

Employment Procedures

Upon the establishment of a position, either through an initial project approval and funding, a project amendment, or a vacancy created by resignation of existing personnel, the Regional Superintendent or designee shall advertise the position as appropriate. Appropriate personnel, as assigned by the Regional Superintendent, will screen applications and select qualified candidates for interviews. Employment decisions will be based on each applicant's qualifications as compared to the requirements of the available position. Consideration will be given to ability, experience, education and training, character, and potential in the position. All employment decisions shall require the approval of the Regional Superintendent of Schools.

All employees will be employees of ROE No. 40, with all such employment being on an "at-will" basis, subject to dismissal at any time with or without cause. Employees funded by yearly grants may be subject to immediate termination in the event that such funds are reduced, interrupted, restricted, or cease to exist. If this should occur, affected employees have no claim or right to continue employment due to length of service, skills, or previous experience.

All employees are subject to the direction and control of the employer or his/her designee and shall abide by the employment policies of ROE No. 40. Failure to observe these rules and regulations may be grounds for disciplinary action or immediate dismissal.

An employee who is leaving is expected to turn in all keys and other property of the ROE in his/her possession prior to receiving a final paycheck.

Regional Office of Education No. 40
Calhoun, Greene, Jersey, Macoupin Counties

Policy 3-002

Equal Employment Opportunities

No person shall be discriminated against in any aspect of employment, in securing candidates for employment, in retention, and in promotion on the basis of race, color, religion, sex, national origin, age, handicapping condition, ancestry, marital status, or any other prohibited form of discrimination under Federal, or State law or government contract regulations. All employees of the Regional Office shall strictly adhere to this nondiscrimination policy.

Personnel Records

As a condition of employment and within one month of initial employment, each employee shall file the following with the Regional Superintendent:

1. Up-to-date transcripts and other education or experience related records
2. Job related certification, which shall be renewed annually
3. Signed authorization for a criminal background check to determine whether the individual has any criminal convictions
4. For those employees who come into contact with children in the course of their employment, a signed Department of Children and Family Services Assurance Letter, acknowledging "Mandated Reporter" status in relation to child abuse in compliance with the Abused and Neglected Child Reporting Act of 1985
5. A completed Department of Immigration I-9 Form, verifying eligibility for employment in the United States in accordance with Federal Law
6. Results of a test indicating freedom from tuberculosis.

These, and all other personnel records, will be kept, maintained, and given access to pursuant to the State Personnel Records Act. Personnel records are considered confidential and may be reviewed only by:

1. The employee
2. An authorized agent of the employee, whose review takes place in the presence of the employee
3. The employees supervisor(s)
4. The Program Administrative Agent
5. An individual authorized to review personnel records through court order.

References obtained in the job application process will not be available to the employee for review.

Personnel Evaluation

All personnel shall be evaluated by the program administrator, Regional Superintendent and/or his designee based on a process established at the time of initial employment. If no such process was established at initial employment, the process to be used will be developed in consultation with the employee at least six months prior to the first evaluation. Evaluation is meant for informational purposes only and is not intended to create any type of employment status that modifies the "at-will" relationship of the employee.

Other Employment

Full time employees are prohibited from having conflicting employment while working in a full-time capacity with the Regional Office of Education. Other employment, while not prohibited, must be subordinate to the position held in the ROE. An employee may not be paid by another employer for the same period of time the employee is being paid by the ROE.

If a full-time employee performs outside services or consultant services, such services or employment must be reported to and approved by the Regional Superintendent of Schools in order to avoid the potential of conflict with regular work assignments. Any such activity that creates a conflict of interest or other ethical concerns will not be approved.

External Consulting

Consultative services provided by the Regional Office of Education staff to any school, organization, agency, or person within the ROE No. 40 area of responsibility shall be provided free of charge. Honoraria and/or expenses cannot be accepted by the ROE staff for consultative services rendered within the assigned area of program responsibility.

Consultative services rendered outside of ROE No. 40 must be conducted during days or hours not contracted by the Regional Office of Education. Internal consulting by ROE No. 40 staff to other ROE programs must be pre-approved by the Regional Superintendent.

The Regional Superintendent must approve any exceptions to this policy, when deemed in the best interest of ROE No. 40, in writing.

Drug and Alcohol Free Workplace

Introduction

In agreement and compliance with the Drug-Free Workplace Act of 1988 and the Drug Free Schools and Communities Act of 1989, the Regional Superintendent of Schools of ROE No. 40, Calhoun, Greene, Jersey, and Macoupin Counties, Illinois, is adopting and implementing the following alcohol and substance abuse policy.

Philosophy

The use of drugs, including alcohol, in the workplace is unacceptable since it adversely affects health, safety, and productivity, as well as, public confidence and trust. When drug abuse interferes with an employee's efficient and safe performance of work responsibilities and reduces that employee's dependability, a problem is created for the whole organization. This sort of dysfunctional situation places a heavy burden on all employees and creates a cost that is unacceptable for all persons involved. Therefore, ROE No. 40 has implemented a "zero tolerance" policy concerning drug and alcohol in the workplace.

Standards of Conduct

The unlawful manufacture, distribution, dispensation, possession, or use of alcohol or a controlled substance, including cannabis, is prohibited in the workplace. Controlled substance means a controlled substance as defined by the Illinois Controlled Substance Act or Cannabis as defined by the Cannabis Control Act. As such, a controlled substance is one that is:

1. Not legally obtainable.

2. Being used in a manner different than prescribed.
3. Legally obtainable, but has not been legally obtained.

All employees will, as a condition of employment:

1. Agree not to manufacture, distribute, dispense, possess, use, or be under the influence of alcohol or a controlled substance in the workplace.
2. Notify the Regional Superintendent of Schools of any criminal drug statute conviction for a violation occurring in the office premises or while performing work for the office, within five (5) days after such conviction.
3. Agree, in writing, to abide by the terms of this policy respecting a drug and alcohol free workplace.

For the purposes of this policy, workplace is defined as the Regional Office of Education Offices in Carlinville and Jerseyville, Illinois and other work-sites designated by the Regional Superintendent. Workplace does not include meetings at restaurants or other commercial establishments, but drug and alcohol use and consumption bans apply in these locations during work times.

Awareness and Information

In order to make employees aware of dangers of drugs and alcohol abuse, the Regional Office will:

1. Provide each employee with a copy of the Drug and Alcohol Free Workplace Policy.
2. Post notice of the Drug and Alcohol Free Workplace Policy in a place where other information for employees is posted.
3. Make available materials from local, state, and national anti-drug and alcohol abuse organizations.

4. Enlist the aid of community and state agencies with drug and alcohol information and rehabilitation programs to provide information to office employees.

Action Upon Violation of Policy

The Regional Superintendent shall take appropriate disciplinary action with respect to an employee conviction of a drug offense in the workplace within thirty days after receiving notice of the conviction.

An employee who violates the terms of this policy may be subject to disciplinary action, up to and including the termination of employment and referral for prosecution.

Should the Regional Office of Education be a current participant in a Federal education program in which it is the prime grantee and a direct receiver of Federal funds, the Regional Superintendent shall notify the appropriate Federal agency from which the grant is received of the employee conviction within ten (10) days after receiving notice of the conviction.

Employee Assistance Program

The Regional Office of Education is interested in the health and well being of all its employees, and acknowledges that it is in the interest of everyone to deal with personal problems, which affect job performance. Alcoholism and drug abuse is recognized as treatable illnesses, responsive to treatment and rehabilitation. Any employees having one of these problems will receive the same careful consideration and referral to treatment that is extended to an employee having any other illness. Covered charges for medical and professional treatment will be handled in accordance with the provisions of the present group insurance plan.

Employees who have an alcohol or drug abuse problem are encouraged to voluntarily seek assistance and treatment on a confidential basis by contacting their immediate supervisor. Every effort will be made to maintain strict confidentiality of records and information. Those receiving help will not have job security or promotional opportunities jeopardized by participating in the program.

This employee assistance program is designed to assist employees with alcohol or drug problems that affect work performance. If, however, an employee continues to have unsatisfactory work performance, regardless of participation in the assistance program, the employee will be subject to normal corrective disciplinary procedures.

Implementation of this policy will not require or result in any special regulation, privilege, or exemption from the standard administrative practices applicable to job performance requirements.

Release, Reduction, or Reassignment of Employees

As program needs and priorities change, it may be necessary to eliminate, reduce, or reassign personnel. When these types of changes are necessary, people will be selected for release, reduction, or reassignment based upon any and/or all of the following criteria:

- Employee performance
- Funding source
- Qualifications
- Program priorities

Final decisions related to staffing will be made by the Regional Superintendent in consultation with other persons when such action seems appropriate or necessary.

Sexual Harassment

Philosophy

A working environment wherein sexual harassment of employees is permitted fosters disrespect for fellow employees and supervisors, interferes with an employee's work performance, and creates an intimidating, hostile work environment. Sexual harassment can only be eliminated in a workplace when each individual takes personal responsibility for behaviors that foster respect for all other employees. Sexual harassment will not be permitted in the Regional Office of Education No. 40, nor will it tolerate false or malicious accusations of sexual harassment that create an atmosphere of fear and intimidation.

Definition

Sexual harassment is defined as any unwelcome sexual advance, request for sexual favors, or any conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or related activities; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual; or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance by creating an intimidating, hostile, or offensive working environment.

Responsibilities

1. Each individual employee has the responsibility to refrain from sexual harassment in the workplace.

2. An individual employee who sexually harasses a fellow worker is liable for his/her individual conduct.
3. The harassing employee will be subject to disciplinary action up to and including discharge from employment.
4. An employee who either observes or believes himself/herself to be the object of sexual harassment is responsible to report the incident(s) to his/her immediate supervisor.

Procedures

An employee who either observes or believes herself/himself to be the object of sexual harassment should deal with the incident(s) as directly and firmly as possible by clearly communicating her/his position to both the supervisor and the offending employee. No one making a complaint will be retaliated against even if the complaint that was made in good faith cannot be substantiated. Any witness will also be protected from retaliation. It is important to document each incident, in detail, as it occurs. Written records such as letters, notes, memos, and telephone messages can strengthen documentation.

The following process for making a complaint about sexual harassment must be followed:

1. Direct Communication - If there is sexually harassing behavior in the workplace, the harassed employee should directly and clearly express her/his objection that the conduct is unwelcome, and request that the offending behavior stop immediately. The initial message may be verbal, but if subsequent messages are needed, they should be placed in writing with a copy being submitted to the offended employee's immediate supervisor.
2. Contact With Supervisory Personnel - At the same time direct communication is undertaken, or in the event the employee feels threatened or intimidated by the situation, the incident(s) must be reported to the immediate supervisor. If the harasser is the immediate supervisor, the problem should be reported to the next higher level of supervisor.

3. Formal Written Complaint – When contact is initiated with the immediate supervisor, a formal written complaint should also be initiated with the supervisor. This written complaint should document all of the details of the alleged offense and must include the date(s), time(s), and location(s) of the alleged offense(s).
4. Investigation – The immediate supervisor will fully investigate the complaint and advise the complainant, alleged harasser, and Regional Superintendent or his/her designee of the results of the investigation.
5. Resolution – The Regional Superintendent, in consultation with the employee's immediate supervisor(s), will determine appropriate actions to be taken to alleviate the problem and initiate remedial action(s).
6. Appeal Process – If the employee(s) are dissatisfied with the disciplinary decision, the decision may be appealed to the Regional Superintendent within ten (10) days after receipt of the decision. All appeals must be in writing. The Regional Superintendent will reinvestigate the complaint and review his decision within 10 days. After receipt of the appeal decision, the employee may file a formal complaint with the Illinois Department of Human Rights (IDHR) or the Equal Employment Opportunities Commission (EEOC). An IDHR or EEOC complaint must be filed within 180 days of the alleged incident(s) unless it is a continuing offense.

False and Frivolous Complaints

False and frivolous charges refer to instances in which the accuser is using sexual harassment complaint to accomplish some end other than stopping sexual harassment. It does not refer to charges made in good faith, which cannot be proven. Given the seriousness for the accused, a false and frivolous charge is a severe offense that can, in itself, result in disciplinary action.

Mandated Reporter Status

All employees of the Regional Office of Education No. 40 who, because of their position as teacher, counselor, or student supervisor, are in direct contact with students, are mandated reporters under the Abused and Neglected Child Reporting Act (Illinois Revised Statutes, 1985, Chapter 23, paragraph 2051 et. Seq.) This means that the employee is required to report or cause a report to be made to a Child Abuse Hotline number (1-800-25A-BUSE) whenever there is reasonable cause to believe that a child under the employee's immediate professional or official supervision may be abused or neglected. There is no charge when calling the Hotline number, which operates 24 hours per day, 7 days per week, 365 days per year.

The privileged quality of communication between these employees and their students and/or clients is not grounds for failure to report suspected child abuse or neglect. Willful failure to report suspected child abuse or neglect may result in being found guilty of a Class A misdemeanor and license or certificate suspension or revocation if applicable.

Regional Office of Education No. 40
Calhoun, Greene, Jersey, Macoupin Counties

Policy 3-011

Sex Equity Policies

It is the policy of the Regional Office of Education No. 40 that its educational programs, activities, services, and benefits will be provided to students without discrimination on the basis of sex, and that no student shall, on the basis of sex, be limited in the exercise of any right, privilege, advantage, or opportunity.

The Regional Office of Education No. 40 does not discriminate on the basis of actual or potential marital or parental status, and no student in the Region's programs shall be subjected to sexual intimidation or sexual harassment by any employee, by other students, or by the effect of any school policy or practice.

Reference is further made to Policy 3-002 for a statement concerning Equal Employment Opportunities.

Overtime and Compensation Time

All positions having a regular work schedule are exempt from overtime pay for hours worked beyond that established work schedule, and overtime compensation will not be paid. Individuals not having an established work schedule may not be paid for more than 40 hours in any workweek. It is recognized that, under infrequent, unusual circumstances, it may be necessary for an employee to work beyond their established work schedule. When this situation occurs, that individual may apply to the Regional Superintendent for approval of compensation time. The following guidelines shall apply:

1. Compensation time is only granted by the approval of the Regional Superintendent or Assistant Regional Superintendent.
2. Except in situations of extreme emergency, employees must obtain prior approval for the accumulation of compensation time.
3. Compensation time will be awarded on an hour for hour basis for actual time worked.
4. Compensation time shall be recorded by the employee on a form provided by the bookkeeper with an appropriate verification signature being secured from the Regional Superintendent or immediate supervisor.
4. Permission to use compensation time as time away from employment duties must be secured in advance from the Regional Superintendent or immediate supervisor.
5. Compensation time must be used within twelve months of the actual time worked or the time will be forfeited by the employee.