



Human Resource

Policies and Procedures

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HR-1 Acceptable Employee Use of Internet, Computers, and Network Resources

Reference(s)

- 53A-3-422 Internet and Online Access Policy Required Children's Internet Protection Act (CIPA)
- R277-515 Utah Educator Standards

I. Purpose for Policy

- A. East Hollywood High School Board of Trustees permits employees to access the Internet and use EHHS computers and network resources as part of their work responsibilities.
- B. The use of EHHS network resources is a privilege, not a right, and all usage must be in compliance with the accompanying administrative procedures. In general, EHHS requires responsible, decent, ethical, polite, efficient, and legal use of its network resources.
- C. EHHS has also taken appropriate precautions to restrict access to inappropriate materials including filtering Internet access on all EHHS purchased devices on and off-site; however, on a global network it is impossible to guarantee that all inappropriate material will be blocked.
- D. Disciplinary action may be imposed, including the revocation of network privileges, for failure to comply with this policy or its administrative procedures.
- E. The purpose of this policy is to inform all employees of the guidelines that must be followed when using the EHHS's computers and network resources.

II. Authority

- A. The EHHS has the right to place restrictions on the use of equipment, resources, and materials employees' access or disclose through the EHHS's Internet, computers, and network resources (collectively "electronic resources").
- B. In general, all EHHS employees are responsible for the efficient, ethical, and legal utilization of the EHHS's electronic resources. Employees must therefore comply with all applicable local, state, and federal laws, board policies, and administrative procedures in their use of such resources.

III. Access to EHHS Electronic Resources

- A. Employees may be given access to the EHHS's electronic resources, including an account and password. This access must not be shared, assigned, or transferred to another individual.
- B. The EHHS will periodically require new registration and account information from its employees. Employees must notify the school principal of any changes in account information (address, phone, name, etc.). Once EHHS administration updates the information, the changes should start propagating to EHHS systems within 24 hours. If that does not occur, please contact the EHHS's information systems department (IT department).
- C. This access has not been established as a public access service or a public forum.

IV. Privileges

- A. The use of the EHHS's electronic resources is a privilege, not a right. Inappropriate use may result in disciplinary action up to and including termination, and when appropriate, a referral to legal authorities. An administrator or supervisor may limit, suspend, or revoke an employee's access to electronic resources at any time.
- B. The EHHS uses monitoring systems to monitor and detect inappropriate use and may use tracking systems to track and recover lost or stolen equipment.
- C. By accessing the EHHS's network resources, employees acknowledge that they have read, understand, and agree to abide by the provisions EHHS's Acceptable Use policy..

V. Acceptable Use

- A. An employee's use of the EHHS's electronic resources shall be consistent with the EHHS's purpose, mission, and goals, and shall be for educational and professional purposes.
- B. Incidental use of electronic resources for personal reasons is allowed provided that such use does not:
 - 1. Disrupt or distract from the conduct of EHHS business due to volume, timing or frequency.
 - 2. Interfere with the employee's duties.
 - 3. Violate the provisions of these administrative procedures.
 - 4. Involve actions which may harm or otherwise disadvantage EHHS.
 - 5. Any employee who "publishes" on the Internet must abide by the EHHS's approved publishing procedures.
 - 6. All employees are expected to abide by the generally accepted rules of network etiquette. These include, but are not limited to the following:
 - a) Be polite.
 - b) Do not be abusive in your messages to others.
 - c) Use appropriate language.
 - d) If told by a person to stop sending messages, the sender must stop.

VI. Prohibited Uses

- A. The following uses of the EHHS's electronic resources are prohibited and just cause for termination of use privileges, disciplinary action, and/or legal action.
 - 1. Illegal use: any use that violates, or supports the violation of, federal, state, or local laws, and/or board policy; any unauthorized use of copyrighted materials or material protected by trade secrets; any use in violation of software license agreements; any use that constitutes plagiarism.
 - 2. Vandalism and/or theft: any deliberate attempt to damage the hardware, software, or information residing on the EHHS's network or any other computer system attached through the Internet; violating, or attempting to violate, the integrity of private accounts, files, or programs; deliberately infecting a computer with a virus; hacking computers using any method; interfering with computer or network performance; interfering with another's ability to use equipment and systems; destroying data.

3. Commercial use: any use for commercial purposes or activities resulting in personal financial gain, including product advertisements and solicitations.
4. Offensive or harassing behavior: any use of material, whether visual or textual, that may be deemed profane, vulgar, abusive, threatening, obscene, or sexually explicit; distribution of disparaging or harassing statements including those that might incite violence or that are based on race, national origin, sex, sexual orientation, age, disability, or political or religious beliefs; posting of anonymous messages.
5. Religious or political use: any use for a religious or political purpose, including religious proselytizing and lobbying for student body elections.
6. Security violations: using an account other than your own; accessing, or attempting to access accounts, sites, servers, files, databases, or other systems for which an employee is not authorized (e.g. "hacking" or using "spyware"); spreading computer viruses; degrading or disrupting network equipment, software, or system performance; running applications or files that create a security risk; any other action that threatens the security of the EHHS's electronic resources.
7. Any employee who "publishes" on the Internet must abide by the EHHS's approved publishing procedures.
8. All employees are expected to abide by the generally accepted rules of network etiquette. These include, but are not limited to the following:
 - a) Be polite.
 - b) Do not be abusive in your messages to others.
 - c) Use appropriate language.
 - d) If told by a person to stop sending messages, the sender must stop.
9. Unnecessary uses: downloading or streaming audio or video files, or any other files that are not directly related to ordinary course of business; forwarding or replying to chain letters, pyramid schemes, "contests" or "fast cash" schemes; and posting or sending advertisements, unauthorized solicitations, mass cross-postings, and uninvited mass mailings.
10. Tampering: any attempt to bypass state, EHHS, or school security; attempting to disable or bypass the EHHS's Internet blocking/filtering software without authorization; adding, modifying, repairing, removing, reconfiguring or tampering with any device on the EHHS's network infrastructure.

VII. Violations and Discipline

- A. Authorized EHHS employees will be responsible for determining what constitutes a violation of this policy. Authorized EHHS employees have the right to intercept or read a user's email, review any material and to edit or remove any material which they believe may be unlawful, obscene, defamatory, abusive, or otherwise objectionable. If the EHHS intends to impose any discipline other than revoking privileges, the employee will be afforded appropriate due process.
- B. The following processes must be followed when reporting a violation:
 1. Notify a school administrator or the EHHS's IT department.
 2. The school administrator or member of the IT department will notify the EHHS.
 3. Business Manager and the appropriate law enforcement agency if necessary.
 4. EHHS Business Manager will guide the investigation and subsequent discipline.

5. EHHS Principal and Business Manager may request assistance in the investigation from the IT department.
 6. Any substantiated violation and imposed discipline will be recorded in the employee's personnel file.
- C. If in the course of performing his or her job duties, a member of the IT department views an image on a computer or other electronic device that is or appears to be child pornography, state law requires the IT staff member to immediately report the finding of the image to state or local law enforcement, the Cyber Tip Line at the National Center for Missing and Exploited Children, or the Chief Information Officer.

VIII. Privacy Information

- A. Nothing is private on the network. The EHHS's electronic resources are EHHS property. Employees should recognize there is no expectation of privacy as to their use of the EHHS's electronic resources. Therefore, employees shall have no expectation of privacy in anything they create, store, send, delete, receive or display on or over the EHHS's electronic resources, including personal files. The EHHS reserves the right to monitor, track, and log network access and use; monitor fileserver space utilization; and deny access to prevent unauthorized, inappropriate or illegal activity.
- B. The EHHS shall cooperate fully with local, state and federal officials in any investigation concerning or related to illegal activities. In addition, under Utah's Governmental Records Access Management Act and the Federal Educational Right to Privacy Act, persons outside the EHHS may be able to request and receive information regarding an employee's communications and use of electronic resources.

IX. Ownership of Messages, Data and Documents

- A. Except where required by law, all information contained in the EHHS's electronic resources are EHHS property. Therefore, all information created, sent, received, accessed or stored using these electronic resources is the property of the EHHS.
- B. Upon termination of employment, EHHS is under no obligation to provide access to personal files or other information stored on the EHHS's electronic resources.

X. Security

- A. Security is a high priority on computer networks because of multiple users.
- B. If a security problem is identified, the user must notify the system administrator immediately. Employees must not demonstrate the problem to other users.
- C. You must report any of the following to a school administrator or the IT department:
1. If you receive or obtain information to which you are not entitled.
 2. If you know of any inappropriate use of the network by others.
 3. If you believe the filtering software is not filtering a site or sites that should be filtered.
 4. If you have information that users are using and/or accessing accounts other than their own.

XI. Filtering/Blocking Software

- A. The EHHS utilizes and consistently configures filtering/blocking software to block access to sites and materials that are inappropriate, offensive, and obscene, contain pornography, or are otherwise harmful to EHHS personnel as required by federal and state law. Filtering/blocking software is continuously in effect on the EHHS's electronic resources on and off-site. The EHHS will utilize its best efforts to block access to such inappropriate sites and materials, but cannot warrant the complete effectiveness of its filtering/blocking software.

XII. Disclaimer

- A. EHHS makes no warranties of any kind, whether expressed or implied, for the services it is providing. Electronic resources are provided on an "as is, as available" basis.
- B. EHHS will not be responsible for any damages an employee may suffer while using its electronic resources. These damages may include but are not limited to:
 - 1. Loss of data resulting from delays, non-deliveries, or service interruptions caused by the system or by employee negligence, error or omission.
 - 2. EHHS makes no promise or warranty to maintain or update its network, or the information contained therein.
 - 3. EHHS may suspend or discontinue these services at any time. Use of any information obtained via the information system is at the employee's own risk.
 - 4. EHHS specifically denies any responsibility for the accuracy or appropriateness of information obtained through electronic resources.

HR-2 Administrative Procedures - Ethical Code of Conduct for Educators

Resource(s)

- 63G-6a-2401 Unlawful Conduct and Penalties
- 67-16-1 et seq. Utah Public Officers' and Employees' Ethics Act
- R277-515 Utah Educator Standards
- R277-516 Background Check Policies and Required Reports of Arrests
- R277-517 LEA Codes of Conduct
- R277-530 Utah Effective Teaching and Educational Leadership Standards

I. Procedure for Implementation

- A. East Hollywood High School Board of Trustees require employees to comply with all applicable standards governing their professional and ethical conduct, including all policies and procedures, and state and federal laws and regulations. Adherence to these standards will ensure the highest principles of ethical behavior.
- B. The purpose of this policy is to protect and uphold the trust vested in school employees by the community by requiring that all employees exemplify ethical behavior.
- C. Annual training on ethical standards, which may include topics such as appropriate and inappropriate interactions with students, authorized outside employment, prohibited procurement activities, and acceptance of gifts or compensation, will be provided to all employees. New employees will receive ethical training aligned to their job responsibilities at the time of hire.

II. Employees Code of Conduct

- A. East Hollywood High School employees, whether in or outside the classroom are role models for the students and should conduct themselves at all times as respectful, responsible adults and good citizens. Employee should guide their behavior by what is in the best interest of the students and the school. Employees must constantly maintain professional boundaries between themselves and the students.
- B. Employees are expected to dress, speak, and behave appropriately for their assignments and with due respect for the seriousness of the educational endeavor and due regard for their position as role models for young people.
- C. Employees are expected to know and comply with the Educator Standards Rules of the Utah State Office of Education (R277-515 of the Administrative Rules Consolidated, pp. 323-328, <http://schools.utah.gov/law/Administrative-Rules.aspx>).
- D. All EHHS employees must comply with various standards governing their ethical and professional behavior and acknowledge that they serve the public, and that the public has placed its trust in school employees.
- E. Employees have a responsibility to maintain standards of exemplary professional conduct in a manner characterized by trust, morality, and ethical principles.
- F. Employees need to recognize that their actions will be viewed and appraised by the community, professional associates, and students.

G. EHHS's Employees Will:

1. Comply with the Utah Public Officers' and Employees' Ethics Act, including provisions related to:
 - a) Potential conflicts caused by outside employment;
 - b) Accepting gifts or compensation; and
 - c) Participating in transactions involving a business in which the employee has an interest.
2. Obey local, state and national laws and not knowingly join or support organizations that advocate, directly or indirectly the over-throw of the government.
3. Comply with the board's policies and school administrative procedures.
4. Make the well-being of students the fundamental value of all decision making and actions.
5. Fulfill professional responsibilities with honesty and integrity.
6. Be a role model of civic and society responsibility.
7. Support the principle of due process and protect the civil and human rights of all individuals.
8. Maintain a positive and safe learning and working environment.
9. Maintain healthy boundaries with students and employees by following fundamental principles:
 - a) Not subject a student to: physical, verbal, sexual, and/ mental abuse.
 - b) Report any suspected incidents of: physical, verbal, sexual, mental abuse, and or neglect proper authorities.
 - c) Not touch a student in a way that makes a reasonably objective student feel uncomfortable.
 - d) Use appropriate verbal or electronic communication between a staff member and a student.
 - e) Not provide gifts, special favors, or preferential treatment to a student or group of students.
 - f) Not discriminate against a student on the basis of sex, race, religion, or any other prohibited class.
 - g) Not inappropriately use electronic devices and social media for communication between a staff members and a student.
 - h) Use alcohol, tobacco, and illegal substances during work hours and on school property.

H. Employee standards

1. Employees will also comply with the Utah Educator Standards, including, but not limited to, the following:
 - a) Pursue appropriate measures to correct those laws, policies and regulations that are not consistent with sound educational goals
 - b) Not use their position within the school for either special privileges or exemptions for themselves or others, including relatives

- c) Accept academic degrees or professional certification only from duly accredited institutions
 - d) Maintain the educator standards and seek to improve the effectiveness of the profession through research and continuing professional development
 - e) Honor all contracts until fulfillment or release
 - f) Avoid initiating any form of private communication with a student not related to work responsibilities
2. Administrator standards:
- a) Administrators shall demonstrate the traits, skills, and work functions designated in Utah's Educational Leadership Standards.

III. Violations of Professional Ethics

- A. Every active licensed educator/employee shall annually review the Ethical Code of Conduct for Educators and sign a verification form that states they have read and understand the following items listed below:
 - 1. Has read and understand R277-515 and R277-516; and
 - 2. Understands that the educator's conduct is governed by R277-515 and R277-516.
 - 3. Failure to submit the signed verification form to the school principal by September 30 may result in licensing discipline.
- B. Provisions of this rule do not prevent, circumvent, replace, nor mirror criminal or potential charges that may be issued against a professional educator.
- C. The Board of Trustees and Principal/Director shall adhere to the provisions of this rule in licensing and disciplining a licensed Utah educator.
 - 1. Reporting and employment provisions related to professional ethics are provided in:
 - a) Section 53A-15-1507
 - b) Section 53A-6-501
 - c) Section 53A-11-403; and
 - d) Section R277-516-7
- D. Any school employee who violates this established code of conduct will be subject to disciplinary action up to and including termination.

HR-3 Educators Professional Standards

Resource(s)

- R277-515 Utah Educator Professional Standards
- R277-516 Background Check Policies and Required Reports of Arrests
- R277-517 LEA Codes of Conduct
- R277-530 Utah Effective Teaching and Educational Leadership

I. Purpose of this rule is to:

- A. Establish statewide standards for public school educators that provide notice to educators and prospective educators and notice and protection to public school students and parents.
- B. Recognize that licensed public school educators are professionals and, as such, should share common professional standards, expectations, and role model responsibilities.
- C. Distinguish behavior for which educators shall receive license discipline from behavior that all Utah educators should aspire to and for which license discipline shall be initiated only in egregious circumstances or following a pattern of offenses.

II. Definitions

- A. "Boundary violation" means crossing verbal, physical, emotional, and social lines that an educator and staff members must maintain in order to ensure structure, security, and predictability in an educational environment.
 1. A "boundary violation" may include the following, depending on the circumstances:
 - a) Isolated, one-on-one interactions with students out of the line of sight of others;
 - b) Meeting with students in rooms with covered or blocked windows;
 - c) Telling risqué jokes to, or in the presence of a student;
 - d) Showing favoritism to a student;
 - e) Giving gifts to individual students;
 - f) Educator initiated frontal hugging or other uninvited touching;
 - g) Photographing individual students for a non-educational purpose or use;
 - h) Engaging in inappropriate or unprofessional contact outside of educational program activities
 - i) Exchanging personal email or phone numbers with a student for a non-educational purpose or use;
 - j) Interacting privately with a student through social media, computer, or handheld devices; and discussing an educator's personal life or personal issues with a student.
 2. "Boundary violations" does not include:
 - a) Offering praise, encouragement, or acknowledgment
 - b) Offering rewards available to all who achieve
 - c) Asking permission to touch for necessary purposes

- d) Giving pats on the back or a shoulder
- e) Giving side hugs
- B. "Educator" or "professional educator" means a person who currently holds a Utah educator license, held a license at the time of an alleged offense, is an applicant for a license, or is a person in training to obtain a license.
- C. "Professional educator" does not include a paraprofessional, a volunteer, or an unlicensed teacher in a classroom.
- D. "Illegal drug" means a substance included in:
 - 1. Schedules I, II, III, IV, or V established in Section 58-37-4
 - 2. Schedules I, II, III, IV, or V of the federal Controlled Substances Act, Title II, Pub. No. 91-513
 - 3. A controlled substance analog
- E. "Grooming" means befriending and establishing an emotional connection with a child or a child's family to lower the child's inhibitions for emotional, physical, or sexual abuse.
- F. "Licensing discipline" means a sanction, including an admonition, a letter of warning, a written reprimand, suspension of license, and revocation of license, or other appropriate disciplinary measure, for violation of a professional educator standard.
- G. "Misdemeanor offense," for purposes of this rule, does not include Class C or lower violations of Title 41, Utah Motor Vehicle Code.
- H. "Plea in abeyance" means a plea of guilty or no contest that is not entered as a judgment or conviction but is held by a court in abeyance for a specified period of time.
- I. "School-related activity" means any event, activity, or program:
 - 1. Occurring at the school before, during, or after school hours; or
 - 2. That a student attends at a remote location as a representative of the school or with the school's authorization, or both.
- J. "Stalking" means the act of intentionally or knowingly engaging in a course of conduct directed at a specific person as defined in Section 76-5-106.5.
- K. "Utah Professional Practices Advisory Commission" or "UPPAC" means an advisory commission established to assist and advise the Board in matters relating to the professional practices of educators, as established by Section 53A-6-301.
- L. "Weapon" means any item that in the manner of its use or intended use is capable of causing death or serious bodily injury.

III. Educator as a Role Model of Civic and Societal Responsibility

- A. The professional educator is responsible for compliance with federal, state, and local law.
- B. The professional educator shall familiarize himself or herself with professional ethics and is responsible for compliance with applicable professional standards. Failing to strictly adhere to the standards could result in licensing discipline.
- C. Professional educators may not commit the following acts:
 - 1. Commit any act of cruelty to a child or any criminal offense involving a child.
 - 2. Be convicted of a stalking crime.

3. Possess or distribute an illegal drug or be convicted of any crime related to an illegal drug, including a prescription drug not specifically prescribed for the individual.
 4. Engage in conduct of a sexual nature.
 5. Be subject to a diversion agreement specific to a sex-related or drug offense offence, plea in abeyance, court imposed probation, or court supervision related to a criminal charge that could adversely impact the educator's ability to perform the duties and responsibilities of the profession.
 6. Provide to a student or allow a student under the educator's supervision or control to consume an alcoholic beverage or unauthorized drug.
 7. Attend school or a school-related activity in an assigned supervisory capacity while possessing, using, or under the influence of alcohol or an illegal drug;
 8. Intentionally exceed the prescribed dosage of a prescription medication while at school or a school-related activity.
- D. A professional educator and/or staff member shall cooperate in providing all relevant information and evidence to the proper authority in the course of an investigation by a law enforcement agency or by the Division of Child and Family Services regarding potential criminal activity, except for when an educator declines to give evidence against himself or herself in an investigation that may incriminate the educator as defined by the Fifth Amendment of the U.S. Constitution.
- E. Professional educators and staff members shall adhere to the following:
1. Report suspected child abuse: physical, verbal, sexual, mental abuse, and or neglect to proper to law enforcement or the Division of Child and Family Services pursuant to Sections 53A-6-502 and 62A-4a-409 and comply with rules and EHHS's policy regarding the reporting of suspected child abuse.
 2. Strictly adhere to state laws regarding the possession of a firearm while on school property or at a school-sponsored activity and enforce EHHS's policy related to student access to or possession of a weapon.
 3. Maintain confidentiality concerning a student unless revealing confidential information to an authorized person that serves in the best interest of the student and has a lawful purpose, consistent with:
 - a) Utah Family Educational Rights and Privacy Act; and
 - b) Federal Family Educational Rights and Privacy Acts
 - c) Utah Public Officers' and Employees' Ethics Act
 4. Be forthcoming with accurate and complete information to an appropriate authority regarding known educator misconduct that could adversely impact performance of a professional responsibility, including a role model responsibility, by himself or herself, or another.
 5. Provide accurate and complete information required for licensure, transfer, or employment purposes.
 6. Provide accurate and complete information regarding qualifications, degrees, academic or professional awards or honors, and related employment history when applying for employment or licensure.
 7. Notify EHHS administration at the time of application for licensure of past license disciplinary action or license discipline from another jurisdiction;
 8. Notify EHHS's administration honestly and completely of past criminal convictions at the time of the license application and renewal of licenses.

9. Provide complete and accurate information during an official inquiry or investigation by EHHS's administration, state, or law enforcement personnel.
 10. Provide accurate and complete information in a required evaluation of himself or herself, another educator, or student, as directed, consistent with the law.
 11. EHHS's administration shall report violations to UPPAC
 - a) Failure to adhere to the "Educators Code of Ethics" may result in licensing discipline.
 - b) A penalty shall be imposed, most readily, if an educator has received a previous documented
- F. Professional educators may not commit the following actions:
1. Participate in sexual, physical, or emotional harassment towards any public school-age student or colleague.
 2. Subject a student's to: physical, verbal, sexual, and/or mental abuse.
 3. Knowingly allow harassment toward a student or colleague.
 4. Make inappropriate contact in any communication, including written, verbal, or electronic, with a minor, student, or colleague, regardless of age or location.
 5. Interfere or discourage a student's or colleagues legitimate exercise of political and civil rights, acting consistent with law and EHHS's policy.
 6. Exclude a student from participating in any program or deny or grant any benefit to any student on the basis of race, color, creed, sex, national origin, marital status, political or religious belief, physical or mental condition, family, social, or cultural background, or sexual orientation.
 7. Engage in conduct that would encourage a student to develop a prejudice.
 8. Accept a bonus or incentive from a vendor or potential vendor or a gift from a parent of a student, or a student where there may be the appearance of a conflict of interest or impropriety.
 9. Accept or give a gift to a student that would suggest or further an inappropriate relationship.
 10. Accept or give a gift to a colleague that is inappropriate or furthers the appearance of impropriety.
 11. Use alcohol, tobacco, and illegal substances during work hours and on school property
- G. Educators may accept the following:
1. A donation from a student, parent, or business donating specifically and strictly to benefit a student.
 2. May accept, but not solicit, a nominal appropriate personal gift for a birthday, holiday, or teacher appreciation occasion, consistent with EHHS policy and Utah Public Officers' and Employees' Ethics Act;
- H. Educators may not use their position for personal, professional, or financial gain. Listed below are specific examples an educator could use their position for personal gain:
1. Solicit a colleague, student, or parent of a student to purchase equipment, supplies, or services from the educator or participate in an activity that financially benefits the educator unless approved in writing by EHHS administration and/or the Board of Trustees.

2. Promote an athletic camp, summer league, travel opportunity, or other outside instructional opportunity from which the educator receives personal remuneration and that involve students in the educator's school system, unless approved in writing consistent and with EHHS's policy and rule.
3. May not use school property, a facility, or equipment for personal enrichment, commercial gain, or for personal uses without express supervisor permission.

IV. Educator Responsibility for Maintaining a Safe Learning Environment and Educational Standards

- A. A professional educator maintains a positive and safe learning environment for a student and works toward meeting an educational standard required by law.
 1. Failure to strictly adhere to this standard of conduct shall result in licensing discipline.
- B. Professional educators, upon receiving a Utah educator license shall adhere to the items listed below:
 1. Take prompt and appropriate action to prevent harassment or discriminatory conduct toward a student or school employee that may result in a hostile, intimidating, abusive, offensive, or oppressive learning environment.
 2. Resolve a disciplinary problem according to law, EHHS's policy, and building procedures and strictly protect student confidentiality and understand laws relating to student information and records.
 3. Supervise students appropriately at school and at school-related activity, home or away, consistent with EHHS's policy and building procedures.
 4. Take action to protect a student from any known condition detrimental to that student's physical health, mental health, safety, or learning.
 5. Demonstrate honesty and integrity by strictly adhering to all state and school instructions and protocols in managing and administering a standardized test to a student.
 6. Cooperate in good faith with a required student assessment.
 7. Submit and include all required student information and assessments, as required by statute and rule.
 8. Attend training and cooperate with assessment training and assessment directives at all levels.
- C. Professional Educators **Shall Not**:
 1. Use or attempt to use an EHHS's computer or information system in violation of the acceptable use policy for an employee or access information that may be detrimental to young people or inconsistent with the educator's role model responsibility.
 2. Knowingly possess, while at school or any school-related activity, any pornographic material in any form.
- D. School administration shall report violations to UPPAC.
- E. Failure to adhere to this subsection may result in licensing discipline.
 1. A penalty shall be imposed, most readily, if an educator has received a previous documented warning from the educator's employer.

- F. Professional educator shall:
1. Demonstrate respect for a diverse perspective, idea, and opinion and encourage contributions from a broad spectrum of school and community sources, including a community whose heritage language is not English;
 2. Use appropriate language, eschewing profane, foul, offensive, or derogatory comments or language;
 3. Maintain a positive and safe learning environment for a student;
 4. Make appropriate use of technology by:
 - a) Involving students in social media responsibly, transparently, and primarily for purposes of teaching and learning per school and district policy.
 - b) Maintaining separate professional and personal virtual profiles.
 - c) Respecting student privacy on social media.
 - d) Taking appropriate and reasonable measures to maintain confidentiality of student information and education records stored or transmitted through the use of electronic or computer technology.
 - e) Working toward meeting an educational standard required by law.
 - f) Teaching the objectives contained in a Core Standard.
 - g) Not distorting or altering subject matter from a Core Standard in a manner inconsistent with the law.
 - h) Using instructional time effectively consistent with LEA policy.
 - i) Encourage a student's best effort in an assessment.

V. Professional Educator Responsibility for Compliance

- A. A professional educator:
1. Understands, respects, and does not violate appropriate boundaries:
 2. Shall conduct financial business with integrity by honestly accounting for all funds committed to the educator's charge, as school responsibilities require, consistent with EHHS's policy.
 3. EHHS's administration shall report violations of educator responsibility for compliance to UPPAC.
- B. A penalty shall be imposed most readily, if an educator has received a previous documented warning from the school administration.
1. The professional educator shall:
 - a) Understands and follows EHHS's policies and procedures.
 - b) Resolves a grievance with a student, colleague, school community member, and parent professionally, with civility, and in accordance with EHHS's policy.
 - c) Shall follow EHHS's policy for collecting money from a student, accounting for all money collected, and not commingling any school funds with personal funds.

VI. Professional Educator Conduct

- A. EHHS's educators shall exhibit integrity and honesty in relationships with the all school administration and personnel.
- B. All educators shall:
 - 1. EHHS's educators shall exhibit integrity and honesty in relationships with the all school administration and personnel.
 - 2. Maintain a professional and appropriate relationship and demeanor with a student, colleague, school community member, and parent.
 - 3. May not promote a personal opinion, personal issue, or political position as part of the instructional process in a manner inconsistent with law.
 - 4. Express a personal opinion professionally and responsibly in the community served by the school.
 - 5. Comply with an EHHS's policies and procedures, supervisory directive, and generally-accepted professional standard regarding appropriate dress and grooming at school and at a school-related event.
 - 6. Work diligently to improve the educator's own professional understanding, judgment, and expertise.
 - 7. Honor all contracts for a professional service.
 - 8. Perform all services required or directed by employment agreement with EHHS with professionalism consistent with the school's policies and rules; and
 - a) Shall recruit another educator for employment in another position only within administrative timeline and guideline.

VII. Violations of Professional Ethics.

- A. EHHS administration shall have every licensed educator review this rule and sign a form verifying that the educator:
 - 1. Has read R277-515 and R277-516; and
 - 2. Understands that the educator's conduct is governed by R277-515 and R277-516.
 - 3. Failure to submit the form identified by September 30 to EHHS's administration may result in licensing discipline.
- B. Provisions of this rule do not prevent, circumvent, replace, nor mirror criminal or potential charges that may be issued against a professional educator.
- C. EHHS's Board of Trustees and administration shall adhere to the provisions of this rule in licensing and disciplining a licensed Utah educator.
 - 1. Reporting and employment provisions related to professional ethics are provided in:
 - a) Section 53A-15-1507
 - b) Section 53A-6-501
 - c) Section 53A-11-403; and
 - d) Section R277-516-7

HR-4 Criminal Background Checks and Arrest Reporting

Resource(s)

- 53-10-108 – Limited Use of Records for Employment Purposes
- 53A-1a-512 – Criminal Background Checks on School Personnel
- 53A-3-410 – Criminal Background Checks on School Personnel
- 53A-6-401 – Background Checks
- R277-501 – Educator Licensing Renewal and Timelines
- R277-481 – Charter School Oversight, Monitoring and Appeals
- R277-516 – Education Employee Required Reports of Arrests

I. Purpose and Intent

- A. The purpose of this policy is to protect the safety, health, and security, of East Hollywood High students, employees, and property. This policy is intended to ensure that all students are instructed and served by public school teachers, employees, board members and volunteers who have not performed acts or violated laws that could or would result in endangering students.

II. Definitions

- A. “Applicant”, “Candidate”, or “Potential Employee” includes all persons seeking employment or appointment for compensatory work with EHHS.
- B. “Licensed Educator” has the meaning given that term in UAC R277-516.
- C. “Employee” means a person being compensated by EHHS or a person employed by a company being compensated by EHHS for services rendered.
- D. “BCI” Utah Department of Public Safety, Bureau of Criminal Identification, a state agency.
- E. “Board Member” means a person who serves on the Board of Trustees of EHHS.
- F. “Crimes Against a Person” includes assault, kidnapping, murder, manslaughter, reckless endangerment, abuse of a child or vulnerable adult, stalking, hazing, making a terroristic threat, and any other offense identified in UCA Title 76, Chapter 5.
1. “Criminal History Report” A report or record generated by the Bureau of Criminal Identification after a search of State of Utah criminal history files and/or other state and federal databases designed by law or by the District.
- G. “Driving Record Report” Traffic-related offenses contained in the Utah Division of Motor Vehicle databases.
- H. “Background Check” or “Background Investigation” As allowed by law, a review of criminal or other public records to obtain information on an applicant or employee that may include, but is not limited to, criminal history reports and driving record reports.

III. Individuals Subject to Background Checks

- A. Applicants (potential employees or candidates) must submit to a criminal background investigation as a condition of application, employment or appointment.
- B. Volunteers with significant unsupervised access to a student in connection with the volunteer's assignment must submit to a criminal background check as a condition of service. Until the background check is complete, the volunteer must remain under the supervised observation of a school employee.
- C. A representative (individual, employee, and/or agent) of a company or organization having established an arrangement or agreement with EHHS to provide services to the school (such as food service vendors with casual access to students), or services with direct student access must submit to a criminal background check.
 - 1. EHHS shall pay the cost of the background check.
 - 2. Information obtained from the background check may be used as a basis to refuse access of the representative to the school, or student, at the sole discretion of the school administration.
 - 3. Failure to comply with this provision shall be basis for termination of the arrangement or agreement with the company or organization.
- D. A background check shall be required for the renewal of any Utah educator license in accordance with Utah Administrative Code R277-501.
- E. Members of the Board of Trustees must submit to a criminal background investigation as a condition of appointment.
- F. Where reasonable cause exists the EHHS may require an existing employee or volunteer to submit to a criminal background check at any time.

IV. Conducting the Background Check

- A. Applicants, board members, and volunteers shall complete applicable forms as a condition of employment/appointment. The forms require self-disclosure of criminal misconduct or violations of the law.
 - 1. The information obtained from the background check and the forms will be compared for accuracy.
 - 2. Any misstatement, omission, or misinformation on the forms is grounds to not hire or for dismissal.
- B. Employees, applicants, board members or volunteers who decline to submit to a background check as allowed by law, who have criminal histories that put students or members of the School community at risk, as evidenced in the results of the background check, and/or fail to report a citing, arrest, charge, or conviction as outlined in this policy cannot be employed by the EHHS, and are subject to termination of employment, revocation of volunteering privileges and/or will not be offered employment or appointment to the Board of Trustees. A criminal conviction does not necessarily preclude employment or volunteering activities with EHHS
- C. A criminal conviction does not necessarily preclude employment or volunteering activities with EHHS.
- D. EHHS has the sole and absolute discretion to determine whether the outcome of a criminal background check will result in administrative action to include the decision to terminate employment, the decision to not hire or the decision not to authorize volunteering activities by an individual.

- E. Likewise, the dismissal of a criminal offense or arrest does not necessarily preclude EHHS from taking administrative action against an employee, board member or volunteer.
- F. The School will immediately suspend an employee, board member or volunteer from student supervision responsibilities pending the outcome of any investigation upon receipt of information concerning alleged offenses which may endanger students or interfere with the orderly operation of the school. Suspensions are generally without pay.

V. Review and Investigation

- A. EHHS may consider both criminal and/or administrative findings. The safety and security of students will be the foremost consideration. EHHS shall consider each circumstance on a case-by-case basis and use the following factors to determine an applicant, current employee's, board member's or volunteer's suitability to work in the school.
 - 1. Type of conviction;
 - 2. Relevance of any conviction to the individual's position;
 - 3. A history of multiple convictions that suggests a pattern of criminal behavior or bad judgment;
 - 4. Amount of time that has passed since a conviction and/or the completion of a sentence;
 - 5. Frequency and severity of the crime(s);
 - 6. Age of the individual at the time the crime was committed;
 - 7. Evidence of rehabilitation.
- B. Any statement of an applicant, employee, board member or volunteer on applications, personnel records, forms and documents submitted to the EHHS that is later deemed to be a misstatement, omission, or misinformation when verified with the results of a background check, is grounds to not hire, for dismissal or revocation of volunteering privileges.
- C. If a person is denied employment/appointment to the Board of Trustees or is dismissed from employment/appointment to the Board of Trustees because of information obtained through a criminal background check, the person will receive written notice of the reasons for denial or dismissal and have an opportunity to respond within 5 working days.
- D. Volunteers who are denied volunteering privileges or who have volunteering privileges revoked will receive verbal notice and written notice upon request.
- E. Information obtained from BCI in a background check is confidential within the guidelines of the Government Records and Access and Management Act (GRAMA).

VI. Payment for Background Check

- A. Applicants for employment, including substitutes, shall be required to pay the designated cost of background checks subject to the provisions of UCA § 53A-3-410. EHHS shall pay the cost of the background check for any non-licensed

- B. Applicants for employment, including substitutes, shall be required to pay the designated cost of background checks subject to the provisions of UCA § 53A-3-410. EHHS shall pay the cost of the background check for any non-licensed employee or board member. Volunteers shall be required to pay the designated cost of a background check required for approval of volunteering activities. The school principal/director may reimbursement fees associated with background checks for incentive programs.

VII. Required Reporting of Arrest

- A. A licensed educator (reportable as defined in UCA 53A-6-401), any and all other employees and volunteers of the School (reportable as defined in R277-516-4) who are cited, charged and/or arrested with the following alleged offenses shall report the incident(s) as soon as possible, or within 48 hours, using the Educator Notification of Arrest Form, to EHHS's principal/director:
 - 1. Any matters involving an alleged felony, or relevant misdemeanor offenses
 - 2. Any matters involving minors
 - 3. Any matters involving alleged sex offenses
 - 4. Any matters involving alleged drug-related offenses
 - 5. Any matters involving alleged alcohol-related offenses
 - 6. Any matters for which the subject is currently under court ordered probation; and
 - 7. Any matters involving alleged offenses against the person under Title 76, Chapter 5, Offenses Against the person.
- B. The employee, board member or volunteer shall report to EHHS's principal/director, any convictions, including convictions identified above, any pleas in abeyance, and any diversion agreements within 48 hours, or as soon as possible, upon receipt of notice of conviction, plea in abeyance, or diversion agreement using the Educator Notification of Arrest Form.
- C. The Principal/Director shall report arrest, conviction or offense information to the Board of Trustees as legally allowed by law, on all employees, board members and volunteers.
- D. EHHS's Director shall report arrest, conviction or offense information received from **Licensed Educators** to the Educator Licensing Department of the Utah State Office of Education (USOE, State Board or UPPAC) within 48 hours through forms found on the USOE website (UPPAC page of the Educator Licensing Department).
- E. Employees shall report for work following an arrest and notice to the principal/director unless directed not to report for work by administration.
- F. Volunteers may report for volunteering activities following an arrest and notice to the principal/director unless directed not to report for volunteering activities by administration.
- G. The School may take employment or disciplinary action (up to and including dismissal), refuse to consider an applicant for employment, or refuse to hire a selected applicant for any offense relevant to the subject's assignment, refuse appointment to Board of Trustees (up to and including dismissal), or grant

volunteering privileges to volunteers. Offenses relevant to all School assignments include but are not limited to the following:

1. Any matters involving an alleged felony, or relevant misdemeanor offenses
2. Any matters involving minors
3. Any matters involving alleged sex offenses
4. Any matters involving alleged drug-related offenses
5. Any matters involving alleged alcohol-related offenses
6. Any matters for which the subject is currently under court ordered probation;
and
7. Any matters involving alleged offenses against the person under Title 76,
Chapter 5, Offenses Against the person.

HR-5 Drug Free Workplace

Resource(s)

- 41 USCA 702 et seq. Drug-Free Workplace
- UCA 34-41 Drug Free Workplace Policies
- UCA 26-39 Utah Indoor Clean Air Act

I. Philosophy/Purpose

- A. Provide a safe and productive work and educational environment free from the effects of the unlawful use, distribution, dispensing, manufacture, and possession of controlled substances, alcohol use, tobacco in any form, or electronic cigarette use during work hours or on school property;
- B. Identify, correct and remove the effects of drug and alcohol abuse in the school environment and on job performance;
- C. Assure the protection and safety of students and employees.

II. Prohibited Actions

- A. Employees and volunteers are prohibited from unlawfully manufacturing, dispensing, possessing, distributing or using any controlled substance or alcohol during working hours, on school property, or while operating a vehicle while on duty except where legally permissible.
- B. The use of tobacco in any form or electronic cigarettes is prohibited on/in school property or at school sponsored activities or events.

III. Drug Testing

- A. An employee or volunteer *may be required* to submit to medically accepted testing to determine whether he/she is using a controlled substance or alcohol in violation of federal or state law, or school policy under the following circumstances:
 - 1. When, during work hours, there is reasonable suspicion that an employee or volunteer is using or is impaired through the use of a controlled substance or alcohol unlawfully
 - 2. As a part of a post-accident investigation
 - 3. Random testing in safety sensitive positions
 - 4. As part of a rehabilitation program.
- B. An employee or volunteer who refuses to submit to drug or alcohol testing may be subject to disciplinary action.
- C. All drug or alcohol testing shall be conducted by an independent laboratory certified for employment drug testing.
- D. All drug or alcohol tests with positive results shall require a confirmation test.
- E. Corrective or disciplinary action may be taken against an employee or volunteer if:
 - 1. There is a positive confirmation test for controlled substances
 - 2. Results of a confirmation test for alcohol shows .08 percent body fluid content or more

3. The employee or volunteer's supervisor determines there is impairment, even when a confirmation test for alcohol shows less than .08 percent body fluid content
 4. The employee or volunteer's actions put others at physical risk
- F. An employee who is convicted under a federal or state criminal statute which regulates manufacturing, distributing, dispensing, possessing or using a controlled substance for a violation occurring in the workplace shall notify his/her supervisor of the conviction within five (5) days. In the case of a licensed employee EHHS's principal, shall notify the USOE within ten (10) days after receiving notification.
- G. A separate, private record of drug or alcohol test results shall be kept by the EHHS's principal. The employee's official personnel file shall only contain a document making reference to the existence of the drug or alcohol test record.

IV. Disciplinary Action

- A. EHHS Principal will take appropriate action which may include but is not limited to:
1. Probation
 2. Suspension with or without pay
 3. Termination of employment or voluntary services
 4. Participation in rehabilitation, treatment or counseling and education program.

V. Rehabilitative Programs

- A. An employee may be offered the option of participating in a rehabilitation program in lieu of disciplinary action. This option is at EHHS's principal and business manager discretion and at the employee's expense. If the employee accepts the offer to participate in such a program in lieu of disciplinary action, the following shall apply:
1. An employee must use accrued personal leave (not sick leave) or leave without pay for inpatient treatment.
 2. The employee must sign a release to allow the transmittal of verbal or written compliance reports between ICHS and the rehabilitation program provider(s).
 3. All communication shall be classified as private in accordance with the Government Records Access and Management Act.
 4. An employee may be required to continue participation in an outpatient rehabilitation program prescribed by a licensed practitioner on the employee's own time and expense.

VI. Training

- A. EHHS's administration shall provide regular training to employees related to this policy and the dangers of drug abuse in the workplace.

HR-6 Administrative – Discipline or Termination of School Employees

Resource(s):

- R277-514 Sanctions for Educator Misconduct
- R277-515 Utah Educator Professional Standards

I. Procedures for Implementation

- A. Every school employee has the status of “**employee-at-will**”, meaning that no one has a contractual right, express or implied, to remain in school’s employ. The school may terminate an employee’s employment, or an employee may terminate his/her employment, without cause, and with or without notice, at any time for any reason. No supervisor or other representative of the school has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above.

II. Definitions

- A. Unsatisfactory Performance: A deficiency in performing work tasks which may be:
1. Due to insufficient or undeveloped skills, or a lack of knowledge or aptitude
 2. Remediated through training, study, mentoring, or practice.
- B. Unsatisfactory Conduct: Conduct that is designated as a cause for termination or a reason for action to be taken against an educator’s license, including but not limited to:
1. A violation of work rules
 2. A violation of board policies or administrative procedures, State Board of Education rules, or any law
 3. A violation of standards of ethical, moral, or professional conduct; or
 4. Insubordination.

III. Discipline Other than Immediate Termination

- A. All employees are expected to meet the school’s standards of work performance. Work performance encompasses many factors, including attendance, punctuality, personal conduct, job proficiency and general compliance with Utah International’s policies and procedures and the employee’s job description.
- B. If an employee does not meet these standards, the school may, under appropriate circumstances, take corrective action other than immediate termination.
- C. The intent of corrective action is to formally document problems while providing the employee with a reasonable time within which to improve performance. The process is designed to encourage development by providing employees with guidance in areas that need improvement such as poor work performance, attendance problems, personal conduct, general compliance with Utah International’s policies and procedures and/or other disciplinary problems.
- D. Employees under corrective action are not eligible for salary increases or promotions during the warning period.

IV. Discretionary Factors

- A. When deciding the specific type and severity of the appropriate discipline, the supervisor must consistently apply the applicable rules, policies, and standards.
- B. The supervisor may also consider any of the following factors:
 - 1. The employee's prior knowledge of the applicable rules, policies, and standards; past work record; and/or previously imposed discipline.
 - 2. The severity of the infraction; the effect of the infraction on department, school, and/or school operations; the nature of the infraction (whether it caused or could cause damage to persons or property); and the repeated nature of the infraction.

V. Disciplinary Actions

- A. Formal disciplinary actions are those actions taken by school administration that are documented and placed in the affected employee's personnel file. Examples of formal disciplinary actions include, but are not limited to:
 - 1. Written reprimand
 - 2. Suspension with or without pay
 - 3. Probation
 - 4. Dismissal
- B. Informal disciplinary actions are those actions taken by the school administration and are not placed in the affected employee's HR personnel file. Examples of informal disciplinary actions include, but are not limited to:
 - 1. Coaching
 - 2. Verbal warnings
 - 3. Written warnings; and
 - 4. Letters of expectation

VI. Termination for Cause

- A. The following actions shall constitute grounds for cause that may result in dismissal:
 - 1. Deficiencies pointed out as part of the appraisal or evaluation process or any other communications.
 - 2. Failure to fulfill duties or responsibilities.
 - 3. Incompetency or inefficiency in the performance of required or assigned duties.
 - 4. Inability to maintain discipline in the classroom or at assigned school-related functions.
 - 5. Insubordination by failure to comply with directives of Principal and/or Board.
 - 6. Neglect of duties.
 - 7. Drunkenness or excessive use of alcoholic beverages; illegal use of drugs, hallucinogens, or other controlled substances.
 - 8. The possession, use, or being under the influence of alcohol, alcoholic beverages or controlled substances while on school property, working in the scope of the employee's duties, or while attending any school sponsored activity.

9. Disability, not otherwise protected by law that impairs performance of required duties.
 10. Inappropriate behavior, which is conduct the Board determines is not in conformity with the accepted professional standards of the community encompassed by the school.
 11. Reasons specified in individual employment agreements reflecting special conditions of employment.
 12. Failure to maintain an effective working relationship, or maintain good rapport with parents, the community, or colleagues.
 13. Assault on a school employee or student.
 14. Falsification of records or other documents related to school activities.
 15. Misrepresentation of facts to Principal or other supervisor in the conduct of school business.
 16. Failure to fulfill or maintain requirements for licensure/certification.
 17. Failure to meet the requirements of a written warning or corrective action plan
 18. Any other reason justifying termination of employment for cause.
- B. At the time disciplinary action is imposed, the employee will be notified of the discipline, the general reasons for the discipline, the effective date, and the length of the discipline, if applicable.
- C. COBRA may not be available to anyone dismissed from the school for gross misconduct.

VII. Procedures for Resignation and Termination

- A. Departing employees will be responsible to return all property of EHHS to the school principal before final paycheck can be issued. The departing employees paycheck will be mailed or auto-deposited during the next normal pay period and will reflect any unpaid obligations to EHHS. If terminated for cause the departing employee will receive amount owned within a twenty-four period of time. Issued employee property may include, but may not be limited to the following items:
1. Keys
 2. Laptop computers, and/or instructional materials
- B. Benefits end on the employee's last day of employment. An employee, unless dismissed for gross misconduct, has the option to convert to and continue Medical/Dental benefits in accordance with the Consolidated Omnibus Budget Reconciliation Act ("COBRA") regulation.

VIII. Employee Grievance Procedure

- A. The employee shall address concerns or grievances with their school principal. The Principal shall investigate and respond to the concern or grievance within ten (10) school days.
- B. If this initial process does not resolve the concern or grievance, the employee may address the concern or grievance within 10 school days to the Board of Trustees.

The Board shall investigate, formulate a response, and communicate that response to the employee within 10 school days. The Boards' decision shall be accomplished by the vote of simple majority, and shall be final.

- C. The concerns or grievance of the Principal/Director shall be addressed directly to the EHHS Board of Trustees. The Board shall investigate, formulate a response, and communicate that response to the employee within 10 school days. The Boards' decision shall be accomplished by the vote of simple majority, and shall be final.

HR-7 Employee Leave Policy

Resource(s):

- 29 USC 2601 Family and Medical Leave Act
- 742 USC 12101 ADA means the Americans With Disabilities Act
- PL 103-353, 108 Stat. 3149 Uniformed Services Employment and Reemployment Rights Act P-

I. Purpose

- A. Attendance is an essential function and expected function of all School employees. This policy and procedure is established to provide for reasonable allowance for occasional absence or absence required due to personal illness.

II. Policy

- A. It is the policy of the East Hollywood High School Board of Trustees and school administration to provide employees the opportunity for appropriate and reasonable leave in accordance with the policy of the school and applicable legal entitlements.

III. Personal Time-Off (PTO)

- A. The principal may limit the total number of employees allowed to take non-emergency leave at one time if the number of employees taking leave would significantly impact the quality of instruction and/or services (e.g. # of employees taking an extra day at the beginning or end of winter break).
- B. Employees must apply for paid time off (PTO) by filling out and turning in a time off request form to EHHS's principal.
- C. If not incapacitated, employees must directly notify the principal of their need for an absence and gain signed approval prior to an absence at least two (2) days prior to the absence.
- D. If an employee is absent because of illness or disability, EHHS may require that the employee provide proper evidence of the illness or disability.
- E. A doctor's certificate may be required if the Principal feels the employee is abusing the leave policy. The Board may also require a second doctor's opinion if it deems necessary. In the case of a second opinion, the cost shall be borne by the school.
- F. For all foreseeable absences, employees are responsible for ensuring that substitute personnel are arranged to cover their duties and appropriate directions/plans for the substitute are prepared and available ahead of time.
- G. Employees should not take PTO on the following days:
1. The first and last two days of any grading term.
 2. Faculty orientation or professional development days.
 3. Parent-Teacher-Student Conferences.
 4. First two weeks or last two weeks of the school year except in case of personal illness or medical emergency.
 5. Graduation

- H. Employees will not be paid for unused PTO when their employment ends due to resignation or termination.
- I. Any employees' negative PTO balance that remains in the event of resignation or termination of employment shall be withheld from his or her final paycheck.

IV. Family and Medical Leave Act

- A. In the event of serious illness of an eligible employee or an eligible employee's spouse, parent, or child, an employee may request in writing to EHHS's principal and business manager an unpaid leave of absence of up to 12 calendar weeks. An eligible employee may also request an unpaid leave of absence of up to 12 calendar weeks following the birth or adoption of the employee's child.
- B. Employees who have worked for the school for at least 12 months and who have worked a minimum of 1,250 hours for the school during the previous 12 month period are eligible for family leave.
- C. Eligible employees may not be granted family leave in excess of 12 calendar weeks during any 12 month period.
- D. Written requests for family leave due to serious illness or health condition must be accompanied by a health care provider's certification indicating the anticipated duration and the nature of the illness or health condition. The illness or condition must require inpatient care in a hospital or residential facility or continuing treatment by a health care provider. At its expense, the school may require the employee to obtain a second opinion by a health care provider designated by the school.
- E. In the event of birth or adoption, the school may require the employee to use his/her accumulated personal and/or sick leave prior to granting unpaid leave. For an employee's own illness or illness of a spouse, parent, or child, the school may require the employee to use his/her accumulated personal leave and sick leave before granting unpaid leave. The total family leave period, whether paid or unpaid, shall not exceed 12 calendar weeks.
- F. When an employee and spouse both are employed by the school, both individuals together shall each be limited to a total of 12 calendar weeks of leave in the event of birth or adoption of a child or the illness of a parent.
- G. Employees anticipating a family leave request shall give the school as much advance written notice as possible.
- H. During the family leave period, the school shall continue to pay its portion of the employee's group health insurance premium. An employee who pays a portion of their own insurance costs must continue to pay his/her portion of the insurance premium while on family leave in order to keep coverage in effect.
- I. Upon returning from family leave, an employee shall be assigned to his/her previous position or to an equivalent position with equivalent pay and benefits.
- J. No benefit accrued prior to taking leave shall be lost as a result of taking leave under this policy. The employee shall not accrue any seniority or employment benefits during any period of family leave.

- K. If an employee fails to return to work after leave expires for reasons other than continuation, recurrence or onset of a serious health condition of the employee, son, daughter or spouse, then the school may recover the premium paid for maintaining insurance coverage for the employee during

V. Special Leave

A. Professional Leave

- 1. Leave for professional development either required by the school or approved by the principal shall not count as personal leave.

B. Bereavement Leave

- 1. When a death occurs in an employee's immediate family, eligible employees may take up to three days in order to attend the funeral or make funeral arrangements for in-state funerals, or for five days of for out-of-state funerals.
- 2. In unusual circumstances, additional time off may be granted, with or without pay, at the discretion of EHHS administration. For purposes of the funeral leave policy, "immediate family" means an employee's spouse, child (including children-in-law), as well as a parent, brother, or sister of the employee or the employee's spouse.

C. Civic Duty

- 1. Employees summoned for jury duty or by subpoena will be allowed the necessary time off from work to perform this civic responsibility.
 - a) Employees selected for Jury Duty shall receive full salary
 - b) Employees must give EHHS administration 15 days advance notice.
 - c) Employees will be expected to report to work during all regular hours if their presence is not required in a jury room or court.
 - d) EHHS may require the employee to supply documentation from the court affirming the employee's jury duty service. Non-exempt employees are not eligible for paid Jury Duty Leave, but may apply for unpaid time off.

D. Witness in Court

- 1. Employees who are subpoenaed to testify as a witness in legal action shall receive full salary for the period they are absent from duty while in court.
- 2. Employees who are litigants in legal action in cases where the legal action is an outgrowth of or related to their educational assignment shall receive full salary for the period they are absent from duty while in court.

E. Funerals and Civic Programs

- 1. Personnel employed on a full-time basis will be allowed time for attendance at funerals and special civic programs as a speaker, chairperson, musician, etc., provided arrangements are made in advance and EHHS's principal or designee gives approval.

I. Military Leave

- F. Employees who are members of the United States Army, Navy, Air Force, Marines, Coast Guard, or Reserve Units shall be allowed military leave according to the Uniformed Services Employment and Reemployment Rights Act, USERRA. Military leave for service includes voluntary and involuntary duty regardless of status in the uniformed service including:
1. Active duty
 2. Active duty for training
 3. Initial active duty for training
 4. Inactive duty for training
 5. Full-time National Guard duty
 6. Absence from work for an examination to determine a person's fitness for the above types of duty
- G. Employees requesting military leave should give the EHHS administrative team notice in advance of being absent from work for military service. Under certain circumstances, such as "military necessity", prior notice may not be practical.
1. During such military leave the employee shall receive his/her regular pay less his/her military base pay.
 2. Such leave of absence will be granted only on the basis of official military orders which must be filed with EHHS's principal.
- H. Termination of Military Duty and Reporting Back to Work
1. Any honorably discharged member of the uniformed service is entitled to reemployment rights based on the length of service and their due diligence in meeting their reporting obligations:
 - a) For service from **one to 30 days**. The person must report back to work on the first regularly scheduled workday that falls eight hours after a person returns home.
 - b) For service from **31 to 180 days**. The request for reemployment must be submitted not later than 14 days after completion of service.
 - c) For service **181 days to five years**. An application for reemployment must be submitted not later than 90 days after completion of a person's military service.
 - d) For a service-connected injury or illness. A person who is hospitalized or convalescing for a service related injury or illness at the time of completion of military service is entitled to an extended period of up to two years for making application for reemployment.
- I. USERRA provides for reemployment of the returning service member back to the same level on the seniority scale that the person would have occupied had he/she remained continuously employed. If the period of service did not exceed 90 days, the service member is entitled to the exact job they left, provided they are still qualified for that job [Section 4313(a)(1)]. If the period of service is for 91 days or more, the school has the option to reemploy the service member in another position of "like seniority, status and pay" [Section 4313(a) (2)]. In addition, the service member is entitled to all benefits that would have been available had there not been an interruption in employment. This includes pay increases, vacations and pension rights.

VI. Leave for Maternity and Paternity

A. Guidelines

1. Employees who are not birth mothers may request up to 10 work days of leave immediately following the birth or adoption of a child or children. The days used will be deducted from earned sick leave; however, use of earned sick leave for maternity and paternity may not deplete the employee's sick leave account. At least three days of sick leave must remain in the employee's account at the conclusion of maternity and paternity leave.
2. Birth mothers may take up to 30 work days of leave immediately following the birth of a child or children. The days used will be deducted from earned sick leave; however, use of earned sick leave for maternity and paternity may not deplete the employee's sick leave account. At least three days of sick leave must remain in the employee's account at the conclusion of maternity and paternity leave unless leave occurs through the end of the school year.
3. Additional days of leave may be taken under the Family Medical Leave (FMLA) Policy, which allows eligible employees to take up to 12 weeks of unpaid leave to care for newly born or adopted children. Days used under the provisions of VII. 1 and VII B (above) will count against the 12 weeks total under the Family Medical Leave Policy.
4. No use of leave for maternity or paternity is authorized beyond 10 work days for non-birth parents and 30 work days for birth mothers, except under the FMLA.
5. Arrangements for a substitute during leave must be coordinated with EHHS's principal and business manager.

VII. Unpaid Leave of Absence

- A. Requests for an unpaid leave of absence are considered individually and granted at the discretion of EHHS's administration. The reason for the request, the employee's length of service, the employee's work record and the demands of the individual's job are examples of the type of factors typically considered in evaluating a request for an unpaid leave of absence.
- B. A request for unpaid leave of absence will be granted only if the employee is not eligible for any other type of leave.
 1. An employee may not be on an unpaid leave of absence for more than two (2) months in a school year.
 2. Employees who are granted an unpaid leave are responsible to pay the employee portion of any benefit programs in which they participate.
- C. Requests for an unpaid leave of absence are considered individually and granted at the discretion of EHHS's administration. The reason for the request, the employee's length of service, the employee's work record and the demands of the individual's job are examples of the type of factors typically considered in evaluating a request for an unpaid leave of absence.

- D. A request for unpaid leave of absence will be granted only if the employee is not eligible for any other type of leave.
 - 1. An employee may not be on an unpaid leave of absence for more than two (2) months in a school year.
 - 2. Employees who are granted an unpaid leave are responsible to pay the employee portion of any benefit programs in which they participate.
 - 3. Arrangements should be made with EHHS's principal and business manager to coordinate the payment of premiums and other costs during leave periods when regular payroll withholding is not possible. Unless other specific arrangements are made. Payment is due no later than the 5th of each month arrangements are made payment is due no later than the 5th of each month. If no payment is made EHHS reserves the right to cancel coverage, and employee will be offered COBRA as required by law
- E. Teacher salaries (and salaries of other employees whose salary is spread over a longer period than their work schedule) who take unpaid leave (including FMLA leave) shall be prorated proportionate to the number of days worked out of the scheduled days according to work schedules, and the final, prorated payment will be made on the regular pay day for the pay period that includes the date of the beginning of unpaid leave.
 - 1. When returning from leave, a new salary will be calculated proportionate to the number of work days remaining in the school year out of the total work days scheduled for the school year. The new salary shall be paid in equal installments over the regular paydays remaining in the school year.

VIII. Flex Time

- A. EHHS understands that reasonable flexibility in work schedules can benefit both employees and the school. Flex Time allows employees to request administrative approval for periodic adjustments to their regular work schedule without using PTO. Supervisors shall not approve flex time schedule adjustments requests that:
 - B. Will cause non-exempt employees to work more than 40 hours in any work week
 - C. Unduly burden other employees or unduly affect school or classroom operations,
 - D. Requires coverage from a substitute
 - E. Adjust schedules that span more than one pay period
 - F. Calls for employees to miss critical work time during school hours

IX. Other Leave

- A. Other special circumstances will be considered by the board on a case-by-case basis.

HR-8 Employee Recruitment and Selection Policy

Resource(s)

- R277-520-3 Required Licensing
- UCA 34-46 Employment Selection Procedures Act
- UCA 53A-6 Educator Licensing and Professional Practices Act
- UCA 53A-8a Public Education Human Resource Management Act

I. Authority to Make Employment Decisions

- A. Members of the EHHS Board of Trustees are selected according to the EHHS Governing Board Bylaws.
- B. The EHHS Board of Trustees shall recruit, select, evaluate, and terminate the following employees:
 - 1. Director/Principal
 - 2. Director/Business Manager
- C. The Director's are vested with the authority to recruit, select, evaluate, and terminate all other EHHS employees.

II. General Provisions

- A. Recruitment and selection of EHHS employees shall follow applicable state/federal law/regulation and EHHS Governing Board policy, including:
 - 1. Equal Employment Opportunity Policy
 - 2. Employment of Relatives Policy
- B. All potential employees must clear a criminal background check, including:
 - 1. EHHS Governing Board members
 - 2. Volunteers who will have unsupervised access to students
- C. All employees must have a high school diploma and be 21 years of age.
- D. All employees hired in positions requiring licensure by the Utah State Board of Education shall possess an appropriate educator license and associated endorsements; or be in the process of becoming fully licensed and endorsed.

III. Collection of Specific Information from Applicants

- A. Social Security Numbers, Date of Births, and Driver License Numbers may not be requested of an applicant for employment, unless:
 - 1. The information is required of all applicants applying for the same position
 - 2. The information is requested during the time in the selection process when EHHS is concurrently obtaining a:
 - a) Criminal background check
 - b) Credit history (subject to the Fair Credit Reporting Act)
 - c) Driving record from the Driver License Division in accordance with Section 53-3-104 or 53-3-420.
- B. EHHS shall not use information about an applicant obtained through an initial selection process for a purpose other than the determination of whether or not to hire an applicant, except that EHHS may provide information:
 - 1. As required by law
 - 2. To a government entity for the purpose of

- a) Determining eligibility for a government services, benefit or program
- b) Participation in a government service, benefit, or program
- 3. If the applicant becomes an employee and the information is used for all similar employees in a performance review or promotion application.
- C. Information provided by applicants for employment who do not become employees will be retained for two years after application and then be destroyed.

HR-9 Employment of Substitute Teacher Policy

Resource(s):

- R277-508 Employment of Substitute Teachers.

I. Procedures for Implementation

- A. East Hollywood Board of Trustees and school administration recognizes that effective substitute teachers make a significant contribution to the school's ability to meet the educational needs of its students.
- B. EHHS's administration shall procure, assign, train, evaluate, and compensate substitute teachers in accordance with state law.

II. Purpose

- A. The purpose of this policy is to ensure that every effort is made to employ the best-qualified substitute teachers.
- B. Only individuals who have been placed on the approved substitute list will be permitted to substitute at EHHS. Paraprofessionals and Aides employed at EHHS will be permitted to substitute when it does not interfere with their current employment responsibilities.

III. Hiring

- A. In order to be placed on the approved list of substitutes, candidates must:
 - 1. Submit resume
 - 2. Be 21 years of age or older.
 - 3. Have a minimum of 60 semester hours of college credit, or an Associate's Degree equivalent.
 - a) Those with a degree and certification will be given first consideration.
 - b) In an emergency, a person with less than 60 semester hours may substitute if the individual has had training or experience in an area that meets specific school, or student needs.
 - 4. Attend a substitute orientation session, and pass the state authorized backgroundcheck.
- B. The following qualifications determine the substitute's daily rate of pay:
 - 1. An individual with a teaching license
 - 2. An individual with a college degree
 - 3. An individual with less than a college degree.
- C. EHHS administrative assistant responsibilities:
 - 1. EHHS's administrative assistant will welcome all substitutes, aid them in finding teacher plans, and orient them to the school schedule and procedures.
 - 2. The administrative assistant will be responsible to complete the following tasks:
 - a) Verify and reconcile substitute hours, or timesheets when applicable

- b) Report to the EHHS's principal if a substitute teacher renders unsatisfactory service for the school. The principal shall determine if the substitute should remain on the substitute teaching list. Substitute teaching list shall be used to note commendable performance

IV. Placement

- A. Assignment of substitute teachers will be managed by the EHHS's Administrative Assistant.
- B. Substitutes will receive training and be given an information packet that includes the following information:
 - 1. Student handbook (rules of conduct)
 - 2. Taking daily attendance
 - 3. Information on how to submit hours and payroll forms
 - 4. Emergency procedures and map of building
 - 5. Procedures for using EHHS's classroom supplies and copy machine
 - 6. Administrative expectations for a substitute teacher
- C. Teacher requests made in advance for a particular substitute will be honored whenever possible.
- D. When advance notice is given for absences of more than one day, the same substitute will be assigned for the duration of the absence whenever possible.
 - 1. The number of hours a substitute is able to work may be limited.

V. Performance

- A. Substitute teachers shall carefully review all lesson plan material and follow the teacher's lesson plans. At the end of the day, the substitute shall leave a report for the regular teacher.
- B. Minimum standards for satisfactory performance for substitute teachers include, but are not limited to:
 - 1. Classroom communication
 - a) Use language suitable for the ability, age, and grade of the students.
 - b) Write legibly and coherently
 - c) Speak clearly
 - d) Avoid use of vulgar, profane, or crude language
 - 2. Personal conduct
 - a) Develop behavior that promotes positive attitudes
 - b) Dress appropriately. Substitutes should dress in a manner which reflects well on the teaching profession and the school
 - c) Respond promptly to sick and injured students, take appropriate action, and do not prescribe remedies for illnesses nor treatment.
 - 3. Personal conduct
 - a) Develop behavior that promotes positive attitudes
 - b) Respond promptly to sick and injured students, take appropriate action, and do not prescribe remedies for illnesses nor treatment

- c) Comply with the following school policies:
 - (1) Teachers Ethical Standards
 - (2) Alcohol, Tobacco, or Controlled Substances
 - (3) Discipline of School Employees

HR-10 Equal Employment Opportunity Policy

Resource(s)

- 8 USCA 1324(a)-(b) Immigration Reform & Control Act
- 42 USCA 200d and 34 CFR 100, et seq. Civil Rights Act, Title VII
- 29 USCA § 621 et seq. Age Discrimination
- 29 CFR 1625.1 et seq. Age Discrimination
- 29 USCA § 206(d) & CFR § 1620.1 et seq. Equal Pay Act
- 42 USCA §§ 12111-12117 Americans with Disabilities Act
- CFR 29 §1630.4 Americans with Disabilities Act
- UCA 34A -5 Utah Antidiscrimination Act
- UCA 63G-11-103 Status Verification System
- UCA 71-10 Veteran's Preference

I. Philosophy/Purpose

- A. To preserve an employment environment free from unlawful discrimination.
- B. Employment decisions shall be based on job related qualifications and competence.
- C. Except where required or permitted by law, employment practices shall not be influenced or affected by virtue of an applicant's or employee's race, color, religion, sex, national origin, age, disability, veteran status or any other characteristic protected by law.

II. Types of Illegal Employment Discrimination

- A. East Hollywood High School is committed to providing applicants to and employees of school an environment that is free from unlawful discrimination on the following basis:
 - 1. RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN
 - a) Title VII of the Civil Rights Act of 1964, as amended, and the Utah Antidiscrimination Act of 1965, found at Utah Code Annotated, Title 34A Chapter 5, protect applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin.
 - b) Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship on the work/school environment.
- B. DISABILITY
 - 1. Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protects qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Non-discrimination provisions include making reasonable accommodation to known physical or mental limitations.
- C. AGE
 - 1. The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

D. SEX

1. In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

E. GENETICS

1. Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA) protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for receipt of genetic services by applicants, employees, or their family members.

III. DISABLED, RECENTLY SEPARATED, PROTECTED AND MEDAL VETERANS

- A. The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended and Utah Code Ann. Title 71 Veterans Chapter 10 Veteran's Preference, prohibit job discrimination and require affirmative action to employ and advance in employment disabled veterans, recently separated veterans, other protected veterans, eligible family members of veterans, and Armed Forces service medal veterans.

B. HARASSMENT

1. Harassment is a form of discrimination and it is illegal to harass an employee because of race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information.

C. Enforcement

1. Any applicant or employee who believes they have been subjected to illegal discrimination as outlined in this policy shall report complaints as follows:
2. RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN, VETERAN STATUS, OR GENETICS.
 - a) Complaints alleging illegal discrimination based on race, color, religion, sex (other than sexual harassment), national origin, veteran status, or genetics shall be reported and addressed as outlined in the *Stakeholder Concerns Policy*.

D. DISABILITY

1. Complaints alleging illegal discrimination based on disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, shall be reported and addressed as outlined *Stakeholder Concerns Policy*.

A. SEXUAL HARASSMENT

1. Complaints alleging illegal discrimination in the form of sexual harassment involving the conduct of an employee or adult visitor to an EHHS worksite shall be reported and addressed as outlined in the *Stakeholder Concerns Policy*.
2. Complaints alleging illegal discrimination in the form of sexual harassment involving the conduct of a student against an employee shall be addressed as outlined in the *Stakeholder Concerns Policy*.

IV. Compliance with Federal Laws Prohibiting Employment of Unauthorized Aliens

- A. Only persons who are authorized to work in the United States and who comply with the Immigration Reform and Control Act of 1986 are eligible for employment with EHHS.
- B. As a condition of employment, each new or rehired employee must complete and provide supporting documentation for a Federal I-9 form.
- C. Hiring or firing of work-eligible individuals shall be based on performance, behavior, and qualifications; not on language, name, or citizenship status.
- D. EHHS will verify the federal employment status (via e-Verify) of all new employees within three days of the employee's hire date.

V. Discrimination Prohibited Statement for Publications and Applications

- A. No school employee or student shall be subjected to discrimination in employment or any school program or activity on the basis of age, color, disability, gender, gender identity, genetic information, national origin, pregnancy, race, religion, sexual orientation, or veteran status. EHHS is committed to providing equal access and equal opportunity in its programs, services and employment including its policies, complaint processes, program accessibility, school facility use, accommodations and other Equal Employment Opportunity matters. EHHS also provides equal access to school facilities for all youth groups listed in Title 36 of the United States Code, including scouting groups. The following person has been designated to handle inquiries and complaints regarding unlawful discrimination, harassment, and retaliation: Whitney Banks, Compliance and Investigations, 440 East 100 South, Salt Lake City, Utah 84111, (801) 578-8388. You may also contact the Office for Civil Rights, Denver, CO, (303) 844-5695.

HR-11 Nepotism Policy

Reference(s)

- Utah Code Ann. §52-3-1 et sec., Employment of Relatives Prohibited

I. Definitions

- A. **Candidate:** An employee whose salary, wages, pay, or compensation is paid from public funds.
- B. **Hiring Official:** A person who holds a position that is compensated by public funds.
- C. **Relative:** Relative will be defined as any employee's father, mother, husband, wife, son, daughter, sister, brother, uncle, aunt, nephew, niece, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, or grandchild.

II. EHHS prohibits nepotism in matters of employment in accordance with state law. In prohibiting nepotism, it is the goal of the board and school to avoid creating circumstances in which the appearance or possibility of favoritism, conflicts of interest, or management disruptions exist.

III. Purpose

- A. The purpose of this policy is to promote a positive work environment that is conducive to the professional growth of all employees and to ensure that employment-related decisions are made in an appropriate and unbiased setting.
- B. Procedures for Implementation Prohibition on Hiring a Relative
- C. A hiring official shall not hire a candidate who will be directly supervised by a relative. Exceptions to that prohibition are as follows:
 - 1. Following a fair and equitable recruitment process, the school director determines that the candidate is the only or best person available, qualified, or eligible for the position;
 - 2. The candidate will be appointed to a volunteer position;
 - 3. The candidate will be employed for a period of 12 weeks or less; or
 - 4. The candidate will be compensated from funds designated for vocational training.
- D. No hiring official may directly supervise a candidate who is a relative, except as follows:
 - 1. The relative was appointed or employed before the hiring official assumed his or her supervisory position.
 - 2. Following a fair and equitable recruitment process,
 - 3. The superintendent determines that the candidate is the only or best person available, qualified, or eligible for the position; or
 - 4. The candidate is the only person available, qualified, or eligible for the position.
 - 5. The candidate will be appointed to a volunteer position.
 - 6. The candidate will be employed for a period of 12 weeks or less.

7. The candidate will be compensated from funds designated for vocational training.
- E. When a hiring official supervises a relative under Section I(B):
1. The hiring official shall make a complete written disclosure of the relationship to the superintendent and executive director of human resources; and
 2. The hiring official may not evaluate the relative's job performance or recommend salary increases for the relative.
- IV. Request for Exceptions
- A. Written requests for exceptions outlined in Section I must be submitted to the superintendent or designee (executive director of human resources) for review and approval prior to any offer of employment.
- V. Employment Based on an Exception
- A. Candidates hired under any of the exceptions listed above may not have their employment continued beyond the specified employment dates.
- VI. Prohibition on Reciprocal Hiring Arrangements
- A. No School employee will evade the administrative procedures or corresponding board policy by making reciprocal arrangements to hire a relative of an employee in a different department or school.

HR-12 Administration of Student Medication

Resource(s)

- 26-41-104 Training in use of epinephrine auto-injector
- 53A-11-601 et seq. Administration of Medication

I. PURPOSE AND PHILOSOPHY

- A. To authorize school personnel to administer medication to students and to provide immunity from liability for authorized personnel.

II. POLICY

- A. East Hollywood Board of Trustees and administration recognizes that medication should be administered by the student or the student's parent/guardian. However, the Board of Education recognizes that the health of a student may require administration of medication during the course of a school day.
- B. Subject to the conditions of this policy, authorized school personnel may provide help with the administration of medication to students during periods when the student is under the control or supervision of the school and school personnel.
- C. As long as authorized personnel act in a prudent and responsible manner, school staff who provide assistance in substantial compliance with the licensed medical provider's written statement, are not liable civilly or criminally for any adverse reaction suffered by the student as a result of taking the medication or discontinuing the administration of the medication under this policy.

III. DEFINITIONS

- A. "Asthma medication" means prescription or nonprescription, inhaled asthma medication.
- B. "Diabetes medication" means prescription or nonprescription medication used to treat diabetes, including related medical devices, supplies, and equipment used to treat diabetes.
- C. "Epinephrine auto-injector" means a disposable drug delivery system with a spring-activated concealed needle that is designed for emergency administration of epinephrine to provide, rapid, convenient first-aid for persons suffering a potentially fatal anaphylactic reaction.
- D. "Medication" means a medicine or substance recognized by the FDA to have curative or remedial properties. The medication must be administered under the direction of a licensed medical provider, and may be a prescribed or over the counter product intended for internal or external use.

IV. PROCEDURE FOR ADMINISTRATION OF MEDICATION AT SCHOOL

- A. Prescription and/or nonprescription medication may be administered to a student only if:
1. The student's parent or legal guardian has provided a completed, current, signed and dated, "Authorization of School Personnel to Administer Medication" form providing for the administration of medication to the student during regular school hours.
 2. A current photograph of the student will is provided and attached to the request.
 3. The request must be updated, at least, on a yearly basis, or whenever a change is made in the administration of medication.
 4. The student's licensed medical provider has also provided a signed and dated "Authorization of School Personnel to Administer Medications" form describing the method, amount, and time schedule for medication administration and the side effects that may be seen in the school setting from medication.
 5. The medication is delivered to the school by the student's parent/guardian, or by a responsible adult. A one week's supply or more is recommended.
 6. Prescription medication is in a container that has been properly labeled by a pharmacy.
 7. Nonprescription, over the counter medication, is in the original container and clearly labeled with child's name and dose, per doctor's order on the container.
 8. The medication is an oral medication, inhalant medication, eye or ear drop medication, gastrostomy, rectal, or topical medication, epinephrine auto-injector, or glucagon and Insulin.
 9. Medications requiring other routes (IV, and other injectable medications) cannot be administered by school personnel.
 10. Prescription and/or nonprescription medication specified in a student's IEP or 504 accommodation plan will be administered as outlined in the accommodation plan.
- B. The principal will:
1. Annually send a letter to the parent/guardian regarding medication administration in the schools.
 2. Designate staff to administer medication. A record or form identifying the authorized staff by name and position will be kept in the medication administration book.
 3. Arrange annual training with the school nurse for designated employees. This training will include:
 - a) How to properly administer medication(s).
 - b) Indications for the medication(s).
 - c) Dosage and time of medication(s).
 - d) Adverse reactions and side effects of medication(s).
 - e) Proper maintenance of records.
 4. Designated personnel responsible for administering medication to students with a written physician's medication order.
 5. If a medication is repeatedly refused or not given, the parent/guardian must be notified.
 6. Any adverse reactions or medication error will be reported promptly to the parent/guardian. If the parent is unavailable, the student's doctor will be called

- for further direction. This adverse reaction or error must be documented.
7. Any adverse reactions or medication error will be reported promptly to the parent/guardian. If the parent is unavailable, the student's doctor will be called for further direction. This adverse reaction or error must be documented.
 8. Requirement that designated staff sign that they received medication administration training.
 9. Insure proper maintenance of records pertaining to the student's daily administration of medication(s).
 10. Each student must have his/her own record which includes an "Authorization of School Personnel to Administer Medication" and "Daily Medication Tracking" forms.
 - a) The "Daily Medication Tracking" form will show authorized signature and initials of designated staff and codes. All boxes must contain initials, codes or designation as non-school day.
 - b) The "Daily Medication Tracking" form will show medication, dosage, time of day, and date. It will show how much medication has been delivered to the school discarded (if necessary) and who witnessed it.
 - c) The "Daily Medication Tracking" form will be available to be viewed by parent/guardian upon request.
 - d) All medication documents will be placed in the student's cumulative file or special education file at the end of each year.
 - e) The "Authorization of School Personnel to Administer Medication" and "Daily Medication Tracking" forms are legal medical documents.
 11. Provide a secure location for the safekeeping of medications.
 - a) Medication(s) to be administered by school staff must be stored in a locked cabinet with the exception of those medications needing refrigeration.
 - b) Adequate temperature of all medication must be maintained.
 - c) Unused medication(s) should be picked up within two weeks following notification of parents/guardians or it will be disposed of by the school and recorded on the "Daily Medication Tracking" form.
 - d) In disposing of medication, two people must be present to record the medication, amount of medication discarded, date and how discarded. Both witnesses must sign the "Daily Medication Tracking" form.
- C. Authorization for administration of medication by school personnel may be withdrawn by the school at any time after actual notification to the parent/guardian should problems or difficulties occur, such as:
1. The parent/guardian has been non-compliant with the medication policy; or
 2. The student has been non-compliant with the medication policy by:
 - a) Refusing medication repeatedly.
 - b) Frequently not coming for medication at appointed time.
 3. The withdrawal of medication for students on 504 accommodation plans or IEP Can only occur after a renegotiation meeting with the parent has taken place.

V. PROCEDURE FOR AUDIT OF MEDICATIONS AT SCHOOL

- A. The following procedures are intended to facilitate the audit of the administration of medications under the direction of the Davis County Health Department.
 - 1. A medication audit will be performed two (2) times in each school year and will be performed by the principal or designee.
 - 2. The following areas will be included in the audit:
 - a) Medication permission forms in place and signed yearly by parent and medical provider.
 - b) Medication containers are properly marked for each medication with the student name, dosage, time, and current yearly date.
 - c) Medication is kept in a safe, secure storage cabinet/drawer.
 - d) Documentation of medication administration is in place.
- B. At the conclusion of each audit, the results will be given to the school staff administering the medication, the school principal, the school director, director of risk manager, and health department administration. The school nurse will retain a copy and a copy will be kept in the medication book.
- C. Items not in compliance will be rectified within a two (2) week period with notification to the school nurse. If parent/guardian continues to be out of compliance with the medication policy, the school may withdraw authorization for administration of medication under this policy.

VI. STUDENT SELF-ADMINISTRATION OF ASTHMA, DIABETES MEDICATION OR AN EPINEPHRINE AUTO-INJECTOR

- A. A student shall be permitted to possess and self-administer asthma medication, or diabetes medication, or an epinephrine auto-injector if:
 - 1. The student's parent or guardian signs a statement authorizing the student to self-administer asthma or diabetes medication, or an epinephrine auto-injector; and acknowledging that the student is responsible for, and capable of, self-administering the asthma or diabetes medication, or an epinephrine auto-injector
 - 2. The student's health care provider provides a written statement that states it is medically appropriate for the student to self-administer asthma or diabetes medication, or an epinephrine auto-injector and be in possession of the asthma or diabetes medication, the epinephrine auto-injector at all times; and the name of the asthma or diabetes medication prescribed or authorized for the student's use.
 - 3. Any misuse of asthma or diabetes medication, or the epinephrine auto-injector by the student may be subject to disciplinary action under the school's Safe and Orderly Schools Policy.

VII. PROCEDURE FOR AUDIT OF STUDENT SELF-ADMINISTRATION OF ASTHMA OR DIABETES MEDICATION

- A. An audit of self-administration of asthma or diabetes medication will be performed two (2) times a year by the school principal to ensure that the appropriate self-administration form is signed yearly by the parent and medical provider. At the conclusion of each audit, the school director will retain a copy and a copy will be kept in the medication book.

VIII. STUDENT SELF-ADMINISTRATION OF MEDICATION

- A. This policy does not prohibit a student from carrying his/her own medication to school in instances where the student's maturity level is such that he/she could reasonably be expected to appropriately administer the medication on his/her own. In such instances, the student may carry one day's dosage of medication on their person.
- B. Any misuse of such medication by the student may be subject to disciplinary action according to policy and procedure.

HR-13 At-Will Employment

Resource(s)

- 34-34-1 Utah Right to Work Law

- I. At-Will Employment Relationship
 - A. The employment relationship between EHHS and its employees is on an “At Will” basis. EHHS does not offer tenured or guaranteed employment. Either EHHS or the employee can terminate the employment relationship at any time, with or without cause, with or without notice.
 - B. This at-will employment relationship exists regardless of any other written or implied statements or policies contained the EHHS Board of Trustees Policies, Employee Handbook, or any other EHHS documents or any verbal statement to the contrary.
 - C. No one can enter into any kind of employment relationship or agreement that is contrary to the At Will Employment Policy unless such relationship or agreement is approved in an open, public board meeting by the majority of board members, is formalized in writing, signed by the EHHS Governing Board Chair, and notarized.

- II. Employment Memorandums of Understanding (Employment Agreement)
 - A. Employment MOUs will be initiated for each new employee when hired. Agreements will include:
 1. Position Title (which relates to associated job descriptions)
Daily/Hourly Rate of Pay
 2. Any other pay rates and/or conditions (e.g. bonuses etc.)
 3. Eligibility for Benefits (based on associated job description and/or board policy)
 4. Statement of At-Will Nature of Employment
 5. Signatures of the Employee and an Authorized Representative of the Employer
 - B. Employment MOUs are contingent upon employees providing all information necessary for proper licensing/certification and credit for prior work experience to the Utah State Office of Education.
 - C. All benefits are administered according to current company policy only. Some items contain pre-defined waiting periods etc.

- III. Employment MOUs are contingent upon employees providing all information necessary for proper licensing/certification and credit for prior work experience to the Utah State Office of Education.

- IV. The Board of Trustees grants to the Director/Principal and Director/Business Manager or designee the authority to offer employment MOUs.