

Agenda of Policy Committee Meeting

The Board of Trustees Nye County School District

An Policy Committee Meeting of the Board of Trustees of Nye County School District will be held Friday, November 19, 2021, beginning at 1:00 PM at the Southern District Office Boardroom, 484 S. West Street, Pahrump, NV 89048.

Disabled members of the public who require reasonable accommodations in order to attend this Meeting are asked to notify District Administration at 775-727-7743, ext. 224, at least 24 hours prior to the Meeting. Questions regarding backup materials may be directed to Board Secretary Kelly Wood, 775-727-7743, ext. 224. A Public Binder will be available for viewing at the scheduled location at the time of the Meeting.

This Meeting will also be streamed live online via the link on the Nye County School District website. Public comment may be accepted live via email for the duration of the Meeting and shared during the Public Input time designated on the Agenda. Public comment made by members of the public attending the meeting virtually must be emailed to publiccomment@nyeschools.org and must include:

1. The author's first and last name.
2. The author's phone number (phone number will not be read on the official record).
3. Date of the Meeting for which the comment is intended.

All Public Input rules and timelines listed on the Agenda still apply.

This Agenda has been posted on the NCSD Website (<https://www.nye.k12.nv.us>), Nevada's Notice Website (<https://notice.nv.gov/>), at the main physical location of the meeting, and has also been provided to all persons who have made a specific request of a copy of the Agenda by US Mail or electronic mail.

The subjects to be discussed, considered or acted upon are listed below. Items do not have to be taken in the order presented below and the Board may combine two or more agenda items for consideration at any time. The Board may also remove any items on the agenda or delay discussion relating to any item listed on the agenda at any time. Unless removed from the Consent Agenda, items identified within the Consent Agenda will be acted on at one time.

1. **CALL TO ORDER**
2. **PUBLIC INPUT, INFORMATIONAL ITEM**

This time is set aside for the public to make comments on items within the authority of this Board and are not for Board interaction. Matters raised cannot be deliberated or acted upon until properly placed on a future agenda. **Comments that**

are irrelevant, repetitious, slanderous, offensive, inflammatory, willfully disruptive or deemed personal attacks will not be permitted. A Request to Speak form must be completed and submitted to the Board Secretary before the Public Input is open. A time limit of 3 minutes per person or 5 minutes for the spokesperson for a group will be imposed.

3. ADOPTION OF AGENDA, FOR POSSIBLE ACTION

4. APPROVAL OF MINUTES OF LAST POLICY COMMITTEE MEETING, FOR POSSIBLE ACTION **5**

5. REVIEW AND REVISION OF EXISTING POLICIES, FOR POSSIBLE ACTION

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These policies have no suggested revisions or changes.

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- 3. 6147 Drug-Free Workplace 8
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8. PUBLIC INPUT, INFORMATIONAL	
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9. ADJOURNMENT, FOR POSSIBLE ACTION	
The Chair may adjourn the meeting.	

POLICY COMMITTEE MINUTES
March 31, 2021

Present: Tim Sutton, Chair; Mark Hansen, Member; Mark Owens, Member; Warren Shillingburg, Member; Kyle Lindberg, Associate Superintendent; Ray Ritchie, Chief Operating Officer; Brenda Slusser, HR Director; Karen Holley, Federal & State Programs Coordinator; Alicia Lewis, Social Worker; Rob Williams, Director of Technology; Kelly Wood, Executive Secretary.

Absent: None

The Policy Committee was called to order by Mr. Sutton at 5:03 p.m. in the Southern District Office Boardroom, Pahrump, NV.

Public Input

None.

Mr. Owens moved for adoption of the agenda. Mr. Hansen seconded and the motion passed with a unanimous vote in favor.

Mr. Owens made a motion to approve the October 16, 2020 Policy Committee Meeting Minutes. Mr. Hansen seconded and the motion passed with a unanimous vote in favor.

The Committee looked over the following policies that were up for review:

1131 Educational Involvement Accord – Mr. Owens made a motion to approve as revised. Mr. Hansen seconded and the motion carried with a vote all in favor.

3341 Free Admissions - Mr. Hansen made a motion to approve as revised. Mr. Owens seconded and the motion carried with a vote all in favor.

7650 Suicide/Homicide Prevention, Intervention and Postvention – Mr. Ritchie stated that a committee met to propose these revisions, and that they have been viewed by legal counsel and PoolPact. Mr. Sutton asked for clarification regarding first responders. Ms. Lewis explained how the process is set up in the schools. Discussion ensued. Mr. Hansen made a motion to approve as revised. Mr. Owens seconded and the motion carried with a vote all in favor.

Assignment of Future Policy Research – Mr. Sutton confirmed that the Committee had decided to wait until after Legislative Session to set a future Policy Committee meeting.

Public Input

None.

Mr. Sutton adjourned the meeting at 5:16 p.m.

6142

CODE OF ETHICS

All employees of the Nye County School District (NCSD), follow NCSD’s mission of *Every Student a Success*. The success of this mission depends on trust, teamwork, and commitment. The Code of Ethics is designed to help achieve success by setting common expectations for all employees, volunteers, and representatives of NCSD, while increasing commitment, trust, and teamwork within NCSD, as well as between the District and the community.

Adopted: October 10, 1990
Revised: November 6, 2020
Reviewed: November 6, 2020

NEPN/NSBA Classification:

Legal Reference:

6143 STAFF CONDUCT

All Nye County School District (NCSD) employees and representatives are expected to maintain high standards in their school relationships, to demonstrate honesty and integrity, to be cooperative and considerate, and to maintain professional relationships with students, staff members, parents/legal guardians, and other members of the NCSD community as outlined in the NCSD Employee Code of Conduct (6143aR).

It is unlawful for a person employed in a position of authority (teacher/instructor, administrator, coach or paraprofessional, or auxiliary non-professional employee who assists licensed personnel) by a public or private school from engaging in sexual conduct with a student who is 16 years of age or older, who has not received a high school diploma, a general educational development certificate, or an equivalent document; and who is enrolled or attending the school at which the person is employed. Any employee convicted under NRS 201.540 will be guilty of a category C felony. This policy does not apply if the employee is married to the student.

It is further the policy of NCSD that no employee or representative will engage in sexual conduct with any student of NCSD. This policy does not apply if the employee is married to the student.

Adopted: May 21, 1997
Revised: November 6, 2020
Reviewed: November 6, 2020

NEPN/NSBA Classification:
Legal Reference: NRS 193.130, 201.540 & 391.100

DRUG-FREE WORKPLACE

Nye County School District (NCSD) is committed to protecting the safety, health, and well-being of all employees, students, and volunteers. The use and abuse of alcohol and controlled substances can pose a significant threat to the mission and goals of NCSD. A drug-free workplace program has been established that balances NCSD's respect for individuals with the need to maintain an alcohol and drug-free environment.

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. The NCSD Board of Trustees (BOT), Superintendent, Chief Operating Officer (COO), employees, and volunteers all have important roles in maintaining a safe and healthy environment.

NCSD recognizes that an employee's ability to successfully perform his/her job is directly related to his/her health. When an employee's performance is consistently impaired by the presence of any disease (including mental illness or chemical dependency) and a medical diagnosis of such condition is made, the employee will qualify for benefits and insurance coverage as provided under his/her working agreement or letter of assignment.

In certain cases, an employee may not be aware that the presence of health problems (e.g., with chemical dependency or mental illness) is interfering with his/her health or job performance. In such a case, when a marked interference with performance is noted by supervisory personnel, the employee will receive a recommendation to seek professional attention.

If the employee refuses to accept diagnosis and/or an indicated treatment or if he/she fails to respond to treatment, continued job performance impairment will be dealt with under regular administrative procedures in accordance with state statutes.

Adopted: May 21, 1997
Revised: November 6, 2020
Reviewed: November 6, 2020

NEPN/NSBA Classification: GBEC
Legal Reference: Federal Drug Free Workplace Act

DRUG TESTING

Nye County School District (NCS D) recognizes the importance of providing/ensuring a drug-free workplace for the health and safety of its employees, students and visitors. In doing so, NCS D believes that a testing program is necessary to ensure the highest level of conformity to the drug-free workplace policy.

NCS D, through other policies and regulations, will implement a drug and alcohol testing program for all employees of NCS D and all persons who receive a conditional offer of employment with NCS D as follows:

1. Bus Drivers and Commercial Vehicle Drivers, pursuant to Title 49 CFR, Part 382 and Part 40.
2. All NCS D employees.
3. Coaches and Athletic Directors that are not regular NCS D employees.
4. All other NCS D employees will be tested when the following circumstances arise:
 - a. reasonable suspicion;
 - b. post-accident.

Employment with NCS D is contingent upon, among other things, compliance with this policy. Failure to comply may subject an employee to disciplinary action in accordance with the applicable Negotiated Labor Agreement and NRS 391, and will preclude an applicant from commencing employment with NCS D.

Implementation of this policy will be effective upon official passage.

Adopted: October 6, 2006
Revised: November 6, 2020
Reviewed: November 6, 2020

NEPN/NSBA Classification: GBEC
Legal Reference: Federal Drug Free Workplace Act, NRS 391

DEATH BENEFITS

The survivor of a deceased employee with ten (10) years of service or more will receive a lump sum payment for all days of accumulated sick leave, up to 90 days maximum, at the rate of twenty-five (25) percent of the employee's current daily salary times the number of accumulated days.

The survivor of a deceased employee with twenty (20) years of service or more may request to receive a lump sum payment for all days of accumulated unused sick leave, up to 120 days maximum, at the rate of thirty-five (35) percent of the employee's current daily salary times the number of accumulated days.

For the purpose of this policy, survivor may include spouse, children, parent or other designated individual, or the employee's estate.

Adopted: June 28, 1995

Revised:

Reviewed: August 22, 2018

NEPN/NSBA Classification:

Legal Reference:

6245

FREE ADMISSIONS

Any Nye County School District (NCSD) employee who has completed 30 years of service to NCSD will be recognized with a lifetime pass to all school sponsored activities within Nye County, upon request. A lifetime pass will also be given to Board of Trustees (BOT) members who have served at least two terms in office.

The BOT may also grant a lifetime pass to any person who has made a significant contribution to NCSD. It is the practice of NCSD to grant residents 65 years of age and older a lifetime pass upon request at the office of the Superintendent.

Adopted: April 9, 1997
Revised: April 22, 2021
Reviewed: April 22, 2021

NEPN/NSBA Classification: DFDA
Legal Reference:

6353

RESIGNATIONS

All resignations will be submitted in written form to the Superintendent/Designee in accordance with State law and local regulations.

Consequences of Untimely Resignation - Certified Employees

It is expected that both parties will honor signed letters of intent and/or contracts. A certified employee who resigns after the date on which letters of intent are due may be subject to a penalty if it is determined the employee did not have good cause for the delay in notification.

Adopted: April 8, 2005
Revised: October 4, 2016
Reviewed: August 22, 2018

NEPN/NSBA Classification: GCQC, GCQD, GDQB
Legal Reference:

VOLUNTARY EARLY RETIREMENT INCENTIVE PROGRAM

The Nye County School District may prepare a Voluntary Early Retirement Incentive Program proposal for board approval. Any proposed early retirement incentive program for eligible employees of the District shall be in accordance with the Nevada Revised Statutes, the Nevada Public Employees' Retirement System (PERS) policies and regulations, and the policies and regulations of the NCSD.

1. Employees participating in the PERS are eligible to retire at any age with thirty (30) years of service or at age 60 with a minimum of ten (10) years of service, or at age 65 with five (5) years of service.
2. Nevada Revised Statutes provide that a member of the PERS with five (5) years of service may purchase up to five (5) years of service. They further provide that an employer may choose to pay any portion of the cost to purchase retirement service credit for an employee but is under no obligation to do so.

In order to qualify for District participation in the purchase of retirement service credit, an employee must meet the following criteria and procedures:

1. The individual must be a NCSD employee at the time the application is made.
2. The employee resignation and the procedures for the early retirement incentive must be completed no later than May 1 and at least two months prior to the effective date of retirement from the District.
3. Employees requesting early retirement benefits must have completed a minimum of ten (10) years of tenure with the NCSD before September 1 of any given year.
4. The employee must specify in writing the expected date of retirement or separation.
5. The District will transfer all funds for the purchase of retirement service credit directly to the PERS. Payment will not be made to or through the employee.

The Superintendent may individually negotiate with employees and make recommendations to the Board for waivers of any or all of the provisions set forth in the regulations. In any case, these employees' total incentive payment may not exceed the maximum incentive available.

In acting upon an application, the Board of Trustees may consider financial savings to the District which may accrue from an employee's exercise of an early separation, but such savings will not be a requirement for District participation.

The Board of Trustees may accept or reject any request for participation in the Early Separation Incentive Plan at the discretion of the Board.

Adopted: August 9, 1989
Revised: February 4, 2020
Reviewed: February 4, 2020

NEPN/NSBA Classification:
Legal Reference:

PERSONNEL GOALS - PRIORITY OBJECTIVES

The development of personnel policies is an essential component of the program of public education in **Nye County School District (NCS D)** ~~the District~~. The philosophy of **NCS D and its communities**, ~~the District and the community~~ generally will be reflected in these policies. The goals on which these policies will be based are **as follows**:

1. **To** recruit, select and employ the best qualified personnel to staff ~~the District's~~ **NCS D** schools;
2. **To** provide staff compensation and benefit programs sufficient to attract and retain qualified employees;
3. **To** provide professional development programs for all employees to improve their knowledge, skills and performance;
4. **To** conduct a performance evaluation program that will contribute to the continuous improvement of staff performance;
5. **To** assign personnel to assure that they are used as effectively as possible; and
6. **To** develop the quality of human relationships necessary to obtain maximum staff performance, and a high level of job satisfaction.

Policy development must be approached with attitudes of mutual trust and respect. Cooperation and participation of **NCS D's** ~~the District's~~ employees, the administration, and the Board **of Trustees (BOT)** are essential in the formulation of personnel policies.

Implementation of adopted personnel policies should include channels of communication and procedures for the handling of professional and ethical problems through which all persons or groups affected may express their suggestions, concerns and opinions.

Adopted: May 21, 1997
 Revised:
 Reviewed: August 22, 2018

NEPN/NSBA Classification: GA
 Legal Reference:

Forms Location: None

6100

GENERAL PERSONNEL POLICIES

Nye County School District (NCS D) recognizes the importance of meeting the educational needs of students by hiring highly qualified individuals who reflect the cultural diversity of our communities.

The ~~Nye County School District~~ NCS D Human Resources Department will shall plan, organize, and direct a program of recruitment and selection to obtain the best applicants to be considered for employment in positions within NCS D the District.

Reviewed: July 30, 2013
Adopted: May 21, 1997
Revised: August 12, 2005

NEPN/NSBA Classification: GB
Legal Reference:

Forms Location: None

NOTICE OF NONDISCRIMINATION ON THE BASIS OF SEX UNDER TITLE IX

Nye County School District (NCSD) does not discriminate on the basis of sex in the education program and activity it operates. Title IX prohibits sex-based discrimination, including sexual harassment, in violation of Title IX of the Education Amendments of 1972. Title IX provides that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any school district education program or activity. NCSD is required by Title IX not to discriminate in such a manner. Title IX applies to any NCSD education program or activity, whether such program or activity occurs on campus or off campus. The requirement not to discriminate in NCSD's program or activity extends to employment.

Sexual harassment by NCSD employees is considered grounds for disciplinary action, up to and including discharge. Sexual harassment by students is considered grounds for disciplinary action, up to and including expulsion.

I. Sexual Harassment Defined Under Title IX

Sexual harassment is defined under the federal Title IX regulations as conduct on the basis of sex that satisfies one or more of the following:

1. a school employee conditioning the provision of an aid, benefit, or service of NCSD on an individual's participation in unwelcome sexual conduct (i.e., *quid pro quo*); or
2. unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to NCSD's education program or activity; or
3. sexual assault as defined in the federal Clery Act, or dating violence, domestic violence, or stalking as defined in the federal Violence Against Women Act.

II. Reports and Complaints of Sexual Harassment

NCSD must respond whenever any employee has notice of sexual harassment, including allegations of sexual harassment. Notice to a Title IX Coordinator, or notice to an official with authority to institute corrective measures on NCSD's behalf, or notice to any NCSD employee charges a school with actual knowledge and triggers NCSD's response obligations.

Because NCSD must respond whenever any employee has notice of sexual harassment, including allegations of sexual harassment, **all NCSD employees are required to report possible incidents of sexual harassment involving students and/or employees directly to NCSD's**

Title IX Coordinator as soon as practicable, but not later than a time during the same day on which the employee became aware of an incident of sexual harassment, including allegations of sexual harassment. Reports by NCS D employees must be made in person, by telephone, and/or by email. Failure to report such incidents may result in disciplinary action.

Any person other than an NCS D employee may report sexual harassment including allegations of sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sexual harassment) in person, by mail, by telephone, or by email, using the contact information listed below for NCS D's Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

A report of sexual harassment may be made at any time, including during nonbusiness hours, by using the telephone number or email address, or by mail to the office address, listed for the Title IX Coordinator. NCS D has designated the following employee to coordinate its efforts to comply with Title IX. NCS D's Title IX Coordinator is:

HR **Executive** Director
Nye County School District
484 S. West Street
Pahrump, NV 89048
775-727-7743, ext. 238
Title9coordinator@nyeschools.org

NCS D notifies applicant's employment, parents/legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with NCS D, of the name or title, office address, email address, and telephone number of NCS D's Title IX Coordinator. The contact information for the Title IX Coordinator will be prominently displayed on NCS D's website and on the websites for each school in the district.

Inquiries about the application of Title IX to NCS D may be referred to NCS D's Title IX Coordinator, or to the Assistant Secretary for Civil Rights of the U.S. Department of Education, 400 Maryland Ave., S.W., Washington, D.C. 20202, or both.

III. Title IX Sexual Harassment Mandatory Response Obligations

NCS D will respond promptly to Title IX sexual harassment in a manner that is not deliberately indifferent, which means a response that is not clearly unreasonable in light of the known circumstances. NCS D has the following mandatory response obligations:

1. NCSD will offer supportive measures to the person alleged to be the victim (referred to throughout as the “complainant” whether or not that is the person who reported the sexual harassment or allegation of sexual harassment).
2. The Title IX Coordinator will promptly contact the complainant confidentially to discuss the availability of supportive measures, consider the complainant’s wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.
3. NCSD will follow a grievance process that complies with Title IX regulations before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent.
4. NCSD will not restrict rights protected under the U.S. Constitution, including the First Amendment, Fifth Amendment, and Fourteenth Amendment, when complying with Title IX.
5. NCSD will investigate sexual harassment allegations in any formal complaint, which can be filed by a complainant, or signed by a Title IX Coordinator.
6. A complainant’s wishes with respect to whether NCSD investigates will be respected unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the wishes of the complainant is not clearly unreasonable in light of the known circumstances.
7. If the allegations in a formal complaint do not meet the definition of sexual harassment under Title IX, or did not occur in NCSD’s education program or activity against a person in the United States, NCSD will dismiss such allegations *for purposes of Title IX* but may still address the allegations in any manner NCSD deems appropriate under NCSD’s Code of Conduct.

IV. Title IX Sexual Harassment Grievance Process

NCSD has adopted a grievance process that provides for the prompt and equitable resolution of student and employee **complaints** alleging any action that would constitute sexual harassment under Title IX, and a grievance process for resolving **formal complaints** of sexual harassment. The grievance process incorporates these requirements:

1. NCSD treats complainants equitably by providing remedies any time a respondent is found responsible, and treat respondents equitably by not imposing disciplinary sanctions without following

the grievance process.

2. NCS D provides remedies, which are required to be provided to a complainant when a respondent is found responsible, that are designed to maintain the complainant's equal access to education and may include the same individualized services described as supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.
3. NCS D requires objective evaluation of all relevant evidence, inculpatory and exculpatory, and avoids credibility determinations based on a person's status as a complainant, respondent, or witness.
4. NCS D requires Title IX personnel (Title IX Coordinator, investigators, decision-makers, people who facilitate any informal resolution process) to be free from conflicts of interest or bias for or against complainants or respondents.
5. NCS D provides training of Title IX personnel to include training on the definition of sexual harassment in Title IX regulations, the scope of NCS D's education program or activity, how to conduct an investigation and how to conduct hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.
6. NCS D provides training of decision-makers and investigators to include training on issues of relevance, including how to apply the rape shield protections provided only for complainants.
7. NCS D includes a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
8. NCS D posts materials used to train Title IX personnel on its website.
9. NCS D includes reasonably prompt time frames for concluding the grievance process, including appeals and informal resolutions, with allowance for temporary, short-term, good cause delays or extensions of the time frames.
10. NCS D describes the range, or list, of the possible remedies that may be provided to a complainant and disciplinary sanctions that may be imposed on a respondent, following determinations of responsibility.

11. NCSO has chosen to use the preponderance of the evidence standard for all formal complaints of sexual harassment (including where employees are respondents).
12. NCSO has described its appeal procedures, and the range of supportive measures available to complainants and respondents.
13. NCSO's grievance process does not use, rely on, or seek disclosure of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
14. Any provisions, rules, or practices other than those required by Title IX regulations that NCSO has adopted as part of its grievance process for handling formal complaints of sexual harassment apply equally to both parties.

All reports and complaints of sexual harassment in violation of Title IX will be addressed through the grievance process described below. See NCSO Regulation 6110R Nondiscrimination on the Basis of Sex Under Title IX.

V. Related Policies and Regulations

This Policy and Regulation address sexual harassment as that term is defined under Title IX. NCSO also prohibits bullying and cyberbullying as those terms are defined under Nevada Revised Statutes (NRS) 388.121 *et seq.* (Provision of Safe and Respectful Learning Environment). The prohibitions on bullying and cyberbullying and procedures to address conduct that does not include sexual harassment as defined under Title IX are addressed in NCSO Policy 0211.

NCSO also prohibits employee bullying, harassment, sexual harassment, intimidation, discrimination and/or retaliation. The prohibitions and grievance procedures for this conduct that does not include sexual harassment as defined under Title IX are addressed in NCSO Policy 6110 and Regulation 6110R.

If an employee or volunteer has reasonable cause to believe that sexual harassment in violation of Title IX arises to abuse or neglect under NRS 432B and/or NRS 392.275 *et seq.*, such misconduct will be reported to law enforcement officials and/or Child Protective Service agency personnel in accordance with the procedures set forth in NCSO Policies and Regulations concerning mandatory reporting. These procedures are addressed in NCSO Policy 0212 and Regulation 0212R.

Adopted: April 10, 1996
Revised: November 6, 2020
Reviewed: November 6, 2020

NEPN/NSBA Classification: GBA, JB

Legal Reference: Title IX of the Education Amendments of 1972, 20 USC 1681-1683, Title IX
Federal Regulations, 34 CFR Part 106; NRS, 388.121; 392.275 *et seq.*;
432B.010 *et seq.*

STAFF INVOLVEMENT IN DECISION MAKING

The Nye County School District (NCS D) Board of Trustees (BOT) believes that a school system involving the efforts of many people functions best when all personnel are informed of the organization's major activities and concerns.

There should be a continuous exchange of ideas and pertinent information among all elements of a school system. Problems and unfavorable attitudes develop when employees are denied information essential for the performance of their respective assignments and for general peace of mind, or when they feel that their ideas and concerns are not heard. Morale is enhanced when each employee is assured that his/her voice is willingly heard by those in positions of administrative authority.

While each employee in NCS D this District will have the opportunity to bring his/her ideas or grievances to the highest authority, it is expected that he/she will proceed through the recognized administrative channels.

The BOT Board of Trustees also believes that a pattern of decision-making and problem-solving closest to the task contributes to efficiency and high morale. In instances where discretion is permitted, the BOT Board believes that much of the decision-making that affects students is best managed at the school level. The BOT Board encourages the engagement of staff, parents/legal guardians, and the school communities community in school decisions whenever appropriate. When site-based decision-making is implemented, the District office administrators and central office and school based administrators site administrators remain responsible for ensuring compliance with state and federal statutes and regulations, as well as Board BOT policies, regulations, and negotiated agreements.

Additionally, the BOT Board supports the Empowerment School Program (see Policy 5060), which is a formal school-based decision-making structure involving the collaboration of staff, parents/legal guardians, and the school communities community. The Empowerment School Program allows schools to have greater autonomy in exchange for improved academic performance. School-based decision-making, site-based management, or any similar program that increases school autonomy may be implemented with the understanding that ongoing, measurable, improved student performance is a condition of continued autonomy. Such programs may only be initiated by following the steps in NCS D Administrative Regulation 5130 (Site Initiatives).

Adopted: May 21, 1997
 Revised: August 22, 2018
 Reviewed: August 22, 2018

NEPN/NSBA Classification: GBB
 Legal Reference:

COMMUNICATIONS WITH STAFF

The **Nye County School District (NCSD)** Board of Trustees (**BOT**) wishes to maintain open channels of communication between itself and **the** staff. The basic line of communication will, however, be through the Superintendent/Designee.

Staff Communications to the **BOT Board**

All communications or reports to the **BOT Board** or any of its subcommittees from **site administrators principals**, supervisors, teachers or other staff members will be submitted through the Superintendent/Designee. This procedure does not deny the right of any employee to appeal to the **BOT Board** administrative decisions on important matters, provided that the Superintendent/Designee has been notified of the forthcoming appeal, and that it is processed in accordance with the **BOT Board's** policy on complaints and grievances. Staff members are also reminded that **BOT Board** meetings are public meetings. As such, they provide an excellent opportunity to observe firsthand the **BOT's Board's** deliberations on problems of staff concern.

Adopted: May 21, 1997
Revised: October 4, 2016
Reviewed: August 22, 2018

NEPN/NSBA Classification: GBD
Legal Reference:

Forms Location: None

STAFF RIGHTS AND RESPONSIBILITIES

All **Nye County School District (NCS D)** staff members have a responsibility to make themselves familiar with, and abide by, the laws of the state as these affect their work, **NCS D Board of Trustees (BOT)** ~~the~~ policies ~~of the Board~~, and the regulations designed to implement them.

All staff members will be expected to carry out their assigned responsibilities with conscientious concern. The first responsibility of the instructional staff is the education of the student.

Also essential to the success of ongoing school operations and the instructional program are the following specific responsibilities, which will be required of all personnel:

1. Support and enforcement of **NCS D BOT** policies ~~of the Board~~ and regulations ~~of the school administration~~ in regard to students;
2. Diligence in submitting required reports promptly at the times specified;
3. Care and protection of school property; and
4. Concern and attention toward their own, and the **BOT's Board's** legal responsibility for the safety and welfare of students, including the need to ensure that students are under supervision at all times.

In their association with students, all school employees will set examples that are an important part of the educational process. Their manner, dress, courteousness, industry and attitudes establish models that affect the development of young people. The **BOT Board** expects its staff members to set exemplary models, as well as provide exemplary instruction.

Adopted: May 21, 1997

Revised:

Reviewed: August 22, 2018

NEPN/NSBA Classification: GBE

Legal Reference: NRS 288, 386.350 & Chapter 391

Forms Location: None

EMPLOYEE DRESS

The **Nye County School District (NCS D)** Board of Trustees **(BOT)** believes that all employees should be positive role models for students. Employees are expected to set an example for students in dress and grooming, and model an important employability competency in preparing students to be productive, responsible citizens. Employees are expected to present an image of dignity and encourage respect for authority, the learning process and the teaching profession. These factors affect the maintenance of classroom discipline.

As citizens, employees have certain rights of personal expression and academic freedom. While NCS D recognizes and respects these rights and freedoms, **the District NCS D** reserves the right under Nevada statute to insist that in matters related to dress and grooming, all its employees strive to enhance the professional image of school personnel within **all the NCS D school communities. the community at large.**

Adopted: June 16, 2004
Revised: January 3, 2008
Reviewed: August 22, 2018

NEPN/NSBA Classification:
Legal Reference: NRS 386.350

PLACEMENT OF OCCUPATIONALLY INJURED EMPLOYEES

1. In accordance with employer obligations outlined in State law and the Americans with Disabilities Act (ADA), **the Nye County School District (NCSD)** may assign an otherwise eligible and qualified occupationally injured employee to temporary modified duty, permanent modified duty (under the ADA), or refer the employee to vocational rehabilitation.
2. A medical examination may be required before considering an employee's return-to-work assignment. If, to a reasonable degree of medical probability, examination precludes an employee from performing the essential tasks of a position, **the District NCSD** reserves the right to determine if placement of the employee is in the best interest of **the District NCSD**.
3. The Superintendent/Designee may assign, change, or suspend the modified work assignment given to an occupationally injured employee when it is believed to be in the best interest of **the District NCSD**. Any change of employment status for an occupationally injured employee will be coordinated with the appropriate administrator.
4. An occupationally injured employee receiving or utilizing **the State Industrial Insurance System (SIIS)** compensation benefits or services is subject to the same performance expectations and disciplinary consequences as other **District NCSD** employees.
5. An occupationally injured employee on temporary modified duty or a medical (SIIS) leave of absence **shall will** retain their original/adjusted hire date for purposes of seniority and pay increments only.

Adopted: May 21, 1997
 Revised:
 Reviewed: August 22, 2018

NEPN/NSBA Classification:

Legal Reference: NRS 616, NRS 617 & Americans with Disabilities Act

Forms Location: None

6166

CRIMINAL DEFENSE COSTS OF EMPLOYEES

It is the policy of the Nye County School District (NCS D) Board of Trustees (BOT) to maintain a peaceful and safe environment throughout the district system. The Trustees BOT expects all employees to act appropriately in maintaining that environment.

If a school District an NCS D employee is charged criminally with assault or battery-related crimes as a result of acts while on duty, and enforcing school policy to maintain a peaceful and safe school environment, the employee may petition the Trustees BOT to pay reasonable defense costs.

Adopted: May 21, 1997
Revised:
Reviewed: August 22, 2018

NEPN/NSBA Classification:
Legal Reference: NRS 391.27

Forms Location: None

6167

EMPLOYEE FAMILY AND MEDICAL LEAVE

It is the policy of the Nye County School District (NCSD) to comply with the Family and Medical Leave Act (FMLA). All eligible District NCSD employees are covered by the FMLA. District NCSD employees must meet all of the FMLA eligibility requirements.

Adopted: September 3, 2013

Revised:

Reviewed: August 22, 2018

NEPN/NSBA Classification:

Legal Reference: Family and Medical Leave Act of 1993

Forms Location: Payroll/Benefits Department

6170

STAFF PARTICIPATION IN COMMUNITY ACTIVITIES

The support of public education depends upon the confidence the public has in its schools. It is the **Nye County School District (NCSD) Board of Trustees' (BOT) Board's** wish that all employees become an integral part of the community, share in its life and interests, and contribute to its general welfare.

Employees have a professional responsibility, which extends beyond the work site and the hours of service. Employees should welcome opportunities to interpret the school system to members of the community. Therefore, the **Board BOT** encourages employees to be well informed concerning the educational philosophy, goals, policies, regulations, and programs of **the District NCSD** so that questions can be answered accurately.

Membership

The **Board of Trustees BOT** encourages administrative and supervisory employees of **the District NCSD** to participate in civic, service club and professional organizations, which provide an opportunity for community or professional service.

Adopted: May 21, 1997
Revised:
Reviewed: August 22, 2018

NEPN/NSBA Classification: GBH
Legal Reference:

Forms Location: None

6171

STAFF PARTICIPATION IN POLITICAL ACTIVITIES

The Nye County School District (NCSD) Board of Trustees (BOT) encourages NCSD employees to be active in local, state and federal politics. The Board BOT supports the right of District NCSD employees to seek elective or appointive political offices so long as the employee’s job responsibilities are not compromised by such activity.

The Superintendent/Designee will develop procedures to facilitate implementation of this policy.

Adopted: May 21, 1997
Revised: August 22, 2018
Reviewed: August 22, 2018

NEPN/NSBA Classification: GBI
Legal Reference: NRS 281.230, NRS 386.305 & Hatch Act

PERSONNEL RECORDS AND FILES

The Nye County School District (NCS D) will maintain a personnel file for each employee. The file will contain such information as is required by law and will include performance evaluations. The Superintendent/Designee will be responsible for the maintenance and safekeeping of personnel files. The Superintendent will develop guidelines regarding the content of personnel files and procedures for review of such files.

~~Nye County School District~~ NCS D will abide by the HIPAA Act of 1996 and maintain a separate file for each employee with regards to medical, workers compensation and FMLA records.

Adopted: May 21, 1997
Revised: April 28, 2006
Reviewed: August 22, 2018

NEPN/NSBA Classification: GBJ
Legal Reference: NRS 239B.010, 391.313 & 391.361

STAFF CONCERNS – COMPLAINTS – GRIEVANCES

The **Nye County School District (NCS D)** Board of Trustees **(BOT)** subscribes to an orderly, well-defined grievance procedure for the resolution of problems derived from applications of **BOT policies and regulations**. ~~Board policies and District regulations~~. Grievances will be handled expeditiously in accordance with the procedures approved by the **BOT Board**.

The process for addressing grievances in agreements between the **Board BOT** and recognized employee organizations will apply only to grievances as defined in the **applicable appropriate collective bargaining** agreement.

The Superintendent/Designee will provide a process for employees not covered in negotiated agreements to have concerns, complaints and grievances addressed.

Adopted: May 21, 1997
Revised: October 4, 2016
Reviewed: August 22, 2018

NEPN/NSBA Classification: GBK

Legal Reference: NRS 288, 391.3116; **Negotiated Collective Bargaining** Agreements

SALARY SCHEDULES – COMPENSATION

Negotiated Collective bargaining agreements as approved by the Nye County School District (NCSD) Board of Trustees (BOT) will include salary schedules.

Salaries will be determined in accordance with the salary schedules adopted by the Board of Trustees BOT. The salary schedule expresses the policies the Board BOT expects to follow in fixing salaries. The Board BOT will make every reasonable effort to maintain the schedules, but it reserves the right to make any conditions, reductions, or other changes which, in its judgment, may be necessary, and are in accordance with law.

The Superintendent/Designee will develop salary schedules for employees not covered by negotiated collective bargaining agreements and present them to the Board of Trustees BOT annually.

Adopted: May 21, 1997

Revised:

Reviewed: August 22, 2018

NEPN/NSBA Classification: GCB

Legal Reference: NRS 391.150, 391.160 & 391.200

6221

PAY CALENDAR

Pay calendars for bargaining unit members are addressed in negotiated contracts. Employees not covered under negotiated contracts will be paid on the 15th and last day of the month over the course of their work year. If the pay date falls on a Saturday or Sunday, employees will be paid on the preceding workday.

Final Paycheck

The payment of the last check will be in accordance with the negotiated contract. If the contract is silent, or for those employees not covered by a negotiated contract, the terminated employee will receive his/her final paycheck within **twenty-four (24)** hours of termination, or in accordance with the terms of a legal settlement. Employees who resign or retire will receive their final paychecks on the next regular pay period.

Adopted: May 6, 2005
Revised: March 19, 2018
Reviewed: August 22, 2018

NEPN/NSBA Classification:
Legal Reference:

6224

COMPENSATION FOR TRANSFERRED ADMINISTRATORS

If ~~an~~ a Nye County School District (NCSD) administrator (licensed or non-licensed) is transferred to another position, he/she will be “held harmless” for one (1) school year from any salary reduction resulting from the new assignment.

At the end of that year, the salary will be adjusted in accordance with the salary appropriate to the new position. The new salary will provide credit for the administrator’s education and years of service in NCSD ~~the District~~.

If the new position carries a higher salary than the position the administrator is leaving, the salary will be increased immediately.

Adopted: May 21, 1997
Revised: January 3, 2018
Reviewed: January 3, 2018

NEPN/NSBA Classification:
Legal Reference:

Forms Location: None

PROFESSIONAL SUPPLEMENTARY PAY PLANS

Nye County School District (NCSD) Teachers who are regularly assigned to duties which require extra time or responsibilities over and above their basic contractual obligations will receive extra compensation in accordance with the supplementary salary schedule in the appropriate **negotiated collective bargaining** agreement. Most stipends will be paid on an annual or seasonal basis, although certain assignments performed at irregular or infrequent intervals may be paid at an hourly rate.

Faculty members to be appointed to extra-compensation positions will be recommended by the Superintendent. Appointees will be issued a contract for the terms of their extra employment, stating their particular assignment, its duration and the compensation to be paid.

Adopted: May 21, 1997
Revised: September 3, 2013
Reviewed: August 22, 2018

NEPN/NSBA Classification: GCBC

Legal Reference: **Negotiated Collective Bargaining** Agreements

6226

STAFF FRINGE BENEFITS

Nye County School District (NCS D) p Personnel subject to collective bargaining agreements will have, and be limited to, those benefits authorized by the agreement.

All employee benefits, except for those required by State or federal law, are subject to Board of Trustees (BOT) approval. The Superintendent/Designee will provide for the interpretation and application of the Board's-BOT's policies and decisions regarding benefits.

Adopted: May 21, 1997
Revised: November 18, 2005
Reviewed: August 22, 2018

NEPN/NSBA Classification: GCBD, GDBD

Legal Reference: NRS 287.010-287.040, ~~287.286, 287.288, 287.616~~; Federal Family Leave Act

SICK LEAVE

Sick leave is paid leave that is granted an employee who is unavoidably absent because of personal illness or accident, disability, maternity, paternity, childbirth, adoption, personal medical appointments, quarantine, or communicable disease. The employee may use leave for the necessary care of ill or disabled immediate family members or anyone living in the same household. Immediate family includes mother, father, sister, brother, children, spouse, and grandparents. Pursuant to FMLA guidelines www.FMLA.gov.—Other serious family illness shall will be allowed with the recommendation of the site administrator, principal and approval of the Superintendent. Bargaining unit members will be governed by provisions in the negotiated collective bargaining agreement. An employee must report for duty in order to have sick leave credited. In the event an employee does not complete the number of days required by contract, the number of sick days used in excess of the number of prorated days earned will be deducted from the final paycheck.

Nye County School District (NCSD) employees who work four (4) hours or more per day will earn sick leave at the following rate:

Four hour employees	5 hours per month
Five hour employees	6.25 hours per month
Six hour employees	7.5 hours per month
Seven hour employees	8.75 hours per month
Eight hour employees	10 hours per month*
Nine month employees	11.25 days per year
Ten month employees	12.50 days per year
Eleven month employees	13.75 days per year
Twelve month employees	15 days per year

*Partial months shall will be pro-rated

Employees will accrue sick leave according to the number of hours worked as long as they are in active pay status. No sick leave benefits will be earned if an employee is in non-pay status or on worker’s compensation. Absence due to sick leave will be compensated only to the extent the employee has earned or accrued sick leave.

The employee must notify the immediate supervisor when sick leave is required. Such notice should be given on the preceding day, if possible. In an emergency, notification shall will be made as soon as possible. The employee shall will provide written proof of the necessity of sick leave, if such proof is required by the Superintendent.

If a review of sick leave usage indicates that an employee’s use of sick leave is excessive, questionable or not in accordance with the provisions of this policy or the negotiated collective bargaining agreement, NCSD shall will have the right to review such usage. NCSD, at its expense, may require an employee to have a physical examination from a physician of the District’s NCSD’s choice from a list of qualified physicians licensed to practice in the State of Nevada or at the option of NCSD to submit a written certificate from a physician of the employee’s choice, at the employee’s expense, confirming the necessity of an absence due to illness.

NCS D has the right to make any inquiries that would be applicable when abuse of sick leave is suspected. Any employee who misuses sick leave shall will be subject to disciplinary action. Sick leave includes family sick leave, parenting leave, and bereavement leave.

Sick leave may be accumulated indefinitely; however, payment of unused sick leave upon termination of employment is limited (see Policy 6228). Continuous use of accumulated sick leave is limited to one contract year/calendar year from the beginning of such continuous use of sick leave.

Adopted: September 9, 2005
Revised: January 30, 2019
Reviewed: January 30, 2019

NEPN/NSBA Classification: GCCAA, GCCBA, GDCA
Legal Reference:

Forms Location: None

6229

BEREAVEMENT LEAVE

Bereavement leave shall will be deducted from sick leave for up to five (5) days for each period of bereavement or absence due to death in the employee's immediate family, and must be used for that purpose. Additional Time may be allowed for travel, if needed, with maximum bereavement leave not to exceed ten (10) days.

Immediate family includes mother, father, sister, brother, children, spouse, and grandparents. Other deaths will be covered under the provision with the recommendation of the Principal site administrator and approval of Superintendent.

Adopted: May 20, 2005
Revised: January 30, 2019
Reviewed: January 30, 2019

NEPN/NSBA Classification:
Legal Reference:

Forms Location: Payroll Department

ANNUAL LEAVE

Annual leave is granted to qualifying **Nye County School District (NCSD)** employees who work **two hundred sixty (260)** days per year, eight **(8)** hours per day. Annual leave is earned at the rate of 6.66 hours per month for the first year of employment. Thereafter, employees earn at the rate of **ten (10)** hours per month. **Central District** office administrators accrue 13.33 hours per month. Employees must be in pay status two **(2)** weeks before accruing annual leave. Employees in non-pay status do not earn leave. Annual leave will not be advanced to any individual or classification of employee.

NCSD eE Employees are encouraged to use their annual leave for rest, relaxation and personal pursuits. It is in both the employee's and ~~the District's~~ **NCSD's** best interests for the employee to take time off occasionally. Except in case of emergency, leave requests should be submitted to the employee's direct supervisor at least seven **(7)** calendar days prior to the requested leave time if at all possible. Supervisors have the right to deny vacation requests not submitted in a timely fashion or when the vacation time falls at a time that would be inconvenient due to work demands or limited staffing.

In order to encourage the use of annual leave, ~~the District~~ **NCSD** will cap accrual at **two hundred forty (240)** hours (**thirty (30)** days). Employees must use annual leave above the cap or they will lose any hours accrued above **two hundred forty (240)** hours.

Bargaining unit members will be governed by provisions in their negotiated contract.

Adopted: May 6, 2005
 Revised: October 4, 2016
 Reviewed: August 22, 2018

NEPN/NSBA Classification: GCDA, GCDB, GDD
 Legal Reference: NRS 391.180

Forms Location: None

PERSONAL LEAVE

At the beginning of each fiscal year, each **Nye County School District (NCS D)** nine **(9)** or ten **(10)** month employee will be credited with two (2) personal days of leave at full pay. Unused personal days will be allowed to accumulate up to a total of three (3) days (prorated for hourly employees).

At the beginning of each fiscal year, each **NCS D** twelve **(12)** month employee will be credited with three (3) personal days of leave at full pay. Unused personal days will be allowed to accumulate up to a total of five (5) days.

Administrators who work **ten (10)** months will be granted **twenty-four (24)** hours of personal leave, which may accumulate to a maximum **forty (40)** hours. Administrators who work **twelve (12)** months will be granted **thirty-two (32)** hours of personal leave which may accumulate to a maximum **fifty-six (56)** hours. Personal leave is not to exceed **fifty-six (56)** hours in any **twelve** 12-month period.

Any hours not used at the end of the fiscal year beyond what is allowed to accumulate will be forfeited.

Bargaining unit members will be governed by provisions in their negotiated agreement.

Adopted: December 9, 2003

Revised: April 25, 2018

Reviewed: April 25, 2018

NEPN/NSBA Classification: GCCAB, GCCBB, GDCB

Legal Reference: NRS 391.180

Forms Location: None

NECESSITY LEAVE OF ABSENCE WITHOUT PAY

Nye County School District (NCS D) bargaining unit members should refer to their negotiated appropriate collective bargaining agreement for provisions regarding absence without pay.

- A. A necessity leave of absence without pay may be granted to eligible NCS D employees who have identified and substantiated a non-medical personal or family emergency which will require a release from job responsibilities.
1. A short-term absence, without pay, consisting of twenty (20) or fewer working days, must be approved by the employee's immediate supervisor. Employees eligible for annual leave or personal leave shall will not be eligible for short-term necessity leave of absence until annual leave or personal leave has been exhausted. A maximum of twenty (20) days of short-term leave without pay may be requested and used within one twelve-month period of time. An employee who exhausts all earned leave and who, therefore, accesses short-term leave without pay without prior administrative approval may be subject to disciplinary action as employees cannot be absent without leave. A short-term necessity leave may not be used to extend a paid or non-paid family leave of absence beyond the time authorized for such leave.
 2. A long-term necessity leave of absence without pay shall will consist of more than twenty (20) working days but no more than one calendar year and must be approved by the Superintendent/Designee before the leave begins.
- B. In compliance with Family and Medical Leave Act (FMLA) guidelines, the employee shall will submit a request for leave to the immediate supervisor at least thirty (30) days prior to the effective date of the leave unless an emergency situation precludes such advance notice.
1. If the necessity leave of absence is requested because of a hardship resulting from illness in the family, the request shall will be accompanied by an attending physician's statement which outlines the need for the employee's absence. Such statement must detail the incapacitating condition, treatment, and anticipated recovery time. The physician's statement will not be placed in the employee's personnel file, but will be kept in a separate file subject to review by only those individuals with a need to review this information. Once the employee's leave of absence has expired, the information obtained from the attending physician will be destroyed.
 2. The request for leave must be approved by the immediate supervisor, and forwarded to the Superintendent for approval before leave begins.

- C. Employees granted necessity leave of absence without pay do not earn service credit toward retirement or advancement on the salary schedule while on non-paid leave status.
- D. Employees granted necessity leave of absence may continue to participate in the group medical plan through COBRA after accrued leave is exhausted. Employees interested in continuing coverage through COBRA must contact the Third Party Administrator for details and enrollment forms.
- E. An employee wishing to return to service upon expiration of the leave must file a written request for reassignment with the Human Resources **Executive** Director prior to March 1 or at least ninety (90) days before the employee will be available for reassignment.
- F. The employee **shall will** be returned to active service when a vacancy occurs for which the employee is qualified. **The District NCS D** is not obligated to return the employee to the original position held by the employee prior to the leave.
- G. An employee on approved necessity leave of absence who fails to request reinstatement or who fails to return to the assigned position following expiration of the leave of absence may be terminated at the conclusion of the leave since failure of an employee to report for duty is cause for dismissal.

Adopted: June 23, 2015
Revised: January 30, 2019
Reviewed: January 30, 2019

NEPN/NSBA Classification:
Legal Reference:

Forms Location: None

6234

HEALTH INSURANCE

Nye County School District (NCSD) employees who work six (6) hours per day or thirty (30) hours per week qualify for employer paid health insurance. Terms, conditions, and benefits are negotiated through an Insurance Committee with representation by bargaining units, administration, and a Board of Trustees (BOT) member.

Individual school Board BOT members may elect to participate in the District's NCSD's health insurance program under the same provisos as eligible employees, and only during the period of time they actively serve on the NCSD BOT Nye County Board of Trustees.

Adopted: May 6, 2005
Revised: February 25, 2014
Reviewed: August 22, 2018

NEPN/NSBA Classification:
Legal Reference: NRS 287.010

Forms Location: None

RETIREE INSURANCE

Retired Nye County School District (NCSD) employees have the following options for continued health insurance coverage:

1. ~~The District~~ NCSD may contribute up to \$190 per month to its insurance carrier for continued coverage for retired employees who have been with ~~the District~~ NCSD fifteen (15) years or more, and who are under the age of 65. This contribution will cease when the retired employee reaches the age of 65.
2. Retired employees who have been with ~~the District~~ NCSD fifteen (15) years or more, who are 65 years of age or older, and who are receiving benefits from PERS, but are not eligible for Medicare, may petition ~~the District~~ NCSD for continued financial assistance for insurance coverage. ~~The District~~ NCSD may contribute, but the contribution will not exceed \$100 per month to its insurance carrier for continued coverage.
3. If the retiree is eligible for Medicare at age 65, ~~the District~~ NCSD will offer a Medicare supplement to the retired employee. If the employee chooses to enroll in this supplementary program, ~~the District~~ NCSD will contribute no more than \$100 per month to its supplementary insurance carrier toward the premium.

Adopted: June 24, 2005
Revised: June 1, 2010
Reviewed: August 22, 2018

NEPN/NSBA Classification:

Legal Reference: NRS 287.023 & ~~287.046~~

MILITARY LEAVEMilitary Leave under Federal Law

1. Policy

Employees who are members of the uniformed services are entitled to military leave and to re-employment rights as provided in 38 USC, Sections 2021-2024, and 4301 et. seq. The uniformed services covered include the Army, Navy, Marines, Air Force, Coast Guard, Public Health Service Commissioner Corps, the reserve components of these services, and any other category dispatched by the President in time of war or national emergency. The Army National Guard and Air National Guard are also covered.

2. Notice and Notification

a. ~~The District~~ **Nye County School District (NCSD)** must provide employees with notice of their rights under the Uniformed Services Employment and Reemployment Rights Act (USERRA). This requirement may be met by posting the notice where ~~the District~~ **NCSD** customarily places notices for employees.

b. ~~The District~~ **NCSD** may require written (orders) or verbal notice of service obligation, but must waive the requirement if notice is impossible or unreasonable.

3. Salary and Benefits

a. Leave Without Pay

(i) ~~The District~~ **NCSD** will treat the employee the same as any other employee on leave without pay.

(ii) The employee may choose to use annual leave and compensatory time, if any, before going on leave without pay.

b. Health Insurance

There is no impact to the employee's insurance coverage, including life insurance that is included in the health insurance package if the service is for **thirty (30)** days or less. During the 30-day time period, ~~the District~~ **NCSD** and employee premium payments or obligations, if any, remain unchanged ~~for~~. If the service is for more than **thirty (30)** days, and the employee is in a leave without pay status, the employee may continue coverage similar to that required by the Consolidated Omnibus Budget Reconciliation Act (COBRA) for either **twenty-four (24)** months or through the day after the date on which the employee fails to apply for reemployment in a timely manner; whichever is less

(see *Reemployment* below). ~~The District~~ NCS D must reinstate coverage upon the employee's prompt reemployment without the imposition of exclusions or waiting periods.

c. Seniority

An employee is entitled to the seniority (~~and including~~ rights and benefits governed by seniority) he/she had accrued at the commencement of military leave *plus* any additional seniority rights and benefits that he/she would have attained if he/she had remained continuously employed (the "escalator principle"). However, if a probationary period is a bona fide period of observation and evaluation, the returning employee must complete the remaining period of probation upon reemployment. ~~The District~~ NCS D must count time served for the purpose of determining annual and sick leave accrual rates, if the accrual amount is based on seniority. Additionally, ~~the District~~ NCS D must count time in the military when determining the employee's rate of pay if the rate is based on seniority (e.g., a grade-and-step pay system). ~~The District~~ NCS D is not required to accumulate annual or sick leave for an employee during his/her absence. The "escalator principle" will be applied to a returning employee's opportunities to take promotional examinations or skills tests, and to merit pay increases.

d. Retirement

Time served will be counted as work time for purposes of retirement. ~~The District~~ NCS D must make contribution payments to the retirement plan as if the employee had not left, provided the employee returns to work. ~~The District~~ NCS D contribution will be based on the rate of pay the employee would have been paid had he/she not been called to military service (e.g., a grade-and-step pay system). An exception to this requirement is when the higher pay is based on additional knowledge, skill, or ability that can only be gained by work experience.

e. Death or Disability

If an employee does not return to work due to death or disability, the survivor or disability benefit is treated as if the employee had been working until the date of the death or disability. ~~The District~~ NCS D must make the retirement contribution up to the date of the death or disability.

f. Other Leave

~~The District~~ NCS D must count time served in the military when calculating the employee's Family ~~and~~ Medical Leave Act (FMLA) eligibility.

4. Reemployment

- a. An employee has certain report-to-work obligations following military service. Eligible returning service members must be promptly reemployed, which in most cases means within two weeks of reporting. The employee's report-to-work obligations are:
 - (i) Service of one (1) to thirty (30) days: The beginning of the next regularly-scheduled work period on the first full day following completion of service, and expiration of an eight-hour rest period following safe transportation home.
 - (ii) Service of thirty-one (31) to one hundred eighty (180) days: Application for reinstatement must be submitted not later than fourteen (14) days after completion of military duty.
 - (iii) Service of one hundred eighty-one (181) or more days: Application for reinstatement must be submitted not later than ninety (90) days after completion of military duty.
- b. The deadline for reinstatement may be extended for up to two (2) years for persons who are convalescing due to a disability incurred or aggravated during military service, and the District NCSD must make reasonable accommodations for the disability.
- c. Reemployment rights apply to veterans whose cumulative period of uniformed service does not exceed five (5) years while employed by the same district. Time spent in National Guard and reservist training does not count towards the five-year period.

5. Discharge

If time served is greater than thirty (30) days but less than one hundred eighty-one (181) days, an employee may not be discharged within one hundred eighty-one (180) days of reemployment, except for just cause. If time served is greater than one hundred eighty-one (180) days, an employee may not be discharged for one (1) year, except for just cause.

Military Leave under Nevada Statute

1. Policy

Public officers and/or employees who are active members of the United States Army Reserve, United States Naval Reserve, United States Marine Corps Reserve, United States Coast Guard Reserve, United States Air Force Reserve, or the Nevada National Guard are entitled to leave to serve under orders including, without limitation, orders for training or deployment, as provided in NRS 281.145.

2. Procedure

- a. Upon employee's ~~or public officer's~~ request, District NCS D must relieve employee ~~or public officer~~ of duties with pay to serve under orders for training or deployment for a period of not more than the number of hours equivalent to fifteen (15) working days in a 12-month period.
- b. ~~The District NCS D~~ is not required to pay the ~~public officer's or~~ employee's salary after fifteen (15) working days (or equivalent hours).
- c. ~~Public officer's or The~~ employee's accrued vacation time may not be deducted during the leave. If ~~public officer or~~ employee requests additional time beyond fifteen (15) working days, ~~public officer or~~ employee may choose to use annual leave and compensatory time, if any, before going on leave without pay. ~~The District NCS D~~ will treat the ~~public officer or~~ employee the same as any other employee on leave without pay.
- d. The 12-month period designated by ~~District in Letter "a"~~ NCS D in *paragraph a*, above, is TBD.

3. Participation in Training, Active Service or Duty, or Other Required Meetings

As provided in NRS 412.139, District NCS D may not terminate a member of the Nevada National Guard, or National Guard of another state who is employed in this state because the member: assembles for training, participates in field training, is ordered to active service, or otherwise meets as required.

Adopted: May 6, 2005
Revised: January 30, 2019
Reviewed: January 30, 2019

NEPN/NSBA Classification: GCCAD, GCCBD, GDCD
Legal Reference: NRS Chapter 281; NRS Chapter 412

SABBATICAL

Nye County School District (NCSD) bargaining unit employees will be governed by the negotiated contract in regard to sabbatical leave. An employee desiring sabbatical leave of one (1) year must make written application to the Superintendent/Designee no later than April 15. The employee must have completed seven (7) years of continuous service within Nye County School District NCSD, and may not have taken such leave within the preceding seven (7) years. No more than one percent (1%) of full-time employees at a site may be on sabbatical during any one school year. Employees must substantiate their acceptance into an appropriate program and must describe the nature of the course of study proposed.

A committee of three (3) administrators and three (3) additional members chosen by the Human Resources Department will review the proposed program of study or travel and make recommendations to the Superintendent/Designee. The employee agrees will agree to complete two (2) years of service to Nye County School District NCSD following sabbatical leave.

Salary shall will be at twenty-five percent (25%) of the employee's annual rate in effect during the sabbatical school year, exclusive of any extra-curricular pay. An NCSD employee approved for sabbatical who wishes to be paid while on leave shall will furnish a surety bond for twenty-five percent (25%) of the employee's annual rate, indemnifying the District NCSD against loss in the event the employee fails to render the minimum service required after return from leave. An employee on sabbatical who has furnished a surety bond will receive benefits, including that portion of the health insurance normally paid by the District NCSD, as well as the appropriate premiums for PERS based on the employee's sabbatical salary.

If the employee does not wish to furnish a surety bond, payment of sabbatical salary is to be made in twenty-four (24) monthly installments and added to the salary received by the employee during the two (2) years following the year in which the sabbatical was taken. That portion of the health insurance premiums normally paid by the District shall NCSD will be continued during sabbatical, but no other benefits shall will be paid during the period of the sabbatical.

The sabbatical leave shall will count for appropriate experience increments on the salary schedule, and all seniority privileges shall will be retained during the leave. Upon return, the District NCSD agrees to reinstate the employee to the original position or give preference to the employee for an existing position or vacancy for which the employee is qualified.

Adopted: May 6, 2005
 Revised: October 5, 2017
 Reviewed: August 22, 2018

JURY DUTYCourt Leave

1. Policy

Court leave will be granted to allow **Nye County School District (NCS D)** employees to serve as a juror or as a witness in a court proceeding involving ~~the school district~~ **NCS D**, provided that neither the employee nor the employee's collective bargaining representative is a party to the action. Employees **shall will** provide their administrator or ~~manager~~/supervisor with relevant documents verifying the need for court leave as soon as the need becomes known.

2. Compensation

Subject to the following conditions, eligible **NCS D** employees **shall will** receive their base rate of pay for those hours spent in court and traveling to and from the court when such time occurs during the employee's regularly scheduled work days and hours of work. Casual, seasonal, or temporary employees will be granted time off without pay.

a. The employee's base rate of pay **shall will** be limited to compensation for court and travel time which occurs during the employee's regularly scheduled hours of work. Court leave will not result in payment of overtime or be considered as hours worked for purposes of determining eligibility for overtime.

b. Upon completion of jury/court/witness service for which the employee received his/her regular pay, the employee will immediately forward any compensation received from the court or other party to ~~the District~~ **NCS D** upon receipt. Reimbursements received for out-of-pocket expenses, such as meals, mileage, and lodging, may be kept by employees unless ~~the District~~ **NCS D** has reimbursed the employee for such expenses or such expenses were paid by **NCS D** ~~the District~~.

c. An employee **shall will** not receive pay for the work time missed if he/she is required to miss work because of court appearances in a matter to which the employee is a party, or to serve as a witness for a party who has filed an action against **NCS D** ~~the District~~. However, the employee may choose to use his/her annual leave.

3. Late Start/Early Release

a. An employee who is serving as a witness and is not required to report to court until after the start of their work day or who is released from court before the end of his/her work schedule **shall will** report to work⁵³ for the hours which are not required for court

duty or for related travel time.

- b. Employees who are required to report to jury duty will not be required to work eight (8) hours prior to reporting. If the employee's service last four (4) hours or more, including time going and returning from court, the employee will not be required to work between 5:00 p.m. of the day of the jury duty and 3:00 a.m. the following day per NRS 6.190.

Adopted: June 3, 2005
Revised: January 30, 2019
Reviewed: January 30, 2019

NEPN/NSBA Classification:
Legal Reference: NRS 6.190

Forms Location: None

6240

HOLIDAYS FOR NON-UNION EMPLOYEES

Nye County School District **(NCSD)** employees who are not members of a bargaining unit and who work **twelve (12)** months will be granted holidays approved by the Superintendent/Designee. **District NCSD** employees who are not members of a bargaining unit and who work less than **twelve (12)** months, eight **(8)** hours per day, will not be paid for holidays.

Adopted: May 16, 2007
Revised: January 3, 2018
Reviewed: August 22, 2018

NEPN/NSBA Classification:
Legal Reference:

Forms Location: None

STAFF RECRUITMENT - SELECTION – HIRING

The basic purpose of personnel recruitment and selection shall will be to fill existing vacancies with individuals who meet established qualifications, and who appear likely to succeed in the position to which they are assigned. It shall will be the duty of the Human Resources Executive Director, with the advice and encouragement of the Superintendent, to establish the necessary criteria and procedures for the recruitment, selection and hiring of employees.

The following criteria shall will apply to the recruitment, selection and hiring process of all school District NCSD personnel:

1. Highly qualified and desirable applicants shall will be actively sought.
2. Selection shall will be based solely on merit. Eligibility for employment shall will not be affected by an applicant's race, color, religion, sex, sexual orientation, gender identity or expression, age, disability or national origin consistent with applicable federal, state and local laws and regulations.

Adopted: May 21, 1997
Revised: September 3, 2013
Reviewed: August 22, 2018

NEPN/NSBA Classification: GCE

Legal Reference: Federal Equal Employment Opportunity Act, Genetic Information Non-Discrimination Act (GINA), NRS 391.031 to 391.051, 391.060 & 391.070

Forms Location: None

PROFESSIONAL STAFF CERTIFICATION AND CREDENTIALING REQUIREMENTS

It is the policy of the Nye County School District (NCS D) Board of Trustees (BOT) to employ personnel who are eligible for an appropriate Nevada license. Training and experience should be adapted to the field or level in which the candidate completed preparation. Consideration for selection will be given to all qualified and eligible individuals, regardless of race, color, religion, sex, sexual orientation, gender identity or expression, age, disability or national origin.

All candidates for licensed positions must have or be eligible for a valid Nevada license entitling them to be employed in the area for which they apply. Employees must submit a complete application for licensure to the Nevada Department of Education within thirty (30) calendar days after signing the letter of intent. The Department of Education will require fingerprints for a criminal background check for issuance or renewal of a license.

The licensed employee is personally responsible for the renewal of his/her license. Failure to meet the licensing requirements will result in removal from the assigned position. Information concerning the procedure for renewal of credentials may be obtained in detail from the Nevada Department of Education.

The Department of Education will maintain a directory of licensed personnel on its website, and will provide an electronic file at the end of each calendar month to the District's NCS D Department of Human Resources, listing each licensed employee whose license will expire within nine (9) months. The NCS D Human Resources Department will shall notify each listed employee of the date on which his/her license will expire, and shall will do so not later than six (6) months before expiration of the license. The NCS D Department of Human Resources is only obligated to notify the employee one (1) time once. It is the employee's responsibility to renew his/her license before the expiration date.

Adopted: April 8, 2005
 Revised: August 22, 2018
 Reviewed: August 22, 2018

NEPN/NSBA Classification: GCFC
 Legal Reference: NRS Chapter 391

Forms Location: None

TEMPORARY AND PART-TIME PERSONNEL – SUBSTITUTE TEACHERS

The **Nye County School District (NCSD)** Board of Trustees (**BOT**) recognizes that changing conditions in the community and unusual personal circumstances of employees make necessary the recruitment and employment of temporary and part-time personnel.

It ~~shall~~ **will** be the responsibility of the Superintendent/Designee to develop procedures and regulations governing the employment of temporary and part-time personnel.

Temporary employees are not covered by provisions of ~~the District's~~ **NCSD's negotiated collective bargaining** agreement and may not participate in the Nevada Public Employees Retirement System (**PERS**).

A student teacher who has completed not less than four **(4)** weeks of student teaching may apply to ~~the District~~ **NCSD** for employment as a substitute teacher. The application must include the written approval of the teacher who supervises the student teacher through the Nevada System of Higher Education or accredited postsecondary educational institution and the teacher who is responsible for supervising the student teacher in the classroom. Before assigning a long-term substitute who is not a licensed teacher, ~~the District shall~~ **NCSD will** assign a student teacher who satisfies the following requirements.

~~The District shall~~ **NCSD will** ensure that the student teacher is assigned to teach in the subject area and grade level in which the student teacher is completing his/her student teaching. The student teacher must be supervised by a licensed teacher who is available to assist and observe the student teacher on a periodic basis, and oversee the management of the classroom, instructional duties and administrative duties of the student teacher. A student teacher so employed is entitled to compensation at the rate of pay authorized for substitute teachers but is not entitled to compensation for time spent completing his/her student teaching or course work.

Adopted: May 21, 1997
 Revised: August 30, 2007
 Reviewed: August 22, 2018

NEPN/NSBA Classification: GCG
 Legal Reference: NRS 286.297, 287.130, 287.190 & 391.375

Forms Location: None

6283

STUDENT TEACHERS

The **Nye County School District (NCSD)** Superintendent/Designee **shall will** enter into agreements with accredited post-secondary institutions in the assignment and training of student teachers. The Superintendent/Designee **shall will** select cooperating teachers and make equitable assignments of both student teachers and cooperating teachers.

Adopted: May 21, 1997
Revised: May 12, 2006
Reviewed: August 22, 2018

NEPN/NSBA Classification:
Legal Reference: NRS 391.095

DEPARTMENT CHAIRPERSONS

Nye County School District (NCS D) high schools, and/or middle schools with a large enough student population and faculty, will be divided into subject matter departments. Those subject areas with more than six and a half (6.5) full-time teachers or combination of teachers which add up to at least thirty-nine (39) hours per day in each subject area may have one of its faculty members serve as department chairperson. Released time and extra duty compensation for department supervision shall will be as specified in the negotiated collective bargaining agreement.

Adopted: February 25, 2004
Revised: September 3, 2013
Reviewed: August 22, 2018

NEPN/NSBA Classification:

Legal Reference:

6290

PROFESSIONAL STAFF DEVELOPMENT

In order to improve the quality of the teaching and learning process available to students in Nye County School District (NCSD), opportunities shall will be extended to all employees to improve their individual competence. Professional employees shall will be encouraged to participate in activities which will contribute to their professional instructional ability, whenever such participation is possible without interference with regular duties or detriment to the educational program.

Participation in professional conferences, meetings or activities is encouraged at the sole discretion of the Superintendent/Designee in areas such as:

1. attendance at educational seminars, conferences, conventions and similar professional meetings at state, regional and national levels;
2. continuation of related professional study in institutions of higher education.

Adopted: May 21, 1997

Revised:

Reviewed: August 22, 2018

NEPN/NSBA Classification: GCI

Legal Reference: ~~NRS 391.280-391.295~~

6292

IN SERVICE TRAINING

The **Nye County School District (NCS D)** Board of Trustees **(BOT)** expects the administration to provide in service training programs for teachers, administrators, and other employees in order for employees to be well informed and possess timely information related to the education of students. In service decisions will be based upon, but not limited to, changes in curriculum and implementation, noted deficiencies in student achievement, changes in ~~school District~~ **NCS D** policy, and other educational issues.

It ~~shall~~ **will** be the duty of the Superintendent/Designee and his/her leadership team to develop, supervise, and evaluate necessary in service training programs.

Adopted: February 25, 2004
Revised: October 4, 2016
Reviewed: August 22, 2018

NEPN/NSBA Classification: GCIB
Legal Reference:

6300

ASSIGNMENT AND TRANSFER OF PERSONNEL

The Nye County School District (NCSD) Superintendent/Designee has the right and responsibility to assign and transfer personnel.

The procedures for assignment and transfer of personnel for staff covered by negotiated a collective bargaining agreement are outlined within the agreement therein.

The assignment and transfer of licensed personnel not covered under the negotiated a collective bargaining agreement shall will be the responsibility of the Superintendent/Designee. The Superintendent/Designee shall will establish procedures for assignment and transfer.

Adopted: May 21, 1997
Revised: August 22, 2018
Reviewed: October 4, 2016

NEPN/NSBA Classification: GCK

Legal Reference: NRS 391.145, 391.720 ~~391.205 & 391.3127~~

WORK DAYHours

Licensed Personnel:

1. Hours of duty for licensed personnel will be in accordance with the ~~Negotiated Agreement~~ **collective bargaining agreement** between the Nye County School District (**NCSD**) and the Nye County Classroom Teachers Association (**NCCTA**).
2. Hours of duty for half-day sessions will be scheduled by the ~~principal~~ **site administrator**, with the approval of the Superintendent/Designee. The Superintendent/Designee or **NCSD** Board of Trustees (**BOT**) may schedule, on occasion, a short school day in session pursuant to NAC 387.140.

Non-Licensed Personnel:

1. Hours of duty for non-licensed personnel working in job classifications covered by the Nye County Support Staff Organization (**NCSSO**) for full-day and half-day sessions will be assigned by the ~~principal~~ **site administrator** or ~~site~~ **immediate supervisor** in accordance with the ~~Negotiated Agreement~~ **collective bargaining agreement** between the ~~Nye County School District~~ **NCSD** and the ~~Nye County Support Staff Organization~~ **NCSSO**.
2. Hours of duty for non-licensed personnel who are not bargaining unit members will be assigned by ~~the principal~~ **site administrator** or immediate supervisor in accordance with site operating hours and ~~Nye County School District~~ (**NCSD**) job descriptions.

Any permanent change to hours of duty request must be submitted by the immediate supervisor and approved by the Human Resources **Executive** Director and/or Chief Operating Officer.

Duties

Licensed Personnel:

1. All duties will be in accordance with the ~~Negotiated Agreement~~ **collective bargaining agreement** between the ~~Nye County School District~~ **NCSD** and the ~~Nye County Classroom Teachers Association~~ **NCCTA**.
2. Licensed personnel will be assigned extracurricular duties by the ~~principal~~ **site administrator** in accordance with the ~~Negotiated Agreement~~ **collective bargaining agreement** between the ~~Nye County School District~~ **NCSD** and the ~~Nye County Classroom Teachers~~

~~Association~~ NCCTA.

Non-Licensed Personnel:

1. All duties for non-licensed personnel working in job classifications covered by the ~~Nye County Support Staff Organization~~ NCSO will be in accordance with ~~Nye County School District~~ NCSD job descriptions and the ~~Negotiated Agreement~~ collective bargaining agreement between the ~~Nye County School District~~ NCSD and the ~~Nye County Support Staff Organization~~ NCSO.
2. All duties for non-licensed personnel who are not bargaining unit members will be assigned by the principal site administrator or immediate supervisor in accordance with ~~Nye County School District~~ NCSD job descriptions.

Adopted: May 6, 2005
Revised: October 4, 2016
Reviewed: August 22, 2018

NEPN/NSBA Classification: GCLA, GCLB

Legal Reference: NCCTA and NCSO Collective Bargaining Agreements

Forms Location: None

6315

LEAVING SCHOOL BUILDING DURING SCHOOL DAY

Nye County School District (NCSD) pPersonnel should not leave the school grounds at any time during the school day without the knowledge and approval of the Principal site administrator/designee or Head Teacher. This does not apply to those employees who regularly visit all schools and/or students' homes.

NCSD pPersonnel may be excused by the Principal site administrator/designee to leave the building for important school business, or for service club attendance, provided the absence does not interfere with their position assignments.

Arrangements for educational field trips are made with the consent and direction of the Principal site administrator.

Adopted: April 8, 2005
Revised: March 19, 2018
Reviewed: March 19, 2018

NEPN/NSBA Classification:
Legal Reference:

Forms Location: None

6333

COUNSELOR DUTIES

Nye County School District (NCSD) counselors shall will abide by the guidance and counseling standards adopted by the Nevada Department of Education which encompasses academic, career and personal/social domains.

Adopted: October 28, 2014

Revised:

Reviewed: August 22, 2018

NEPN/NSBA Classification:

Legal Reference: NRS 388.205 & 391.274

LICENSED PERSONNEL PROBATION AND EVALUATIONProbation

Except as otherwise provided by Nevada Revised Statute (NRS 391), the initial three (3) years of service for all new Nye County School District (NCS D) licensed employees shall will constitute a probationary period.

Evaluation

The evaluation of licensed personnel has as its primary objective the strengthening of the instructional program, and the improving of the ultimate effectiveness of teachers in the classroom through the assessment of teacher performance. Components of the teacher evaluation format will be based on the following percentages: 80% for teacher instructional standards; and 20% for professional responsibilities for 2015-16. In order to achieve this objective, all NCS D licensed personnel shall will be formally observed at regular intervals pursuant to the guidelines as set forth in NRS 391.

It shall will be the responsibility of the Superintendent/Designee, in cooperation with elected representatives of teacher personnel/designees, with the approval of the NCS D Board of Trustees (BOT), to develop procedures for the evaluation of licensed personnel. In the event of an impasse in the development or implementation of evaluation procedures, the Board of Trustees BOT reserves the authority to resolve the impasse to the Board's BOT's satisfaction.

Adopted: May 21, 1997
 Revised: December 8, 2015
 Reviewed: October 27, 2015

NEPN/NSBA Classification: GCOA
 Legal Reference: NRS ~~391.311-391.3197~~ 391.301-391.361

6343

NON-REPRESENTED ADMINISTRATIVE EVALUATION

The evaluation of administrative personnel has as its primary objective the improvement of the instructional program, and improvement of the ultimate effectiveness of administrative performance. In order to achieve this objective, all **Nye County School District (NCS D)** administrators **shall will** be evaluated each year, or at any time conditions warrant, in accordance with **District NCS D** procedures.

It **shall will** be the responsibility of the Superintendent and the Human Resources **Executive** Director to develop procedures for the evaluation of administrators not covered by a negotiated contract, subject to final approval by the **NCS D** Board of Trustees **(BOT)**.

Adopted: July 16, 2003
Revised: October 28, 2014
Reviewed: August 22, 2018

NEPN/NSBA Classification: CDA, CFB
Legal Reference:

Forms Location: None

6439

DONATED LEAVE PROGRAM FOR NON-UNION EMPLOYEES

Nye County School District (NCSD) employees not covered by negotiated collective bargaining agreements may voluntarily donate a portion of their earned sick leave to other specified non-union employees who have exhausted their own sick, personal, annual and compensatory leave, and who are suffering from a health condition or injury which is expected to require a prolonged absence from work. Recipients who must care for an immediate family member so affected or participating in organ donation are also eligible.

Participation is on a strictly voluntary basis.

Adopted: December 1, 2006
Revised: August 22, 2018
Reviewed: August 22, 2018

NEPN/NSBA Classification:
Legal Reference:

TEMPORARY EMPLOYEESTemporary Positions at the District Office Level

In the event a **Nye County School District (NCSD)** district level department or office requires temporary employees, such as for summer work, or additional help with maintenance projects, the direct supervisor will provide a written request to the Superintendent/Designee. This written request will include the reason for the need of a temporary employee and the duration of the temporary position. Upon approval, temporary employees will be paid according to approved salary schedules.

Temporary employees in this category in any department are not covered by the provisions of any **negotiated collective bargaining** agreement, and do not have the right to transfer to vacant positions.

Certified or Classified Temporary Positions

From time to time, temporary teaching positions or classified support staff paraprofessionals, etc., which may be funded through a grant, will occur. These positions may be funded for either a certain amount of time during a school year or funded for a particular school year only. These positions will be handled in accordance with the language in the **negotiated collective bargaining** agreements with respect to posting the vacancies as well as Reduction In Force procedures at the end of the funded period of employment for each respective negotiated agreement.

NCSD employees who transfer into grant-funded temporary positions that fall into a bargaining unit classification will retain the rights granted to them through their respective **negotiated collective bargaining** agreement.

Adopted: June 3, 2005
 Revised: October 1, 2013
 Reviewed: August 22, 2018

NEPN/NSBA Classification: GDL
 Legal Reference:

Forms Location: None

6574

CORRECTIVE DISCIPLINE OF NON-UNION CLASSIFIED STAFF

The Nye County School District (NCS D) will enlist the use of progressive discipline to provide the opportunity for the supervisor to communicate and document unsatisfactory job performance, and allow the employee to make corrections in order to succeed in his/her position.

Corrective discipline is designed to provide a fair and structured way for employees to improve their job performances and/or behaviors which do not meet the standards or demands of their positions, and to provide a system for fair and equitable treatment of all employees. ~~Nye County School District~~ NCS D recognizes and will follow the standards of due process throughout the corrective/progressive discipline procedure.

Adopted: December 1, 2006

Revised:

Reviewed: August 22, 2018

NEPN/NSBA Classification: GDQD

Legal Reference:

Forms Location: None

6575

ARREST-CONVICTION OF CLASSIFIED EMPLOYEES

A **Nye County School District (NCSD)** classified employee is required to report to the Superintendent/Designee or Human Resources **Executive** Director if he/she has been arrested or convicted of a crime within two **(2) District** business days after arrest or conviction. The crimes an employee is required to report include:

- a. any felony;
- b. any gross misdemeanor;
- c. any misdemeanor involving drugs, sex crimes, child abuse or spousal abuse;
- d. any DUI if driving is a condition of employment.

Adopted: October 4, 2011
Revised: October 4, 2016
Reviewed: August 22, 2018

NEPN/NSBA Classification:
Legal Reference:

Forms Location: None

SCHOOL BOARD NEGOTIATING AGENTS

The **Nye County School District (NCS D)** Board of Trustees (**BOT**) is ultimately responsible for negotiations with employee units. The Superintendent/Designee will appoint the Human Resources **Executive** Director and a team of other administrators to conduct direct negotiations, or the Superintendent/Designee may recommend that a professional negotiator be appointed. Members of Nye County Association of School Administrators (NCASA) may not be members of the **District NCS D** team negotiating with NCASA.

If a professional negotiator is appointed, the negotiator's fees or salary will be determined by the **Board of Trustees BOT**. The chief negotiator will negotiate in good faith with certified bargaining units to arrive at a mutually satisfactory agreement on wages, hours and working conditions of employees represented by the units.

The chief negotiator will:

1. assemble the negotiating team designated by the Superintendent/Designee;
2. direct accumulation of data needed for negotiations;
3. follow guidelines set forth by the Superintendent/Designee and/or **Board of Trustees BOT** as to acceptable agreements, and report on a regular basis as to progress being made;
4. present projected issues for negotiation to the **Board BOT** prior to the first meeting with the union's negotiating team, and at subsequent **Board BOT** meetings during the process, and follow the directions of the **Board of Trustees BOT** in presenting **the District's NCS D's** positions; and
5. make recommendations to the Superintendent/Designee, **the Leadership Team** and/or the **Board of Trustees BOT** as to acceptable agreements.

The Superintendent/Designee will assign a staff member to:

1. interpret the signed **negotiated—contracts collective bargaining agreements** to administrators, and coordinate all aspects of contract administration during the term of various contracts with employee organizations; and
2. plan, organize, direct and represent **the District NCS D** in all aspects of **contract—negotiations collective bargaining agreements**, including fact finding and arbitration insofar as these activities directly relate to pursuance of negotiated agreements.

Adopted: May 21, 1997
Revised: October 4, 2016
Reviewed: August 22, 2018

NEPN/NSBA Classification: HF
Legal Reference: NRS 288.150

ANNOUNCEMENT OF FINAL NEGOTIATED AGREEMENT

When final agreement is reached, the **negotiated collective bargaining** agreement will be produced in writing and, when approved by the Association and the **Nye County School District (NCSD)** Board of Trustees **(BOT)** and signed by the parties, will become a part of the official minutes of the **Board of Trustees BOT**.

The terms and conditions of the **collective bargaining** agreement will become a part of the **School Board NCSD** policies, and will represent the full and complete understanding and contract concerning the terms and conditions of employment between the parties.

Adopted: May 21, 1997
Revised:
Reviewed: August 22, 2018

NEPN/NSBA Classification: HM
Legal Reference:

Forms Location: None

6840

IMPASSE PROCEDURES

If the parties to a negotiation have failed to reach an agreement after at least four (4) sessions of negotiation, either party may declare the negotiations to be at an impasse and, after five (5) days' written notice is given to the other party, submit the issues remaining in dispute to an arbitrator. The arbitrator must be selected, and a hearing must be held according to Nevada Revised Statute (NRS) Chapter 288 statutes.

Adopted: October 27, 1998

Revised:

Reviewed: August 13, 2013

NEPN/NSBA Classification: HO

Legal Reference: NRS 288.217

Form Location: None

ASSIGNMENT OF STUDENTS TO CLASSES AND GRADE LEVELS

Nye County School District (NCSD) sStudents will be assigned to the grade level and classes for which they are best suited. This determination will be made by the principal site administrator, counselor (where applicable), and teachers in consultation with parents/legal guardians.

New Students

Students will be assigned to grade level and classes based upon the records of the previous school attended. Evaluation of transcripts and other records will be done by the counselor/designee of the receiving school.

Previously Homeschooled Students

Students will be assigned to grade level and classes based upon records kept by parents/legal guardians, other evidence of course completion, standardized test data and/or school assessments. The site administrator/designee will determine grade placement and assignment to classes.

Adopted: December 10, 1997
Revised: January 3, 2018
Reviewed: January 3, 2018

NEPN/NSBA Classification: JG
Legal Reference: NRS 392.033

DISCIPLINARY HEARINGS

At the direction of the **Nye County School District (NCSD)** Board of Trustees **(BOT)**, the Superintendent **shall will** appoint a ~~District an NCSD~~ Disciplinary Hearing Officer to conduct **discipline** hearings, and make decisions concerning long-term suspension or expulsion of a student. Pursuant to NRS 392.467, all ~~district NCSD~~ disciplinary hearings **shall will** be closed to the public. The Hearing Officer **shall will** attempt to schedule each hearing as soon as reasonably possible after receipt of notice and request for **discipline** hearing from a school, **or a student or parent/legal guardian**.

The Hearing Officer, **site administrator/designee principal**, parent/legal guardian and student will each agree to sign, and receive a copy of the Student Disciplinary Action Form at the **discipline** hearing. A copy of this form will be placed in the student's disciplinary file.

Adopted: June 6, 2000
Revised: April 25, 2018
Reviewed: July 18, 2019

NEPN/NSBA Classification:
Legal Reference: NRS 392.467

Forms Location: None

7622

IMMUNIZATION OF STUDENTS

A child may not be enrolled in a public school within this state unless his/her parents/legal guardians submit a certificate(s) stating the child has been immunized and has received proper boosters for that immunization or is complying with the schedules established pursuant to NRS 439.550, and NAC Chapters 392 and 394.

Adopted: December 10, 1997

Revised: March 19, 2018

Reviewed: July 18, 2019

NEPN/NSBA Classification: JLCB

Legal Reference: NRS Chapter 432B, 439.550, 392.435-392.448, NAC Chapters 392 and 394

Forms Location: None

SAFE AND RESPECTFUL LEARNING ENVIRONMENT

Nye County School District (NCSD) is committed to providing all students and employees with a safe and respectful learning environment in which persons of differing beliefs, characteristics and backgrounds can achieve academic success and meet Nevada's high academic standards. Board members, administrators, principals, teachers and other NCSD personnel have a duty to create for all students, and provide for all students, a safe and respectful learning environment that is free of bullying, ~~and~~ cyber-bullying, **and discrimination based on race** on the premises of any public schools, at school-sponsored events, or on school buses. The Internet must be used in a manner that is ethical, safe and secure, which is essential to a safe and respectful learning environment and essential for the successful use of technology.

Any form of bullying, ~~or~~ cyber-bullying, **or discrimination based on race** seriously interferes with the ability of teachers to teach, students to learn, and other employees to complete their assigned duties. No member of the Board of Trustees (BOT), NCSD employee, including, without limitation, administrator, principal, teacher or other staff member, volunteer, chaperone, or member of a club or organization which uses NCSD facilities regardless of whether the club or organization has any connection to the school, will engage in acts of bullying, ~~or~~ cyber-bullying, **or discrimination based on race** on the premises of any NCSD school, school-sponsored event, or school bus in the District, on any school-sponsored activity outside the County or through any electronic communication. Failure to report **any incidents of** bullying, **cyber-bullying, or discrimination based on race** witnessed by NCSD employees in accordance with the procedures connected with this Policy will subject the employee to disciplinary action. When acts of bullying, ~~or~~ cyber-bullying, **or discrimination based on race** occur off campus, officials only have authority to respond if the impact of the speech or action will substantially disrupt school or will interfere with the rights of others at school. Disciplinary action may be imposed.

All individuals are entitled to maintain their own beliefs and to respectfully disagree without resorting to bullying, cyber-bullying, **discrimination based on race,** or violence. This Policy neither advocates nor requires the acceptance of differing beliefs in a manner that would inhibit the freedom of expression but does require that individuals with differing beliefs be free from harassment and abuse.

If the alleged **sexual misconduct toward students** could constitute sexual harassment under Title IX, NCSD Policy 6110 and Regulation 6110R apply rather than NCSD Policy 0212 and Regulation. Because NCSD must respond with specific steps whenever any employee has notice of sexual harassment under Title IX, all NCSD employees are required to report possible incidents of sexual harassment directly to the NCSD's Title IX Coordinator, **as soon as practicable, but not later than a time during the same day on which the employee became aware of an incident of sexual harassment, including allegations of sexual harassment.**

Reports by NCSD employees must be made in person, by telephone, and/or by email to the NCSD's Title IX Coordinator as follows:

HR **Executive** Director
Nye County School District
484 S. West Street
Pahrump, NV 89048
775-727-7743, ext. 238
Title9coordinator@nyeschools.org

The NCSD Title IX Coordinator will assist the employee, in consultation with the school administrator/designee if the employee is not the administrator, in the student bullying P/AR to determine whether the allegation could constitute sexual harassment under Title IX, in which case NCSD Policy 6110 will be followed rather than NCSD Policy 0212.

This Policy is subject to annual review. Revisions must be sent to the Nevada Department of Education within thirty (30) days.

Adopted: December 1, 2006
Revised: November 6, 2020
Reviewed: November 6, 2020

NEPN/NSBA Classification:

Legal Reference: NRS 388.121-388.145; **AB 371**

Forms Location: None

0550

STANDING BOARD COMMITTEES

No individual member, and no group comprised of less than the full membership ~~shall will~~ be designated as a permanent committee to perform any of the Nye County School District (NCSD) Board of Trustees' (BOT) functions except those for which State law requires signatories.

Standing Committee:

The NCSD Policy Committee ~~shall will~~ consist of, ~~but is not limited to,~~ three (3) members, appointed by the President, to serve two-year, ~~staggered~~ terms. The members of the Policy Committee ~~shall will~~ appoint their own ~~chairman chairperson~~. The Policy Committee ~~shall will~~ meet as needed, and whenever requested by the ~~Board BOT~~.

All policy items will be reviewed by the Committee before being placed on a ~~BOT Regular Board meeting the~~ agenda for approval.

This policy provision ~~shall will~~ work ~~in concert and~~ conjunction with the provisions of Policy 0720.

Adopted: June 28, 1995
Revised: June 1, 2010
Reviewed: September 26, 2018

NEPN/NSBA Classification: BDE
Legal Reference:

Forms Location: None

2500

NAMING OF EDUCATIONAL FACILITIES

The Nye County School District (NCS D) Board of Trustees (BOT) will select the names of educational facilities or portions of facilities after consideration is given to suggestions made by its members, NCS D staff, students, and local interested citizens. Portions of facilities may include, but are not limited to, libraries, athletic fields, multipurpose rooms, theaters, and administrative offices.

The use of, any name, logo, mascot, song or other identifier that is racially discriminatory or contains racially discriminatory language or imagery, including, without limitation, a name, logo, mascot song or other identifier associated with the Confederate States of America or a federally recognized Indian tribe is prohibited. A name, logo, mascot, song or other identifier associated with a federally recognized Indian tribe may be used if the BOT obtains approval from the Indian tribe.

The Superintendent/Designee will present to the BOT all names submitted by all interested parties. After receiving the proposed names, the BOT will give thirty (30) days' public notice of its intent to vote on a name for the new or proposed facility/portion of facility.

Adopted: October 11, 1995
Revised: April 30, 2020
Reviewed: April 30, 2020

NEPN/NSBA Classification: FF
Legal Reference: **AB 88**

Forms Location: None

SCHOOL VOLUNTEERS

The Nye County School District (NCS D) Board of Trustees (BOT) encourages parents/legal guardians and other members of the community to volunteer their time for purposes that benefit our students.

NCS D recognizes that parents/legal guardians play an integral role in assisting their students to learn, and promotes a safe and open atmosphere for them to visit their school, and support school programs. Because of this, NCS D actively encourages parents/legal guardians and family members to volunteer in their students' classrooms and at school programs.

Pursuant to Nevada Revised Statute (NRS) 391.104, all volunteers will undergo a thorough fingerprint background check prior to beginning service as a volunteer, and at least once every five (5) years thereafter. Any volunteers who are likely to have unsupervised contact with students will also have to undergo a thorough fingerprint check prior to volunteering, and at least once every five (5) years thereafter. Unsupervised contact would include instances such as chaperoning and coaching.

~~NCS D recognizes that parents/legal guardians play an integral role in assisting their students to learn, promotes a safe and open atmosphere for parents/legal guardians to visit the school, and actively solicits parent and family support for school programs. Because of this, the school district actively encourages parents/legal guardians to volunteer in their students' classrooms and at school programs.~~

The NCS D administration will supervise all work performed by volunteers and must control all services provided by volunteers. The administration may not use volunteers to take the place of licensed educators. Volunteers, under the supervision of licensed educators, may assist, as permitted by NRS and NCS D policy/regulation state law and school District regulation. All volunteers must comply with NCS D policy/regulation, specifically those related to anti-harassment, workplace violence, and code of conduct.

Adopted: October 13, 1998
 Revised: January 30, 2019
 Reviewed: January 30, 2019

NEPN/NSBA Classification: IJOC

Legal Reference: NRS 179A.310, 179A.315, 179D.441-179D.550, 391.104-100, 392.456-4577
 457

6142a

NEPOTISM - EMPLOYMENT AND ASSIGNMENT OF RELATIVES

~~Except as hereinafter provided,~~ At Nye County School District (NCSD), no individual may be employed as a certified or classified employee when the performance of ~~such individual~~ the employee would be directly and immediately supervised and evaluated by any relative of such individual within the third (3rd) degree of ~~consanguinity or affinity~~ familial relation. Nor ~~shall~~ will such related employees be assigned to positions which have a fiduciary responsibility to one another which could be compromised by such familial relationship.

A person so related, as specified in the above paragraph, may be hired or assigned when authorized by vote of the NCSD Board of Trustees (BOT) upon the written request of the supervisor seeking to hire or assign such individual where some special, substantial and convincing reason or such peculiar circumstances make such hiring or assignment reasonable and not otherwise detrimental to the NCSD.

Should a relationship change occur which would result in a violation of this policy regulation, it is both employees' responsibility to report this change to the HR Executive Director Superintendent/Designee within thirty (30) calendar days. ~~The District~~ NCSD then reserves the right to transfer one of the employees to another department or assignment.

Adopted: March 27, 1996
Revised:
Reviewed: July 30, 2013

NEPN/NSBA Classification: GBEA
Legal Reference: NRS 281.210

STAFF CONDUCT IN CYBERSPACE

The Nye County School District (NCS) recognizes that technological advances fast quickly outpace the District's NCS's ability to keep current up. The District NCS also acknowledges that boundaries may be blurred between acceptable and inappropriate behavior between employees and students in this arena, particularly for young teachers who may have become accustomed to the use of the latest technology to communicate with professors.

Employees may be flattered when students ask for access to social network sites or other personal information; however, employees are strongly discouraged from text messaging using a personal phone number, "friending" students on social media, or contacting students or parents/legal guardians with using personal email accounts addresses. Fraternalization between employees and students via the Internet is prohibited except for legitimate email exchanges pertaining to educational matters, such as class assignments. Any legitimate email exchanges must not be conducted during hours which would lead a prudent person to question whether an inappropriate relationship may exist.

Employees who participate in social media shall will not post any data, documents, photos or inappropriate information on any website or social media site that might lead to disruption in the classroom, or that would be negative or derogatory against NCS students, staff, or school communities. The determination of any questionable material will be made by the Superintendent.

The creation of false profiles or web-based identities or third persons pretending to be someone else on social media may be harmful to the reputation of that person, and may be legally actionable if the maker of the statement knew it was false, or recklessly made, and the victim has factual and physical evidence to prove these allegations.

The District NCS is under no obligation to provide assistance to employees who violate this policy and are accused of inappropriate behavior with students. If an investigation indicates an employee has engaged in inappropriate behavior with a student, discipline will be taken in accordance with the appropriate collective bargaining agreement negotiated agreement. In the absence of such an agreement, appropriate discipline will be taken, up to and including termination.

Nothing in this policy prohibits employees from the use of educational websites. Access to social media for individual use during working hours is prohibited. This policy extends to student teachers and substitute teachers.

Adopted: October 5, 2009
 Revised: August 22, 2018
 Reviewed: August 22, 2018

NEPN/NSBA Classification: GBEBB
 Legal Reference: NRS 389.520

PROHIBITION OF WORKPLACE VIOLENCE

The Nye County School District (NCS D) is committed to providing for the safety and security of all employees, students, parents/legal guardians, visitors and property. This policy applies to all employees, including full-time, part-time, casual/temporary and elected officials, as well as volunteers and contract employees.

Violence in the workplace will not be tolerated. Acts or threats of physical violence, including intimidation, harassment and/or coercion, which involve or affect the District NCS D, or which occur on District NCS D property, or during the course of District NCS D business, will not be tolerated. Examples of workplace violence include, but are not limited to, the following:

1. threats or acts of violence occurring on District NCS D premises, regardless of the relationship between the District and the parties involved;
2. threats of or acts of violence occurring off District NCS D premises involving someone who is acting in the capacity of a representative of NCS D the District;
3. threats or acts of violence occurring off District NCS D premises involving a District an NCS D employee, if the threats or acts affect the legitimate interests of the District NCS D; and
4. threats or acts resulting in the conviction of an employee/agent of the District NCS D, or of an individual performing services for the District NCS D on a contract or temporary basis, under any criminal code provision relating to violence or threats of violence which adversely affect the legitimate interests and goals of the District NCS D.

Possession of a weapon in the workplace, except as required by an employee's job description, will not be tolerated and will subject the employee to dismissal. Per Nevada Revised Statute (NRS) 202.265, a person will not carry or possess on school property: an explosive or incendiary device; a dirk, dagger or switchblade knife; a nunchaku or trefoil; a blackjack or billy club or metal knuckles; a pneumatic gun; a pistol, revolver or other firearm; any device used to mark any part of a person with paint or any other substance. Actions of school personnel and law enforcement personnel which are necessary in the performance of their duties, and are consistent with District NCS D policies or sound law enforcement procedures shall will not be considered a violation of this policy. In addition, actions necessary for bona fide self-defense or protection of District NCS D property shall will not be considered a violation of this policy.

Specific examples of conduct which may be considered threats or acts of violence include, but are not limited to, the following:

1. hitting or shoving an individual;
2. threatening an individual or his/her family, friends, associates or property with harm;
3. ~~the~~ intentional destruction or threat of destruction of ~~District NCS~~ District NCS property;
4. harassing or threatening phone calls or computer messages; ~~or~~
5. harassing surveillance or stalking; ~~or~~
6. ~~unauthorized possession or inappropriate use of firearms, weapons, hazardous biological or chemical substances, or explosives.~~

Reporting

Every employee is required to immediately report any acts or threats of violence against any co-worker, administrator, student, visitor, or other individual. Every other person on ~~District NCS~~ District NCS property is encouraged to report threats or acts of violence of which she/he is aware. Examples include:

1. discussing weapons or bringing them to the workplace;
2. displaying overt signs of extreme stress, resentment, hostility, or anger;
3. making intimidating, abusive, or threatening remarks;
4. sudden or significant deterioration of performance;
5. displaying irrational or inappropriate behavior.

Reports should be made to the Site ~~Administrator~~ ~~Principal~~ Administrator/Principal/Designee ~~or Supervisor/Designee~~ or other ~~school-district NCS~~ District NCS official in the immediate vicinity. Administrators/~~Supervisors~~ who witness or become aware of any threats or acts of violence must notify the Superintendent/Designee immediately.

Employees reporting real or perceived threats in good faith will not be subject to harassment or retaliation. Nothing in this policy alters any other reporting obligation established in ~~District NCS~~ District NCS policy or in state, federal or other applicable law.

Temporary Restraining Orders

~~The District NCS~~ District NCS may apply for an order of protection against harassment in the workplace under the terms of NRS 33.200 through 33.360 when it has reason to believe that:

1. a person knowingly threatens to cause or commits an act that causes: (a) bodily injury to him/herself or to another person; (b) damage to the property of another person; or (c) substantial harm to the physical or mental health or safety of a person;
2. the threat is made, or an act committed against ~~the District~~ NCSD, any employee of ~~the District~~ NCSD while performing employment duties, or against a person present at the ~~NCSD District's~~ workplace;
3. the threat would cause a reasonable person to fear that the threat will be carried out, or the act would cause a reasonable person to feel terrorized, frightened, intimidated or harassed.

Such order of protection against harassment in the workplace may:

1. enjoin the alleged harasser from contacting ~~the District~~ NCSD, an employee of ~~the District~~ NCSD while performing his/her duties, and any person while the person is present at the ~~NCSD District's~~ workplace;
2. order the alleged harasser to stay away from the workplace;
3. order such other relief as the court deems necessary to protect ~~the District~~ NCSD, the workplace of ~~NCSD the District~~, ~~the District's~~ NCSD employees while performing their employment duties, and any other persons who are present at the workplace.

Discipline

Violations of this policy by any individual on ~~District~~ NCSD property, by any individual acting as a representative of ~~the District~~ NCSD while off ~~District~~ NCSD property, or by any individual acting off ~~District~~ NCSD property when his/her actions affect ~~the District's~~ NCSD's interests may lead to disciplinary action, up to and including termination and/or legal action as appropriate. ~~The District~~ NCSD may also take appropriate disciplinary action against any employee who intentionally makes a false or malicious statement about other employees.

Violations of this policy by students may result in counseling, suspension, expulsion and/or legal action, as appropriate.

Adopted: October 28, 2014
 Revised: August 22, 2018
 Reviewed: August 22, 2018

NEPN/NSBA Classification: GBG
 Legal Reference: NRS 33.200-33.360

Forms Location: None

ADMINISTRATORS IN THE CLASSROOM

Each Nye County School District (NCSD) administrator employed at the District office level may annually participate in classroom instruction, observation and other activities in a manner that is appropriate for his/her responsibilities, position and duties at a school of his/her choosing within the District NCSD.

If the administrator holds a teaching license, he/she may provide instruction in a core academic subject (as defined in NRS 389.018) in a classroom for at least one (1) regularly scheduled full instructional day. A full instructional day at NCSD is as follows:

1. Four-day schools:
 - a. Grades K-5: 375 minutes
 - b. Grades 6-12: 413 minutes
2. Five-day schools:
 - a. Grades K-5: 300 minutes
 - b. Grades 6-12: 330 minutes

~~A full instructional day is 240 minutes for grades 1 to 2, 300 minutes for grades 3 to 6 and six of seven periods for grades 7 to 12.~~ The administrator may be assigned as a substitute teacher for the full instructional day.

If the administrator does not hold a teaching license, he/she may:

1. personally observe a classroom for at least one half of a regularly scheduled full instructional day in each school year; or
2. otherwise participate in activities with students in the classroom in each school year, including, without limitation, serving as a guest speaker, reading to elementary students, and participating in career day.

Adopted: January 3, 2008
 Revised: August 22, 2018
 Reviewed: August 22, 2018

NEPN/NSBA Classification:

Legal Reference: NRS 389.018, 391.235; **NAC 387.131**

RESPONSIBILITIES AND DUTIES OF LICENSED PERSONNEL

The Nye County School District (NCSD) Board of Trustees (BOT) shall will determine approve the job description to include the general responsibilities and duties of licensed personnel as determined by the Superintendent/Designee general responsibilities and duties of licensed personnel. It shall will be the duty of the Superintendent/Designee to implement the directives of the Board of Trustees BOT with regard to the general responsibilities and duties of licensed personnel.

Specific duties and responsibilities within the individual schools shall will be assigned by the principals site administrators provided that these do not conflict with the general responsibilities and duties as approved by the Board of Trustees BOT.

Adopted: May 21, 1997
Revised:
Reviewed: August 22, 2018

NEPN/NSBA Classification:
Legal Reference: NRS 391.100 & 391.120

Forms Location: None

6350

TERMINATION SEPARATION OF EMPLOYMENT OF PROFESSIONAL STAFF

Procedures for separation of licensed, exempt, and professional-technical employees from service in the Nye County School District (NCSD) shall will be developed by the Superintendent/Designee. These procedures shall will be approved by the Board of Trustees (BOT) and shall will cover the three broad categories of:

- a. resignation;
- b. retirement; and
- c. dismissal.

Adopted: May 21, 1997

Revised:

Reviewed: August 22, 2018

NEPN/NSBA Classification: GCQ

Legal Reference: NRS 288 and 391.311-391.3197

Forms Location: None

DISCIPLINE - SUSPENSION - DISMISSAL OF PROFESSIONAL STAFF

A **Nye County School District (NCSD)** teacher may be suspended, dismissed or not reemployed, and an administrator may be demoted, suspended, dismissed or not reemployed for the following reasons:

- a. inefficiency;
- b. immorality;
- c. unprofessional conduct;
- d. insubordination;
- e. neglect of duty;
- f. physical or mental incapacity;
- g. a justifiable decrease in the number of positions due to decreased enrollment or **District NCSD** reorganization;
- h. conviction of a felony or of a crime involving moral turpitude;
- i. **inadequate performance**; evident unfitness for service;
- j. failure to comply with **such** reasonable requirements **as a the NCSD Board of Trustees (BOT) board** may prescribe;
- k. failure to show **normal improvement and** evidence of professional training and growth;
- l. advocating overthrow of the Government of the United States or of the State of Nevada by force, violence or other unlawful means; **or the advocating or teaching of communism with the intent to indoctrinate pupils to subscribe to communistic philosophy;**
- m. any cause which constitutes grounds for the revocation of a teacher's license;
- n. willful neglect or failure to observe and carry out the requirements of **this his/her** title;
- o. dishonesty;
- p. breaches in the security or confidentiality of the questions and answers of the **achievement and proficiency** examinations that are administered pursuant to NRS **389.015 390.105, and the college and career readiness assessment administered pursuant to NRS 390.610;**
- q. intentional failure to observe and carry out the requirements of a plan to ensure the security of examinations adopted pursuant to NRS **389.616 or 389.620 390.270 or 390.275;**
- r. an intentional violation of NRS **388.5265 or 388.527 388.497 or 388.499** (aversive intervention or physical or mechanical restraint on a **pupil student** with a disability);
- s. gross misconduct (includes any act or omission that is in wanton, willful, reckless or deliberate disregard of the interests of **NCSD, an NCSD school, or an NCSD student a school or school District or a pupil thereof**); or
- t. an intentional failure to report a violation of NRS 388.135 **and 388.1351** regarding bullying if the teacher or administrator witnessed the violation;
- u. **a substantiated report of abuse or neglect of a child made against the employee in any state, as defined in NRS 432B.020;**
- v. **a violation of NRS 201.540 (sexual conduct between employee of a**

- school and student);
- w. a violation of NRS 201.560 (luring or persuading a child away from child's home);
- x. a violation of NRS 392.4633 (corporal punishment).

An NCSD licensed employee, who has been arrested or convicted of a crime, is required to report the arrest or conviction to the Superintendent/Designee or Human Resources Executive Director if he/she has been arrested or convicted of a crime within two (2) District business days after arrest or conviction. The crimes an employee is required to report include:

- a. any felony;
- b. any gross misdemeanor;
- c. any misdemeanor involving drugs, sex crimes, child abuse or spousal abuse;
- d. any DUI if driving is a condition of employment.

Adopted: August 16, 2011
Revised: October 4, 2016
Reviewed: August 22, 2018

NEPN/NSBA Classification:

Legal Reference: NRS 391.312, 201.540, 201.560, 388.135, 388.1351, 388.497, 388.499, 390.105, 390.270, 390.275, 390.610, 391.330, 392.4633, 432B.020

Forms Location: None

VERIFICATION OF EMPLOYMENT

When responding to a request for verification of **Nye County School District (NCSD)** employment, only the following information will be provided:

- a. dates of employment;
- b. base salary; and
- c. job title.

Information regarding an **NCSD** employee terminated for violent actions in the workplace, or who may have demonstrated dangerous behavior in the workplace, will be provided only after consultation with **District's NCSD's** legal counsel.

Employment information and opinions regarding the character, honesty, and potential for violence may be provided to governmental employers, including, but not limited to, any federal, state, county, municipality or city employers; or any other private (non-governmental) employer where the employee's character, honesty, and potential for violence are relevant issues. Examples include, but are not limited to, jobs which involve public safety, entrustment for the care or safety of children, the elderly, or healthcare patients; or positions having access to money and/or valuables. **The District NCSD** must provide information requested by public safety agencies in accordance with NRS 239B.

Records that are required for employees in safety-sensitive positions, as defined in 42 CFR Part 382, and U.S. Department of Transportation regulations, **shall will** be made available to subsequent employers upon receipt of written requests from the employee or former employee. **Pursuant to NRS 239.012, NCSD, or any of its employees who act in good faith in disclosing, or refusing to disclose information is immune from liability for damages.**

~~In accordance with NRS 239.012, a public officer or employee who acts in good faith in disclosing or refusing to disclose information and his/her District, is immune from liability for damages, either to the requester or to the person to whom the information concerns.~~

No other information, including the former employee's address and telephone number, will be given without proper authority (i.e., a release dated within the previous 30 days signed by the former employee, a court order or a subpoena).

NCSD does not release information regarding the probability of continued employment under any circumstance. **The Nye County School District NCSD** Human Resources Department, and Payroll Department reserve the right to **a turnaround time of up to five (5) days** for response time to such requests.

Adopted: October 23, 2012
Revised: October 1, 2013
Reviewed: August 22, 2018

NEPN/NSBA Classification:

Legal Reference: NRS 239.012 & 239B; 42 CFR Part 382

6423

SUPPORT STAFF SUPPLEMENTARY PAY – OVERTIME

~~Principals and managers~~ Nye County School District (NCSD) site administrators and supervisors will strive to schedule duties of hourly employees to occur within the normal workweek. When ~~principals and managers~~ site administrators and supervisors anticipate a need for overtime, they will secure prior approval from the ~~Superintendent/Designee~~ Chief Operating Officer (COO).

Emergency situations involving health and safety issues do not require prior approval. However, supervisors are required to notify the Chief Operating Officer COO as soon as reasonably possible.

Adopted: May 21, 1997
Revised: October 1, 2013
Reviewed: August 22, 2018

NEPN/NSBA Classification: GDBC
Legal Reference:

EVALUATION OF CLASSIFIED STAFF

Nye County School District (NCSD) Board of Trustees (BOT) recognizes the value of implementing a program of classified employee evaluations for the purpose of promoting individual job performance, assessing competency, and improving services to students and the public.

Evaluations will be done at least once annually, and as required on a formal basis, to be completed and delivered to the employee no later than June 30 of the current school year. The evaluation will be conducted by the designated immediate supervisor/administrator of the employee. If the employee regularly performs duties for more than one supervisor administrator, the immediate designated supervisor/administrator may seek input from others as needed. The immediate supervisor/administrator will review the evaluation with the employee prior to forwarding the instrument it to the Human Resources Department.

Steps will be initiated to improve any areas of weakness discussed during the evaluation. Once a deficiency has been noted in writing to an employee, the deficiency should be a part of the employee's evaluation unless the deficiency has clearly been remediated. Failure to objectively evaluate deficiencies will be reflected in the performance evaluation of the supervising administrator.

The immediate supervisor will inform his/her employees of the evaluation procedure, standards of performance required and duties to be performed. Each employee will be advised as to who will observe and evaluate his/her performance, and who is designated as his/her immediate supervisor.

The Superintendent/Designee shall will prepare evaluation forms and procedures to implement this policy.

Adopted: July 10, 2006
 Revised: August 22, 2018
 Reviewed: August 22, 2018

NEPN/NSBA Classification: GDO
 Legal Reference:

Forms Location: Superintendent's Office

DELETE

TITLE: 6550R Evaluation of Classified Staff

PURPOSE AND BACKGROUND: To provide a process for evaluation

APPLICABILITY: All classified employees

MONITORING RESPONSIBILITY: Office Manager & Direct Supervisor

OUTLINE OF PROCEDURE:

Site Level

Evaluations of site level classified staff will be conducted by the designated immediate supervisor/administrator of the employee.

District Level

Direct supervisors will evaluate District level secretarial and clerical staff. Any staff member who works for more than one supervisor/administrator will be evaluated by both administrators.

The immediate supervisor will inform employees of the evaluation procedure, standards of performance required and duties to be performed. The immediate supervisor will review the evaluation with the employee prior to forwarding the instrument to the Human Resources Department.

Steps will be initiated to improve any areas of weakness observed prior to the evaluation. Once a deficiency has been noted in writing to an employee, the deficiency should be part of the employee's evaluation unless the deficiency has clearly been remediated. Failure to objectively evaluate deficiencies will be reflected in the performance evaluation of the supervising administrator.

Evaluations will be completed annually in June.

The Superintendent/designee shall prepare evaluation forms and procedures to implement this policy.

References:

Revisions: June 7, 2007

Effective Date: July 10, 2006

NEPN/NSBA

Classification: GDO

NEGOTIATIONS GOALS - PRIORITY OBJECTIVES

The term “negotiations” generally refers to any discussion between two or more parties for the purpose of settling some matter or otherwise reaching agreement. For the purpose of this policy, however, “negotiations” is defined as bilateral bargaining, i.e. formal discussions between two parties for reaching agreement.

The **Nye County School District (NCSD) Board of Trustees** will negotiate in good faith on appropriate concerns. It will deal with staff negotiating units openly and fairly, and will sincerely endeavor to reach agreement on items being negotiated that are proper for negotiation. Nothing in negotiations will abridge **NCSD’s the Board’s** legal responsibilities, nor will any staff member’s rights and privileges under state statutes be impaired.

It is the intent of **the Board of Trustees NCSD** to utilize negotiations procedures, which achieve the following goals:

1. To guarantee employees of negotiating units that they will receive a thorough study of their proposals, as well as full considerations in reaching decisions related thereto; and
2. To meet all legal requirements of this state’s statutes.

All negotiated agreements will be ratified by the NCSD Board of Trustees (BOT).

Adopted: May 21, 1997
Revised: October 28, 2014
Reviewed: August 22, 2018

NEPN/NSBA Classification: HA
Legal Reference: NRS Chapter 288

Forms Location: None

7052

ENTRANCE AGE REQUIREMENTS

Beginning with the 2022-2023 school year, cChildren who have attained the age of five (5) years on or before the first day of a school year September 30 may be enrolled for kindergarten attendance at the opening of the school year.

Children who have attained the age of six (6) years on or before the first day of a school year September 30 may be enrolled for first grade attendance at the opening of the school year if they have completed kindergarten or passed a Nye County School District (NCSD) district assessment, which indicates that the student is developmentally prepared for first grade.

Adopted: December 10, 1997

Revised: March 28, 2000

Reviewed: April 26, 2019

NEPN/NSBA Classification: JEB

Legal Reference: NRS 388.060, 392.040, 392.122, and 392.215; SB 102

Forms Location: None

STUDENT ATTENDANCE MONITORING AND ACCOUNTING

The Nevada Department of Education (NDE) and Nye County School District (NCSD) believe attendance is a critical component of education, ensuring all students can access the resources and support needed for educational success. The connection between student attendance and learning is clear: a missed school day is a lost opportunity for students to learn. The education of students is necessary for their success. Attending school consistently is vital to building a strong foundation for subsequent learning.

Strong partnerships among schools, families and the community are critical in ensuring that each student attend school every school day. These partnerships will lead to effective teaching by teachers, and effective learning by students. Each NCSD school will designate a team of employees tasked with developing and implementing plans to prevent students from becoming chronically absent.

The Nye County School District (NCSD) Superintendent/Designee shall establish the procedures for checking and reporting student attendance. This policy, and Regulation 7222R will be shared with parents/legal guardians upon enrollment in NCSD as prescribed by the laws of the State of Nevada, and the regulations of the NDE Nevada Department of Education. The NCSD Superintendent will also create procedures for:

1. monitoring and reporting student attendance;
2. communicating attendance and attendance concerns to the student's parent/legal guardian;
3. ensuring protocols are in place for students to make up work as a result of missed school time;
4. identifying students deemed a habitual truant, and modifying his/her educational program to provide opportunities for success;
5. providing interventions for students in danger of losing credit due to poor attendance or truancy;
6. students attending via alternative education such as distance learning, online courses, and/or hybrid learning models.

Research shows a strong relationship between poor attendance in the early grades and the likelihood that a student will later drop out of school. Conversely, it is well recognized that there is a high correlation between regular school attendance, school success and achievement. Therefore, good attendance shall be emphasized from the time a student enrolls in school through the prescribed number of days that a student is subject to compulsory attendance. State statute dictates a student absent for 10% or more of a school year shall be deemed chronically absent. A student should be in attendance 90% of a school year in order to obtain credit or to be promoted to the

next grade level.

Attendance is a shared responsibility of students and parents/legal guardians, school staff and community.

Adopted: December 10, 1997

Revised: May 3, 2019

Reviewed: May 3, 2019

NEPN/NSBA Classification: JHBB

Legal References: NRS 392.035, 392.040, 392.118, 392.125, 392.130-392.160, 392.170-392.220; & 392.470; NAC 387.185; SB 249; NDE Revised Guidance Memorandum #18-06

Forms Location: ~~None~~ Infinite Campus

ATTENDANCE/TRUANCY ADVISORY BOARD COMMITTEE

Per NRS 392.126, each Nevada County must create at least one advisory board to review school attendance. The Nye County/Nye County School District (NCSD) Attendance Advisory Board shall may consist of a minimum of:

- a. one parent/ or legal guardian of a student in enrolled in an NCSD school, appointed by the ~~President of the~~ Board of Trustees (BOT) **President;**
- b. one member of the ~~Board of Trustees~~ **BOT**, appointed by the **BOT** President ~~of the Board of Trustees;~~
- c. one **NCSD** school counselor or teacher ~~employed by Nye County School District,~~ appointed by the Nye County Classroom Teachers Association (**NCCTA**); and
- d. one elementary school principal, one middle school principal, ~~and~~ one high school principal, ~~and one district administrator,~~ appointed by the Superintendent/Designee.

~~Others on this committee, depending on interest, Additional members may include: one Nye County juvenile probation officer in the County who works on cases relating to juveniles, appointed by the a judge(s) of the Nye County juvenile court of the County; one representative of the District Attorney, appointed by the District Attorney; one Nye County deputy sheriff in the County, appointed by the Sheriff; and one representative of the agency which provides child welfare services, as defined in NRS 432B.030.~~

~~Each member of the Attendance Advisory Board must be appointed for a term of two (2) years, and serves without compensation. A vacancy on the Board must be filled in the same manner as the original appointment for the remainder of the unexpired term.~~

Adopted: January 11, 2000

Revised: May 3, 2019

Reviewed: May 3, 2019

NEPN/NSBA Classification:

Legal Reference: NRS 392.126-392.128, 392.147, 432B.030

Forms Location: None

SUSPENSION OR EXPULSION OF A **PUPIL STUDENT** FOR BATTERY – WEAPON – DISTRIBUTION OF A CONTROLLED SUBSTANCE

Nye County School District (NCSD) follows the Nevada Revised Statutes (NRS) as stated below.

Battery or Sale/Distribution of Controlled Substance

Any student who commits a battery which results in the bodily injury of an employee or who sells or distributes any controlled substance while on any school premises, at a school-sponsored activity, on any school bus, and who is at least 11 years of age will meet with the school administrator/designee and his/her parent/legal guardian. The school will provide a Behavior Intervention Plan (BIP) based on restorative justice to the parent/legal guardian. The student may be suspended or expelled from the school, in which case the student will:

1. enroll in a private school pursuant to NRS Chapter 394, become an opt-in child, or be homeschooled; or
2. enroll in a program of independent study pursuant to NRS 389.155, or a distance education program.

The parent/legal guardian may choose for the student not to participate in the BIP. In this case, the school administrator/designee will inform the parent/legal guardian of the consequences of not participating in the BIP. Said consequences may include, but are not limited to, immediate suspension, expulsion, etc.

An employee who is a victim of a battery which results in his/her bodily injury, may appeal to the school any/all of the provisions the student's BIP provided if:

1. the employee feels any actions taken pursuant to the BIP are inappropriate; and
2. for a Special Education student who committed the battery, the Board of Trustees (BOT)/Designee has reviewed the circumstances and determined that such an appeal is in compliance with the Individuals with Disabilities Education Act (IDEA).

Possession of Firearm or Dangerous Weapon

Any **pupil student** who is found in possession of a firearm or a dangerous weapon while **on any school premises, at a school-sponsored activity, on the premises of any public school, at an activity sponsored by a public school** or on any school bus must, for the first occurrence, be expelled from the school for a period of not less than one (1) year, although **he/she the student** may be placed in another kind of school for a period not to exceed the period of the expulsion. For a second occurrence **the student must** be permanently expelled from the school.

If the school is unable to retain the student in the school for the safety of any person or because doing so would not be in the best interest of the student, the student may be suspended, expelled or placed in another school. If the student is placed in another school, the current school of the student will explain what services will be provided at the new school. The current school and the new school will create a BIP based on restorative justice for the student to ensure that any resources required to execute the plan are available at the new school.

~~enroll in a private school, or be homeschooled, or enroll in a program of independent study or distance education if the pupil qualifies for enrollment in accordance with the requirements of the applicable program.~~

~~Any pupil who commits a battery which results in the bodily injury of an employee of the school or who sells or distributes any controlled substance while on the premises of any public school, at any activity sponsored by a public school or on any school bus must, for the first occurrence, be suspended or expelled from that school, although he/she may be placed in another kind of school, for at least a period equal to one semester for that school.~~

~~For a second occurrence the pupil must:~~

~~be permanently expelled from that school; and~~

~~enroll in a private school, or be homeschooled, or enroll in a program of independent study or distance education if the pupil qualifies for enrollment in accordance with the requirements of the applicable program.~~

The Superintendent may, for good cause shown in a particular case, allow a modification to the **suspension or** expulsion requirement if such modification is set forth in writing. **The Superintendent will allow such a modification if the Superintendent determines that a BIP based on restorative justice may be used successfully.**

A student who is 10 years of age or younger, must not be permanently expelled from school. In an extraordinary circumstance, a school may request an exception to the NCSD BOT. A student 11 years of age and older may be permanently expelled from school only after the NCSD BOT/Designee has reviewed the circumstances and approved the expulsion.

A Special Education student 11 years of age and older may be:

- 1. suspended from school for not more than 5 days for each occurrence of conduct;**
- 2. permanently expelled from school only after the NCSD BOT has reviewed the circumstances, determined that the action is in compliance with the IDEA, and approved the expulsion.**

A homeless student, or a student in foster care who is at least 11 years of age, may be suspended or expelled from school only if a determination is made that the behavior that led to the consideration for suspension or expulsion was not caused by homelessness or being in foster care. The site administrator will presume that the behavior was caused by homelessness or being in foster care pending determination made in consultation with the liaison for homeless students designated in accordance with McKinney-Vento Homeless Assistance Act of 1987.

A **pupil student** enrolled in kindergarten or Grades 1 to 8 may not be disciplined including, without limitation, for:

1. simulating a firearm or dangerous weapon while playing; or
2. wearing clothing or accessories that depict a firearm or dangerous weapon or express an opinion regarding a constitutional right to keep and bear arms, unless it substantially disrupts the educational environment.

Simulating a firearm or dangerous weapon includes, without limitation: brandishing a partially consumed pastry or other food item to simulate a firearm or dangerous weapon; possessing a toy firearm or toy dangerous weapon that is 2” or less in length; possessing a toy firearm or toy dangerous weapon made of plastic building blocks which snap together; using a finger or hand to simulate a firearm or dangerous weapon; drawing a picture or possessing an image of a firearm or dangerous weapon; and using a pencil, pen or other writing or drawing implement to simulate a firearm or dangerous weapon.

A **pupil student** who simulates a firearm or dangerous weapon may be disciplined when disciplinary action is consistent with a policy adopted by the ~~Board of Trustees BOT~~ and such simulation substantially disrupts learning or the educational environment; causes bodily harm to another person; or places another person in reasonable fear of bodily harm. The ~~Board of Trustees BOT shall will~~ not adopt any policy or regulation which conflicts with this section. However, the provisions of this section ~~shall will~~ not be construed to prohibit a school from establishing and enforcing a policy requiring **pupils students** to wear a school uniform.

Schools are required to provide written notice to parents/legal guardians each time a **pupil student** is suspended for any reason. The notice must include a description of the act committed, the date on which the act was committed, and an explanation that if the **pupil student** receives five **significant** suspensions during the current school year, and has not entered into and participated in a **BIP plan of behavior**, the **pupil student** will be deemed a habitual disciplinary problem.

Adopted: May 21, 2003
Revised: July 18, 2019
Reviewed: July 18, 2019

NEPN/NSBA Classification:

Legal Reference: NRS 392.4655 & 392.466-392.4675 & 392.910; McKinney-Vento Homeless Assistance Act of 1987; AB 67

Forms Location: None

HABITUAL DISCIPLINE PROBLEMS

A student ~~may~~ will be declared a habitual disciplinary problem if written documentation exists that ~~in one (1) school year~~:

1. ~~In one school year,~~ the student has threatened or extorted or attempted to threaten or extort another student or a teacher or other personnel employed by the school two (2) or more times, or the student has ~~been suspended five times a record of five (5) significant suspension from the school~~ for any reason.
2. The student has not entered into and participated in a ~~Behavior Intervention Plan (BIP) based on restorative justice plan of behavior.~~

The student declared a habitual disciplinary problem may be suspended ~~for a period not to exceed one semester,~~ or be expelled under extraordinary circumstances ~~as determined by the site administrator.~~ Pursuant to NRS 392.466, a student declared a habitual disciplinary problem that is expelled or suspended for one ~~school~~ semester ~~is required to~~ must enroll in a private school, ~~be homeschooled, or enroll in~~ a program of independent study ~~or a program of distanced education if the student qualifies for enrollment and is accepted.~~ ~~or be homeschooled during that time.~~

~~If the student is a student with a disability, and if it is determined in accordance with 20 U.S.C. § 1415 that the student's behavior is not a manifestation of the student's disability, he/she may be suspended or expelled from school in the same manner as a student without a disability.~~

~~A homeless student, or a student in foster care who is at least 11 years of age, may be suspended or expelled from school only if a determination is made that the behavior that led to the consideration for suspension or expulsion was not caused by homelessness or being in foster care. The site administrator will presume that the behavior was caused by homelessness or being in foster care pending determination made in consultation with the liaison for homeless students designated in accordance with McKinney-Vento Homeless Assistance Act of 1987.~~

~~The site administrator/designee will provide the notice required by NRS for each suspension on the record of a student during a school year. Such notice must be provided at least seven (7) days before the school deems the student a habitual disciplinary problem.~~

The Superintendent/Designee may, for ~~a~~ good cause shown in a particular case, allow a modification to the suspension or expulsion requirement, if such modification is set forth in writing.

Adopted: December 10, 1997
Reviewed: July 18, 2019
Revised: July 18, 2019

NEPN/NSBA Classification:

Legal Reference: NRS 392.4655, 392.4657, 392.466, **AB 67**

Forms Location: None

3193 SUPPLEMENT NOT SUPPLANT FEDERAL GRANT FUNDS

Nye County School District (NCSD) receives several grants funded by federal money. Each grant has requirements that mandate NCSD's use of federal awards to supplement education programs. NCSD is not allowed to use the federal awards to replace existing funding for education services within the District.

Although the requirement may change from grant to grant, supplement not supplant provisions require that NCSD use state or local funds for services required by state law or local policy, and prohibit those NCSD funds from being diverted for other purposes when federal funds are available. Federal funds must supplement, add to, enhance, expand, increase, or extend the programs and services offered with state and local funds. Federal funds are not permitted to be used to supplant, take the place of, or replace the state and local funds used to offer those programs and services.

The purpose of a supplement not supplant policy of NCSD is to ensure that federal grant funds are expended to benefit the intended student in NCSD as authorized by the federal award, and are not diverted to cover expenses that NCSD would have paid out of other funds in the event the federal award was not available.

The NCSD Chief Operating Officer (COO)/Designee reviews each federal award that NCSD receives, and follows this methodology for each award to assure compliance with the supplement not supplant provisions of the federal awards.

Adopted:
Revised:
Reviewed:

NEPN/NSBA Classification:
Legal Reference: Reference 2 CFR 200.302

Forms Location: None

5349

DISTANCE LEARNING PROGRAM (DISTANCE EDUCATION)

Nye County School District (NCSD) will offer a Distance Learning Program/Distance Education that will meet the needs of individual attendance areas to include students grades K-12.

Per Nevada Revised Statute (NRS) 388.826 “Distance education means synchronous or asynchronous instruction which is delivered by means of video, computer, television, or the Internet or other electronic means of communication, or any combination thereof, in such a manner that the person supervising or providing the instruction and the pupil receiving the instruction are separated geographically for a majority of the time during which the instruction is delivered”.

NCSD offers distance learning through the venue of a Nevada Department of Education approved Internet-based Learning Management System (LMS). Per NRS 388.838, NCSD will annually post a program of distance education plan to the NCSD Website including:

1. A description of how the program will ensure access to technology for students and staff, and communicate with students, their families, and staff regarding the program of distance education.
2. An estimate of the cost to make technology available to the students and staff.

Admittance will be available to all NCSD students on a non-discriminatory basis.

Adopted:

Revised:

Reviewed:

NEPN/NSBA Classification:

Legal Reference: NRS 388.826, 388.838; SB 215

Forms Location: None

6161 HEPATITIS B IMMUNIZATIONS

The State of Nevada recommends that certain school district employees be vaccinated against Hepatitis B. Please refer to Nye County School District (NCSD) Regulation 6161R for the list of recommended groups of district employees.

Adopted:
Revised:
Reviewed:

NEPN/NSBA Classification: GB
Legal Reference:

Forms Location: NCSD Regulation 6161R

6168 SUBPOENA OF EMPLOYEES

Nye County School District (NCSD) employees will be provided time off without loss of pay when appearing in a court proceeding relating to an action involving the employee which resulted from the course and scope of the employee’s employment. However, monies received for a subpoena, less transportation mileage reimbursement, will be remitted to the NCSD accounting department immediately upon receipt.

An employee who is required by law to appear in court as a witness in a proceeding not related to the course and scope of his/her employment may access earned personal leave, annual leave, or may take unpaid time off as necessary for such purpose, provided the employee provides his/her supervisor reasonable advance notice.

Leave without loss of pay will not be provided to an employee having a personal interest or benefit from participation in the proceeding or if the proceeding is between any employee and NCSD.

Any employee subpoenaed by an employee organization to appear at any hearing relating to labor relations matters will not be granted leave with pay except as provided in a negotiated agreement.

NCSD retains the right to require employees to serve as witnesses without loss of pay.

Adopted:

Revised:

Reviewed:

NEPN/NSBA Classification: GBH

Legal Reference:

Forms Location: None

DELETE

TITLE: 6168R Subpoena of Employees

PURPOSE AND BACKGROUND: To provide guidelines when NCSD staff receive subpoenas

APPLICABILITY: All staff

MONITORING RESPONSIBILITY: Human Resources Director and Chief Operating Officer
OUTLINE OF PROCEDURE:

Employees will be provided time off without loss of pay when appearing in a court proceeding relating to an action involving the employee which resulted from the course and scope of the employee's employment. However, monies received for a subpoena, less transportation mileage reimbursement, shall be remitted to the NCSD accounting department immediately upon receipt.

An employee who is required by law to appear in court as a witness in a proceeding not related to the course and scope of his/her employment may access earned personal leave, annual leave, or may take unpaid time off as necessary for such purpose, provided the employee provides his/her supervisor reasonable advance notice.

Leave without loss of pay will not be provided to an employee having a personal interest or benefit from participation in the proceeding or if the proceeding is between any employee and the District.

Any employee subpoenaed by an employee organization to appear at any hearing relating to labor relations matters shall not be granted leave with pay except as provided in a negotiated agreement.

The NCSD retains the right to require employees to serve as witnesses without loss of pay.

Effective Date: December 1998

Revisions: July 19, 2013

NEPN/NSBA Classification:

References:

The annual base salary for Nye County School District (NCSD) administrative and supervisory personnel will be set by the NCSD Board of Trustees (BOT) via a salary schedule. Generally, the annual salary increase for administrators will be at least equal to those provided to employees in other bargaining units. The schedule will reflect:

1. responsibility of the position;
2. educational preparation;
3. experience; and
4. length of working year.

NCSD administrators hired between July 1 and April 30 will move to the next step of the salary schedule on July 1 following their employment date. NCSD administrators hired between May 1 and June 30 will move to the next step of the schedule on July 1 of the following year.

Adopted:

Revised:

Reviewed:

NEPN/NSBA Classification: GCBB

Legal Reference:

Forms Location: None

DELETE

TITLE: ~~6223R Administrative Staff Contracts and Compensation~~

PURPOSE AND BACKGROUND: ~~To clarify compensation standards and salary schedule placement~~

APPLICABILITY: ~~All Administrators~~

MONITORING RESPONSIBILITY: ~~Superintendent/Designee~~

OUTLINE OF PROCEDURE:

~~The annual base salary for administrative and supervisory personnel will be set by the Board via a salary schedule. Generally, the annual salary increase for administrators will be at least equal to those provided to employees in other bargaining units. The schedule will reflect:~~

- ~~1. responsibility of the position;~~
- ~~2. educational preparation;~~
- ~~3. experience; and~~
- ~~4. length of working year.~~

~~Administrators hired between July 1 and April 30 will move to the next step of the salary schedule on July 1 following their employment date. Administrators hired between May 1 and June 30 will move to the next step of the schedule on July 1 of the following year.~~

~~Effective Date: May 21, 1997~~

~~Revisions:~~

~~NEPN/NSBA Classification: GCBB~~

~~References:~~

It is the policy of the NCSD Board of Trustees (BOT) that teachers should not engage in outside activities that interfere with their duties under their contracts as instructors.

School Personnel Seeking Public Office

The BOT recognizes that school employees have the right, as do other citizens, to seek public office. The BOT does not, however, encourage school personnel to seek public office if it interferes in any way with the performance of the duties for which they were employed. If an employee plans to run for office, the following guidelines will be observed:

1. Before filing for any office, the employee must first notify the Superintendent and BOT;
2. No electioneering or politics will be brought into the schools;
3. No school time will be used for electioneering or for performance of any duties of the office.

Upon Taking Office

If there should be any released time from school duties for the office in any way, there will be a substitute deduction for occasional absences. Longer absences may require a leave without pay.

Since it may be necessary in some cases to ask for extended periods of leave, the employee should be aware that this may result in the lessening of the employee's effectiveness, and could result in a lowering of the evaluation of the employee's job performance, if such leave is frequent and recurring, resulting in a disruption of the educational process.

If the teacher is serving as a member of the State Board of Education, the teacher may have release time to attend such meetings, and other State Board activities, with no loss in pay. However, any compensation from such activities must be remitted to the NCSD Finance Department.

Adopted:
Revised:
Reviewed:

NEPN/NSBA Classification:
Legal Reference:

DELETE

TITLE: 6360R Non-School Employment of School Personnel

PURPOSE AND BACKGROUND: To provide direction for employees who engage in non-school activities/employment

APPLICABILITY: All employees

MONITORING RESPONSIBILITY: Superintendent/Designee

OUTLINE OF PROCEDURE:

It is the policy of the Board of Trustees that teachers should not engage in outside activities that interfere with their duties under their contracts as instructors.

School Personnel Seeking Public Office

The Board of Trustees recognizes that school employees have the right, as do other citizens, to seek public office. The Board of Trustees does not, however, encourage school personnel to seek public office if it interferes in any way with the performance of the duties for which they were employed. If an employee plans to run for office, the following guidelines shall be observed:

1. Before filing for any office, the employee must first notify the Superintendent and the Board of Trustees;
2. No electioneering or politics shall be brought into the schools;
3. No school time shall be used for electioneering or for performance of any duties of the office.

Upon Taking Office

If there should be any released time from school duties for the office in any way, there shall be a substitute deduction for occasional absences. Longer absences may require a leave without pay.

Since it may be necessary in some cases to ask for extended periods of leave, the employee should be aware that this may result in the lessening of the employee's effectiveness, and could result in a lowering of the evaluation of the employee's job performance, if such leave is frequent and recurring, resulting in a disruption of the educational process.

If the teacher is serving as a member of the State Board of Education, the teacher may have release time to attend such meetings, and other Board activities, with no loss in pay. However, any compensation from such activities must be remitted to the District Office.

Effective Date: ~~May 21, 1997~~

Revisions:

References:

NEPN/NSBA Classification:

6370 PROFESSIONAL RESEARCH AND PUBLISHING

Nye County School District (NCSD) employees submitting articles to any publication for which NCSD or any of its specific schools or programs are mentioned, must submit these articles to the Superintendent/Designee for review of such articles for factual accuracy prior to publication.

Adopted:

Revised:

Reviewed:

NEPN/NSBA Classification:

Legal Research:

Forms Location: None

DELETE

TITLE: 6370R Professional Research and Publishing

PURPOSE AND BACKGROUND: To provide direction for staff submitting articles for publication when NCSD is referenced in the article

APPLICABILITY: All staff

MONITORING RESPONSIBILITY: Superintendent/Designee

OUTLINE OF PROCEDURE:

Staff members submitting articles to any publication for which the Nye County School District or any of its specific schools or programs are mentioned, must submit these articles to the Superintendent/Designee for review of such articles for factual accuracy prior to publication.

Effective Date: May 21, 1997

Revisions:

NEPN/NSBA Classification:

References:

MOST RECENT POLICY REVIEW

0100's – Board Governance	September 2018
1000's – Community	October 2018
2000's – Facilities	January 2020
3000's – Fiscal	November 2019
4000's – General Administration	September 2018
5000's – Instructional Programs	January 2019
6000's – Personnel	November 2021
7000's – Students	July 2019
8000's – Support Services	October 2020