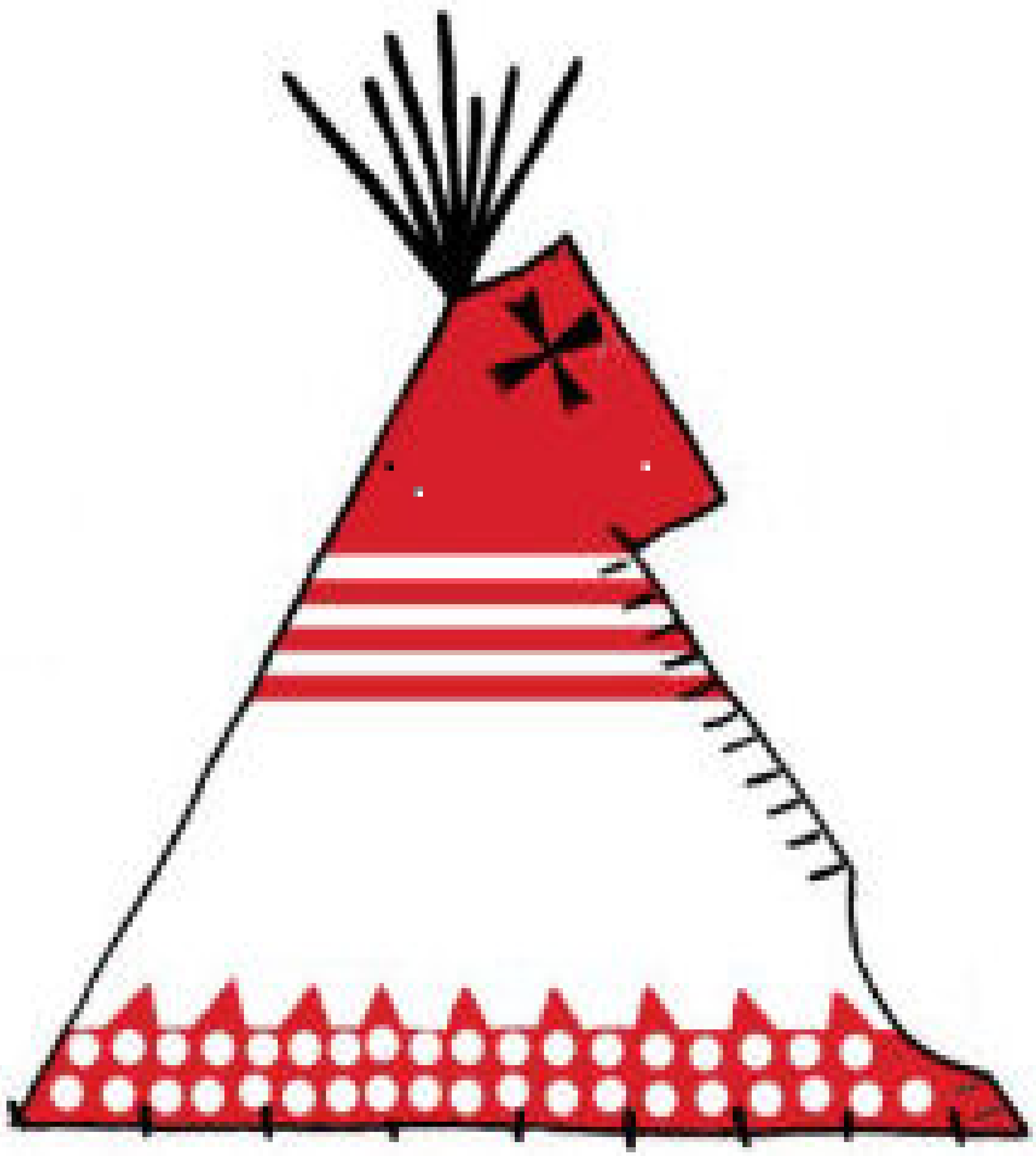
Browning Public Schools

Human Resources



Standard Operating Procedures Manual

2022-2023

OVERVIEW - HR PROCEDURES MANUAL

The Office of Human Resource Services of Browning Public School District is charged with managing the employment of our faculty and staff of the District. These procedures have been developed to help implement district employment policies and ensure compliance with state and federal law regarding all personnel matters.

The purpose of this manual is to provide district campuses and departments with guidelines for properly conducting human resource procedures related to personnel, including but not limited to interviewing, hiring, separation from employment, substitute teaching, and managing long-term employee leave. Campus and department administrators and directors, secretaries, and other office staff are encouraged to become well acquainted with this manual and to use it as the official guide to proper HR processing. For consistency, the procedures in this manual refer to the Office of Human Resource Services as HR or Human Resources. Questions regarding these procedures should be directed to HR.

HUMAN RESOURCES STAFF

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BENEFITS

BENEFITS OVERVIEW Quick-Reference Benefits Information

The best source for information about benefits is the Human Resources Department page on the district website. From there, employees can link to the Health Insurance Benefits guides and Life Insurance Information. Employees can also contact the Benefits Clerk, Jeri Lee Boggs.

In general, employees should be referred to HR when they have specific benefits questions beyond what can be answered by the district and benefit provider websites. The following basic benefits information is referenced for campus and department convenience.

Eligibility

The district offers a variety of employee benefits, including medical, dental, vision, and life coverage to district employees, with eligibility based on employee type and regularly scheduled work hours (see table below).

Regular **Hours Worked**

Fewer than 30:

> Not eligible for any benefits

30 or more:

> Eligible for medical and supplemental benefits; District pays $275/month contribution towards medical premiums for employees enrolled in DSISD group medical coverage plans, and equivalent of $50/month toward an HSA/HRA medical expenses account (account type depends on medical coverage selected)

Temporary employees are not eligible for benefits.

ENROLLMENT

New Employee Enrollment

The enrollment process is triggered when HR receives a New Employee Recommendation from a school or department. After a school or department submits the new employee paperwork, the next steps shift to HR staff for processing the recommendation.

New **teachers** who start employment at the beginning of the school year attend a benefits presentation during New Teacher Orientation, and enroll in person with an enroller from American Fidelity during their first month of employment.

All other new employees, as well as new teachers who start work during the school year, are contacted by our representative from American Fidelity to enroll. New employees have 30 days from their date of employment to sign up for benefits or make changes after they initially enroll.

Annual Open Enrollment

All eligible employees have the opportunity to add, drop, or change their elected benefits once a year during Open Enrollment, which usually takes place during July and August. HR will schedule locations for campus enrollment sessions conducted by HR and American Fidelity. Enrollment can be completed online at one of the available in-person sessions.

HR communicates open enrollment information to employees via e-mail, and requests the assistance of campus and department staff in communicating enrollment information, schedules, and deadlines to employees through staff meetings and requested announcements.

Enrollment Changes During the Plan Year: Qualifying Events

Because some employee benefit premiums are deducted from paychecks before taxes are taken out, IRS regulations govern when employees can make changes in their benefits elections. Other than as a new employee or during Open Enrollment, an employee can only make benefit changes to medical, dental, vision, and most supplemental benefits within 30 days after a Qualifying Event. **Qualifying Events** most commonly include: birth, adoption, death, marriage, divorce, or gaining or losing other employer-based coverage.

Employees can remove disability, life, paid telehealth, or identity theft coverage at any time, as these deductions are taken after taxes are figured.

Please refer employees who have questions about making benefits changes during the year to the HR Benefits Clerk.

THIRD-PARTY ADMINISTRATOR (TPA) INFORMATION

Health Care Coverage – Employee Benefits Management Services (EBMS)

The district's Health Care Coverage is provided through EBMS, which offers Medical Insurance. The district has contracted with Leavitt Great West to act as its third-party administrator (TPA) to pay claims and manage eligibility for the plans.

Contact information for EBMS and Leavitt West is listed below:

EBMS website: www.ebms.com
EBMS Customer Service: 1-800-777-3575
Leavitt Great West Insurance: https://www.leavitt.com
Leavitt Customer Service: 1-800-343-1060

Benefits – EBMS

Medical- Available to all eligible employees. Includes pharmacy options, telemedicine, and flexible spending account (FSA) and basic vision and dental. The plan also includes a one time hearing aid benefit of up to $1,500.

Dental-Eligible employees can purchase additional coverage at a minimal cost.

Vision-Eligible employees can purchase additional coverage at a minimal cost.

A summary of the benefits, rates and deductibles for individual and family plans are provided to all staff at the beginning of each academic year. A separate summary is provided to certified-contracted employees, and to classified-hourly employees.

Other benefits that are administered by Leavitt Great West are:

Benefits – Unum

Employer Paid Life-BPS provides $10,000 of coverage for each employee
Voluntary Life-Employees may purchase additional coverage up to
Accidental Death and disability (AD&D). Benefits for the life insurance reduce to 65% at age 65 and to 50% at age 70. Employees may purchase up to $150,000 in life insurance benefits for themselves and up to $25,000 for your spouse with no health questions asked during initial enrollment period.

Contact information for Unum:

Unum website: www.unum.com
Unum Customer Service: 1-866-649-3054
Email: askunum@unum.com

Benefits – American Fidelity

BPS has entered into an agreement with American Fidelity beginning in July 2022, to provide insurance education to all employees and offer voluntary value-added services. These include:

- FSA plan administrative services for employees who opt for a pre-tax medical flexible spending account.
- Online BPS Health Care Plan enrollment

AF also offers voluntary Supplemental Benefits Options that employees may choose to purchase through payroll deductions. These include (but may not be limited to):

- Disability Income Insurance
- Life Insurance
- Accident Insurance
- Cancer Insurance
- Critical Illness Insurance
- Hospital Indemnity Insurance

All voluntary Supplemental Benefits are purchased by the employee. The District does not reimburse or provide any payment towards these benefit plans.

Other Supplemental Insurance

BPS also provides employees options for supplemental insurance through other providers. These providers are available at the All Staff orientation each year, and may provide information at each school department for employees interested in purchasing supplemental plans.

These currently include:

IMS: Contact John Boyer:
Office 406-728-5488
Cell 406-360-3499
Fax 406-728-5531
john@imsvest.com
www.imsvest.com

ABSENCES AND LEAVE

From time to time, employees need to be absent from work, whether for a few hours, several weeks, or somewhere in between. The district, state, and federal government provide various kinds of leave to accommodate these situations; some types of leave are dependent on an employee's hire date, job title, or employment status.

GENERAL ABSENCE PROCEDURES

Employees are expected to be at their assigned areas, ready to begin work, at the beginning of the work day.

- Employees must call their supervisors as soon as possible (or as defined by the campus or departmental handbooks) any time they are going to miss work or arrive later than their regularly scheduled time.
- In cases of sick leave, a supervisor may request a medical certification form or doctor's note regarding the absence; it may also be requested in cases of chronic absenteeism or tardiness.
- Employees may be subject to disciplinary action, which could include termination, for excessive absences and/or tardies.

Campus/Department Absence Management

As the primary approvers of leave, school or department administrators are responsible for appropriate approval, documentation, and disciplinary action regarding chronic absenteeism or tardiness. Within district policy, school/department administrators have autonomy for granting leave approval. With this school-level autonomy comes a responsibility to manage concerns that arise beginning at a campus level.

If an administrator needs assistance in documenting, addressing, and disciplining for chronic absenteeism or tardiness, please directly consult the standard Employee Handbook rules and the HR Director with individual cases of concern.

For employee and family health-related absences, it is the school/department responsibility to report to the HR Director when any employee leave is expected to or results more than 3 missed work days. At this point, employee leave options must be determined and formal HR leave procedures may take place.

For leave resulting from work-related injury or illness, please notify HR immediately

Once formal HR long-term leave procedures are initiated, the HR Office will primarily manage an employee's absence and update the campus/department administrators as leave phases progress or return-to-work status changes.

TYPES OF LEAVE

Information about the types of leave available and details about how each type may be used is in the Labor Agreement 2021-2024, Browning Public Schools and Browning Federation of Classified Employees, and Master Contract, 2021-2024 Browning Public Schools and Browning Federation of Teachers, under Leaves and Absences, and is covered under District Policies, District Employee Handbook, and State and Federal Regulations.

- Sick Leave
- Annual Leave – Classified and Professional Technical Employees
- Personal Leave – Certified Employees and Administrators
- Court/Jury Duty
- Family and Medical Leave Act (FMLA)
- Leave Without Pay
- Professional Leave (School Related)
- Sabbatical Leave – Certified Employees
- Funeral Leave – Certified Employees
- Extended Leave of Absence – Certified Employees
- Maternity Leave – MCA 49-3-210

  (**Workers' Compensation** is not a type of leave, but it is another possible source of income for an employee absent from duty because of a job-related illness or injury. Leave caused by work-related injury or illness may or may not run concurrently with the types of leave listed above, depending on the employee's choice. See the Workers' Compensation section of this manual for more information.)

Get a Doctor's Note

When a classified employee is absent from duty three (3) or more days due to personal or family illness, they must provide a physician's written statement, certifying the need for the absence, to the principal/department director.

Notify HR and Payroll

In most cases, HR does not need a copy of the doctor's note if it is a brief absence that is not likely to be repeated. However, an employee who is absent for 3 or more days due to their own medical condition or to care for a family member with a serious medical condition may be eligible for other types of leave, such as FMLA.

Federal law requires that once an employer is aware of an employee's need for such leave, an employee must be notified of his/her rights under the law within 5 business days. For this reason, it is very important for the campus/department to let HR know, in writing or by e-mail when they become aware of an employee who may need extended medical leave for either the employee or his/her family member.

All leave requests must be entered into Frontline. For Annual and Personnel Leave the request must be submitted 48 hours in advance of the date and time of the leave request. For sick leave advance notice should be given for scheduled medical appointments. For sick leave requests on the same day employees must notify their supervisor prior to 7:30am.

Return to Work After Extended Leave

Employees must provide HR with a doctor's note or **Fitness for Duty Statement** (doctor's release) before returning to work. If an employee reports for duty after an extended leave without release from a doctor, the supervisor should contact HR.

OTHER LEAVE INFORMATION

Inclement Weather Closures

The Superintendent may order closure of schools in the event of extreme weather or other emergency, in compliance with established procedures for notifying parents, students, and staff.

The Board of Trustees is authorized to declare that a state of emergency exists within the community. A declaration issued by the Board of Trustees is distinct from any declaration in effect or previously issued by local, state or federal authorities. An emergency declaration issued by the Board of Trustees authorizes the School District to take extraordinary measures to protect students and staff while delivering education services in a manner authorized by law. The method and location of instruction and related educational services shall be implemented in a manner that serves the needs of students, their families, and staff and preserves the School District's full entitlement of funding.

The trustees may order the emergency closure of schools for one (1) school day each year, without the need to reschedule the lost pupil instruction time when the closure is the result of an emergency. The 1-school-day closure under this subsection is not subject to the reduction in BASE aid pursuant to Section 20-9-805, MCA.

In the event of a declared emergency, the School District shall avail itself of all flexibilities allowed by law, rule, or regulation and shall be otherwise governed by the school finance laws and rules of the state of Montana. The School District shall comply with auditing requirements and reserves the authority to assert its rights to manage school district funds or seek state and federal funds in a manner consistent with the full flexibility available under all applicable laws.

If a declaration of emergency is declared by the Board of Trustees, it may later adopt a resolution that a reasonable effort has been made to reschedule the pupil-instruction time lost because of the unforeseen emergency. If the trustees adopt the resolution, the pupil-instruction time lost during the closure need not be rescheduled to meet the minimum requirement for aggregate hours that a school district must conduct during the school year in order to be entitled to full BASE aid. At least 75% of the pupil-instruction time lost due to the unforeseen emergency must have been made up before the trustees can declare that a reasonable effort has been made.

For the purposes of this and related policies, "reasonable effort" means the rescheduling or extension of the school district's instructional calendar to make up at least 75% of the hours of pupil instruction lost due to an unforeseen emergency through any combination of the following as outlined in accordance with Policies 2050 and 2100:

Jury Duty

All staff members called for federal or state jury duty may be absent without loss of pay, subject to verification of actual days served by providing a jury summons. If a jury summons is not provided, the employee will be required to use leave for the absence. If the employee receives any compensation from the court, such compensation shall be remitted to the district office within 10 business days following receipt of such payment. The employee shall retain any expense or milage allowance paid to them by the court.

Other Court-Related Absences

Employees will be paid while on leave to comply with a valid subpoena to appear in a civil, criminal, legislative, or administrative proceeding and will not be required to use personal leave. Absences due to compliance with a valid subpoena will be fully compensated by the district and will not be deducted from the employee’s pay or leave balance. Employees are required to submit documentation of their need for leave for court appearances.

Court Jury Duty leave shall not apply in the event that an employee is the appellant or defendant in a legal proceeding unless such legal proceeding is a result of, or involves school related activities, so long as the employee is not suing the district or the District suing the employee.

Sick Leave Bank

From time to time, employees ask whether there is a way that they can donate some of their leave days to another employee. The only Board-approved way to do this is through membership of both parties in the Sick Leave Bank. Employees have the opportunity to enroll in the Sick Leave Bank annually. The Certified and Classified Unions will be in charge of operating the bank for their bargaining unit, setting provisions for participation in the banks and granting or rejecting leave requests. The union shall notify the benefits clerk of any approved leave donation. Human resources will provide leave donation forms for Administrators, Directors and Professional Technical employees who are not eligible to be members of a union. The benefits clerk will maintain records or sick leave bank donations and use for all employees.

Leave Without Pay Status

If an employee must be absent but has no available paid leave and does not qualify for FMLA, or any other official unpaid leave status, the district has the leeway to allow an employee to be absent under the following conditions:

Classified Employees: Leave Without Pay will only be approved under the following catastrophic circumstances:

A. Employee is in the hospital.
B. Death in the Employee's immediate family as defined in Article XIII, Section 2, SICK LEAVE.
C. Cataclysmic natural events that render travel or communication between the employee's residence and the employee's place of work impossible.

Certified Employees may be granted an extended Leave of Absence Without Pay upon recommendation of the superintendent subject to approval by the Board of Trustees.

Unapproved Leave Without Pay will result in disciplinary action.

Employee Assistance Program

Employees may, at their discretion, contact their immediate supervisor to request assistance with drug and alcohol use/abuse issues that potentially compromise their employment with the District. If, in the judgment of the superintendent or his or her designee, an assessment from a certified drug and alcohol counselor confirms a need for treatment at a chemical dependency facility, the employee may utilize sick/annual leave to the extent that he or she has accumulated leave: all excess days utilized for treatment will be without pay. The District assumes no financial obligation for any portion of treatment expense. Employees are expected to complete the chemical dependency program prior to returning to their jobs. Nothing herein should be construed to remove the burden from the employee for adhering to all conditions set forth in **BPS Board Policy ##5110**, **Drug-Free Workplace**

HIRING/TRANSFER PROCEDURES

The procedures in this section are for full- or part-time **Regular Employees,** and **Seasonal Employees**. For information on hiring Temporary Employees, please refer to that section of this manual.

There are 3 Main phases of the hiring process that must occur before a new employee begins work:

1. Posting the Vacant/New Position
2. Candidate Search & Conducting Interviews

3. Recommendation for Hire & HR Processing

It is important to note that steps within HR vary depending on the position being filled and the method of employment (at-will, contract, etc.).

Please submit any forms and communication necessary to the appropriate HR Team member:

POSTING THE VACANT/NEW POSITION

Submit Documentation of Vacancy for Posting

The hiring process really begins when a vacancy occurs that needs to be filled. Vacancies may occur in one of three ways:

1. **Separation from Service** (employee leaves current position via resignation or termination)

   If any employee leaves the District, please notify HR and submit a letter of resignation. This letter will automatically prompt HR to post for the position being vacated unless otherwise instructed by the hiring school/department with a later date of preferred posting.

2. **Growth Position** (additional campus/department position that has not previously existed)

If a school or department is in need of a new position, please submit a request to HR. The request will be evaluated and submitted for approval to the superintendent through the HR Director. A position description may need to be completed. The HR director can assist with this process, but the requesting supervisor must determine the position duties and requirements. Once these are finalized HR will complete a position description for board approval.

For additional details regarding the addition of school or department staff, please see BPS Board Policy #5210, Position Creation, Assignments, Reassignments, Transfers

3. **Transfer** (to a different position or campus)

If an employee is transferring within the district but away from the school/department or to a different position **(but <u>not to</u> a teaching assignment within the same school/department i.e., 4th grade teacher to 5th grade teacher at Napi)**, please submit a request to the Superintendent and HR Director.

Timeline for Posting – 10-Day Posting Rule

The Master Contract 2021-2024 Browning Public Schools and Browning Federation of teachers requires a vacant position must be advertised for at least 10 working days before a position can be filled. This requirement applies to all certified employee positions. During August, however, there need not be a 10 working day waiting period before the closing date for applications.

As a general rule, the district observes the 10 working day rule for all other vacancies except classified employee positions. These positions will be advertised internally and externally for a minimum of 5 working days.

Transfer versus Posting an Open Position

If the superintendent decides to fill a position by transfer including to a newly created position, the superintendent will provide written notice to the employee being transferred including the effective date of the transfer.

Notwithstanding the above, the superintendent will comply with any requirement in an existing collective bargaining agreement for posting newly created positions. The superintendent will inform the Board of Trustees at the next scheduled regular meeting of the Board following written notice of transfer.

APPLICANT TRACKING (FORMERLY APPLITRACK)

Recruiting and Hiring in Frontline, (formerly AppliTrack) is the district's online application system. All vacant positions that arise for permanent positions must be posted, and only individuals who have applied for the positions posted may be considered for hire.

Applicant Tracking Users

Applicant tracking users include central office administration, HR staff, school or department administration (principals, directors, and supervisors).

Users are placed in access member groups based on current position and location with the district. If a school or department staff member is lacking user credentials or access to some needed information, please contact IT for a review of access controls and any necessary corrections.

Applicant Tracking administrative users are able to see applications, references, and supplemental materials submitted by applicants, and to use the system to sort applicants and manage the interview process.

User Confidentiality Guidelines

User status grants access to confidential personnel information, and in order to properly protect this information, it is important all users adhere to the following guidelines of use:

- Do not share Applicant Tracking credentials (username and password) with any other district employee.
- Do not share applicant information with anyone who is not a user unless directed to do so by a supervisor.
- Log out after each use so that access to confidential information is not inadvertently disclosed.
- Anything printed from Applicant Tracking and shared with hiring committees should be taken and stored in a secure location at the HR office at the conclusion of each hiring process.
- Hiring committee members should be trained in confidentiality Failure to follow these guidelines or otherwise maintain the confidentiality of BPS applicants may result in disciplinary measures.

  Once a position is posted, school/department administrators may review and screen applicants, and schedule interviews with the HR administrative assistant, Elva Dorsey, for school or department vacancies.

  It is the responsibility of the school or department administrator to inform HR of who their selection committee members will be, and to inform the members of the committee of the date, time, and place of the interviews. HR will also send an email to committee members as a follow up.

CANDIDATE SEARCH AND CONDUCTING INTERVIEWS Finding Qualified Applicants

All applicants for regular employment in the district must complete an online application in Frontline (formerly AppliTrack) or submit a paper application to HR. Before a candidate can be considered or recommended for hire, he or she must have completed and submitted an application through this system.

BPS practices school- and department-based hiring, and school principals and department directors exercise considerable control over the front end of the process, from how they form a hiring committee, to interview format and scheduling, to the candidate ultimately recommended for hire.

This process assumes a working knowledge of certifications that qualify an individual to teach the position at hand. Training on certification requirements is available through HR upon request.

The following steps are in place to minimize the amount of time between a campus/department's recommendation to hire and an employee's start date.

- The HR administrative assistant will notify school/department administrators when applications are received for open positions. Applications may be screened in order to filter applicants and find the most qualified people to interview.
- School/department administrators will notify HR via e-mail with a list of the candidates for interview. HR will review and send a reply e-mail listing the candidates cleared for interview.
- HR's goal is to reply within one business day of this e-mail.

Conducting Interviews

Use BPS Board Policy #5120 Recruitment and Selection for guidelines on creating interview committees, scheduling, and conducting interviews.

If a campus or department needs training, written interview guidelines, sample interview questions, prohibited interview questions, or other similar resources in appropriate interview conduct by an employer, please contact the HR Department for assistance.

Only questions approved by HR may be used for interviews. All candidates must be asked the same questions. The list of questions for each interview will be provided to the school/department administrator for review prior to the interviews. All interview questions are considered confidential and are not to be shared with anyone other than the interview committee.

Checking References

Prior to making a recommendation to hire, contact at least three references by telephone. Reference check forms are provided as part of the interview packet.

Submit the New Hire Reference check form along with the New Employee Recommendation to HR. This form is necessary to continue the hiring process. In cases where contract personnel are hired (such as teachers), HR provides these completed forms to the superintendent for approval.

Consideration and Recommendation of Alternatively Qualified Applicants

For positions that qualify as hard-to-fill, or career and technical education/STEAM (applied Science, Technology, Engineering, and Arts & Mathematics), alternative qualifications may be considered.

In the event one of these position types does not yield an acceptable and qualified applicant pool of certified candidates, alternative hiring methods can be considered, which may include use of: Emergency Authorization for Employment requests, or hiring individuals enrolled in an alternative certification/internship program.

Several additional steps are required in the hiring process for these alternative qualification applicants and each case is typically unique. While BPS may make initial hires under these alternative qualification routes, at a minimum, the recommendation will only be considered when:

• the position is a hard-to-fill, or career and technical education/STEAM position;
• the existing applicant pool was well-vetted and did not yield suitable, qualified applicants; and
• the individual is otherwise qualified through previous work experience, acceptable college-credit hours in the given assignment area, or other suitable alternative qualifications.

The individual hired must be willing to pursue standard certification or teaching permit regardless of initial method of hire, and the administrator recommending hire must be willing to support, oversee, and enforce pursuit of certification or teaching permit requirements.

RECOMMENDATIONS FOR HIRE & HR PROCESSING

Making a Recommendation to Hire

Once the 10-day posting period has passed (unless waived under the August exception for teaching staff), and the hiring committee or supervisor is ready to recommend a candidate for hire, please submit the appropriate employee recommendation form to HR complete with the school principal's or department director's signature:

NEW EMPLOYEE RECOMMENDATION

HR, upon the Superintendent's approval, will make the formal offer of hire. HR will call and let the applicant know you are recommending him or her for hire and that HR will soon contact him/her to complete a background and qualifications check and begin new-employee processing.

HR will inform the final candidate regarding the range to expect for placement on the appropriate pay scale. Placement upon hire depends on years of experience in the same or similar position (new employees are placed on the appropriate pay step based on *completed* years of related work experience experience).

Hiring Extra Curricular:

CANDIDATE SEARCH AND CONDUCTING INTERVIEWS -

All coaching positions are advertised on the BPS website, www.bps.k12.mt.us, under the Employment tab. Applications can be submitted online or a paper application can be picked up at the BPS Administration Building and returned to HR. Applications are not considered complete without an email address and contact information for three separate references.

Extra-Curricular Club Sponsors are advertised in-house for district employees.

BPS practices school- and department-based hiring, and school principals and department directors exercise considerable control over the front end of the process, from how they form a hiring committee, to interview format and scheduling, to the candidate ultimately recommended for hire.

This process assumes a working knowledge of certifications that qualify an individual to teach the position at hand. Training on certification requirements is available through HR upon request.

The following steps are in place to minimize the amount of time between a campus/department's recommendation to hire and an employee's start date.

- The HR administrative assistant will notify school/department administrators when applications are received for open positions. Applications may be screened in order to filter applicants and find the most qualified people to interview.
- School/department administrators will notify HR via e-mail with a list of the candidates for interview. HR will review and send a reply e-mail listing the candidates cleared for interview.
- HR's goal is to reply within one business day of this e-mail.

Coaches and sponsors, who were successful in the same extracurricular position with the District in the previous school year, will have preference over all other applicants and, may be recommended by the superintendent for hiring.

Past success in the position will be determined by the superintendent or his or her designee based on performance in the position.

- Such experience must be consecutive from year to year and in the same activity or sport to be a preference.

Conducting Interviews

Use BPS Board Policy #5120 Recruitment and Selection for guidelines on creating interview committees, scheduling, and conducting interviews.

If a campus or department needs training, written interview guidelines, sample interview questions, prohibited interview questions, or other similar resources in appropriate interview conduct by an employer, please contact the HR Department for assistance.

Only questions approved by HR may be used for interviews. All candidates must be asked the same questions. The list of questions for each interview will be provided to the school/department administrator for review prior to the interviews. All interview questions are considered confidential and are not to be shared with anyone other than the interview committee.

Head coaches are to be a part of the hiring committee for any assistant coach for their sport. This requirement will be waived only if a candidate is related to the head coach.

Checking References

Prior to making a recommendation to hire, contact at least three references by telephone. Reference check forms are provided as part of the interview packet.

Submit the New Hire Reference check form along with the New Employee Recommendation to HR. This form is necessary to continue the hiring process. In cases where contract personnel are hired (such as teachers), HR provides these completed forms to the superintendent for approval.

Extra Curricular Contract Payment

Once the season is over, the Athletic/Activities Director submits a completed and signed evaluation, and timesheets for non-certified staff, and a written statement indicating that the sport's/club's equipment inventory has been completed, to the Human Resource Secretary. The cost to replace any equipment not accounted for may be deducted from the coaching stipend. An email will be sent to student accounts before releasing the contract to payroll for payment. A pay approval sheet will be submitted to payroll with the corresponding signed contracts and timesheets if necessary.

All of the following documentation must be on file with HR before any coaching stipend is released:

- **Signed Extra-Curricular Contract**
- **Signed Evaluation**
- **Timesheets (for non-certified staff)**
- **Statement from the District Athletic Director indicating the equipment inventory is complete and there are no charges for replacing equipment.**

All of the following documentation must be on file with HR before and club sponsor stipend is released

- **Signed extra-curricular contract**
- **Copies of meeting notices and minutes**
- **Timesheets (for non-certified staff)**
- **Statement from the building principal and District Activities Director indicating the equipment inventory is complete and there are no charges for replacing equipment. (if applicable)**

It is not the role of HR to complete the evaluation, inventory sheet, or timesheets.

Hiring Students Workers

HR is notified of available student worker positions by the building/department/program supervisor.

HR creates an advertisement which is sent to the appropriate building supervisors only for distribution to eligible students.

Students will be directed to contact the position's supervisor or designated contact person to apply. The supervisor/contact person will provide student applications once the position has been approved for advertisement. The applications will contain at the minimum:

- Student's Name
- Student's Date of Birth
- Student's Grade level
- Position desired
- Information on whether or not the student is related to any active Board of Trustee member, and name of the trustee if they are related.
- Description of any relevant experience/resume'

The student will return the application with all documents to the position contact person who then submits them to the Human Resources Secretary.

The Human Resources Secretary will notify the contract person as applications are turned in. If interviews are necessary, they will be conducted following the same process as all other interviews.

All applications should be returned to the Human Resource office before any interviews are conducted and a recommendation is made.

Students will be required to complete a Urinalysis and be board approved before they can start working.

Fair Labors Standards Act (FSLA)

BPS follows FSLA requirements for all employments. Below is a summary for Child Labor:

The Fair Labor Standards Act (FLSA) of 1938 prohibits the employment of “oppressive child labor” in the United States, which the act defines—with some exceptions—as the employment of youth under the age of 16 in any occupation or the employment of youth under 18 years old in hazardous occupations. The act includes several exemptions, however, that create a complex set of thresholds that depend on the child’s age, local school hours, the nature of the work (e.g., occupation, industry, and work environment), parental involvement in the child’s employment, and other factors. Notably, exemptions to the act’s child labor provisions create separate rules governing children’s employment in agriculture and in non-agricultural work.

For non-exempt children, the minimum age for employment in non-agricultural occupations is

- 18 years for hazardous occupations;
- 16 years for employment in non-hazardous occupations; and
- 14 years for a limited set of occupations, with restrictions on hours and work conditions.

With some exceptions, the minimum age for employment in agricultural occupations is

- 16 years for employment in any agricultural job, including hazardous agricultural occupations, with no restrictions on hours of work;
- 14 years for employment in non-hazardous agricultural jobs outside of school hours; and
- any age, for employment in non-hazardous agricultural jobs, outside of school hours, with parental consent, when certain conditions are met concerning farm size, the nature and duration of work, and other requirements.

The FLSA provisions prohibit (1) the employment of oppressive child labor for children covered by the act, and (2) the interstate shipment of goods produced in an establishment in or about which oppressive child labor is employed. But not all work performed by underage children is unlawful under the act.

The FLSA authorizes the Secretary of Labor to conduct workplace inspections and investigations to determine if oppressive child labor is present and enforce the child labor provisions. The Secretary may assess civil money penalties to employers who violate the provisions or pursue action in federal courts.

Employers who violate the FLSA child labor provisions may be assessed a civil penalty of

- up to $11,000 for each employee who was the subject of a child labor violation, or

- up to $50,000 for each violation that causes the death or serious injury of a minor employee; a penalty may be doubled if the violation is a repeated or willful violation.

Since FY2007, the Department of Labor (DOL) has concluded more than 9,700 cases in which employers violated FLSA child labor provisions.

U.S. district courts have jurisdiction to enjoin violations of the FLSA's child labor provisions. Criminal penalties are also prescribed for willful violations of the FLSA's child labor provisions. Any person who willfully violates these provisions will, upon conviction, be subject to a fine of not more than $10,000, imprisonment for not more than six months, or both.

Since the enactment of the FLSA, various courts have resolved cases involving the meaning and operation of the law's child labor provisions. Early cases focused on the movement of goods produced by minors and whether an employer's activities were restricted by the provisions. More recent cases have examined the direct employment of minors in oppressive child labor. Although there do not appear to be a substantial number of recent reported cases, DOL continues to pursue enforcement of the child labor provisions through litigation, as evidenced by court filings in 2015.

This report describes the FLSA child labor provisions, accompanying DOL regulations, and their administration. Taken together, these constitute what is commonly known as "federal child labor law." In addition, all states have child labor laws, compulsory schooling requirements, and other laws that govern children's employment and activities. No state law may weaken the worker protections provided by the FLSA. However, state laws that impose greater worker protections will supersede those provided by the FLSA. Such state protections are not discussed in this report.

For all other questions related to the FSLA please contact the HR Director or visit https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/wh1282.pdf.

This includes questions related to:

- Exempt and non-exempt employment (overtime)
- Basic Wage Standards
- Who Is Covered by FSLA?
- Child Labor Provisions
- Recordkeeping
- Nursing Mothers
- Enforcement Through Investigation
- Enforcement Through Legal Remedies
- Retaliation is Prohibited
- Equal Pay Provisions

TRANSFER PROCESS

A transfer occurs any time an employee changes position, department, or teaching assignment. The **Employment Status Change (ESC)** form is used to recommend any transfer.

Transfer to the Same Professional Capacity

For transfers within the same professional capacity (teacher to teacher, aide to aide, etc.) within the same school, no posting of the open position is necessary and this transfer can be accomplished at the discretion of campus administration based on the needs of student programs and notification to the district superintendent.

Decisions to assign teachers outside of their certified subject areas or grade levels, however, should be accomplished with the willingness of the employee and in coordination with HR and upon approval of the superintendent, to develop a planned path for certification in the new assignment.

Transfer to a Different Professional Capacity

For transfer to a different professional capacity (aide to teacher, specialist to manager, teacher to assistant principal to IF, etc.) the position must be posted, the employee must be an applicant for the position posted, and the regular hiring process must first be completed prior to the submission of a transfer recommendation.

Questions regarding whether the desired transfer equates to a change in professional capacity should be directed to the HR Director prior to submission of an **Employment Status Change Form** or discussion with the affected employee(s).

TRANSFER BY REASSIGNMENT

Based on the needs of a campus or department, employees may be transferred within the same professional capacity at a principal or director's request without posting the open position (this path is preferable so that that only the final open position is posted (once all transfers are complete). Submission of an **Transfer Recommendation/Request** to the superintendent from the principal or director initiates the process.

It is required that this decision for transfer by reassignment is discussed by the campus principal and superintendent with the affected employee(s) prior to submission of the recommendation HR for processing.

Transfer by Voluntary Request

Employees have the opportunity to request a transfer to a different campus. The **Transfer Request** must be submitted to HR, approved by the Superintendent, the employee's supervisor, and by the receiving supervisor. All transfer requests will be coordinated by HR. If the campuses affected agree to grant an employee Transfer Request, the HR will complete an Employment Status Change Form.

HR STEP SUMMARY (AFTER RECOMMENDATION, BEFORE START DATE)

Once HR receives a recommendation to hire form from a campus or department, HR completes the following steps before an employee can officially start work:

- Checks the Montana Office of Public Instruction MSEIS system to ensure the candidate is appropriately certified for the position recommended (if applicable);
- Completes the required urinalysis, national criminal history background check (including assistance with scheduling fingerprint appointment). and Tribal Background check.
- Provides the candidate with all necessary new-hire paperwork for the position by meeting with the recommended employee in person to explain and assist in completion of paperwork

Prepares appropriate contract (if applicable) and hire letter:

- Processes completed contract and paperwork from new employee;
- Completes a notification so that Technology, Payroll, the Business Office, Benefits, Facilities, district Data Specialist and the supervisor are aware of the new hire and can set the new employee up in various systems and programs as needed;

- Enters the new employee's HR information in BlackMountain;
- Checks to be sure the new employee knows where to report on his or her start date;
- Creates and issues an employee key fob (see section below for full details on key fob procedures);

  and

- Employees also visit HR at this time enroll in, and set up/training in the Frontline Time and Attendance and Absence Management systems.

Employee ID/Key Fobs

New employees will visit HR on their first day of work to have their picture taken in order to create an employee ID/Key Fob.

Employees hired to start work at the beginning of a new school year will receive their ID/Key Fob during the week of New Teacher Orientation (or the week that they start work, for non-teaching employees).

Important: A BPS ID/Key Fob contains electronic information that grants the employee access to the buildings and doors appropriate to his/her position, and allows access to copy machines If the badge is bent, broken, or hole-punched in a way that damages the fob, the door-access function and time clock function stops working. To avoid malfunction or premature wear and tear of the badges, please discourage employees from punching extra holes in a badge, leaving a badge in vehicles with direct sunlight or during times of extreme heat or cold, or otherwise altering the physical look of the badge.

If a badge is lost, broken, cracked, or wears out through normal use, an employee should immediately submit a request to the HR administrative assistant for replacement. If HR determines that the badge must be replaced, the employee will turn in the old badge to HR and will receive a new badge at no charge. Lost badges are replaced for a $15 fee, which must be paid to finance prior to receiving the replacement fob

ID/Key Fobs are to be collected just as other district-issued property upon separation from employment.

Employee Orientation

New Teacher Orientation (NTO) - Teachers hired prior to the start of a new school year attend New Teacher Orientation the week before all other 9-month employees return to campuses. NTO is organized by the HR Department in coordination with Curriculum, Blackfeet Native American Studies (BNAS), Information Technology (IT) and the Director of Alternative Education, and includes information about district-wide (as well as school-specific) rules and procedures. HR conducts a scheduled presentation during this week, and there is also a benefits presentation in the schedule of events. If a teacher is hired after the completion of NTO, the teacher should attend NTO the following year.

New Employee Orientation (NEO) – Formal New Employee Orientation is not currently in place at BPS. Schools and departments are expected to appropriately train and mentor new employees regarding their specific positions and job expectations.

HR is in the planning stages of creating a New Employee Orientation for all new hires. Once instituted, there will be periodic NEO sessions during the year. In addition, campuses and departments will continue to train new hires in their specific position duties as needed upon hire.

TEMPORARY EMPLOYEES

GENERAL GUIDELINES

Examples of a temporary employee:

- Consultant
- Seasonal: ie summer maintenance help, classified summer school employees
- Student Workers

TEMPORARY VERSUS PERMANENT EMPLOYEE

Use of a temporary employee cannot circumvent the creation of a new permanent position.

Temporary Employment is used on an as-needed basis typically paid through school or program funds. Due to IRS requirements, an individual who serves the district on an as-needed, temporary basis must be entered into BlackMountain and the BPS Payroll systems as a temporary employee.

If you are uncertain whether an individual falls under the temporary employee or vendor, contact the HR Director at Extension 4281 for guidance.

If the position should be a permanent hire, please see the hiring section and begin the new hire process with a **New Position Request** submitted to HR and the superintendent, with the appropriate budget code entered on the request.

TEMPORARY EMPLOYMENT ONBOARDING PROCEDURES

Below are the steps in the Temporary Employment process:

A. Temporary/Seasonal Employment Request Form

1. **Submit to HR/Business Office for Review.**

   The HR Secretary and Director reviews and approves the agreement or consults with the Principal/Department director to make any necessary changes needed before approval, then sends the agreement to the Director of Finance for final budgetary review and approval.

2. **HR Onboarding.**

   HR, with assistance of the campus or department for contacting the new employee, then completes the onboarding steps below:
   A. Obtains written authorization from the recommended temporary employee for conducting a background (includes fingerprinting schedule and process if the employee has not worked for BPS within the last academic year).

B. If the Temporary Seasonal employee is not already an employee of BPS, After completion of the background check, HR e-mails necessary hiring documents for the temporary employee to complete (I-9 form, W-4 form, etc.) and schedules an appointment for the Temporary Employee to submit the hiring documents, sign the **Temporary Employment Agreement**, and provide an employee ID badge. The Temporary Employee is trained by HR on the Time clock-in system for tracking hours worked, typically during the same visit when feasible.

C. If the Temporary/Seasonal employee is already an employee of BPS they can begin work as soon as the Temporary/Seasonal Employment Request is completed and approved.

Campus/Department.

The Principal/Department Director completes and submits a **Temporary/Seasonal Employment Request Form** to HR, including all necessary information: name, contact information, position, location, funding code, rate of pay and anticipated dates and hours to be worked.

A **Temporary Seasonal Employment Request Form** must list all temporary assignments the individual will fulfill, as well as the rate of pay for the assignment(s) and be submitted to HR at least 2 weeks in advance of the proposed start date

BACKGROUND CHECKS

All newly hired school district employees are required by state law to undergo a fingerprint- based National Background Check to help ensure the safety of our students and other employees.

The law also requires background checks (or verification of background checks) for temporary employees, contractors/vendors, and volunteers.

TYPES OF BACKGROUND CHECKS

National Criminal History Record Check

This background check requires an individual to be fingerprinted and pulls information from both the FBI and state criminal history records.

It is the policy of the Board that any finalist recommended for hire to a paid or volunteer position with the District, involving regular unsupervised access to students in schools, as determined by the Superintendent, shall submit to a name-based and fingerprint criminal background investigation conducted by the appropriate law enforcement agency prior to consideration of the recommendation for employment or appointment by the Board. The results of the name-based check shall be presented to the Board concurrent with the recommendation for employment or appointment. Any subsequent offer of employment or appointment shall be contingent upon results of the fingerprint criminal background check, which must be acceptable to the Board, in its sole discretion.

All applicants for employment, as a condition for employment, and volunteers assigned within the District who has REGULAR unsupervised access to students shall be required as a condition of any offer of employment, or engagement, to authorize in writing a fingerprint criminal background investigation to determine if he or she has been convicted of certain criminal or drug offenses.

Any requirement of an applicant to submit to a fingerprint background check shall be in compliance with the Volunteers for Children Act of 1998 and applicable federal regulations. If an applicant has any prior record of arrest or conviction by any local, state, or federal law enforcement agency for an offense other than a minor traffic violation, the facts must be reviewed by the Superintendent who shall decide whether the applicant shall be declared eligible for appointment or employment. Arrests resolved without conviction shall not be considered in the hiring process unless the charges are pending.

See: BPS Board Policy **#5120P**
Policy Name: Fingerprint Background Handling Procedure
And
BPS Board Policy #5122
Policy Name: Fingerprints and Criminal Background Investigations

Name Based Background Check

Name based background checks are based on an individual’s name and date of birth.

Tribal Criminal History Record Check

This background check is based on an individual's name and date of birth. A tribal background check is required for volunteers. The district also conducts a tribal background check on all contractor/vendor employees erring on the side of caution in protecting the children of the community.

PRIVACY AND SECURITY OF INFORMATION

The information submitted for all background checks is available only to the employees of Browning Public Schools Human Resources Department. HR staff have all completed the required training course and understand the requirements for confidentiality and discretion that come along with this kind of responsibility.

PROCESS AND TIMELINE FOR APPROVAL OF VOLUNTEERS AND VENDORS

Employees hired for permanent positions submit the necessary background-check authorization forms to HR through the application process.

However, schools/departments must initiate completion of the background-check authorization forms for volunteers, contractors/vendors, and temporary employees. Please provide the appropriate information (Volunteer Application, Contract Service Agreement) to HR at least 2 weeks prior to the event where the volunteers or contractors/vendors are needed to allow sufficient time for HR to process.

CONTRACT SERVICE AGREEMENT (CSA)

The district may enter into board approved contract service agreements with independent contractors. An independent contractor is one who renders service in the course of an occupation and: (a) has been and will continue to be free from control or direction over the performance of the service, both under the contract and in fact; and (b) is engaged in an independently established trade, occupation, profession or business (MCA 39-71-120). The contract must supply everything that is needed for the project and he/she must be entirely independent of the district. If the contractor does not meet this definition, then payment must be made through payroll, and the individual will need to go through the district hiring process and become an employee of the district and be paid at the rates on the board approved temporary compensation schedule. Before the district enters into a contract service agreement with an independent contractor, the independent contractor must have the following items on file with the district business office:

1. W-9- request for taxpayer identification number and classification (unless they are incorporated in which case they must have on file proof of incorporation (business card, business check, or business letterhead with the Inc. insignia clearly identified);

2. A certification of registration as a construction contractor with the Montana Department of Labor and Industry, or an independent contractor exemption certificate from the Montana Department of Labor and Industry;

3. A workman's compensation exemption form from the Montana Department of Labor and industry. If the independent contractor does not have this form on file, the workman's compensation will be taken out of payment made to the independent contractor as the current compensation rate; and

4. A Blackfeet tribal business license. This license can be purchased at the Blackfeet Tribal Department of Commerce office.

CSA APPROVAL PROCESS

1. The administrator must complete the contract service agreement completely, including budget numbers and have it signed by the contractor and the administrator.

2. The contract is then submitted to the Board of Trustees, once it is approved it must be signed by the superintendent. Then the service can be provided. Please do not submit the contract service agreements AFTER the service has been rendered.

CSA PAYMENT PROCESS

1. Once the CSA is signed, the supervisor submits it to accounts payable. If the service has been completed the administrator overseeing the project must submit the contract to the accounts payable clerk for payment indicating on the contract that the service has been provided and the contract is approved for payment.

2. If the payment is done biweekly, signed timesheets must be submitted by Tuesday at noon for the previous two weeks, and must be signed by the contractor and supervisor.

CALENDARS

Each employee is assigned to a work calendar with pre-set work days. The assigned work calendar controls which days are to be worked and/or leave is to be taken. The following is a quick-reference chart of all BPS work calendars (the detailed work calendars are shared with all district employees through email and are available at the HR department).

187 DAY: All 9-month employees who work only during the school year (189 days for classified)

197 Day: GearUp Student Achievement Specialist: Begin 5 days prior to orientation and ends 5 days after teacher check out.

205 Day: GearUp Coordinator

210 Day: Begins 5 days after principals begin, ends the same day as 215 day employees.

215 Day: All Building Principals, some professional-technical

225 Day: Begin 5 days before principals, ends 5 days after principals.

260 Day: Begins July 1, ends June 30 each year.

CONTRACTS

CONTRACT RECOMMENDATION AND RENEWAL PROCESS

Annual contract review, recommendation, and renewal for full-time, certified education professionals must occur (Teachers, Nurses, School Counselors, Licensed Specialists in School Psychology, Speech Pathologists, etc.). HR prepares and sends out recommendation sheets to each campus and department with contract staff for renewal recommendations.

Timeline

February:

All non-tenured certified staff receive their second evaluation.

March

All tenured certified evaluations are completed. School principals receive a sheet from HR to make recommendations for renewal of Assistant Principals.

All principal, director, professional-technical evaluations are completed. The superintendent submits a list of recommendations for renewal or non-renewal of administrator/director/professional-technical employees to HR

Campus principals and department heads receive a sheet from HR to make recommendations for renewal of all other certified contractual staff

The superintendent and school supervisor inform any certified employee who is being recommended for non-renewal, of the recommendation.

April

All certified employee administrator, director, and professional-technical recommendations are submitted to the Board of Trustees for approval.

Contract Preparation

Once renewals are approved by the board, contracts for the next academic year are distributed by HR.

Contract Delivery to Staff

After contracts are signed by the Superintendent, HR delivers the original contracts to campus principals or secretaries for same-day distribution to contract staff.

Contract Return to HR

Contract staff have 20 days from the time the contracts are distributed to review, sign and return the contract. Contract s not returned within the 20 days without prior explanation for late arrival are considered an indication of intent to not return (i.e., a resignation) and that employee's position is then considered vacant and will be advertised.

Contract Filing and Reporting

All signed contracts are filed in the employees' permanent personnel files in HR. A list of all employees who were offered and accepted a contract for the following school year is reported to the Board in May

EXTENDED CONTRACTS

If a school principal or department director wishes to request an extended contract for any contracted personnel, please complete the following process:

Submit a written request to the HR Director by 12:00pm on the Tuesday before any regularly scheduled board meeting at the latest.
Include:

1. Employee name(s)
2. Dates of the extended contract.
3. Total number of hours.
4. Duties
5. Supervisor
6. Budget number

The HR Director will review the request and submit it to the Board of Trustees for approval if the request meets requirements.

Requirements:

1. The work must be the same as, or similar to the contracted employee's regular duties.
2. The extended contract duties must take place outside of the employee's regular work hours.

3. The duties must be a valid need that cannot be completed during regular work hours as part of the employee's normal duties.

Once the extended contract is approved by the Board of Trustees the HR Director will print two (2) copies of the contract(s) and submit them to the requesting supervisor. The supervisor will distribute the contract(s) to the employee(s) for review and signature. Once the employee(s) sign the contract and return it a copy will be given to payroll, and the original will be submitted to the Board Chair and District Clerk for signatures. The signed contract will be filed in the HR office. The Employee(s) may request a fully signed copy.

The employee(s) must submit a timesheet through frontline (sign in and out on the time clock) for hours worked in fulfillment of the extended contract. Payment will be issued after all requirements are met and timesheets are submitted.

EMPLOYEE INFORMATION CHANGES

EMPLOYEE ACCESS – HR INFORMATION

A variety of employee information is maintained by HR, including name, home address and mailing address, contact telephone numbers, marital status, and emergency contacts. Changes occur in this information from time to time, and it is important for employees to be sure that their information on file with the district is kept up to date so that benefits information, annual tax documents, and other important communications are sent to the correct address. In addition, weather-related automatic calls from the district are generated from the information on file, so out-of-date information will result in employees not receiving these important calls.

Address and Telephone Number Changes

To make address and contact telephone number changes, employees can contact Elva Dorsey in HR.

Important: District system auto calls are generated from the "Phone 1" field, so employees need to be sure the number they submit is the most immediate contact number.

Emergency Contact Changes

Employees should e-mail HR if they have a change in their designated emergency contact or that person's information, and HR will enter updates to the system.

Name Changes

Employee’s names may change due to marriage, divorce, or court order. To request a name change, an employee can submit their new Social Security card to HR so that a copy can be made before the name can be changed in BlackMountain. (IRS and TRS reporting requirements make it necessary for the name in the payroll system to match the name on file with Social Security.)

EMPLOYEE ACCESS − PAYROLL INFORMATION

If employees need to change any information on their W-4, such as the number of exemptions claimed or IRS filing status, they need to complete a new W-4 and submit it to Payroll..

SEPARATION FROM EMPLOYMENT

RESIGNATION

When an employee resigns, notify HR immediately by submitting an original signed letter of resignation. All resignations must be submitted in writing to the Superintendent. Once submitted and accepted, a resignation may not be withdrawn without consent of the Board.

Contract Employees

- Contract employees may resign their position without penalty at the end of any school year if written notice is received by June 20th. A timely, end-of-year resignation will be accepted upon receipt. The employee must include in the resignation letter a statement of the reasons for resigning.
- At any other time, including mid-year resignations, contract employees may resign only with the approval of the Superintendent or the Board. Such resignations are not automatically accepted upon receipt. Acceptance will be contingent upon finding a suitable replacement. Resignation without consent may result in disciplinary action by the Montana Office of Public Instruction Licensure Department, and in liquidated damages as per the employee contract.

At-Will Employees

Noncontract employees may resign their position at any time. A written notice of resignation should be submitted to the immediate supervisor and HR at least two weeks prior to the effective date. Employees are encouraged to include the reasons for leaving in the letter of resignation but are not required to do so.

TERMINATION

End-of-Year Termination – Probationary Contract

The HR director provides a form for contract renewal recommendations annually for administrators and other professional instructional staff in February and March, respectively. Recommendations on all contract staff should be marked and submitted back to the HR Director on the due date indicated each year.

If a school principal believes that a probationary employee’s term contract should not be renewed, the school principal must take the following steps:

1. Schedule a meeting with the HR Director and Superintendent when an employee has been identified for nonrenewal.

2. Indicate this determination on the HR contract renewal recommendation.
3. Gather the documentation file supporting the recommendation to non-renew the employee and submit to the HR Director for review and discussion.
4. Implement final employment options and/or decisions determined in collaboration with HR and the Superintendent of Schools.

Please note:

Montana code Annotated (MCA) 20-4-206. Notification of nontenure teacher reelection -- acceptance -- termination. (1) The trustees shall provide written notice by June 1 to each nontenure teacher employed by the district regarding whether the nontenure teacher has been reelected for the ensuing school fiscal year. A teacher who does not receive written notice of reelection or termination is automatically reelected for the ensuing school fiscal year.

(2) A nontenure teacher who receives notification of reelection for the ensuing school fiscal year shall provide the trustees with written acceptance of the conditions of reelection within 20 days after the receipt of the notice of reelection. Failure to notify the trustees within 20 days constitutes conclusive evidence of the nontenure teacher's nonacceptance of the tendered position.

(3) Subject to the June 1 notice requirements in this section, the trustees may non-renew the employment of a nontenure teacher at the conclusion of the school fiscal year with or without cause.

End-of-Year Nonrenewal – Term Contract

The HR director provides a list of contract renewal recommendations annually for administrators and other professional instructional staff in March. Recommendations on all contract staff should be marked and submitted back to the HR Director on the due date indicated each year.

If a campus principal believes that a tenured employee's term contract should not be renewed for any reason, the campus principal must take the following steps:

1. Schedule a meeting with the HR Director (by late fall or early spring semester).
2. Indicate "non-renew" on the HR contract renewal recommendation sheet.
3. Gather the documentation file supporting and submit to the HR Director for review/discussion.
4. Assist HR and the Superintendent as needed with implementing final employment decisions.
5. The Superintendent will draft a formal letter of recommendation to non-renew the tenured employee in question for submission to the Board of Trustees no later than April 15.

Please note: Unless a resignation is submitted prior to May, the Board of Trustees must make final decisions in a called meeting to non-renew a term contract employee in accordance with MCA 20-4-206. or the employee's contract is automatically renewed by law for the following school year. Once notice is provided of the proposed non-renewal and reasons for nonrenewal, the Board must conduct a hearing to make its final decision of non-renewal.

Mid-Year Termination – Contract

If a school principal believes that the conduct of an employee warrants immediate termination, the campus principal should contact HR and the Superintendent immediately to review the conduct and implement interim safety measures (such as Administrative Leave with Pay pending complete investigation, which can be issued only with consent of the Superintendent). The campus principal will collaborate with HR office as specifically necessary in each situation to investigate, document, and implement final employment action.

Mid-year termination of a contractual employee requires a full investigation, legal consult, and ultimately Board action.

At-Will Staff

End of Year Termination: The school administrator/department director provides a list of at-will renewal recommendations/evaluations to HR annually prior to the end of May. for at-will employees (instructional aides, child nutrition staff, office staff, etc.). Recommendations on all at-will staff should be marked on the evaluation form and submitted back to the HR Director on the due date indicated each year.

Mid-Year Termination: If a principal or director believes that the conduct of an at-will employee warrants immediate termination, the school principal or department director should contact HR and the Superintendent of Schools immediately to review the conduct and implement interim safety measures (such as Administrative Leave with Pay pending complete investigation, which can be issued only with consent of the Superintendent). The campus principal or department director will collaborate with HR office as specifically necessary in each situation to investigate, document, and implement final employment action.

Mid-year termination of an at-will employee requires a full personnel investigation, possibly legal consult, and ultimately a final employment recommendation by the Superintendent of Schools. Submitted to the Board of Trustees for approval.

RETIREMENT

Contact HR upon notification from an employee that they plan to retire so HR can contact and assist the retiring employee with next steps. The Employee should submit a written intent to retire to HR.

DEATH OF AN EMPLOYEE

Contact HR immediately upon notification that an employee has passed away, so HR reach out to assist the family with benefits issuances.

FINAL PAYCHECKS

Final payroll calculations will not be determined until the **Employee Checkout Form**, with end of service section completed, is submitted to HR and forwarded to the Payroll office. An employee's final check will be in the same format in which the employee is usually paid, which in most cases is direct deposit. Employees wishing to pick up their final paycheck rather than having it direct-deposited or mailed to their address on file must contact Payroll immediately upon resignation to make arrangements.

Final check dates can vary depending on individual circumstances and payroll processing deadlines. Employees should call Payroll if they have questions about their final pay arrangements.

Mid-Year Resignations or Terminations

Employees who leave during the school year generally receive a final paycheck within 30 days of the last day of employment.

End-of-Year Resignations

Final paycheck dates for employees who work through the end of the school year or calendar-year assignment depend on whether the employee is a 9-, 11-, or 12-month employee.

- **For 9-month Employees** (187- to 205-day calendars), the pay cycle is
- **August through June**. They are paid on their regular pay schedule through the end of the academic year.
- **For 11-month Employees** (210- to 225-day calendars), the pay cycle is August 1 through July 31. They are paid on their regular pay schedule through the end of June.
- **For 12-month Employees** (260-day calendars), the pay cycle is July 1 through June 30. Their final check is processed the same as a mid-year resignation.

EFFECT OF SEPARATION FROM SERVICE ON BENEFITS End of Active Employee Benefits

Mid-year resignations or terminations: Benefits for employees who resign or are terminated mid-year generally continue until the end of the month in which the employee's last day of work occurs.

End-of-year resignations: Benefit continuation for employees who work through the last day of their annual employment calendar: active employee benefits continue through the end of August, and deductions continue to be taken from paychecks through the final check.

Continuation of Benefits

Employees have the opportunity to continue medical, dental, and vision benefits through COBRA continuation coverage, and may be able to convert other kinds of policies to private, individual policies. An insurance Separation from Service notification is sent to each employee who is separating from employment with the district.

SUBSTITUTE PROCEDURES

PROTOCOL FOR SECURING SUBSTITUTES

Absence Management (formerly AESOP)

Absence Management is the online, district-wide substitute coordination system. Teachers, aides, and other campus personnel report all absences from their regular assignment through the Absence Management (formerly AESOP) system.

New employees receive an Absence Management instructional letter/email from HR with their individual staff credentials for creating an account and logging into the system. Additional training for staff on use of the system can be made available upon request to HR by school administrators and/or directors.

Absence Input and Process Summary

Teachers are responsible for placing their absences into the Absence Management system in a timely manner; school campus users are responsible for placing special needs or requests into the system and managing open assignments on a daily basis. School administrators/Directors are responsible for managing and reviewing substitute concerns that occur on their campus/department; and the HR Director is responsible for addressing substitute concerns of a serious nature in coordination with school principals and/or directors.

Responsibility Chart

The chart below is a detailed summary of responsibilities among district staff regarding the substitute placement system.

Employee	Principal/Director	Campus Users	HR
- input absences with proper notice into Absence Management (AESOP) - 2 days' notice required for personal/annual leave requests to supervisor - leave complete sub folder and lesson plans - report any sub concerns promptly to campus administrators - comply with the system's random open selection process (exception for Special Education and long-term positions)	- train and manage proper absence notice of staff - manage leave approval and enforce sick v. personal use - ensure folders and plans by reminders and spot checks - investigate substitute concerns, address minor issues directly with substitutes, gather investigative documentation as necessary, and report to HR Director as needed for major or repeated issues	- manage and fill any open substitute positions on campus on a daily basis - assist/guide substitutes reporting for duty - ensure substitutes properly sign in and out - answer campus or assignment-specific substitutes questions - assist teachers in placing hard-to-fill, long-term, or special needs positions - report concerns to the campus administrator - report system concerns or malfunctions to the HR district coordinator	- coordinate application review, orientation, and new-hire paperwork of substitutes - review positions district- wide on a daily basis and assist campus coordinators as needed with unfilled positions - maintain and send out current active substitute contact list to campuses - answer substitute and coordinator questions

PROPER USE OF ABSENCE CATEGORIES

The Absence Management System allows for multiple types of absences. All are listed and described below. A**dministrators and directors are responsible for managing the proper use of Absence Categories by their staff members.** Additional training or information can be made available upon request to HR by supervisors.

Absence Category Chart

Below is a chart of the various absence categories listed within Absence Management (AESOP). Categories marked "Payroll/HR Administrative Use Only" should not be a selected option for any staff member. Each of those absence categories requires central office processing within the Payroll or HR Departments.

Absence Category	**Description**
Suspension W/O Pay	**Payroll/HR Administrative Use Only**
Suspension With Pay	**Payroll/HR Administrative Use Only**
Administrative Leave with Pay	**Payroll/HR Administrative Use Only**
Unapproved Leave Without Pay	leave used after all other forms of paid leave are exhausted; unpaid status which can only be entered by principal/director. used depending on the circumstances (coordinate with HR) If an unpaid leave day is related to personal time off, unpaid leave requires advanced notice and is subject to administrator and superintendent notification
Personal/Annual	If discretionary (employee choice and can be scheduled in advance – vacations, weddings, children's extracurricular events, etc.) requires 2-day notice from employee to supervisor; must be approved by supervisor based on campus/program needs (see labor agreements for use)

	if non-discretionary (use of leave for illness, family emergency or death, or similar events that allow for little advanced notice), typically reported and taken in a similar fashion to sick leave (see contract for leave use requirements) can be used for personal or sick needs If using FMLA in conjunction with personal/annual leave, indicate this when requesting leave
School Related	To be used in the event that an employee is missing a regular classroom assignment for one of the following reasons with prior approval from campus administration: -Professional development required by the district -School-sponsored, extra-curricular trips or hosted events -Participation in school committee meeting conducted during school hours
Sick Leave	can ONLY be used for sick leave (self or family) Absence of more than 3 consecutive days requires medical certification of illness If using FMLA in conjunction with sick leave,indicate this when requesting leave
FMLA	Can only be used if FMLA is approved by HR and the employee has received their notification of Eligibility, Rights, and Responsibilities.

Use of Vacancy Substitute Positions

Vacant substitute positions are created by a school or department campus user when a substitute teacher is needed for the following reasons:

- A position is vacant mid-year that regularly receives a substitute teacher and must be filled until a new permanent hire can be placed into the open position.
- A position is needed for a “roaming substitute” who serves different teacher positions for professional development or school business.
- A request for interim assistance (secretarial, custodial ect)

  All other additional requests by a campus for temporary assistance (non-substitute assistance – assistance that does not actually replace an employee in his or her regular assignment) must be requested through HR

SUBSTITUTE TEACHER SPECIFICS Substitute Hiring Process

To be considered for a substitute teacher position (includes teacher or aide assignments), all applicants must:

1. complete and submit an online application through Frontline, or submit a paper application to HR;
2. submit an official transcript showing degree or coursework (high school diploma or equivalent is required);
3. complete and submit an I-9 form with photocopies of identification (According to federal regulations,

   a new employee must establish both identity and employment authorization. The list of acceptable

   documents is listed on the I-9 form.);

4. authorize and clear a national criminal history background check and Tribal Background Check;
5. Complete a urinalysis;
6. attend substitute teacher workshop typically conducted 4-5 times per year; and
7. Be Board approved to be added to the substitute list.

Once all documentation and training above is completed, the new substitute teachers are made active.

Substitute Responsibilities

Substitute teachers or aides are responsible for continuing the educational programs for students during the time that the teacher of record must be out of the classroom. Substitutes are held to the Educators' Code of Ethics and are to actively teach, monitor, and facilitate class as specified by the lesson plans left by the regular classroom teacher.

Substitute teachers are directed to manage classrooms and student behavior as required by individual students' IEPs and BIPs and in alignment with the BPS Code of Conduct. **At no time is a substitute teacher allowed to use any form of corporal punishment for students.** Substitute teachers are generally prohibited from using district technology unless specified otherwise by campus protocol or specific lesson plans. In addition, use of personal electronic devices is prohibited, except in the event of emergency or during scheduled breaks when they are not responsible for students (i.e., lunch and prep if not assigned elsewhere at that time).

It is important to understand that the building principal enforces these responsibilities with assistance from HR as needed for more serious performance concerns.

Substitute Reporting Times per Position

Substitute teachers and aides are paid on an hourly basis. Report times may differ based on the needs of the assignment.

Below is the standard time for substitute employees to report to campuses based on the position filled:

Position	**Reporting Time**
Teacher Aides: Full-Day Schedule	7:30am
Teacher: Full Day Schedule	8:00am
Secretary: Full Day Schedule	8:00am
Cooks:	6:00 am
Custodian: Full Day Schedule	As per time entered for assignment on Frontline
All Others	As per time entered for assignment on Frontline

*All full-day schedules must include a 30-minute duty-free lunch. Prep periods are not guaranteed to substitute teachers and schools may assign other duties during that time as needed.

In the event that an assignment calls for a different period for reporting than the above schedule, the alternate period must be requested by school administration prior to that assignment being posted to Absence Management.

TRAINING

Annual employee training run by HR typically includes an alternating combination of the following subjects completed in August of each school year:

- FERPA Training
- Blood-borne Pathogens
- Reporting Child Abuse or Neglect
- Student Discrimination, Harassment, and Bullying
- Employee Discrimination, Harassment, and Retaliation
- Workplace Ethics and Standards of Conduct

Employees are required to attend School/Department HR training courses and sign-in for each session.

School/Department administrators are responsible for verifying and certifying to HR that all employees have completed the required training. HR does not store physical certificates of completion in employee files. Verification is done through sign-in sheets which should be maintained by the school or department.

Campuses and departments can schedule group training organized through the HR Director at the discretion of the school principal or department director at the beginning of each year.

WORKERS' COMPENSATION

GENERAL INFORMATION

About Workers' Compensation

The district, in accordance with state law, provides workers' compensation benefits to employees who suffer a work-related illness or who are injured on the job while in the course and scope of their employment with the district. Benefits help pay for medical treatment and make up for part of the income lost while recovering. Specific benefits are prescribed by law depending on the circumstances of each case. The district contracts with MTSBA to administer workers' compensation benefits.

An employee absent from duty because of a job-related illness or injury may be eligible for workers' compensation income benefits Please note that workers' compensation is not a form of leave and does not guarantee continued employment.

Campus/Department Responsibility

A campus/department must file a First Report of Injury once an employee or witness reports any injury, illness, or incident on the job.

FIRST REPORTS OF INJURY (FROI)

Completing the Reporting Process

1. Check on the injured employee and determine whether they intend to seek medical care.

   If the employee requires emergency transport or immediate medical attention of an urgent nature, then any urgent-care or emergency provider will be covered for the initial visit.

2. Complete the First Report of Injury (FROI) form and submit the original to the district benefits clerk, Jeri Lee Boggs.

3. If you have knowledge of an injury, you must report it. A report of injury must be created whether or not the employee consents or assists.

It is very important that the First Report of Injury form be completed by the **employee's immediate supervisor or trained reporting personnel** (not the employee) as soon as possible (preferably immediately) This initial campus reporting process must be complete within 3 days of the report of the work-related injury or illness.

Please alert the Benefits Clerk in the HR Office immediately if an employee collapses at work for any reason and/or is transported by ambulance for emergency treatment. Complete the First Report of Injury form (FROI), which should alert Human Resources no later than the next business day. The campus is to complete as much of the Employee information, occurrence Information, and treatment Information as possible before submitting the form.

Reporting Time Off HR Processing
Work Status Reports and Return to Work

Provide documentation and discuss and report any return to work determination with HR prior to the employee’s return to work.
HR is available for discussion and guidance on this topic as needed by the employee’s supervisor.

If an employee misses ***any*** amount of work due to the reported injury, the supervisor (or other trained reporting individual) must report missed time as soon as possible to HR,

Once the First Report of Injury is submitted, HR will take the next steps for processing a Workers’ Compensation claim with MTSBA. In addition, HR will work with the injured employee regarding questions, guidance, or issues that arise during processing.

The employee (or the employee’s health care provider) must provide up-to-date work status reports to the injured employee’s supervisor and to HR. Upon receipt of each work status report, the supervisor should: review the restrictions listed to determine whether it is feasible to reasonably accommodate the listed restrictions in a manner that allows the employee to perform the essential functions of his or her job;

RECORDS STORAGE AND RETENTION

PERSONNEL RECORDS

All employee records are kept in their personnel file located in HR. No items should be kept in the file without the employee's knowledge. Information in the personnel file includes, but may not be limited to:

- Qualifications: Transcripts, Certifications, Employment application materials
- Copies of signature sheets for district policies
- Hire letters
- Disciplinary communication
- Grievances (only as provided for in the grievance procedure)
- Medical records: (FMLA-504 Plans and documentation) will be kept in a separate file.

Employees may request to see their personnel files by submitting the request in writing to the HR Director, and shall have the right to reproduce materials in the file.

RECORDS MATERIALS

State law requires most school records to be kept for specific periods of time before they are destroyed. Some records are required to be kept permanently. HR and Finance keeps required storage and retention documents in secure records storage room until they are scheduled for shredding.

Documents typically stored include originals of the following:

- Payroll Files
- Financial Reports
- Personnel Files for resigning/terminated employees and substitutes.

Access to Stored Records

If you need access to a record that has been sent to the records room, please contact the HR Administrative Assistant with a request for the document needed.