

**Expanded Agenda
White Pine County School District
Board of School Trustees
WPCSD Board Room - 1135 Avenue C - Ely, Nevada – 7/20/2021**

REGULAR MEETING – 6:00 P.M.

Items on the agenda may be taken out of order; the Board of Trustees may combine two or more agenda items for consideration; and the Board of Trustees may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.

1. CALL TO ORDER; PLEDGE OF ALLEGIANCE

2. ROLL CALL

Angela J. McVicars, Chair	Candice Campeau, Vice Chair	Tasheena Sandoval, Clerk
Amy Adams, Member	Krystal Blades, Member	Terri Borghoff, Member
Sheila Nicholes, Member	LHS Student Advisory Member	WPHS Student Advisory Member

3. PUBLIC COMMENT – A fifteen (15) minute period devoted to comments by the general public. Public Comment during the Board of School Trustees Meeting, will be for all matters within the public body's jurisdiction, control, or advisory power, both on and off the agenda and will be limited to three (3) minutes per person. Comments during Discussion and/or Action Items may not be accepted from the General Public. The Board may prohibit comment if the content of the comments are willfully disruptive of the meetings by being slanderous, offensive, inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken (NRS 241.020(2)(c)(3)).

4. STAFF COMMENT – The Board welcomes comments from staff members, limited to three minutes in length. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken (NRS 241.020(2)(c)(3).)

**6:15 pm – Public Hearing – regarding:
Interfund Loans**

5. CORRESPONDENCE

Subject	Author	Date	Ref. Pages
a. Regular Agenda	Young	7/20/2021	5-6

6. STUDENT REPRESENTATIVE REPORTS

WPHS
Lund

7. PRESENTATIONS

8. ACTION ITEMS

**A. DISCUSSION/FOR POSSIBLE ACTION TO APPROVE MINUTES OF 6/25/2019
REGULAR MEETING.**

Ref. Page(s) 7-11

Motion: Move to approve the minutes of the 6/25/2019 regular meeting.

Moved by: _____ Second by: _____ Vote: _____

B. CONSENT AGENDA (Starred items may be approved in one motion by the Board as its first action of business under Action Items.) Routine business items are designated by an icon. Approval of the consent agenda approves each of these items. Board members may remove any item from the consent agenda by notifying the Board Chair.

Motion: Move to approve the consent agenda items, 9C-1 Payment of Bills, 9-C2 Petty Cash Report, 9-C3 Budget transfers, 9C-4 Payroll Report and 9C-5 Budget Report.

Moved by: _____ Second by: _____ Vote: _____

C. NEW BUSINESS

- ✓ **C-1 Discussion/for possible action to approve Payment of Bills - 7/20/2021.** Attachment A
Motion: Move to approve Payment of Bills - 7/20/2021.
Moved by: _____ Second by: _____ Vote: _____
- ✓ **C-2 Discussion/for possible action to approve Petty Cash Report - 7/20/2021.** Attachment B
Motion: Move to approve Petty Cash Report - 7/20/2021.
Moved by: _____ Second by: _____ Vote: _____
- ✓ **C-3 Discussion/for possible action to approve Budget transfers - 7/20/2021.** Ref. Page(s) none
Motion: Move to approve Budget transfers - 7/20/2021.
Moved by: _____ Second by: _____ Vote: _____
- ✓ **C-4 Discussion/for possible action to approve Payroll Report - 7/20/2021.** Attachment C
Motion: Move to approve Payroll Report - 7/20/2021.
Moved by: _____ Second by: _____ Vote: _____
- ✓ **C-5 Discussion/for possible action to approve Budget Report.** Attachment D
Motion: Move to approve Budget Report.
Moved by: _____ Second by: _____ Vote: _____
- C-6 Discussion/for possible action to approve Five Year Capital Improvement Plan.** Ref. Page(s) 12-15
Motion: Move to approve Five Year Capital Improvement Plan.
Moved by: _____ Second by: _____ Vote: _____
- C-7 Discussion/for possible action to approve Debt Management Plan.** Ref. Page(s) attachd
Motion: Move to approve Debt Management Plan.
Moved by: _____ Second by: _____ Vote: _____
- C-8 Discussion/for possible action to approve Indebtedness Report.** Ref. Page(s)16-20
Motion: Move to approve Indebtedness Report.
Moved by: _____ Second by: _____ Vote: _____
- C-9 Discussion/for possible action to approve Resolution Authorizing Interfund Loan.** Ref. Page(s) 21-25
Motion: Move to approve Resolution Authorizing Interfund Loan.
Moved by: _____ Second by: _____ Vote: _____
- C-10 Discussion/for possible action to approve 2.25% Cost of Living Increase for all non-union employees.** Ref. Page(s) none
Motion: Move to approve 2.25% Cost of Living Increase for all non-union employees.
Moved by: _____ Second by: _____ Vote: _____
- C-11 Discussion/for possible action to approve Capital Projects Priorities.** Ref. Page(s) none
Motion: Move to approve Capital Projects Priorities.
Moved by: _____ Second by: _____ Vote: _____

- C-12 Discussion/for possible action to approve second reading of Policy 3041-Fair Employment Practices-Rename and combine Policy 3042 into 3041 and rename to Policy 3040. Ref. Page(s) 26-28**
Motion: Move to approve second reading of Policy 3041-Fair Employment Practices-Rename and combine Policy 3042 into 3041 and rename to Policy 3040.
 Moved by: _____ Second by: _____ Vote: _____
- C-13 Discussion/for possible action to approve second reading of Policy 3043-Family and Medical Leave Act (FMLA) . Ref. Page(s) 29-36**
Motion: Move to approve second reading of Policy 3043-Family Medical Leave Act (FMLA).
 Moved by: _____ Second by: _____ Vote: _____
- C-14 Discussion/for possible action to approve second reading of Policy 3802-Sexual Harassment. Ref. Page(s) 37-39**
Motion: Move to approve second reading of Policy 3802.
 Moved by: _____ Second by: _____ Vote: _____
- C-15 Discussion/for possible action to approve accept the resignation of Elizabeth Duff, Bus Monitor and approve to fill the position. Ref. Page(s) none**
Motion: Move to approve accept the resignation of Elizabeth Duff, Bus Monitor and approve to fill the position.
 Moved by: _____ Second by: _____ Vote: _____
- C-16 Discussion/for possible action to approve Special Education teacher aide at McGillElementary 28 hours/week will be paid through Local Plan funds . Ref. Page(s) 40**
Motion: Move to approve Special Education teacher aide at McGillElementary 28 hours/week will be paid through Local Plan funds.
 Moved by: _____ Second by: _____ Vote: _____
- C-17 Discussion/for possible action to approve only WPCSD Safe Continuation of In Person Instruction Plan – July 2021. Ref. Page(s) @ mtg**
Motion: Move to approve only WPCSD Safe Continuation of In Person Instruction Plan – July 2021.
 Moved by: _____ Second by: _____ Vote: _____
- C-18 Discussion/for possible action to approve 2020-2021 NEPF Data Report. Ref. Page(s) attchd**
Motion: Move to approve 2020-2021 NEPF Data Report.
 Moved by: _____ Second by: _____ Vote: _____

9. DISCUSSION AND INFORMATION ITEMS

9-A Finance Officer Report

1. Financial Report
2. Account Operations
3. Facilities & Maintenance Update
4. SB543 Update

9-B Board Report

1. NASB Director's Report
2. Board Involvement and Committee Reports

- 9-C Superintendent's Report**
1. Staff Learning Report
2. Student Learning Report

10. STAFF COMMENT

11. PUBLIC COMMENT

12. AGENDA ITEMS – NEXT MEETING

Next Meeting: 8/3/2021– WPCSD Boardroom 1135 Avenue C, Ely, NV.

Presentations:
District

Discussion/Action:

Discussion:

13. ADJOURNMENT

Motion: Move to adjourn.

Moved by: _____ Second by: _____ Vote: _____

Notes:

Meeting agendas were posted 7/15/2021 at 9:00 a.m. at the Ely Board Room Entrance, White Pine County Court House, Ely City Hall, and the Public Safety Building.

**WHITE PINE COUNTY SCHOOL DISTRICT
BOARD OF SCHOOL TRUSTEES
WPCSD BOARD ROOM – 1135 AVENUE C – ELY, NEVADA
Tuesday, 7/20/2021**

REGULAR MEETING – 6:00 P.M.

Items on the agenda may be taken out of order; the Board of Trustees may combine two or more agenda items for consideration; and the Board of Trustees may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.

1. CALL TO ORDER; PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. PUBLIC COMMENT – A fifteen (15) minute period devoted to comments by the general public. Public Comment during the Board of School Trustees Meeting, will be for all matters within the public body's jurisdiction, control, or advisory power, both on and off the agenda and will be limited to three (3) minutes per person. Comments during Discussion and/or Action Items may not be accepted from the General Public. The Board may prohibit comment if the content of the comments are willfully disruptive of the meetings by being slanderous, offensive, inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken (NRS 241.020(2)(c)(3)).

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6:15 pm – Public Hearing – regarding:
Interfund Loans

5. CORRESPONDENCE

None

6. STUDENT REPRESENTATIVE REPORTS

7. PRESENTATIONS –

8. ACTION ITEMS

A. DISCUSSION/FOR POSSIBLE ACTION TO APPROVE MINUTES OF 6/25/2019 REGULAR MEETING.

B. CONSENT AGENDA (Starred items may be approved in one motion by the Board as its first action of business under Action Items)

C. NEW BUSINESS

- *1. Discussion/for possible action to approve Payment of Bills – 7/20/2021
- *2. Discussion/for possible action to approve Petty Cash Report – 7/20/2021
- *3. Discussion/for possible action to approve Budget transfers – 7/20/2021
- *4. Discussion/for possible action to approve Payroll Report – 7/20/2021
- *5. Discussion/for possible action to approve Budget Report – 7/20/2021
6. Discussion/for possible action to approve Five Year Capital Improvement Plan.
7. Discussion/for possible action to approve Debt Management Plan.
8. Discussion/for possible action to approve Indebtedness Report.
9. Discussion/for possible action to approve Resolution Authorizing Interfund Loan.
10. Discussion/for possible action to approve Capital Projects Priorities.
11. Discussion/for possible action to approve 2.25% Cost of Living Increase for all non-union employees.
12. Discussion/for possible action to approve second reading of Policy 3041-Fair Employment Practices-Rename and combine Policy 3042 into 3041 and rename to Policy 3040.
13. Discussion/for possible action to approve second reading of Policy 3043-Family Medical Leave Act (FMLA).
14. Discussion/for possible action to approve second reading of Policy 3802.

15. Discussion/for possible action to approve accept the resignation of Elizabeth Duff, Bus Monitor and approve to fill the position.
16. Discussion/for possible action to approve Special Education teacher aide at McGill Elementary 28 hours/week will be paid through Local Plan funds.
17. Discussion/for possible action to approve only WPCSD Safe Continuation of In Person Instruction Plan – July 2021.
18. Discussion/for possible action to approve 2020-2021 NEPF Data Report.

9. DISCUSSION/INFORMATION ITEMS

A. Finance Officer Report

1. Financial Report
2. Account Operations
3. Facilities & Maintenance Update
4. SB543 Update

B. Board Report

1. NASB Director's Report
2. Board Involvement and Committee Reports

C. Superintendent's Report

1. Staff Learning Report
2. Student Learning Report

10. STAFF COMMENT – The Board welcomes comments from staff members, limited to three (3) minutes in length. The Board may discuss those comments. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken (NRS 241.020(2)(c)(3)).

11. PUBLIC COMMENT – The Board welcomes public comment at its meetings. Comments must be limited to three (3) minutes in length. Citizens should direct questions, suggestions, and concerns to the Superintendent or a Board Member prior to the meeting. The comments may be discussed; however, the Board prefers not to answer questions during public comment.

12. AGENDA ITEMS - NEXT MEETING 8/3/2021

13. ADJOURNMENT

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify Julie Heggie, Board Secretary, in writing at 1135 Avenue C, Ely, Nevada 89301 or by calling (775) 289-4851 at least one day prior to the meeting date.

AFFIDAVIT

I, Julie Heggie, on the 15th day of July, 2021, at 9am did execute the requested distribution list and post four notices of the White Pine County Board of School Trustees Agenda in the County of White Pine; to wit:

- 1) Ely Board Room Entrance 2) White Pine County Court House 3) Ely City Hall 4) Public Safety Building

Julie Heggie

NOTES: Any open meeting may be closed by an appropriate motion, which under NRS 241.030(1) would allow the public body to consider in private the character, alleged misconduct, professional competence, or physical or mental health of a person/employee. No action may be taken during such a closed meeting. Reconvene (if necessary) open meeting from (possible) closed session action/discussion personnel.

The White Pine County School District operates without discrimination on the basis of sex, religion, national origin, age or disability in compliance with the Title VI, Title VII, Title IX, Section 504, and all other applicable civil rights legislation.

**WHITE PINE COUNTY SCHOOL DISTRICT
BOARD OF SCHOOL TRUSTEES REGULAR MEETING
MINUTES
6/29/2021**

1. CALL TO ORDER; PLEDGE OF ALLEGIANCE

A regular meeting of the Board of Trustees was held on 6/29/2021. Chair Angie McVicars called the meeting to order at 6:00 p.m. in the Board Room at White Pine County School District, Ely, Nevada.

2. ROLL CALL

BOARD MEMBERS

Angie McVicars, Chair	Candice Campeau, Vice Chair	Tasheena Sandoval, Clerk	
Amy Adams	Krystal Blades	Terri Borghoff - absent	Shella Nicholes

ADMINISTRATORS

Adam Young	Paul Johnson
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STUDENT ADVISORY MEMBERS

None

LEGAL COUNSEL

Melissa Brown

3. PUBLIC COMMENT

None

4. STAFF COMMENT

None

5. CORRESPONDENCE

Correspondence was presented on Pages 6-7 of the Expanded Agenda. No additional correspondence

6. STUDENT REPRESENTATIVE REPORTS

None

7. PRESENTATIONS

NASB Awards –No presentations

POOL/PACT Proposal – Power Point presentation

8. ACTION ITEMS

8-A DISCUSSION/FOR POSSIBLE ACTION TO APPROVE MINUTES 5/18/2021.

Krystal moved to approve the minutes of the 5/18/2021 meeting.

Amy seconded the motion and the motion passed unanimously.

8-B DISCUSSION/FOR POSSIBLE ACTION TO APPROVE CONSENT AGENDA.

Tasheena moved to approve the following consent agenda items: 8C-1 Payment of Bills, 8C-2 Petty Cash Report, 8C-3 Budget transfers, 8C-4 Payroll Report, and 8C-5 Budget Report.

Amy seconded the motion and the motion passed unanimously.

8C-6 DISCUSSION/FOR POSSIBLE ACTION TO APPROVE RENEWAL PROPOSAL FROM NEVADA PUBLIC AGENCY INSURANCE POOL (POOL)/ THE PUBLIC AGENCY COMPENSATION TRUST (PACT) AND APPROVAL FOR PAYMENT FROM THE FISCAL YEAR 2021-2022 FUNDS.

Tasheena moved to approve renewal proposal from Nevada Public Agency Insurance Pool (POOL)/ The Public Agency Compensation Trust (PACT) and approval for payment from the fiscal year 2021-2022 funds.
Krystal seconded the motion and the motion passed unanimously.

8C-7 DISCUSSION/FOR POSSIBLE ACTION TO APPROVE BUDGET AMENDMENTS, TRANSFERS AND/OR AUGMENTATIONS FOR FY 2020/21.

Candice moved to approve budget amendments, transfers and/or augmentations for FY 2020/21.
Amy seconded the motion and the motion passed unanimously.

8C-8 DISCUSSION/FOR POSSIBLE ACTION TO APPROVE A RESOLUTION TO ACKNOWLEDGE AND ACCEPT THE 2020/2021 GRANTS AND ALLOCATIONS FOR WHITE PINE COUNTY SCHOOL DISTRICT.

Candice moved to approve a resolution to acknowledge and accept the 2020/2021 grants and allocations for White Pine County School District.
Amy seconded the motion and the motion passed unanimously.

8C-9 DISCUSSION/FOR POSSIBLE ACTION TO APPROVE A RESOLUTION TO AUGMENT AND/OR AMEND THE 2021/2022 BUDGET.

Krystal moved to approve a resolution to augment and/or amend the 2021/2022 Budget.
Tasheena seconded the motion and the motion passed unanimously.

8C-10 DISCUSSION/FOR POSSIBLE ACTION TO APPROVE A RESOLUTION OF THE WHITE PINE COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES AUTHORIZING THE CREATION OF A NEW FUND.

Tasheena moved to approve a resolution of the White Pine County School District Board of Trustees authorizing the creation of a new fund.
Krystal seconded the motion and the motion passed unanimously.

8C-11 DISCUSSION/FOR POSSIBLE ACTION TO APPROVE CAPITAL PROJECTS PRIORITIES.

Tabled

8C-12 DISCUSSION/FOR POSSIBLE ACTION TO APPROVE TO FILL THE WPHS PE POSTION VACATED BY CALEB BLACKSON.

Tasheena moved to approve to fill the WPHS PE Postion vacated by Caleb Blackson.
Candice seconded the motion and the motion passed unanimously.

8C-13 DISCUSSION/FOR POSSIBLE ACTION TO APPROVE /ACCEPT THE RESIGNATIONS OF TEACHER AIDES JACLYN CAVANAUGH, WPHS AND BREANA KOCH, DEN AND APPROVE TO FILL THE POSITIONS.

Krystal moved to approve /accept the resignations of Teacher Aides Jaclyn Cavanaugh, WPHS and Breana Koch, DEN and approve to fill the positions.
Amy seconded the motion and the motion passed unanimously.

8C-14 DISCUSSION/FOR POSSIBLE ACTION TO APPROVE APPROVE /ACCEPT THE RESIGNATIONS OF TEACHERS TONYA DRAYTON AND LEIF TOKERUD, WPMS; CARYN HELLMANN, DEN; ALAN GUBLER, MHS; AND SOCIAL WORKER TODD PARRY, DEN AND APPROVE TO FILL THE POSITIONS.

Tasheena moved to approve approve /accept the resignations of Teachers Tonya Drayton and Leif Tokerud, WPMS; Caryn Hellmann, DEN; Alan Gubler, MHS; and Social Worker Todd Parry, DEN and approve to fill the positions.
Krystal seconded the motion and the motion passed unanimously.

8C-15 DISCUSSION/FOR POSSIBLE ACTION TO APPROVE GBC DUAL CREDIT COURSES: ART 107 DESIGN FUNDAMENTALS I 2-D.

Krystal moved to approve GBC dual credit courses: ART 107 Design Fundamentals I 2-D.
Candice seconded the motion and the motion passed unanimously.

8C-16 DISCUSSION/FOR POSSIBLE ACTION TO APPROVE DELETE POLICY 3040-EMPLOYEE RELATIONS.

Amy moved to approve delete Policy 3040-Employee Relations.
Krystal seconded the motion and the motion passed unanimously.

8C-17 DISCUSSION/FOR POSSIBLE ACTION TO APPROVE FIRST READING OF POLICY 3041-FAIR EMPLOYMENT PRACTICES-RENAME AND COMBINE POLICY 3042 INTO 3041 AND RENAME TO POLICY 3040.

Amy moved to approve first reading of Policy 3041-Fair Employment Practices-Rename and combine Policy 3042 into 3041 and rename to Policy 3040.
Krystal seconded the motion and the motion passed unanimously.

8C-18 DISCUSSION/FOR POSSIBLE ACTION TO APPROVE FIRST READING OF POLICY 3043-FAMILY MEDICAL LEAVE ACT (FMLA).

Amy moved to approve first reading of Policy 3043-Family Medical Leave Act (FMLA).
Krystal seconded the motion and the motion passed unanimously.

8C-19 DISCUSSION/FOR POSSIBLE ACTION TO APPROVE UPDATE TITLE OF POLICY 3051-PROHIBITED ACTIVITY.

Krystal moved to approve update title of Policy 3051-Prohibited Activity.
Amy seconded the motion and the motion passed unanimously.

8C-20 DISCUSSION/FOR POSSIBLE ACTION TO APPROVE FIRST READING OF POLICY 3802.

Tasheena moved to approve first reading of Policy 3802.
Amy seconded the motion and the motion passed unanimously.

8C-21 DISCUSSION ONLY - WPCSD SAFE CONTINUATION OF IN PERSON INSTRUCTION PLAN – JULY 2021.

Discussion only.

9. DISCUSSION AND INFORMATION ITEMS

9-A FINANCE OFFICER REPORT

Paul discussed Interfund loans, capital plans, and debit policy. Had meeting with facility staff to coordinate projects, identified equipment that may create operation efficiency. Audit coming up.

9-B BOARD REPORT

9B-1 NASB Director's Report

Shella Meeting at ranch, Paul was reappointed back to NASB, New NASB books, State superintendent did the new training, went over legislative stuff, SB249 adds funds back, SB450 Capital Improvement funding, discussed AB385 provisions relating to compensation received by public officers and employees, next board training is Sept 10 & 11 Vegas; or Oct 8 & 9 Reno training for collective bargaining.

B-2 Board Involvement and Committee Reports

Sheila – Graduations/promotions, NASB meetings, staff of the month awards, policy meeting.

Candice –graduations/promotions Magic Carpet board meeting

Amy –Promotion, graduation, meeting and workshop.

Krystal –SWIFTT Meeting-next training in September, Training NASB Vegas, Graduations/Promotions, Staff of the month awards, negotiation.

Tasheena – Graduation/promotions, policy review meeting.

Angie –Graduations/promotions, agenda meeting, 8th grade dance, softball and baseball games, All Stars.

Terri – absent

9-C SUPERINTENDENT’S REPORT

9C-2 Student Learning Report

Summer Learning positive feedback, up and coming administrative candidates has worked well.

9C-1 Staff Learning Report –

Staff has picked a new math curriculum, developing contract with WestEd, Part-time Math coach, 2 kick-off speakers for the beginning of the year, Eric Jensen August 23, John Draper August 24. Looking at ways to have inclusive/diversity discussion with students – looking for speakers. Superintendent Summit in Ely August 4-5.

10. STAFF COMMENTS

None

11. PUBLIC COMMENT

None

12. AGENDA ITEMS – NEXT MEETING

7/20/2021 – Regular Meeting – White Pine County School District Board Room, 1135 Avenue C, Ely, NV 6:00 p.m.

Presentations:
District

Discussion/Action:
Policies second reading
Capital Projects Idea
Safe Continuation
Debt Management Policy
5-Year Capital Improvement Plan

Discussion:

7:51 pm moved into executive session to discuss Negotiation with Board regarding WPACT & WPCSSO union negotiations.

13. EXECUTIVE SESSION

Negotiation with Board regarding WPACT & WPCSSO union negotiations

14. Action Item

DISCUSSION/FOR POSSIBLE ACTION TO APPROVE NEGOTIATIONS OF BOARD WITH WPACT REGARDING UNION CONTRACT.

Covid Retention Incentive \$1,000/employee and cost of living increase of 2.25%

Tasheena moved to approve negotiations of Board with WPACT regarding union contract.
Amy seconded the motion and the motion passed unanimously.

DISCUSSION/FOR POSSIBLE ACTION TO APPROVE NEGOTIATIONS OF BOARD WITH WPCSSO REGARDING UNION CONTRACT.

Covid Retention Incentive \$1,000/employee and cost of living increase of 2.25%

Tasheena moved to approve negotiations of Board with WPCSSO regarding union contract.
Amy seconded the motion and the motion passed unanimously.

15. ADJOURNMENT

It was moved by Candice and seconded by Amy to adjourn the meeting and passed unanimously.

The meeting adjourned at 8:11 p.m.

Submitted by _____
Secretary

Approved by _____
Clerk

White Pine County School District

Five-year Capital Improvement Plan

Minimum level of expenditure for items classified as capital assets: \$5,000

Minimum level of expenditure for items classified as capital project: \$25,000

P. Johnson

7/7/2020

Fund	330.000	FY2022	FY2023	FY2024	FY2025	FY2026
Building & Sites Fund						
Sources						
Annual Revenue		\$ 3,500	\$ 3,500	\$ 3,500	\$ 3,500	\$ 3,500
Miscellaneous/Unrealized Loss		(750)	(750)	(750)	(750)	(750)
Fund Balance (Estimated)		-				
Total		\$ 2,750	\$ 2,750	\$ 2,750	\$ 2,750	\$ 2,750
Capital Improvement						
Site Improvement, Repair, Maintenance		2,750	\$ 2,750	\$ 2,750	\$ 2,750	\$ 2,750
Total Building & Sites	-	2,750	\$ 2,750	2,750	2,750	2,750
Funding Source						
<p>NRS 387.177 County school district buildings and sites fund: Creation; composition; expenditures. 1. There is hereby created in each county treasury or in a separate account, if established under NRS 354.603, a fund to be designated as the county school district buildings and sites fund. 2. The county school district buildings and sites fund shall be composed of: (a) Receipts from the rentals and sales of school property. (b) Gifts to the school district for any or all of the purposes enumerated in NRS 387.335. (c) All moneys received from the Federal Government for the construction of school facilities. 3. Moneys in the county school district buildings and sites fund may be expended by the board of trustees, notwithstanding such expenditures have not been budgeted in accordance with law, only for the purposes enumerated in NRS 387.335, and no others.</p>						

White Pine County School District

P. Johnson
7/7/2020

Five-year Capital Improvement Plan

Minimum level of expenditure for items classified as capital assets: \$5,000
Minimum level of expenditure for items classified as capital project: \$25,000

Fund	300.020	FY2022	FY2023	FY2024	FY2025	FY2026
School Construction						
Sources						
	Annual Revenue	\$ -				
	Fund Balance	-				
	eRate	-				
	Transfers In					
<hr/>						
	Total	-	-	-	-	-

Capital Improvement

Capital projects will be added after the ending balance from FY2021 is rolled over to FY2022

Total School Construction	-	-	\$ -	-	-	-
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Funding Source

NRS 350.020 Submission to electors of proposal to issue general obligations; restrictions on special elections; issuance of general obligations secured by pledge of revenues and issuance of special or medium-term obligations without election; issuance of certain general obligation bonds by board of trustees of school district.

7. A question presented to the voters pursuant to subsection 4 may authorize all or a portion of the revenue generated by the debt rate which is in excess of the amount required:

- (a) For debt service in the current fiscal year;
- (b) For other purposes related to the bonds by the instrument pursuant to which the bonds were issued; and

(c) To maintain the reserve account required pursuant to subsection 5, to be transferred to the county school district's fund for capital projects established pursuant to NRS 387.328 and used to pay the cost of capital projects which can lawfully be paid from that fund. Any such transfer must not limit the ability of the school district to issue bonds during the period of voter authorization if the findings and approvals required by subsection 4 are obtained.

White Pine County School District

Five-year Capital Improvement Plan

Minimum level of expenditure for items classified as capital assets: \$5,000

Minimum level of expenditure for items classified as capital project: \$25,000

P. Johnson

7/7/2020

5. At the time of issuance of bonds authorized pursuant to subsection 4, the board of trustees shall establish a reserve account in its debt service fund for payment of the outstanding bonds of the school district. The reserve account must be established and maintained in an amount at least equal to the lesser of:

(b) For a school district located in a county whose population is less than 100,000, 50 percent,

➤ of the amount of principal and interest payments due on all of the outstanding bonds of the school district in the next fiscal year or 10 percent of the outstanding principal amount of the outstanding bonds of the school district.

NRS 387.328 Establishment; purposes; accumulation of money for specified period; source; reversion prohibited; pledge of proceeds for payment on bonds.proceeds for payment on bonds.proceeds for payment on bonds.proceeds for payment on bonds.proceeds for payment on bonds.

NRS 387.335 Issuance of general obligations by board of trustees: Authorized purposes; combining questions for voting. [Effective through June 30, 2011.]

White Pine County School District

Five-year Capital Improvement Plan

Minimum level of expenditure for items classified as capital assets: \$5,000

Minimum level of expenditure for items classified as capital project: \$25,000

P. Johnson

7/7/2020

Fund	300.050					
	Extraordinary Maint., Repair, or Improv.	FY2022	FY2023	FY2024	FY2025	FY2026
Sources						
	Annual Revenue	210,000	\$ 210,000	210,000	210,000	210,000
	Fund Balance	-				
	Total	210,000	\$ 210,000	210,000	210,000	210,000
Capital Improvement						
	Site Improvement, Repair, Maintenance	\$ 160,390	\$ 160,390	160,390	160,390	210,000
	Debt Services Transfer	49,610	\$ 49,610	\$ 49,610	\$ 49,610	
	Total Extraordinary Maintenance...	210,000	\$ 210,000	210,000	210,000	210,000

Funding Source

NRS 374A.010 Imposition of tax in certain counties; rate of tax. 1. A tax is hereby imposed on all retailers within a county in which: (a) The board of county commissioners of the county has not imposed the maximum rate of tax that it is authorized to impose pursuant to NRS 377B.100; (b) The board of trustees of a county school district has applied for a grant from the fund to assist school districts in financing capital improvements pursuant to NRS387.3335, and (c) The state board of examiners has approved the application by the board of trustees. 2. The rate of the tax imposed by subsection 1 is the difference between: (a) The rate of tax that the board of county commissioners of the county has imposed pursuant to NRS 377B.100; and (b) The maximum rate of tax that the board of county commissioners of the county is authorized to impose pursuant to NRS 377B.100, but in no event may the rate imposed by subsection 1 exceed one-eighth of 1 percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail, or stored, used or otherwise consumed, in the county. (Added to NRS by 1999, 3221)

NRS 377B.110 Mandatory provisions of ordinance. An ordinance enacted pursuant to this chapter must include provisions in substance as follows: 1. A provision imposing a tax upon retailers at the rate of not more than: (a) In a county whose population is 100,000 or more but less than 400,000, one-eighth of 1 percent; or (b) In all other counties, one-quarter of 1 percent, of the gross receipts of any retailer from the sale of all tangible personal property sold at retail, or stored, used or otherwise consumed, in the county....

INDEBTEDNESS REPORT
As of June 30, 2021
Postmark Deadline 8/01/2021



Entity: White Pine County School District

Date: June 30, 2021

DEBT MANAGEMENT COMMISSION ACT (NRS 350.013)

1. Has your local government issued any new General Obligation Bond issues since July 1, 2018? Yes No

If so, amount: _____ Date: _____

2. Has your local government approved any new Medium-Term Obligation issues since July 1, 2018? Yes No

If so, amount: _____ Date: _____

3. Has your local government updated its debt management policy? (Per NRS 350.013) **If Yes, submit updated policy with Indebtedness Report or prepare a statement discussing the following areas:** Yes No

- A. Discuss the ability of your entity to afford existing and future general obligation debt.
- B. Discuss your entity's capacity to incur future general obligation debt without exceeding the applicable debt limit.
- C. Discuss the general obligation debt per capita of your entity as compared with the average for such debt of local governments in Nevada.
- D. Discuss general obligation debt of your entity as a percentage of **assessed valuation** of all taxable property within the boundaries of your entity. (REDBOOK FY 2018-2019)
- E. Present a policy statement regarding the manner in which your entity expects to sell its debt.
- F. Discuss the sources of money projected to be available to pay existing and future general obligation debt.
- G. Discuss the operating costs and revenue sources with each project.

If No, please provide a brief explanation.

4. Has your local government updated its five-year capital improvement plan? **(Required pursuant to NRS 350.013, 354.5945 & 354.5947)** Yes No

Submitted By:

(signature)

775.289.4851 x7107

(Phone number)

SCHEDULE OF INDEBTEDNESS REPORT

For June 30, 2021
Postmark Deadline 8/1/2021



Entity: White Pine County School District

CHECK HERE IF YOUR ENTITY HAS NO OUTSTANDING DEBT

GENERAL OBLIGATION BONDS

1. General obligation	<u>5,915,000</u>
2. General obligation/revenue	<u> </u>
3. General obligation special assessment	<u> </u>
Total general obligation bonded debt	<u>5,915,000</u>

MEDIUM-TERM OBLIGATIONS

1. General Obligation bonds	<u>282,000</u>
2. Negotiable notes or bonds	<u> </u>
3. Capital lease purchases	<u> </u>
Total medium-term obligation debt	<u>282,000</u>

REVENUE BONDS

OTHER DEBT

1. Capital lease purchases-MTO not required or prior to law change	<u>0</u>
2. Mortgages	<u> </u>
3. Warrants	<u> </u>
4. Special Assessments	<u> </u>
5. Other (specify) _____	
6. Other (specify) _____	
Total other debt	<u>0</u>

TOTAL INDEBTEDNESS

6,197,000

Authorized but unissued general obligation bonds

Note: Please explain and provide documentation for any differences between the amounts reported on this **schedule** and those reported on **Schedule C-1** of your **Final Fiscal Year 2020-2021 budget**.



Entity: White Pine County School District

For the next five years, list the total dollar requirement for principal and interest broken down for each type of indebtedness the entity currently has outstanding.

	<u>2021-2022</u>	<u>2022-2023</u>	<u>2023-2024</u>	<u>2024-2025</u>	<u>2025-2026</u>
<u>General Obligation Bonds</u>					
G/O Bonds	576,230	574,980	573,430	576,580	574,280
G/O Revenue					
G/O Special Assessment					
<u>Medium-Term Obligation</u>					
G/O Bonds	193,572	96,363	-	-	-
Notes/Bonds					
Leases/ Purchases					
<u>Revenue Bonds</u>					
<u>Other Debt</u>					
Other Lease Purchases	-	-			
Mortgages					
Warrants					
Special Assessments					
Other Debt					
TOTAL	\$ 769,802	\$ 671,343	\$ 573,430	\$ 576,580	\$ 574,280



SCHEDULE OF DEBT REPAYMENT

As of June 30, 2021

Postmark Deadline 8/1/2021

The repayment schedules should start with the payment of principal and interest due after June 30, 2021 and continue until any particular issue is retired.

White Pine County School District
Schedule of Debt Repayment FY 2022 - 2034

FY Ended 30-Jun	Refunding Bonds 2014 Series		Zion's Public Finance 2/22/2013 \$2,514,000		Total Principal	Total Interest	Total Debt	Long-term G. O. Voter Approved
	Principal	Interest	Medium Term Obligation Installment Purchase Carson River/Heritage Bk \$1,750,000.00 9/18/2008 5% Principal Interest (Refinanced 2/22/2013)					
2022	375,000	201,230	187,000	6,572	562,000	207,802	769,802	576,230
2023	385,000	189,980	95,000	1,363	480,000	191,343	671,343	574,980
2024	395,000	178,430			395,000	178,430	573,430	573,430
2025	410,000	166,580			410,000	166,580	576,580	576,580
2026	420,000	154,280			420,000	154,280	574,280	574,280
2027	435,000	141,680			435,000	141,680	576,680	576,680
2028	450,000	128,630			450,000	128,630	578,630	578,630
2029	465,000	110,630			465,000	110,630	575,630	575,630
2030	480,000	95,750			480,000	95,750	575,750	575,750
2031	495,000	78,950			495,000	78,950	573,950	573,950
2032	515,000	61,625			515,000	61,625	576,625	576,625
2033	535,000	43,600			535,000	43,600	578,600	578,600
2034	555,000	22,200			555,000	22,200	577,200	577,200
Total	5,915,000	1,573,565	282,000	7,935	6,197,000	1,581,500	7,778,500	7,488,565

Notice of Public Hearing Interfund Loans

Notice is hereby given that the White Pine County School District will hold a public hearing at a regular meeting to be held on Tuesday, July 20, 2021 at 6:15 pm at the conference room at 1135 Avenue C, Ely, Nevada to act upon a Resolution Authorizing an interfund loan from the General Fund in the approximate amount of \$2,704,468.

The interfund loan is to be repaid from the proceeds, revenue and grant funds that are expected to be received after the fiscal year-end. The interfund loan will be paid back to the General Fund no later than 1 year from the date of borrowing and will include interest in the rate of 0%.

All persons are invited to attend and be heard regarding the proposed action. Prior to the hearing, written comments may be filed with the Clerk and will be considered.

Publish in the 7/16 edition

Now, therefore, be it resolved the Board of School Trustees of the White Pine County School District proposes to loan from the General Fund (FY2021) the amount of \$2,704,468.02 to the following funds:

White Pine County School District					
Schedule of Cash Balances and Interfund Loans					
As of June 30, 2021					
Fun	Projec	Bal	Description	6/30/2021 Ending Balance	Interfund Loan
100	000	101	General Fund	661,962.50	
100	000	102	General Fund	30,000.00	
100	000	103	General Fund	15,000.00	
100	000	110	General Fund	7,072,286.95	(2,704,468.02)
230	229	101	Adult High School Education Program - Prison	(167,447.91)	167,447.91
230	231	101	Adult High School Education Program - Regular	(20,542.99)	20,542.99
240	207	101	NV Pre-K Education Program / Early Childhood Ed.	(76,204.26)	76,204.26
240	243	101	SB 515 Social Worker/Mental Health	(65,277.14)	65,277.14
240	245	101	AB 580-Sec 39 Cert Licensed Speech Path (salary)	(6,913.48)	6,913.48
240	258	101	Facility School Improvements	(123,760.00)	123,760.00
240	280	101	SB178 New NV Education Funding Plan	(55,478.77)	55,478.77
240	300	101	CTE State Formula Funds	(9,427.74)	9,427.74
240	308	101	CTE State Competitive Grant	(61,076.25)	61,076.25
250	000	101	Special Education	(273,611.65)	273,611.65
250	201	101	Special Education	(152,280.78)	152,280.78
260	088	101	Donation Fund	(9,015.83)	9,015.83
260	089	101	Donation Fund	(6.41)	6.41
280	340	101	AB 3 - COVID 19	(2,273.46)	2,273.46
280	406	101	REAP - SRSA	(15,669.00)	15,669.00
280	407	101	USDA Rural Devloment - Community	(34,949.25)	34,949.25
280	624	101	Title I - School Improvement, 1003(a)	(953,457.05)	953,457.05
280	631	101	Carl Perkins Title I Basic Grant - Career & Tech	(2,123.94)	2,123.94
280	633	101	IASA Title I-Part A pupils meeting High Standards	(123,577.61)	123,577.61
280	636	101	Carl Perkins Articulation Reserve	(6,715.60)	6,715.60
280	639	101	IDEA Part B, Local Plan	(29,702.01)	29,702.01
280	665	101	IDEA Part B, Early Childhood Special Ed Flow-thru	(6,420.59)	6,420.59
280	709	101	Title II, Part A - Improving Teacher Quality	(6,790.06)	6,790.06
280	715	101	Title IVA Student Support and Academic Achievement	(14,720.50)	14,720.50
280	740	101	CARES Act (Elementary & Secondary Schools	(140,216.75)	140,216.75
280	741	101	CARES Act (Elementary & Secondary Schools	(4,387.01)	4,387.01
280	744	101	CARES Act - ESSEER Funding	(91,000.00)	91,000.00
280	749	101	GEER - Cares/Governor's Emergency Education Relief	(7,380.16)	7,380.16
281	624	101	Title I - School Improvement 1003(a)	(3,723.54)	3,723.54
281	715	101	Title IVA Student Support and Academic Achievement	(20,544.00)	20,544.00
290	000	101	Nutrition Program	(301.95)	301.95
290	800	101	Nutrition Program	(37,615.87)	37,615.87
290	801	101	Nutrition Program	(28,558.70)	28,558.70
290	808	101	Nutrition Program	(2,577.15)	2,577.15
300	020	101	School Construction	(150,720.61)	150,720.61

White Pine County School District Resolution Authorizing Interfund Loan

Whereas, the Board of School Trustees of the White Pine County School District, at a regular meeting held on Tuesday, July 20, 2021, determined that the public interest requires an interfund loan within the White Pine County School District, State of Nevada, and the following findings of fact determine this:

- A. The final revenue for programs with a negative cash balance on Exhibit A, will be received after the fiscal year end:

(Refer to Exhibit A: White Pine County School District
Schedule of Interfund Loans
For the fiscal year ended June 30, 2021)

- B. The final remittances for the funds referenced in Exhibit A will be received within 12 months after June 30, 2021;
- C. The loan will not in any way have an adverse or deleterious effect upon the fund from which the money will be obtained to make the loan;
- D. The loan is not contrary to any regulation, agreement, ordinance, statute, or other related requirement;
- E. The loan is not made from any debt service fund, sale of bonds, or from any fund established or maintained as a fund dedicated to the payment of bonded debt and interest;
- F. The loan will be repaid within 12 months following the month in which the loan was made;
- G. The loan will bear an interest rate of 0%;
- H. The amounts contained in the column entitled "Interfund Loans" on Exhibit A are estimates and represent the maximum loan amounts required for each fund. The loans may be adjusted to account for revenue and expenditures that occurred after the date of the report.

The purpose of the interfund loan is to cover budgeted expenditures until the final remittances are received for the programs referenced above. Upon receipt of the final remittances, the loans will be repaid.

It is further resolved that the District Office will forward the necessary documents to the Nevada Department of Taxation.

Passed and adopted this 20th day of July 2021 by the governing body consisting of six members. Ayes: . Noes: . Proxy: .

Angela McVicars, Chairperson

Tasheena Cooke, Clerk

NAC354.290. Temporary interfund loans: Conditions; interest.

1. Unless otherwise prohibited by law, the governing body of a local government may make a temporary interfund loan if:

(a) The governing body complies with the provisions of [NRS 354.6118](#);

(b) Any money for the loan which is obtained from the proceeds from the sale of a bond is used only for the purposes set forth in the bond ordinances;

(c) The loan is not made from any debt service fund or from any fund established or maintained as a fund dedicated to the payment of bonded debt and interest;

(d) The resolution authorizing the loan specifies whether interest will be charged and the rate thereof, if any;

(e) It is agreed in writing that the loan must be repaid within 1 year after the date on which the loan was made;

(f) A copy of the resolution authorizing the loan is filed with the Department; and

(g) The governing body agrees to notify the Department when the loan has been repaid.

2. If the resolution authorizing the making of a temporary interfund loan does not specify whether interest will be charged as required pursuant to paragraph (d) of subsection 1, no interest may be charged.

3. As used in this section:

(a) "Component unit" means a separate legal entity from a local government whose financial statements must be included in the annual audit of that local government conducted pursuant to [NRS 354.624](#).

(b) "Temporary interfund loan" means a loan of money for a term of less than 1 year from a fund to meet an immediate obligation of another fund in advance of receipt by the borrowing fund of sufficient revenues from regular sources, including such a loan from a fund of:

(1) A local government to:

(I) Another fund of that local government;

(II) A fund of a component unit of that local government;

(III) A fund of another local government; or

(IV) A fund of a component unit of another local government; and

(2) A component unit of a local government to:

(I) Another fund of that component unit;

(II) A fund of another component unit of that local government;

(III) A fund of that local government or of another local government; or

(IV) A fund of a component unit of another local government.

(Added to NAC by Com. on Local Gov't Finance by R135-10, eff. 12-16-2010)

The District recognizes the fundamental rights of applicants and employees to be assessed on the basis of merit. Recognition of seniority and current employment with the District may also be considered. Therefore, it is the policy of the District to provide equal employment opportunity for all applicants and employees. The District does not sanction or tolerate discrimination in any form on the basis of race, color, religion, age, gender, gender identity or expression, sexual orientation, pregnancy, domestic partnerships, genetic information, political affiliation, national origin, ancestry, disability, membership in the Nevada National Guard or veteran status.

The District will

1. Recruit, hire, train, and promote for all job classifications without regard to race, color, religion, age, gender, gender identity or expression, sexual orientation, pregnancy, domestic partnerships, genetic information, political affiliation, national origin, ancestry, disability, membership in the Nevada National Guard, as well as to ensure that all compensation, benefits, transfers, layoffs, return from layoffs, District-sponsored training, social, and recreation programs will be administered in conformance with the District's policy.
2. Comply with all applicable laws prohibiting discrimination in employment including Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Equal Employment Opportunity Act of 1972, the Immigration Reform and Control Act of 1986, the Americans with Disabilities Act of 1990, the applicable Nevada Revised Statutes on Equal Employment Opportunity (NRS 613), and any other applicable federal, state, and local statutory provisions.
3. Provide reasonable accommodation wherever the need for such is known by the District and/or the applicant or employee indicates a need for such reasonable accommodation, provided that the individual is otherwise qualified to perform the essential functions of the assigned job and the employee's performance of the assigned job duties does not pose a threat to the safety of him/herself or others.
4. Hold all administrators or managers/supervisors responsible for ensuring that personnel policies, guidelines, practices, procedures, and activities are in compliance with federal and state fair employment practices, statutes, rules, and regulations.

This applies to all persons involved in the operation of the District and prohibits harassment or discrimination by any employee, including supervisors and coworkers, customers or clients of the District, and any vendor or other service provider with whom the District has a business relationship. The District will not tolerate instances of harassment or discrimination, whether or not such behavior meets the threshold of unlawful conduct. While single incidents of alleged harassment or discrimination may not be sufficiently severe or pervasive to rise to the level of being a violation of the law, the District nevertheless prohibits such conduct and may impose appropriate disciplinary action against any employee engaging in such.

1. Equal Employment Opportunity Officer Designated

The primary responsibility for ensuring fair employment practices for the District are promoted and adhered to is the responsibility of the Board of Trustees, Superintendent and/or designee.

2. Illegal Harassment

- a. Definition

Illegal harassment is considered a form of discrimination and is defined as any conduct directed toward another because of that person's race, color, religion, age, gender, gender identity or expression, sexual orientation, pregnancy, domestic partnerships, genetic information, political affiliation, national origin, ancestry, disability, membership in the Nevada National Guard or veteran status., or any other basis that is inappropriate or offensive as determined by using a reasonable person standard. The "reasonable person" standard considers whether a reasonable person would find the behavior or conduct in question offensive.

- b. Prohibited Conduct

The District will not tolerate any form of illegal harassment, including any behavior on the part of students, employees, clients, customers, vendors, etc., that impairs an employee's ability to perform his/her duties. Examples of illegal harassment include, but are not limited to

- i. Verbal conduct such as epithets, derogatory comments, slurs, unwanted sexual advances, invitations, sexually degrading or suggestive words or comments made in person, in writing, via the telephone or electronic means.
- ii. Visual conduct such as derogatory posters, notices, photography, cartoons, drawings, leering, making sexual gestures, or displaying sexually suggestive objects or pictures.
- iii. Physical conduct, such as unwanted touching, impeding or blocking normal movement, or interfering with work or movement.
- iv. Threats or demands, either direct or veiled, to submit to sexual requests in order to keep a job or avoid some job-related loss, and offers of job benefits in return for sexual favors.
- v. Retaliation for opposing, reporting, or threatening to report harassment; assisting another employee in filing an illegal harassment complaint; or for participating in a harassment investigation, proceeding, or hearing.

3. Dealing with Allegations of Discrimination and/or Illegal Harassment

a. Process

Employees or applicants who believe they are being discriminated against or subjected to any form of illegal harassment by another (e.g., employee, student, parent, volunteer, vendor, contractor of the District) because of race, color, religion, age, gender, gender identity or expression, sexual orientation, pregnancy, domestic partnerships, genetic information, political affiliation, national origin, ancestry, disability, membership in the Nevada National Guard or veteran status, as well as those who believe they have witnessed another employee, client, or member of the public being subjected to discrimination and/or harassing behavior, have an affirmative duty to bring the situation to the attention of the District.

Employees covered by a collective bargaining agreement may opt to use the process described in this policy or in the applicable grievance procedure delineated in the applicable collective bargaining agreement, but may not use both. Upon hire, employees will be provided a copy of this policy, as well as the opportunity to discuss the policy during the new hire orientation process. In addition, a copy of this policy will be made available to applicants upon request.

b. Employee Responsibilities

Employees who believe they personally are being or have been subjected to discriminatory action and/or are the target of any form of illegal harassment or have witnessed any other employee being subjected to discrimination or harassment should immediately

- i. Identify the offensive behavior to the alleged harasser and request that the harasser cease the conduct.
- ii. If the employee feels uncomfortable in speaking directly to the alleged harasser or if the employee requested the harassing behavior to cease, but the request did not produce the results desired, the employee should report the conduct as soon as possible to an administrator or manager/supervisor.
- iii. Employees who believe the individual(s) in section ii have engaged in discriminatory or harassing conduct should bring such concerns to the attention of the superintendent or designee. The superintendent or designee will assign an objective person to conduct an investigation of such allegations. Employees may also report the conduct to the Board or the District's attorney.

c. Administrator or Manager Responsibilities

Regardless of whether the employee involved is in the administrator's or manager's/supervisor's department and regardless of how s/he became aware of the alleged discriminatory and/or harassing conduct, all administrators or managers/supervisors must immediately report all allegations, complaints of discrimination, illegal harassment, or observations of such conduct to the superintendent or designee. An administrator's or manager's/supervisor's failure to immediately report such activities, complaints, or allegations will result in discipline, up to and including possible termination.

4. Reporting Requirements

- a. An administrator or manager/supervisor who receives information about, or is a witness to, any discriminatory or harassing action, communication, or conduct by an employee, vendor, parent or member of the public,

which violates the District's policies or the law, is required to report this information to the superintendent or designee immediately. The information reported must include:

- i. The persons(s) involved, including all witnesses.
 - ii. A written record of specific conversations held with the accused and any witnesses.
 - iii. All pertinent facts, including date(s), time(s), and locations(s).
- b. An administrator or manager/supervisor is required to report this information to his/her immediate administrator or manager/supervisor and may not conduct a formal investigation, release findings, or administer discipline prior to this disclosure and without specific authorization to do so.
- c. An employee who witnesses or obtains information regarding illegal discriminatory or harassing conduct by his/her immediate administrator or manager/supervisor is required to report the incident to that individual's administrator or manager/supervisor.
- d. Investigation

Upon being made aware of allegations or complaints of discriminatory conduct and/or illegal harassment, the District will ensure that such allegations or complaints are investigated promptly. The District treats all allegations or complaints of discrimination or illegal harassment seriously and expects all employees to be candid and truthful during the investigation process.

The District will make efforts to ensure that all investigations are kept as confidential as reasonably possible. Due to the sensitive nature of investigations involving illegal harassment, employees will be strongly advised to refrain from discussing the subject content with others, particularly while the investigation is in progress. Employees may be required to provide information to regulatory agencies and/or the employee's union representative or attorney. The District will release information obtained only to those individuals necessarily involved in the investigation and the administration of the complaint or as required by law.

The individual who made the initial complaint, as well as the individual against whom the complaint was made, will be made aware of the final determination by the District.

If evidence arises that a participant in the investigation made intentionally false statements, that employee will be disciplined, up to and including possible termination.

If it is determined that discrimination and/or illegal harassment has occurred, the District will take remedial action against the perpetrator commensurate with the severity of the offense. Such remedial action may include, but is not limited to, a verbal and/or written reprimand, counseling, transfer, suspension without pay, and/or termination. The District will also initiate action to deter any future discrimination or harassment from occurring.

With regard to disability-related complaints, the superintendent or designee (when appropriate, working with the District's attorney and/or the complainant) shall propose a resolution to the complaint based upon the findings of such investigation. Such resolution will include reasonable accommodation when the District determines that such a reasonable accommodation can be provided.

e. Training

The District will provide periodic training on the prevention of discrimination and illegal harassment to all employees. The District will provide new employees a copy of this policy upon hire and discuss the contents during the new hire orientation process.

5. Prohibition against Retaliation

The District will not tolerate any retaliation by administrators/supervisors or coworkers against an employee who exercises his/her rights under this policy. Any employee who believes s/he has been retaliated or discriminated against in any manner as a result of having filed a complaint, assisted another employee in filing a complaint, or participated in an investigative process should immediately notify the SUPERINTENDENT OR DESIGNEE Officer or the alternate. The District will promptly investigate and deal appropriately with any allegation of retaliation.

As a public employer, the District is covered under the Family and Medical Leave Act (FMLA), will comply with the requirements of the FMLA, and will advise employees if they meet all the FMLA eligibility requirements. District must provide employees Form WHD-1420 - *Employee Rights and Responsibilities Under the Family and Medical Leave Act* and is also required to post and keep posted this notice in a conspicuous place that can readily be seen by employees and applicants alike, even if no employees are eligible.

1. Eligibility

Employees who have been employed by the District for a total of 12 months and have worked for the District at least 1,250 hours during the preceding 12-month period and are employed at a work site where 50 or more employees work for the District within 75-surface miles of that work site are eligible for FMLA leave. Employees at a rural school are not eligible for FMLA leave if that rural school has fewer than 50 employees and there are no other schools within the District's jurisdiction within 75-surface miles. When the 1,250 hours are calculated, the hours an employee was on leave, even if that leave was paid, do not count toward the 1,250 hours worked. However, an employee who has a military service obligation must be credited with the hours of service that would have been performed, but for the period of military service. The required 12 months of employment need not be consecutive. There may be a break in service as long as it does not exceed seven years. There is an exception to the seven-year condition for USERRA-covered military service or written agreements. All employees meeting the above qualifications qualify for FMLA, regardless of their seasonal, temporary, or other, status.

2. Compensation During Leave

FMLA leave will be unpaid leave unless the employee has accrued paid leave and is otherwise eligible to use the leave. An employee on FMLA leave must use all of his/her accrued paid sick (if it qualifies under District's sick leave use requirements), annual, compensatory time, and personal leave concurrently with FMLA leave. (See the applicable collective bargaining agreement for any alternate provisions which may apply.) When substituting accrued paid leave, the employee must comply with the District's procedural requirements, terms, and conditions of the paid leave policy as appropriate; the remainder of the leave period will then consist of unpaid FMLA leave. Employees will be made aware that they are required to use sick, annual, compensatory time, and personal leave as appropriate, in the rights and responsibilities notice Form WH-381: Notice of Eligibility and Rights & Responsibilities. When employee is receiving Temporary Total Disability (TTD) benefits under workers' compensation, the employee and **employer** may agree to substitute paid leave concurrently if available to supplement the portion of the employee's pay not covered by Workers' Compensation (see Workers' Compensation policy).

3. Intermittent or Reduced-Schedule Leave

When medically necessary (as distinguished from voluntary treatments and procedures) or for any qualifying exigency or caregiver leave, leave may be taken on an intermittent or reduced-schedule basis. Leave for bonding with a healthy newborn or placement of a healthy child for adoption or foster care is not considered medically necessary and, therefore, may not be taken on a reduced schedule or intermittent basis unless agreed to by the District. Employees needing intermittent leave or reduced-schedule leave must make a reasonable effort to schedule their leave so as not to disrupt unduly the District's operations. If leave is foreseeable, the District may require an employee on intermittent leave or reduced schedule leave to temporarily transfer to an available alternative position for which the employee is qualified if the position has equivalent pay and benefits and better accommodates the employee's intermittent or reduced-schedule leave. Intermittent leave and reduced-schedule leave reduces the 12-week entitlement only by the actual time used. When an employee who was transferred, no longer needs intermittent or reduced schedule leave, the employee must be placed in the same or equivalent position held prior to when the leave commenced.

Note: FMLA leave that is taken for a period that ends with the school year and begins the next semester is considered consecutive rather than intermittent leave. The District will not count the period during the summer vacation when the employee would not have been required to report for duty against the employee's FMLA leave entitlement.

4. Special Rules for Instructional Employees

The following applies only to instructional employees such as teachers, athletic coaches, driving instructors, and special education assistants whose principle function is to teach and instruct students in a class, small group, or individual setting. It does not apply to teacher assistants, cafeteria workers, counselors, maintenance workers, bus drivers, or other non-instructional employees.

a. Intermittent or Reduced-Schedule Leave

If intermittent leave or reduced-schedule leave is foreseeable and the employee would be on leave for more than 20% of the total number of working days covered by the leave period, the District may require the employee to choose either to take the leave for a period of particular duration, not greater than the duration of the planned treatment, or to transfer temporarily to an available alternative position for which the employee is qualified, which has equivalent pay and benefits and which better accommodates the period of leave than does the employee's regular position.

If an instructional employee does not give required notice of foreseeable FMLA leave to be taken intermittently or on a reduced schedule, the District may require the employee to take leave of a particular duration or to transfer temporarily to an alternative position. Alternatively, the District may require the employee to delay the taking of leave until the notice provision is met. Employees who would be on leave for less than 20% of the total number of working days covered by the leave period are not eligible for transfer to an alternative position.

b. Leave Taken Near the End of Academic Term

The District may require an instructional employee who begins leave more than five weeks prior to the end of the term to remain on leave until the end of the term if:

- i. The leave period lasts at least three (3) weeks; and
- ii. The employee's return would occur during the three-week period immediately preceding the end of the term

When the leave is for other than the employee's own serious health condition and

- i. The leave would occur within the five-week period immediately preceding the end of the term;
- ii. The leave would last for longer than two weeks; and
- iii. The employee would return within the two-week period immediately preceding the end of the term, the District may require the employee to remain on leave until the end of the term.

When the leave is for other than the employee's own serious health condition and

- i. The leave would occur within the three-week period immediately preceding the end of the term; and
- ii. Last more than five working days, the District may require the employee to remain on leave until the end of the term.

If the employee is required to remain on leave until the end of the term, the District may charge only the period of time until the employee is able to return to work against his/her leave entitlement.

The District will provide instructional employees who are on FMLA leave at the end of the school year any benefits over the summer vacation that employees would normally receive if they had been working at the end of the school year.

5. Duration of and Reasons for Leave

Any eligible employee, as defined above, may be granted a total of 12 weeks of unpaid FMLA leave (which can run concurrent with paid leave) during a rolling 12-month period (see exception for Military Caregiver Leave as provided in section 6 below). This period is measured backward from the date an employee uses any FMLA leave. [SN1] A "week" is defined as a calendar week, regardless of the number of days the employee normally works. Twelve weeks does not entitle the employee working three days a week to 60 leave days, but rather 12 weeks. FMLA leave may be granted for the following reasons:

- a. The birth of the employee's child and in order to care for the newborn child;
- b. The placement of a child with the employee for adoption or foster care;
- c. To care for the employee's spouse, child, or parent who has a serious health condition;
- d. An employee's own serious health condition that prevents the employee from performing one or more of the essential functions of his/her job. Serious health conditions may include conditions resulting from job-related injuries and/or illnesses, including time an employee is receiving lost time compensation; or

- e. Due to a qualifying exigency arising when an employee's spouse, son, daughter, or parent is a military member on covered active duty or has been notified of an impending call to covered active duty.
6. Conditions for Leave
- a. Serious Health Condition - A serious health condition is an illness, injury, impairment, or physical or mental condition of incapacity or treatment that involves:
 - i. Inpatient care (overnight stay) in a hospital, hospice, or residential medical care facility.
 - ii. Continuing treatment by (or under the supervision of) a health care provider for a period of incapacity of more than three consecutive full calendar days, combined with at least two visits to a health care provider within 30 days of the first day of incapacity or one visit to a health care provider requiring a regimen of continuing treatment, e.g., prescription medication.
 - b. Exigency Leave:
 - i. Short-term notice deployment (deployment in seven or less calendar days)
 - ii. Military events and activities
Childcare and school activities
 - iii. Family support or assistance programs
 - iv. Financial and legal arrangements
 - v. Counseling
 - vi. Service Member's rest and recuperation leave (limited to 15 calendar days for each instance).
 - c. Post-deployment activities
 - d. Parental leave for the spouse, son, daughter, or parent of a military member to care for the military member's parent who is incapable of self-care.
 - e. Additional activities arising out of active duty that the District and employee agree upon
 - f. Covered Active Duty:
 - i. In the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country
 - ii. In the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in support of a contingency operation.
 - g. Limitation of Leave
The entitlement to FMLA leave for the birth or placement of a child for adoption or foster care will expire 12 months from the date of the birth or placement. If both an employee and his/her spouse are employed by the District, their combined time off may not exceed 12 weeks during any 12-month period for the birth, adoption, or foster care of a child, or the care of a parent with a serious health condition. Each spouse is, however, eligible for the full 12 weeks within a 12-month period for his/her own serious health condition, or to care for a son, daughter, or spouse with a serious health condition.

Employees may not take more than a combined total of 12 weeks in a 12-month period for all FMLA qualifying reasons listed above in Section GBC2. Item 6b. (Match WPCSD numbering)

7. Military Caregiver Leave
- a. Policy
An eligible employee, as defined in Section GBC2. Item 1 above, (Match WPCSD numbering) may be granted a total of 26 weeks of unpaid FMLA leave (which can run concurrent with paid leave) during a 12-month period to provide caregiver leave for a seriously ill or injured covered servicemember or veteran who is the employee's spouse, son, daughter, parent next of kin. This period is always measured forward from the date an employee takes FMLA leave to care for the covered servicemember or veteran and ends 12 months after that date.
 - b. Eligibility
The Covered Servicemember under the Military Caregiver leave must be:
 - i. A current member of the Armed Forces, (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness that:
 - ii. Was incurred by the covered servicemember in the line of duty on active duty in the Armed Forces, or

- iii. Existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces, and
- iv. May render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.

A covered veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves), and was discharged or released under conditions other than dishonorable at any time during the five-year period* prior to the first date the eligible employee takes FMLA leave to care for the covered veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and manifested itself before or after the member became a veteran, and is:

- i. A continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating; or
- ii. A physical or mental condition for which the covered veteran has received a U.S. Department of Veteran Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or
- iii. A physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
- iv. An injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veteran Affairs Program of Comprehensive Assistance for Family Caregivers.

*The period between 10-28-09 and 3-8-13 is excluded in the determination of the five-year period.

c. Limitations of Leave

Employees cannot take more than a combined total of 26 weeks for military caregiver leave or because of other FMLA qualifying reasons as provided in Section GBC2. Item 6. A husband and wife both working for the same District are limited to a combined total of 26 weeks of FMLA military caregiver leave.

d. Notice of Leave

An employee intending to take FMLA leave because of an expected birth, placement for adoption or foster care, planned medical treatment for a serious health condition of the employee or family member, or the planned medical treatment for serious illness or injury of a covered servicemember shall provide notice for such leave at least 30 days before the leave is to begin. If a requested leave will begin in less than 30 days, the employee must give notice to his/her immediate supervisor as soon as the necessity for the leave is known. Reasonable advance notice is required for all leaves, even if the event necessitating the leave is not foreseeable. If an employee gives less than 30 days' notice, the District may require an explanation. For foreseeable leave due to a qualifying exigency, notice must be provided as soon as practicable.

Within five business days (absent extenuating circumstances) of receiving notice that: 1) an employee requests to use FMLA leave, or 2) the District acquires knowledge that a leave may be for a FMLA-qualifying reason, the District will complete *Form WH-381 Notice of Eligibility and Rights and Responsibilities*. Completion of this form will designate if an employee is eligible for FMLA or if an employee is not eligible, the reason(s) why s/he is not eligible. The form will designate if the employee is required to obtain certification related to medical conditions and/or required family relationships. The District may require the use of FMLA leave for any absence which would otherwise qualify as FMLA leave, even if no formal application for such leave was made by the employee, provided notice is given to the employee.

8. Certification of Leave

a. Serious health condition

A request for leave based on the serious health condition of the employee or the employee's spouse, child, or parent must be supported by completion of Form WH-380-E Certification of Health Care Provider for Employee's Serious Health Condition or Form WH-380-F Certification of Health Care Provider for Family Member's Serious Health Condition completed by the health care provider. (Note: Attach the employee's current job description to Form 380-E when it is sent to the employee's health care provider.) The Certification of Health Care Provider form must be completed and returned by the employee within 15 calendar days, absent extenuating circumstances.

b. Exigency Leave

Employees requesting FMLA leave for qualifying exigency are required to complete Form WH-384 Certification of Qualifying Exigency for Military Family Leave and provide a copy of the military member's active duty orders or other documentation issued by the military that indicates that the military member is on covered active duty or call to covered active duty status.

c. Caregiver Leave

Employees requesting FMLA leave for military caregiver leave are required to complete Form WH-385 Certification of Serious Injury or Illness of Covered Servicemember for Military Family Leave or WH-385-V Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave within 15-calendar days, absent extenuating circumstances. Employees may also submit invitational travel orders (ITOs) or invitational travel authorizations (ITAs) issued to any family member to join an injured or ill servicemember at his/her bedside in lieu of forms WH-385 or WH-385-V.

d. Incomplete or Insufficient Certification (cure period)

If a certification is incomplete or insufficient, the employee will be given seven calendar days (unless not practicable under the particular circumstances despite the employee's diligent good faith efforts) to cure any such deficiency. If the deficiencies specified by the District are not cured in the resubmitted certification, the District may deny the taking of FMLA leave. A certification that is not returned to the District is not considered incomplete or insufficient, but constitutes a failure to provide certification.

e. Clarification or Authentication of Certification

District may contact the employee's health care provider for the purpose of clarification or authentication after giving the employee an opportunity to clarify specific discrepancies. Only _____ [SN2] may contact the health care provider.

f. Second or Third Opinions

If the District questions the validity of the certification, the District may require, at its expense, the employee obtain a second opinion from a health care provider designated by the District. If the second opinion conflicts with the original opinion, the District may require, at its expense, that the employee obtain the opinion of a third health care provider designated or approved jointly by the District and the employee. This third opinion will be considered final and binding on both parties.

Second and third opinions are not permitted for leave to care for a covered servicemember when the certification has been completed by a Department of Defense or Department of Veteran Affairs health care provider. However, second and third opinions are permitted when the certification has been completed by other health care providers as provided for by law.

Second and third opinions are not allowed on a fitness-for-duty certification.

g. Recertification

In instances where the minimum duration of leave anticipated by the original certification is more than 30 days, the District may require the employee to recertify that the original medical condition still exists. Such requests can be made no more frequently than the minimum duration of the leave requested (e.g., 40 days) or once every six months in connection with an absence.

In situations in which the minimum duration of leave anticipated by the original certification is less than 30 days, the District may request recertification if the employee requests an extension of leave, the circumstances described by the original certification have changed significantly, or the District receives information casting doubt upon the continuing validity of the certification.

Recertifications are not permitted for leave to care for a covered servicemember.

h. Annual Medical Certification

The District may require the employee to provide new medical certification, not recertification, for his/her first FMLA-related absence in a new 12-month leave year.

9. Designation Notice

Within five business days (absent extenuating circumstances) of receipt of all required information, the District will make a determination if employee's request for leave is for an FMLA-qualifying reason. The District will complete FMLA Form WH-382 - Designation Notice indicating if leave is approved or not and provide to employees.

If the District cannot make a determination from the information provided, they will use this form to:

- Indicate the information presented is incomplete or insufficient and provide the employee seven calendar days to provide complete information (cure period).
- Provide notice to an employee if a second or third medical certification is required.

District may also use this form to designate a fitness-for-duty certificate which will be required prior to returning to work.

10. Benefits Coverage During Leave

During a period of FMLA leave, an employee will be retained on the District's health plan under the same conditions that would apply if the employee were not on FMLA leave. To continue health coverage, the employee must continue to make any contributions that s/he would otherwise be required to make. Failure of the employee to pay his/her share of the health insurance premium may result in loss of coverage.

If the employee fails to return to work after the expiration of the FMLA leave, the employee may be required to reimburse the District for payment of health insurance premiums during the leave unless the reason the employee cannot return is due to circumstances beyond the employee's control. The definition of "beyond the employee's control" includes a large variety of situations such as: the employee being subject to layoff; continuation, recurrence, or the onset of an FMLA-qualifying event; or the employee's spouse's unexpected work site relocation of more than 75 miles from the current work site.

An employee is not entitled to the accrual of any seniority or employment benefits during any unpaid leave. An employee who takes FMLA leave will not lose any seniority or employment benefits that accrued before the date the leave began and will be entitled to any unconditional pay increases, such as cost of living increase granted to all employees during the FMLA leave period.

11. Outside Employment

An employee may not accept other employment during an FMLA absence if the job conflicts with the reason the employee is on FMLA leave; e.g., an employee is on FMLA leave due to a back injury and accepts a job requiring heavy lifting. All other requirements of District's outside employment policy apply.

12. Periodic Reporting

Any employee on FMLA leave must notify District periodically of his/her status and intention to return to work. The District has the authority to determine how often the employee must provide this notification.

13. Change in Duration of Leave

a. Return Prior to Expiration

If an employee wishes to return to work prior to the expiration of the approved FMLA leave period, s/he must notify the administrator or manager/supervisor within two business days prior to the employee's planned return. Employees may be required to provide a fitness-for-duty certification (if indicated on the designation notice) specifically addressing the employee's ability to perform the essential functions of his/her job, prior to returning to work if the FMLA leave of absence was due to the employee's own serious health condition. Employees required to present a fitness-for-duty certification may be delayed in restoration of employment until certification is provided. Second and third opinions are not allowed on a fitness-for-duty certification.

b. Request an Extension of Leave

An employee who requests an extension of FMLA leave due to the continuation of a qualifying exigency, care for servicemember, continuation, recurrence, or onset of his/her own serious health condition, or the serious health condition of the employee's spouse, child, or parent, must submit a request for an extension, in writing, to the District. This written request should be made as soon as the employee realizes that s/he will not be able to return at the expiration of the leave period. Any additional time requested beyond the FMLA 12-week period (or 26-week period for caregiver leave) will not be considered as FMLA. Rather, such time, if approved by the District, will be characterized as either paid or unpaid leave, thereby ending the District's reinstatement obligations included in Section GBC2., Item 14. (See the applicable collective bargaining agreement for alternate provisions which may apply.)

c. Return from Leave

Upon returning to work, an employee on FMLA leave will be restored to his/her most recent position or to a position with equivalent pay, benefits, and other terms and conditions of employment. The District cannot guarantee that an employee will be returned to his/her original position. The District will determine whether a position is an "equivalent position" as defined by FMLA. Employee's right to restoration, however, ceases at the end of the applicable 12-month FMLA leave year.

Employees may be required to provide a fitness-for-duty certification (if indicated on the designation notice) specifically addressing the employee's ability to perform the essential functions of his/her job, prior to returning to work if the FMLA leave of absence was due to the employee's own serious health condition. Employees required to present a fitness-for-duty certification may be delayed in restoration to employment until certification is provided. Second and third opinions are not allowed on a fitness-for-duty certification.

Key employees may be denied job restoration if such denial is necessary to prevent substantial and grievous economic injury to the operations of District and the employee was given written notice they were considered a key employee at the time they gave notice of FMLA leave or when the leave commenced.

14. Failure to Return from Leave

Failure of an employee to return to work upon the expiration of an FMLA leave of absence (select one: may or will[SN3]) subject the employee to disciplinary action, up to and including termination, unless the District has granted an additional (paid or unpaid) extension. (Note: Refer to the District's other leave policies.) Nothing in this policy limits the District's obligations of reasonable accommodation under the Americans with Disabilities Act, as amended.

15. Abuse of FMLA

An employee who fraudulently obtains FMLA leave from employer is not protected by the FMLA's job restoration or maintenance of health benefits provisions. In addition, employer (select one: may or will[SN4]) take all appropriate disciplinary action against such employee due to such fraud.

Related Forms

Certification of Health Care Provider for Employee's Serious Health Condition (Form WH-380-E)

Certification of Health Care Provider for Family Member's Health Condition (Form WH-380-F)

Certification of Qualifying Exigency for Military Family Leave (Form WH-384)

Certification of Serious Injury or Illness of a Current Service Member for Military Family Leave (Form WH-385)

Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave (Form WH-385-V)

Designation Notice (Form WH-382)

Employee Rights and Responsibilities under the Family and Medical Leave Act (Form WH-1420)

Notice of Eligibility and Rights & Responsibilities (Form WH-381)

Notice of Eligibility and Rights and Responsibilities for Emergency Family and Medical Leave

Designation Notice for Emergency Family and Medical Leave

Emergency Paid Sick Leave Application Form

[SN1]Districts may select their preferred leave year: calendar year, any 12-month period (e.g., fiscal year, measured forward, or backwards). POOL/PACT HR recommends backwards.

[SN2]Typically, HR manager or equivalent, leave administrator, or management official, other than the employee's direct supervisor [SN2].

[SN3]Select “may” or “will.” See comment with Section GAA2 for more information on making this selection.

[SN4]Select “may” or “will.” See comment with Section 1.4 for more information on making this selection.

[SN5]This policy complies with the FFCRA and is effective from 4/1/20 – 12/31/20, unless extended. As such, employers may choose not to include this policy in their personnel policies and instead maintain as a stand-alone policy.

[SN6]Employers may select their preferred leave year: calendar year, any 12-month period; e.g., fiscal year, measured forward, or backwards. POOL/PACT HR recommends backwards.

[SN7]Employers may elect to allow use of sick leave, annual leave, or compensatory time.

[SN8]Match regular FMLA policy.

[SN9]Select will or will not.

[SN10]Select sick or annual or both.

[SN11]Select “may” or “will.” Districts need to determine in each instance of corrective/disciplinary action whether it wants to “mandate” (will) corrective action to be implemented or allow management discretion (may). If mandate (will), then if management fails to take appropriate action, it could be evidence that management did not comply with own internal policies; if allow discretion (may), then Districts may face an employee showing s/he did not know s/he “would” face corrective/disciplinary action.

The District is committed to a learning and working environment that is free from sexual harassment prohibited by Title IX and Board policy. The Board recognizes that misconduct of a sexual nature may not always constitute sexual harassment under Title IX but can nonetheless interfere with the District's learning and working environment.

It is the policy of the White Pine County School District to maintain a learning and forcing environment that is free from sexual harassment. The district prohibits any form of sexual harassment. It shall be a violation of this policy for any student or employee of the White Pine County School District to harass a student or an employee through conduct or communication of a sexual nature as defined by this policy.

The White Pine County School District will act to investigate all complaints, either formal or informal, verbal or written, or sexual harassment and to discipline any employee or student who sexually harasses a student or employee of the school district.

1. Sexual Harassment Defined

- a. Sexual harassment consists of unwelcomed sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:
 - i. Submission is that conduct or communication is made a term or con either explicitly or implicitly, of obtaining or retaining employment, or of obtaining an education; or individual.
 - ii. Submission to or rejection of that conduct or communication by an is used as a factor in decisions affecting that individual's employment or education; or
 - iii. That conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile employment or education environment. Any sexual or offensive harassment as defined when perpetrated on any student or employee will be treated as sexual harassment under this policy.
- b. Sexual harassment may include but is not limited to:
 - i. verbal harassment or abuse;
 - ii. subtle pressure for sexual activity;
- c. inappropriate patting or pinching;
- d. intentional brushing against student's or an employee's body;
 - i. demanding sexual favors accompanied by implied or overt threats concerning an individual's employment or educational status;
 - ii. demanding sexual favors accompanied by implied or overt promises of preferential treatment with regard to an individual employment or educational status; or
 - iii. any sexually motivated unwelcome touching.

2. Reporting Procedures

Any person who believes he or she has been the victim of sexual harassment by a student or an employee or the White Pine County School District, or any third person with knowledge or belief or conduct which may constitute sexual harassment should report the alleged acts immediately to an appropriate School

District official as designated by this policy. The district encourages the reporting parting or complainant to use the report forms available from the principal of each building or available from the Central Office.

- a. In each school building the building principal is the person responsible for receiving oral or written communication of sexual harassment at the building level. Upon the receipt of a report, the principal must notify the Districts Human Rights Officer immediately without screening or investigating the report. A written report will be forwarded simultaneously to the Human Rights Officer. If the report was given verbally, the principal shall reduce it to written form within twenty-four (24) hours and forward it to the Human Rights Officer. Failure to forward any sexual harassment report or complaint as provided herein will result in disciplinary

action. If the complaint involves the building principal, the complaint shall be filed directly with the District Human Rights Officer.

b. District wide

The School Board hereby directs the Superintendent to appoint the District Human Rights complaints of sexual complaints of sexual harassment from any individual, employee, or victim of sexual harassment and also from the building principals as outlined above. If the complaint involves the Human Rights Officer, the complaint shall be filed directly with the Superintendent. The School District shall conspicuously post the name of the Human Rights Officer, including a mailing address and telephone number.

c. Submission of a complaint or report of sexual harassment will not affect the individual's future employment, grades or work assignments.

d. Use of formal reporting forms is not mandatory.

e. The District will respect the confidentiality of the complainant and the individuals(s) against whom the complaint is filed as much as possible, consistent with the School District's legal obligations and the necessity to investigate allegations of harassment and take disciplinary action the conduct occurred.

3. Investigation and Recommendation

By authority of the School District the Human Rights Officer, upon receipt of a report or complaint alleging sexual harassment, shall immediately authorize an investigation. This investigation may be conducted by School District officials or by a third party designated by the School District. The investigation party shall provide a written report of the status of the investigation within ten (10) working days to the Superintendent and the Human Rights Officer. In determining whether alleged conduct constitutes sexual harassment, the School District should consider the surrounding circumstances, the nature of sexual advances, relationships between the parties involved and the context in which the alleged incidents occurred.

The investigation may consist of personal interviews with the complainant, the individuals against whom the complaint is filed, and others who may have knowledge of the alleged incidents or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.

In addition, the School District may take immediate steps, at its discretion, to protect the complainant, students, and employees pending completion of an investigation of alleged sexual harassment.

The School District Human Rights Officer shall make a report to the Superintendent upon completion of the investigation.

4. School District Action

a. Upon receipt of a recommendation that the complaint is valid, the White Pine County School District will take such action as appropriate based on the results of the investigation.

b. The result of the investigation of each complaint filed under these procedures will be reported in writing to the complainant by the School District. The report education any disciplinary action taken as a result of the complaint.

5. Reprisal

The White Pine County School District will discipline any individual who retaliates against any person who reports alleged sexual harassment or who retaliates against who testifies, assists or participates in an investigation, proceeding or hearing relating to a sexual harassment, complaint. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

6. Non-harassment

The White Pine County School District recognizes that not every advance or consent of a sexual nature constitutes harassment. Whether a particular action or incident is a personal, social relationship without a discriminatory employment effect requires a determination based on all the facts and surrounding circumstances. False accusations of sexual harassment can have a serious detrimental effect on innocent parties.

7. Right to Alternative Complaint Procedures

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with appropriate State and Federal agencies.

8. Discipline

Any school district action taken pursuant to this policy will be consistent with requirements of applicable collective bargaining agreements, Nevada Revised Statutes and White Pine School District policies. The White Pine County School District will take such disciplinary action it deems necessary and appropriate, including warning, suspension or immediate discharge to end sexual harassment and prevent its recurrence.

White Pine County School District

1135 Avenue C Ely, Nevada 89301 (775) 289-4851 FAX (775) 289-3999



July 15, 2021

To: White Pine County School Board of Trustees

Re: Classroom Aide

This memo is to request authorization for a paraprofessional housed at McGill Elementary School. There is a new student who requires more support. The current paraprofessional will not be in this student's grade level. The position is 28 hours per week. Please allow us to post for transfer as soon as possible and then advertise if needed. This money will come out of local plan.

Thank you.

Respectfully,

Brigette Saltarelli
Director of Special Services

BOARD OF SCHOOL TRUSTEES

*Angela McVicars, Chair • Candice Campeau, Vice Chair • Tasheena Sandoval, Clerk
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The White Pine County School District operates without discrimination on the basis of sex, religion, national origin, age or disability in compliance with the Title VI, Title VII, Title IX, Section 504, and all other applicable civil rights legislation.