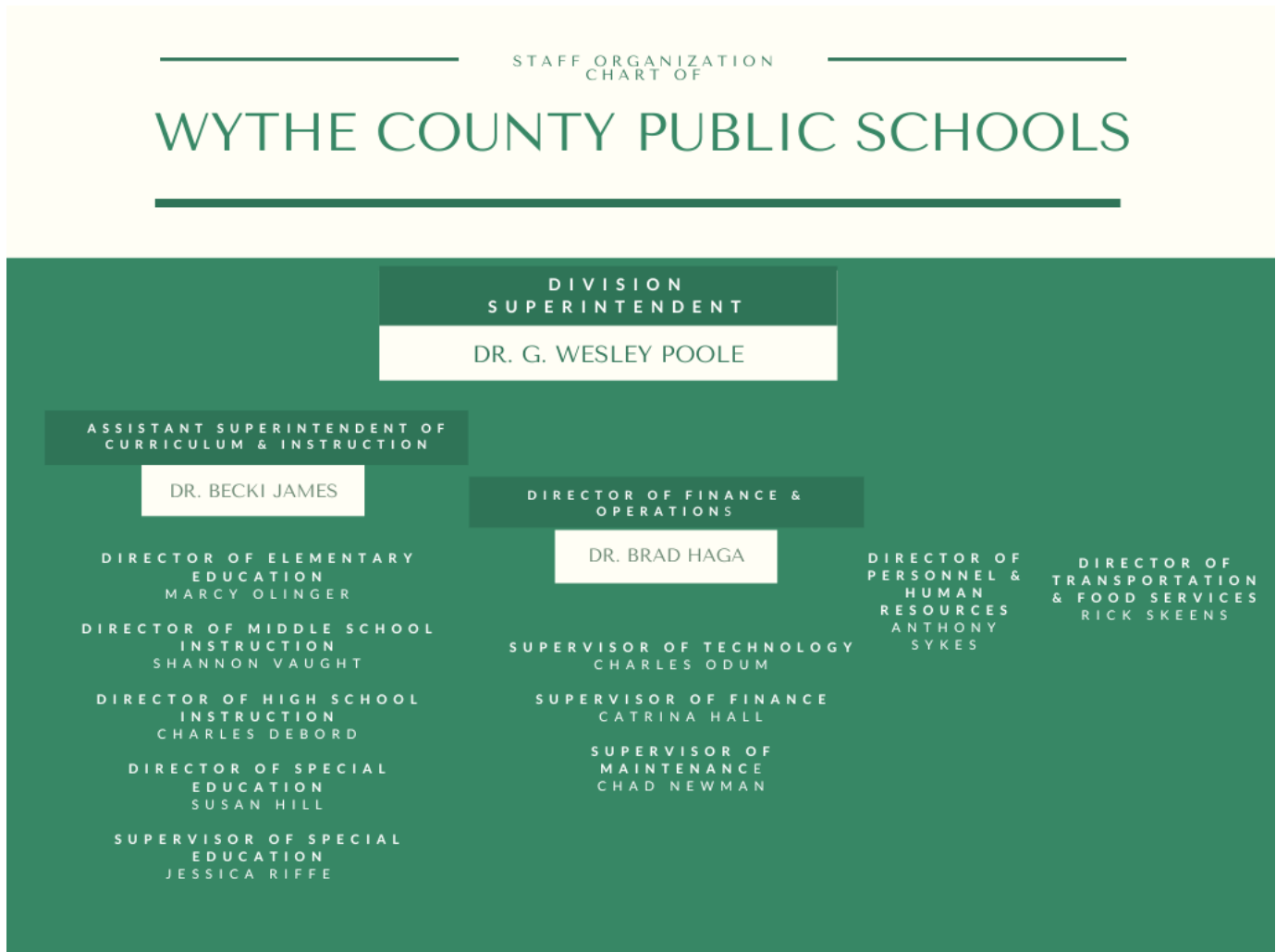
Complaint Received By:

Compliance Officer

Date

APPENDIX C

2023-2024 Organizational Chart



APPENDIX D

PROHIBITION AGAINST HARASSMENT AND RETALIATION

Policy: GBA/JFHA

I. Policy Statement

The Wythe County School Board is committed to maintaining an educational environment and workplace that is free from harassment. In accordance with law, the Board prohibits harassment against students, employees, or others on the basis of sex, sexual orientation, gender, gender identity, race, color, national origin, disability, religion, ancestry, age, marital status, pregnancy, childbirth or related medical conditions, military status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists, hereinafter referred to as protected group status, political affiliation, and provides equal access to the Boy Scouts and other designated youth groups, at school or any school sponsored activity.

It is a violation of this policy for any student or school personnel to harass a student or school personnel based on protected group status at school or any school sponsored activity. Further, it is a violation of this policy for any school personnel to tolerate harassment based on a student's or employee's protected group status at school or any school sponsored activity, by students, school personnel or third parties participating in, observing or otherwise engaged in school sponsored activities.

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

The school division

- promptly investigates all complaints, written or verbal, of harassment based on protected group status at school or any school sponsored activity;
- promptly takes appropriate action to stop any harassment;
- takes appropriate action against any student or school personnel who violates this policy; and
- takes any other action reasonably calculated to end and prevent further harassment of school personnel or students.

II. Definitions

The Compliance Officer is the person designated by the School Board to receive complaints of harassment referred by the Title IX Coordinator and oversee investigation of those complaints as described below.

"Consent" is clear, unambiguous, and voluntary agreement between the participants to engage in specific sexual activity.

Prohibited Conduct

Harassment Based on Sex

Harassment based on sex consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication, which may include use of cell phones or the internet, of a sexual nature when submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment or education; submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or that conduct or communication substantially or unreasonably interferes with an individual's employment or education, or creates an intimidating, hostile or offensive employment or educational environment (i.e. the conduct is sufficiently serious to limit a student's or employee's ability to participate in or benefit from the educational program or work environment).

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

- unwelcome sexual physical contact
- unwelcome ongoing or repeated sexual flirtation or propositions, or remarks
- sexual slurs, leering, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions
- graphic comments about an individual's body
- sexual jokes, notes, stories, drawings, gestures or pictures
- spreading sexual rumors
- touching an individual's body or clothes in a sexual way
- displaying sexual objects, pictures, cartoons or posters
- impeding or blocking movement in a sexually intimidating manner
- sexual violence
- display of written materials, pictures, or electronic images
- unwelcome acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex stereotyping

"Sexual harassment prohibited by Title IX" means conduct on the basis of sex that satisfies one or more of the following:

- an employee of the School Board conditioning the provision of an aid, benefit, or service of the School Board on an individual's participation in unwelcome sexual conduct;
- unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the School Board's education program or activity; or
- "sexual assault" as defined in 20 U.S.C. § 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. § 12291(a)(10), "domestic violence" as defined in 34 U.S.C. § 12291(a)(8), or "stalking" as defined in 34 U.S.C. § 12291(a)(30).

Harassment Based on Race, National Origin, Disability or Religion

Harassment based on race, national origin, disability or religion consists of physical or verbal conduct, which may include use of cell phones or the internet, relating to an individual's race, national origin, disability or religion when the conduct

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

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

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

Additional Prohibited Behavior

Bullying or abusive behavior; behavior that is not unlawful may nevertheless be unacceptable for the educational environment or the workplace. Demeaning or otherwise harmful actions are prohibited, particularly if directed at personal characteristics including socioeconomic level regardless of whether the personal characteristic is protected by law.

"Title IX" means 20 U.S.C. §§ 1681-1688 and the implementing regulations.

"Title IX Coordinator" means the person designated by the School Board to coordinate its efforts to comply with its responsibilities under this policy and Title IX.

The Title IX Coordinator may be contacted at wythe.k12.va.us/district/central_office_staff.

III. Complaint Procedures

Report

Any student or school personnel who believes he or she has been the victim of harassment prohibited by law or by this policy by a student, school personnel or a third party should report the alleged harassment to the Title IX Coordinator or to any school personnel. The alleged harassment should be reported as soon as possible, and the report generally should be made within fifteen (15) school days of the occurrence. Further, any student who has knowledge of conduct which may constitute prohibited harassment should report such conduct to the Title IX Coordinator or to any school personnel. Any school personnel who has notice that a student or other school personnel may have been a victim of prohibited harassment shall immediately report the alleged harassment to the Title IX Coordinator. Any complaint that involves the Title IX Coordinator should be reported to the superintendent.

The reporting party should use the form, Report of Harassment, GBA-F/JFHA-F, to make complaints of harassment. However, oral reports and other written reports are also accepted.

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

After receiving a complaint, the Title IX Coordinator makes an initial determination whether the allegations may be sexual harassment prohibited by Title IX. If they may be, the Title IX Grievance Process below is followed. If they cannot be sexual harassment prohibited by Title IX, then the complaint is referred to the Compliance Officer who follows the procedures below.

The Title IX Coordinator also determines whether the alleged harassment may also constitute criminal conduct and ensures that law enforcement officials are notified if necessary.

If the alleged harassment may also constitute child abuse, then it must be reported to the Department of Social Services in accordance with Policy GAE Child Abuse and Neglect Reporting.

Investigation by Compliance Officer

Generally

The Compliance Officer

- receives complaints of harassment referred by the Title IX Coordinator;
- conducts or oversees the investigation of any alleged harassment referred by the Title IX Coordinator;
- assesses the training needs of the school division in connection with complaints referred by the Title IX Coordinator;
- arranges necessary training; and
- ensures that any harassment investigation is conducted by an impartial investigator who is trained in the requirements of equal employment/education opportunity and has the authority to protect the alleged victim and others during the investigation.

Compliance Officer Formal Procedure

Upon receiving a referral of a complaint of alleged prohibited harassment from the Title IX Coordinator, the Compliance Officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division. The investigation shall be completed as soon as practicable, which generally should be not later than 14 school days after referral of the complaint to the Compliance Officer. Upon receiving the complaint, the Compliance Officer shall acknowledge receipt of the complaint by giving written notice that the complaint has been received to both the person complaining of harassment and the person accused of harassment. Also upon receiving the complaint, the Compliance Officer shall determine whether interim measures

should be taken pending the outcome of the investigation. Such interim measures may include, but are not limited to, separating the alleged harasser and the person allegedly harassed. If the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the person allegedly harassed and the alleged harasser shall be notified of the reason for the extended investigation and of the date by which the investigation will be concluded.

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

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

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

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

Action by Superintendent

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

Appeal

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

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

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

Compliance Officer Informal Procedure

If the person allegedly harassed and the person accused of harassment agree, the person allegedly harassed' s principal or principal's designee or supervisor may arrange for them to resolve the complaint informally with the help of a counselor, teacher or administrator.

If the person allegedly harassed and the person accused of harassment agree to resolve the complaint informally, they shall each be informed that they have the right to abandon the informal procedure at any time in favor of the initiation of the Compliance Officer Formal Procedures set forth herein. The principal or principal's designee or supervisor shall notify the person allegedly harassed and the person accused of harassment in writing when the complaint has been resolved. The written notice shall state whether prohibited harassment occurred.

Sexual Harassment Prohibited by Title IX

Definitions

"Actual knowledge" means notice of sexual harassment prohibited by Title IX or allegations of sexual harassment prohibited by Title IX to the Title IX Coordinator or any official of the school division who has authority to institute corrective measures or to any employee of an elementary or secondary school.

"Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment prohibited by Title IX.

"Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment prohibited by Title IX against a respondent and

requesting that the allegation be investigated. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail. When the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party. The allegations in a formal complaint must be investigated. In response to a formal complaint, the Title IX Grievance Process below is followed.

“Program or activity” includes locations, events or circumstances over which the School Board exercises substantial control over both the respondent and the context in which the sexual harassment occurs.

“Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment prohibited by Title IX.

“Supportive measures” means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the School Board’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security or monitoring of parts of campus, and other similar measures. Any supportive measures provided to the complainant or respondent are maintained as confidential, to the extent that maintaining such confidentiality does not impair the ability to provide supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

Title IX Grievance Process

Generally

Any person may report sex discrimination prohibited by Title IX, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. The reporting party may use the form, Report of Harassment, GBA-F/JFHA-F, to make a complaint. Such a report may be made at any time, including non-business hours, by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator.

Complainants and respondents are treated equitably by offering supportive measures to a complainant and by following this grievance process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent.

The Title IX Coordinator promptly contacts the complainant to discuss the availability of supportive measures, consider the complainant’s wishes with respect to supportive measures,

inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain the process for filing a formal complaint.

Applicants for admission and employment, students, parents or legal guardians, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the School Board are notified

- of the name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator; and
- that the School Board does not discriminate on the basis of sex in its education program or activity and that it is required by Title IX not to discriminate in such a manner. The notification states that the requirement not to discriminate extends to admission and employment and that inquiries about the application of Title IX may be referred to the Title IX Coordinator, the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

The School Board prominently displays the contact information for the Title IX Coordinator and this policy on its website and in each handbook or catalog it makes available to persons listed above who are entitled to notifications.

Nothing herein precludes a respondent from being removed from the School Board's education program or activity on an emergency basis, provided that an individualized safety and risk analysis determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and that the respondent is provided with notice and an opportunity to challenge the decision immediately following the removal.

Nothing herein precludes a non-student employee respondent from being placed on administrative leave during the pendency of a grievance process

This grievance process treats complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following this process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. Remedies are designed to restore or preserve equal access to the School Board's education program or activity.

The respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

All relevant evidence is evaluated objectively, including both inculpatory and exculpatory evidence. Credibility determinations are not based on a person's status as a complainant, respondent, or witness.

Any Title IX Coordinator, investigator, decision-maker, or any person who facilitates an informal resolution process may not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process receives training on the definition of sexual harassment prohibited by Title IX, the scope of the School Board's education program or activity, how to conduct an investigation and grievance process including appeals, and informal resolution processes, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Decision-makers receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant. Investigators receive training on issues of relevance in order to create investigative reports that fairly summarize relevant evidence.

A finding of responsibility may result in disciplinary action up to and including expulsion for students or dismissal of employees.

The standard of evidence used to determine responsibility is preponderance of the evidence.

This grievance process does not allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege unless the person holding such privilege has waived the privilege.

Notice of Allegations

On receipt of a formal complaint, the Title IX coordinator gives the following written notice to the parties who are known:

- notice of the grievance process, including any informal resolution process, and
- notice of the allegations of sexual harassment potentially constituting sexual harassment prohibited by title IX, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment prohibited by Title IX, and the date and location of the alleged incident, if known.

The written notice

- includes a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- informs the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence; and
- informs the parties of any provisions in the School Board's code of conduct or the superintendent's Standards of Student Conduct that prohibit knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the investigator decides to investigate allegations about the complainant or respondent that are not included in the notice previously provided, notice of the additional allegations is provided to the parties whose identities are known.

Dismissal of formal complaints

A formal complaint or any allegations therein must be dismissed if the conduct alleged in the complaint

- would not constitute sexual harassment prohibited by title IX even if proved,
- did not occur in the School Board's education program or activity, or
- did not occur against a person in the United States.

Such a dismissal does not preclude action under another provision of the School Board's code of conduct or the superintendent's Standards of Student Conduct.

A formal complaint or any allegations therein may be dismissed if at any time during the investigation:

- a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- the respondent is no longer enrolled or employed by the School Board; or
- specific circumstances prevent the School Board from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Investigation of formal complaint

When investigating a formal complaint and throughout the grievance process, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the School Board and not on the parties provided that a party's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party are not accessed, considered, disclosed or otherwise used without the voluntary, written consent of the party's parent, or the party if the party is an eligible student, to do so for this grievance procedure.

The parties have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

The ability of the parties to discuss the allegations under investigation or to gather and present relevant evidence is not restricted.

The parties have the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. The choice or presence of advisor for either the complainant or respondent is not limited in any meeting or grievance proceeding.

Any party whose participation is invited or expected is provided written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings with sufficient time for the party to prepare to participate.

The investigator provides both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in

a formal complaint, including the evidence which will not be relied upon in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to the completion of the investigative report, the investigator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report.

The investigator creates an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the time a determination regarding responsibility is made, sends to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

After the investigator has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision-maker must afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the question any decision to exclude a question as not relevant.

Determination regarding responsibility

The decision-maker, who cannot be the same person as the Title IX Coordinator or the investigator, must issue a written determination regarding responsibility.

The written determination must include

- identification of the allegations potentially constituting sexual harassment prohibited by Title IX;
- a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
- findings of fact supporting the determination;
- conclusions regarding the application of the School Board's code of conduct or the superintendent's Standards of Student Conduct to the facts;
- a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the School Board imposes on the respondent, and whether remedies designed to restore or preserve equal access to the School Board's education program or activity will be provided to the complainant; and
- the procedures and permissible bases for the complainant and respondent to appeal.

The decision-maker must provide the written determination regarding responsibility to the parties simultaneously.

The determination regarding responsibility becomes final either on the date that the parties are provided with the written determination of the result of the appeal, if an appeal is filed, or, if an appeal is not filed, the date on which an appeal would no longer be considered timely.

The Title IX Coordinator is responsible for effective implementation of any remedies.

Appeals

Either party may appeal from a determination regarding responsibility or from a dismissal of a formal complaint or any allegations therein, on the following bases:

- procedural irregularity that affected the outcome of the matter;
- new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- the Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

Notification of appeal must be given in writing to the Title IX Coordinator.

As to all appeals, the Title IX Coordinator

- notifies the other party in writing when an appeal is filed and implements appeal procedures equally for both parties;
- ensures that the decision-maker for the appeal is not the same person as the decision-maker that reached the determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator; and
- ensures that the decision-maker for the appeal complies with the standards set forth in title IX and this policy.

The appeal decision-maker

- gives both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- reviews the evidence gathered by the investigator, the investigator's report, and the decision-maker's written decision;
- issues a written decision describing the result of the appeal and the rationale for the result; and
- provides the written decision simultaneously to both parties and the Title IX Coordinator.

Timelines

The investigative report will be provided to the parties within 35 days from the date the formal complaint is filed.

A decision will be issued within 10 working days from the date the investigative report is submitted to the decision-maker.

Either party may appeal within 5 working days from the date the written determination regarding responsibility is given to the parties.

Any appeal will be resolved with 15 calendar days from the filing of the appeal.

If the parties agree to an informal resolution process, these deadlines are tolled from the time one party requests an informal resolution process until either the time the other party responds, if that party does not agree to the informal resolution process, or until either party withdraws from the informal resolution process.

Temporary delays of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action are permitted. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; disciplinary processes required by law or School Board policy; or the need for language assistance or accommodation of disabilities.

Informal Resolution Process

At any time during the formal complaint process and prior to reaching a determination regarding responsibility, the parties may participate in an informal resolution process, such as mediation, that does not involve a full investigation and determination of responsibility. When one party requests an informal resolution process, the other party must respond to the request within 3 days. The informal resolution process must be completed within 10 days of the agreement to participate in the process.

The informal resolution process may be facilitated by a trained educational professional, consultant, or other individual selected by the Title IX Coordinator under the following conditions:

- the parties are provided a written notice disclosing the allegations, the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations; provided, however that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process, resume the grievance process with respect to the formal complaint, and be informed of any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- the parties, voluntarily and in writing, consent to the informal resolution process; and
- the informal resolution process cannot be used to resolve allegations that an employee sexually harassed a student.

If the matter is resolved to the satisfaction of the parties, the facilitator shall document the nature of the complaint and the resolution, have both parties sign the documentation and

receive a copy, and forward it to the Title IX Coordinator. If the matter is not resolved, the formal complaint process is resumed.

Parties cannot be required to participate in an informal resolution process.

An informal resolution process is not offered unless a formal complaint is filed.

Recordkeeping

The School Board will maintain for a period of seven years records of:

- each investigation of allegations of sexual harassment prohibited by Title IX including any determination regarding responsibility and any audio or audiovisual recording or transcript, if any, required under the Title IX regulations, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to School Board's education program or activity;
- any appeal and the result therefrom;
- any informal resolution and the result therefrom; and
- all materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. These materials will also be made available on the School Board's website.

For each response required under 34 C.F.R. § 106.44, the School Board must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment prohibited by Title IX. In each instance, the School Board will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to its education program or activity. If the School Board does not provide a complainant with supportive measures, then it will document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

IV. Retaliation

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

V. Right to Alternative Complaint Procedure

Nothing in this policy shall deny the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited harassment including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law.

VI. Prevention and Notice of Policy

Training to prevent harassment prohibited by law or by this policy is included in employee and student orientations as well as employee in-service training.

This policy is (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel (2) included in the student and employee handbooks; and (3) sent to parents of all students within 30 calendar days of the start of school. Further, all students, and their parents/guardians, and employees are notified annually of the names and contact information of the Compliance Officers.

VII. False Charges

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

Adopted: March 8, 2000

Revised: July 12, 2002
July 13, 2011
June 12, 2013
June 11, 2015
July 9, 2020
September 10, 2021
July 8, 2021

Legal Refs: 20 U.S.C. §§ 1681-1688.
29 U.S.C. § 794.
42 U.S.C. §§ 2000d-2000d-7.
42 U.S.C. §§ 2000e-2000e-17.
42 U.S.C. § 2000ff-1.
34 C.F.R. 106.2, 106.8, 106.9, 106.30, 106.44, 106.45, 106.71.

Code of Virginia, 1950 as amended, §§ 2.2-3900, 2.2-3901, 2.2-3902, 22.1-23.3, 22.1-295.2.

Cross Refs:	AC	Nondiscrimination
	AD	Educational Philosophy
	GAB/IIBEA	Acceptable Computer System Use
	GB	Equal Employment Opportunity/Nondiscrimination
	GBA-F/JFHA-F	Report of Harassment
	GBM	Professional Staff Grievances
	GBMA	Support Staff Grievances

JB	Equal Educational Opportunities/Nondiscrimination
JFC	Student Conduct
GCPD	Professional Staff Discipline
GAE	Child Abuse and Neglect Reporting
KKA	Service Animals in Public Schools

Wythe County Public Schools
REPORT OF HARASSMENT
Policy: GBA-F/JFHA-F

Name of Complainant: _____

For Students, School Attending: _____

For Employees, Position and Location: _____

Address, Phone Number
and Email Address: _____

Date(s) of Alleged Incident(s) of Harassment: _____

Name of person(s) you believe harassed you or others: _____

If the alleged harassment was toward another, please identify that person: _____

Please describe in detail the incident(s) of alleged harassment, including where and when the incident(s) occurred. Please note any witnesses that may have observed the incident(s). Please include a description of any past incidents that may be related to this complaint. Attach additional pages if necessary.

I certify that the information provided in this report is true, correct and complete to the best of my knowledge:

Signature of Complainant Date

Complaint Received By: _____
(Principal or Compliance Officer) Date

APPENDIX E

COACHING AND ACADEMIC PAY SCHEDULE

The following will be in 12 equal installments:

Athletic Director Assistive Technology	Webmasters Student Activities Coordinator	Newspaper Yearbook	Band JROTC	SCA Chorus
Month Paid	Sport			Portion Paid
September	Cross Country Cheer Football Golf Theatre Volleyball			One Half One Fourth One Half One Half One Half One Half
November	Cross Country Cheer Football Golf Theatre Volleyball			One Half One Fourth One Half One Half One Half One Half
December	Fall Sports Basketball Cheer Dance FBLA FCCLA Forensics MACC Swim Wrestling Indoor Track Math Counts Gifted and Talented			Extra Days One Half One Fourth One Half Full Payment Full Payment One Half One Half One Half One Half One Half One Half One Half
February	Basketball Cheer Dance Forensics MACC Swim Wrestling Indoor Track Math Counts			One Half One Fourth One Half One Half One Half One Half One Half One Half One Half One Half
March	Winter Sports Baseball Soccer Softball Tennis Track VHSL Academic Coach			Extra Days One Half One Half One Half One Half One Half One Half
May	Baseball Soccer Softball Tennis Track VHSL Academic Coach			One Half One Half One Half One Half One Half One Half
June	Spring Sports Gifted and Talented			Extra Days One Half

APPENDIX F

Employee Handbook Verification

I have been made aware about the Employee Handbook for Wythe County Public Schools and realize it is located on the WCPS website and a hard copy can be requested from the school office upon request.

Employee's Signature

Date

Employee (Print Full Name)

Assigned School or Facility Location

Principal's Signature or
Supervisor's Signature

Date

EMPLOYEE ACCEPTABLE COMPUTER SYSTEM USE AGREEMENT

Full Name (Please print) _____

I have read the Wythe County School's Acceptable Computer System Use Policy, GAB/IIBEA. I understand fully and agree to abide by the principles and guidelines it contains. I understand that these services are provided for educational purposes. In addition, I have read and agree to refrain from unacceptable uses of the computer network and telecommunications resources. I further understand that any violation of the policy is unethical and may constitute a criminal offense. Further, I agree to accept all financial and legal liabilities which may result from my use of the Wythe County School computer network and telecommunications services. Should I commit a violation, my access privileges may be revoked with or without notice, disciplinary action may be taken, and appropriate legal action may be taken.

Employee Signature

Date