



Embrace, Inspire and Challenge Every Child Every Day

EMPLOYEE HANDBOOK

Revised: September 2016

**Brandywine School District
Department of Human Resources
1311 Brandywine Boulevard
Wilmington, DE 19809-2306**

**302-793-5000
302-765-1992 Fax**

www.brandywineschools.org



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1311 Brandywine Boulevard • Wilmington, Delaware 19809-2306
(302) 793-5000 • FAX (302) 765-1992 • www.brandywineschools.org

Brandywine School District Employee:

On behalf of the Brandywine School District (BSD) Board of Education and administrative leadership team, I am pleased to provide you with comprehensive information regarding employment in the District. As a valued staff member, you are encouraged to acquaint yourself with the District's employment practices, general guidelines, policies and procedures. This information will prove useful to you in understanding the District's philosophy and expectations regarding a culture of professionalism and customer service with regard to its employees and in turn promoting a climate of a positive, respectful and cooperative working environment.

The Employee Handbook and a Negotiated Agreement, if applicable, between the Brandywine School District Board of Education and the respective collective bargaining units are accessible via our District website at www.brandywineschools.org.

For employees new to BSD, please read the Acknowledgement Statement found on the next page concerning this Employee Handbook, sign and return it to the Department of Human Resources within three (3) business days of your new hire orientation meeting. Should you have any questions or require additional information, please feel free to contact the Department of Human Resources at (302) 793-5000.

Sincerely,

Kimberly Doherty, SPHR
Executive Director, Human Resources

**Brandywine School District
Department of Human Resources
Employee Handbook**

ACKNOWLEDGEMENT STATEMENT

I, _____, (Employee) certify that I will read the Brandywine School District (“District”) Employee Handbook located at www.brandywineschools.org under the Administration/Human Resources link. I understand that it is my responsibility to read, understand, and adhere to all employment practices, general guidelines, policies and a negotiated agreement, if applicable. I further understand that any questions regarding the contents of the Handbook may be directed to my immediate supervisor, school or department administrator, or an administrator of the Department of Human Resources.

Furthermore, I certify that I will read and agree to abide by the guidelines set forth within the [Delaware Department of Technology – Acceptable Use Policy](#) (link is in the Employee Handbook). As an employee of the State of Delaware, I fully intend to comply with this policy realizing that I will be held responsible for misuse or abuse of the State's communications and/or computer systems. If I have any questions about the policy, I understand that I need to ask my immediate supervisor or Human Resources for clarification.

Please note specifically the following message which appears every time you log in to a Brandywine School District computer:

You are logging on to the Brandywine School District [BSD] computer system. This system, including all related devices, software, and Internet access, is provided only for authorized and appropriate use consistent with the State Acceptable Use Policy and BSD Board Policy 06.15. Pursuant to Title 19 of the Delaware Code § 705, BSD hereby notifies all users that it may monitor or intercept any electronic mail communications/transmissions, or Internet access or usage on BSD the computer system. Inappropriate or unauthorized use of the computer system may subject the user to disciplinary action, loss of access to the system or criminal prosecution. Checking “OK” constitutes acknowledgment and understanding of the terms of use as specified in this notice.

Employee Name (Printed): _____

Employee Signature: _____

Hire Date: _____

Position: _____

Location: _____

**Brandywine School District
Department of Human Resources
Employee Handbook**

INTRODUCTION

It is the intention of the Brandywine School District (“District”) that the content of this Handbook be consistent with the State of Delaware and federal laws and regulations, and the policies of the Board of Education of the District.

Nothing in this Handbook is intended to create an employment contract or a property right for continued employment. The District has the authority to hire employees and, subject to the provisions of law and the terms of a collective bargaining agreement (if applicable), determine their qualifications, the conditions for their continued employment, dismissal or demotion, and to promote, place, transfer, and assign all such employees according to the operational needs of the District.

Employment in a position that is not covered by a collective bargaining agreement or an employment contract in the District is at-will, as that term is understood and defined under Delaware law. In the event of a conflict between the content of this Handbook and a negotiated agreement with a particular employee group’s bargaining unit, the language in the negotiated agreement (union contract) will prevail until and if modified or deleted through the course of collective bargaining.

The content of this Handbook is subject to change without notice and employees are expected to keep abreast of current State and Federal law and District policies and procedures and a negotiated agreement (if applicable). This Handbook may be reviewed and modified as necessary and appropriate to be consistent with the operational needs of the District and current employment laws. To the extent practicable, employees may be informed in writing of any new procedures and procedural or organizational changes, which directly and significantly impact their specific job assignment and/or position classification.

Recommendations for modifications and additions to this Handbook may be submitted at any time to the Director of Human Resources for consideration.

**Brandywine School District
Department of Human Resources
Employee Handbook**

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This Handbook, along with ALL Board of Education policy statements and other current information pertaining to employment, may be accessed via the District website at: www.brandywineschools.org. For information on employment-related state and federal laws, please see below and click on the corresponding link.

[Title 14 Education](#)

- Chapter 11 Recruiting & Training of Professional Educators for Critical Curricular Areas
- Chapter 12 Educator Licensure, Certification, Evaluation, and Professional Development
- Chapter 13 Salaries and Working Conditions of School Employees
- Chapter 14 Procedures for the Termination of Services of Professional Employees
- Chapter 40 Public School Employment Relations Act
- Chapter 89 Teacher of the Year Award

[Title 19 Labor](#)

- Chapter 1 Department of Labor
- Chapter 7 Employment Practices

[Title 29 State Government](#)

- Chapter 55 State Employees' Pension Plan
- Chapter 58 Laws Regulating the Conduct of Officers and Employees of the State

SECTION I: EMPLOYMENT PRACTICES

EMPLOYMENT PRACTICES

Equal Opportunity Employer

It is the directive of the Board of Education (“Board”) that the Brandywine School District (“District”) shall not discriminate in its employment practices or its educational programs and activities of students on the basis of race, color, religion, national origin, sex, sexual orientation, marital status, disability, age, veteran status, or other legally protected characteristic. All policies, regulations, and practices of the District shall be guided by this directive.

For more information, please refer to [Board Policy 06.2 - Statement on Prohibiting Discrimination in Employment Opportunities](#) and the following associated regulations and forms:

- R06.2.1 - Regulation on Addressing Complaints of Age Discrimination Under Federal and/or State Law
- F06.2.1 - Complaint of Age Discrimination in an Employment Decision
- R06.2.2 - Regulation on Addressing Employee Complaints of Non-Compliance with the ADA
- R06.2.3 - Regulation on Addressing Employee Complaints Under Section 504
- F06.2.2/06.2.3 - Complaint Of Non-Compliance with the ADA or Section 504 Form
- F06.2.4 – Complaint of Non-Compliance with Title IX of the Education Amendments Act

Title IX

An employee who believes there has been an act of discrimination on the basis of gender, may file a complaint under Title IX of the Education Amendments Act. You should file a written complaint with Ms. Kim Doherty, Executive Director of Human Resources, Brandywine School District, 1311 Brandywine Boulevard, Wilmington, DE 19809. Phone: 302-793-5048 within seven (7) business days after you know or should have known about the issue. To file a complaint, please refer to [Board Policy Form F06.2.4 – Complaint of Non-Compliance with Title IX of the Education Amendments Act](#).

Section 504

An employee who believes they have a Disability Discrimination law complaint under Section 504 complaint should file a written complaint with Ms. Lisa Lawson, Director of Special Education & Support Services, 1311 Brandywine Boulevard, Wilmington, DE 19809. Phone: 302-793-5043.

Americans with Disabilities Act (ADA)

An employee who believes the Brandywine School District has failed to comply with the requirements of the Americans with Disabilities Act (ADA) should file a written complaint with Mr. Dorrell Green, Assistant Superintendent, 1311 Brandywine Boulevard, Wilmington, DE 19809. Phone: 302-793-5014.

Brandywine School District Employee Responsibilities

CUSTOMER SERVICE – Brandywine School District employees will consistently exceed the needs and expectations of its customers (students, fellow employees, families, and stakeholders).

PROFESSIONALISM – Meticulous adherence to courtesy, honesty, and professional responsibility in our dealings with others (students, fellow employees, families and BSD stakeholders), plus providing a level of excellence that goes above and beyond standard requirements.

All employees of the Brandywine School District are expected as a requirement of their specific job function to:

1. Represent one's self and the District in a positive and professional manner consistent with a personal commitment to fulfilling the District's mission statement, strategic initiatives and core values of professionalism and customer service while displaying involvement, creativity and innovation, dignity and respect, personal and professional integrity and professionalism, and a duty to safeguard sensitive or confidential information from intentional or unintentional disclosure.
2. Interact and work cooperatively with students, parents, staff and the District community in a timely, courteous and effective manner.
3. Maintain current working knowledge of policies and regulations necessary to perform and provide answers to work-related and general information questions.
4. Achieve and maintain professional standards required and/or desirable for professional accreditation in chosen profession.
5. Participate in school/departmental activities, meetings, and/or committees to advance District initiatives and to foster personal and professional growth, development and teamwork and to assist the District in achieving the goals of its strategic processes.
6. Abide by all Federal and State laws, Board policies and District regulations.

Conflict of Interest and Codes of Conduct

The District has established Board policy with regard to certain personal and professional principles and ethics by which employees are expected to provide educational services and conduct business consistent with Title 29 §§ 5805 and 5806 of the Delaware Code. These principles and practices are detailed in the [Board Policy 06.1 - Statement on Conflicts of Interest & Codes of Conduct for Employees](#). Appendix A of this policy includes the statement that: (a) a "District employee will be accountable for maintaining his/her integrity and honestly in all aspects of his/her employment with the District." Therefore, any misrepresentation of facts or falsification of records prior to and/or during employment will not be tolerated. Violations will result in disciplinary action, up to and including termination of employment.

Position Vacancies

Position vacancies within the District are posted on the District website. Some announcements of position vacancies are advertised on Internet job boards, in local and/or national newspapers, regional colleges, and other publications. Position vacancies are posted in accordance with District need and/or according to the terms of an applicable collective bargaining agreement.

Application for Position Vacancies

If an Employee desires to apply for a vacant position, they must apply online (only application method) for posted position vacancies as specified on individual job postings. Application documents remain active for twelve (12) months from the date the application is submitted online. Individuals must resubmit updated application documents online to

remain in an active status during the twelve (12) month period and updated information will remain active for a period of twelve (12) additional months. If an employee is interested in pursuing a specific vacancy, he/she must inform the appropriate department administrator/supervisor in writing of his/her desire for transfer consideration (if allowable under a collective bargaining agreement by following the established procedure) or by successfully completing the application process as noted on the job posting.

Employment/Placement/Supervision of Relatives

It is the practice of the District that every effort will be made not to place employees in a position where they would supervise or be supervised by an immediate family member and if that does become operationally necessary, then the relative of the employee would not be the responsible, immediate supervisor for matters of work performance evaluation and disciplinary action. Alternative arrangements for supervision/performance evaluation would be through the Department of Human Resources made so as to avoid a conflict of interest with the affected employee(s).

Interview and Selection Process

Qualified candidates for formal structured interviews will be selected from the pool of applicants for specific position vacancies or existing active online applications. The school or department administrator or designee normally coordinates the interview process. A combination of qualifications, skills, demonstrated knowledge, accomplishments, expertise, specialized training and education, reference checks and interview rating is used to select the best candidate to fill a position vacancy. Information contained in letters of recommendation (or reference) and personal interview results are held strictly confidential.

Work Performance Reviews

Periodic reviews of an employee's work performance help to provide essential feedback and information regarding the measurement of an employee against established work expectations. These include, but are not limited to, conduct, overall work performance, an employee's role in meeting District established goals and professional development activities. Accordingly, the District encourages frequent informal and formal conduct and/or work performance-oriented conversations between the employee and his/her immediate supervisor. Work performance appraisals are conducted at least annually or as stated in the employee's applicable collective bargaining agreement or as outlined in the Delaware Performance Appraisal System (DPAS II) for certificated employees/administrators.

Personnel Record

Official employee personnel records are maintained by the Department of Human Resources and are the property of the District. An employee's personnel record may contain the following documents: application, resume, credentials, training certificates, correspondence, performance appraisals, commendations, disciplinary notices, benefits enrollment and compensation information, and employment contracts, if applicable. The official personnel record is archived in Dover, Delaware three years after the employee leaves employment with the District.

An employee may review the contents of his/her personnel record. A twenty-four (24) hour

advance notice to the Department of Human Resources is required to view the file. The personnel record may be reviewed only in the Department of Human Resources in the presence of a Department of Human Resources representative. The employee may not remove documents from his/her record; however, the employee may have up to ten (10) pages copied from his/her record without charge. A fee of twenty-five (.25) cents per page is charged for copies in excess of ten (10) pages. An employee may submit a written request for consideration to the Director of Human Resources for removal of documents from his/her personnel record after a period of one year.

Personnel Record Changes

Current employee information is essential to maintain an accurate personnel record. Employees are required to notify the Department of Human Resources in writing using the [Change of Address/Telephone/Name Form](#) in the event of a change of name, marital status, address or telephone number to ensure that important District announcement, notifications and various correspondences reach the employee. The Department of Human Resources will collect and forward personnel record changes to additional/appropriate BSD departments or agencies for processing. Any changes in dependents (reported on a [Dependent Change Form](#)), beneficiaries or tax status (reported on a [W-4 Form](#)) must be submitted to the Department of Compensation Services.

Employment References/Verification of Employment

The District is committed to protecting and respecting sensitive and confidential personnel information about its current and former employees. Therefore, all requests for employment verification or any other information about a present or former employee shall be answered honestly and accurately. Requests for employment references/verification of employment information may be referred directly to the Department of Human Resources.

Professional Development and Tuition Reimbursement

Professional development of all employees is necessary for the effective and efficient operation of the District. To the extent practicable, employees will be given consideration for professional absence for attendance and participation in training and developmental activities to increase their knowledge, skills, and performance efficiency and to prepare for career advancement as is determined by the District and student considerations are factored in. Guidelines for Travel Reimbursement are available from the Department of Finance. Also, tuition reimbursement may be available for educational advancement with approval by the employee's immediate supervisor and the Director of Human Resources using the [Tuition Reimbursement Form](#).

Attendance Expectations

Employees are expected to maintain an acceptable attendance record by reporting to work as scheduled and remaining at work until the end of the workday. Employees are expected to follow established departmental procedures for reporting absence, tardiness or early departure from work, requesting paid and unpaid time off, and returning to work upon authorization after an approved leave of absence. Such procedures may be obtained from the appropriate department supervisor or administrator.

For the purpose of determining tardiness, an employee is tardy if he/she reports for work any time after the designated start of the scheduled workday. In general, road construction, traffic congestion, personal issues, and “normal” weather conditions are not acceptable reasons for tardiness.

Absence(s) of three consecutive scheduled workdays without proper reporting is considered job abandonment and the employee’s voluntary resignation if, prior to the beginning of the fourth consecutive scheduled workday, the employee does not follow departmental procedures for reporting such absence or the immediate supervisor is not made aware of any extenuating circumstance(s) that has prevented the employee from reporting to work or reporting the absence.

An employee’s attendance record may be considered unacceptable by his/her immediate supervisor under the following circumstances:

- a. The employee exhibits a pattern of absence(s), tardiness and/or early departures which adversely impacts District operations and/or the employee’s overall job performance;
- b. The employee has a history of not following established school or departmental procedures for reporting absence(s), tardiness and/or early departures from work;
- c. The employee has exhausted his/her sick and/or vacation allotment and continues to be absent without Board approval pursuant to the Regulations associated with Board Policy 06.6, Statement on Leaves and Absences, resulting in deduct(ions) from pay;
- d. The employee does not request approval in advance for an anticipated absence from work;
- e. The employee is away from work on an unauthorized and/or unapproved absence from work and not an any type of approved leave pursuant to Board Policy 06.6;
- f. The employee uses sick leave for purposes not allowed by Delaware Code Title 14 § 1318, 1319 and/or 1320 of Delaware Code.

For more information, refer to [Board Policy 06.5 - Statement on Employee Attendance](#).

Termination of Employment

Voluntary Resignation

An employee who desires to voluntarily resign from his/her employment must do so in writing by completing a [Resignation/Retirement Form](#). This request should be sent to the Director of Human Resources at least two weeks prior to the intended date of resignation or as stated in an employment contract or negotiated agreement, if applicable.

Voluntary Retirement

An employee who desires to retire from employment with the District should notify the Department of Human Resources in writing preferably 4 months prior to the time the employee wishes to retire. This should be done by completing the [Resignation/Retirement Form](#) which is found on the District Website under Employee Forms. This request should be sent to the Director of Human Resources at least three months prior to the intended retirement date. To ensure that pension payments begin at the proper time, the employee should complete an application for social security benefits at least three months in advance of retirement by contacting the Social Security Administration. For more retirement

information of an individualized nature, contact the Department of Compensation Services to arrange for a consultation with the Benefits Specialist. For additional information from the State of Delaware, including Benefits Calculators, please go to the [State of Delaware Office of Pensions](#) web site.

- **Retirement Eligibilities – For employees hired prior to January 1, 2012.**

- Service
 - At any age with thirty (30) years of pension credited service (must have five (5) consecutive years).
 - Age sixty (60) with at least fifteen (15) years of pension credited service (must have five (5) consecutive years).
 - Age sixty-two (62) with at least five (5) years of pension credited service (must have five (5) consecutive years).
- Reduced Service
 - At any age with twenty-five (25) years of pension credited service (must have five (5) consecutive years) - reduced by .2% for each month short of 30 years of pension credited service.
 - Age fifty-five (55) with at least 15 years of pension credited service (must have five (5) consecutive years) - reduced by .2% for each month the employee is under age 60.
- Vested Service
 - Age sixty-two (62) with five (5) consecutive years of pension credited service.
 - Age sixty (60) with twenty (20) years of pension credited service (must have five (5) consecutive years).

- **Retirement Eligibilities – For employees hired on or after January 1, 2012.**

- Service
 - At any age with thirty (30) years of pension credited service (must have five (5) consecutive).
 - Age 60 with at least twenty (20) years of pension credited service (must have five (5) consecutive) years.
 - Age 62 with at least 5 years of credited service (must have five (5) consecutive).
- Reduced Service
 - Age 55 with at least 15 years of credited service (must have five (5) consecutive) - reduced by .4% for each month the employee is under age 60.
 - At any age with twenty-five (25) years of pension credited service (must have five (5) consecutive) - reduced by .4% for each month short of 30 years of pension credited service.
- Vested Service
 - Age sixty-five (65) with ten (10) years of pension credited service (must have five (5) consecutive years).

Involuntary Termination

The District will follow the guidelines of the Delaware Code and/or one of the following Board Policies to administer the process for involuntary termination of employment for cause.

- [Board Policy 6.7 - Statement of Termination Proceedings for Administrative Personnel with Individual Contracts](#)
- [Board Policy 6.8 - Statement on Termination Proceedings for Teachers \(Certified and/or Professional Licensed Non-Administrative Personnel\)](#)
- [Board Policy 6.9 - Statement of Termination Rules for Instructional or Non-Instructional Support Personnel](#)

An employee will be notified during a scheduled meeting, when possible, and in writing of the reason(s) and the effective date of the termination. The recommendation for termination will be presented to the Board and the employee will be notified in writing of the Board's decision.

Forms

Human Resources related employee forms are available on the District's web site under [Staff - Employee Forms](#). You must be signed in to SchoolWires to access these forms.

SECTION II: GENERAL GUIDELINES

GENERAL GUIDELINES

Confidentiality

Employees are expected to protect and keep confidential sensitive information and appropriate confidential documents/records of the District, its students and employees. Furthermore, employees with authorized possession of and/or access to sensitive or confidential documents are personally responsible for protecting the unauthorized disclosure, improper use or distribution of information contained in these documents and for returning them to the District upon termination of employment. Employees are not authorized to disclose any information regarding District partners or vendors without their expressed written consent.

Conflict Resolution

The District recognizes that operational and administrative issues can result in differences of opinion. Whatever the nature of the problem, the District is committed to providing a conflict resolution process that is as flexible and informal as possible. As a result, the District has established the following practice for resolving employee problems, issues and/or complaints with regard to issues that are not applicable to a collective bargaining agreement:

1. To report a complaint or resolve a problem, an employee is encouraged to first contact his/her immediate supervisor in a reasonable timeframe.
2. The immediate supervisor should make every attempt to investigate and problem solve/provide conflict resolution with the appropriate employee(s). If the immediate supervisor is unable to resolve the complaint or problem in a reasonable timeframe, the employee should contact the school or department administrator, if applicable.
3. If the school or department administrator is unable to resolve the complaint or problem in a reasonable timeframe, the employee or the immediate supervisor is then encouraged to contact a Department of Human Resources administrator.

This practice should be followed to resolve all complaints and problems except those involving allegations of harassment, which are to be handled in accordance with the guidelines in the Harassment section of this Handbook. For information regarding appeals of administrative decisions, refer to [Board Policy 03.4 – Statement on Appealing a Decision of the Board or Administrator – Policy/Regulation Waiver](#).

Dress Code

The District does not have a formal dress code or policy. However, all District employees are expected to adhere to a code of professional dress appropriate to a professional office or educational workplace setting. An identifiable and workplace safety dress code may exist as outlined in a collective bargaining agreement, and appropriate employees are expected to follow the provisions while at the workplace or when they are serving in any official capacity for the District. Employees should report to work in a manner that reflects positively on the professional environment and image of themselves and the District.

If, in the judgment of an employee's immediate supervisor, an employee has physical hygiene

issues or is not appropriately groomed or dressed for duty, then the immediate supervisor may direct the employee to leave District premises until he/she has resolved such issues and can report to work as expected. Any time away from duty is to be charged to the employee's appropriate paid or unpaid leave.

Children with Their Parent/Guardian at Work

An employee's child(ren) may not be present with them (other than to be a student at the same school) during the discourse of their assigned work duties during their regularly scheduled work hours, during professional development or during EPER assignments. This is to prevent the disruption of job duties for the employee and their co-workers, to reduce property liability, and to help maintain a professional working environment and/or educational setting. Employees are welcome to bring their children to visit the workplace at other times, provided that the visits are infrequent, brief and planned in a fashion that limits disruption to the workplace. If the frequency, length or nature of visits becomes problematic, the employee will be advised of the situation and will be expected to take corrective action. Employees are not permitted at any time to bring ill children to the workplace. Employees are encouraged to have backup childcare arrangements or, if necessary, take vacation (if applicable) or personal time to care for an ill child.

Animals in the Workplace

Employees, students, volunteers and visitors are not allowed to bring personal pets to the workplace or inside any Brandywine School District building. This is to protect the health and safety of employees, students and to protect District facilities. Exceptions to this regulation are: 1) the use of animals as part of an educational or therapy program with prior permission of the appropriate Building Administrator; or 2) a service animal being used to accommodate a person with special needs. Service animal is defined as any animal individually trained to do work or perform tasks for a person with a disability. Such tasks can include guiding a person with impaired vision, alerting a person with impaired hearing to the presence of people or sounds, pulling a wheelchair, etc. Service animals may accompany the person they are trained to assist into any area the employee would normally have access to as part of their employment or participation in District functions. However, a service animal must be under the control of its owner at all times.

Employee Assistance Program (EAP)

The District recognizes that personal problems can often interfere with an employee's job performance. As a result, the State has established an Employee Assistance Program (EAP) for benefited employees and their eligible family members. Human Management Services (HMS), the State's EAP provider is an integrated counseling and referral service that is a resource to help employees and eligible dependents successfully manage temporary setbacks in life. HMS counselors are trained to help employees identify the source of their problems and work with them to find practical solutions as quickly as possible. Certain EAP services, including initial assessment, consultation and referral have been prepaid by the State. If additional treatment resources are necessary, the cost of such will be subject to the co-payments, deductibles and other limitations of the District's healthcare benefit program. To access EAP services provided by HMS, call:

1-800-343-2186

Website Login: Enter "State of Delaware" as the organization

Employee Conduct

Employees are expected to conduct themselves at all times in a highly professional and reliable fashion. If an employee is unsure whether certain intended or non-intended actions on his/her part are acceptable behavior, they should speak with their immediate supervisor, department administrator, or the Human Resources Department. The District will not hesitate to take appropriate action if there is evidence that substantiates that an employee has engaged in conduct, either on-duty or off-duty, that is unacceptable. The following categories include, but are not limited to, those types of conduct that are unacceptable and are the basis of disciplinary action or termination of employment with the District: violation of Board policy, failure to adhere to department guidelines or District procedures, immorality, misconduct in office, incompetence, disloyalty, neglect of duty, unacceptable attendance, substandard or unsatisfactory performance, and willful and persistent insubordination.

Generally, the District will employ a progressive disciplinary process to address employee misconduct; however, exceptions to this process, based on the nature or impact of the misconduct, will be made as necessary. The specific sequence of steps to be followed will be determined jointly by the employee's immediate supervisor, school or department administrator and the Director of Human Resources.

Harassment Prevention

The District is committed to promoting a work environment of dignity and respect to assure all of its employees and students can perform in an environment free from sexual harassment as well as harassment or intimidation on the basis of race, gender, national origin, age, color marital status, disability, religious creed, sexual orientation or other legally protected characteristic under State or Federal law or regulation. All employees have a responsibility to identify and address or bring inappropriate behavior or unfair treatment of other employees or students to the attention of their immediate supervisor, school or department administrator, or a Department of Human Resources administrator whether the accused is a coworker, supervisor, student, parent, contractor or vendor.

If an employee is being subjected to or has knowledge of alleged harassment, it is the employee's responsibility to immediately contact his/her immediate supervisor. If an employee's immediate supervisor or department administrator is the source of the alleged harassment, or is unwilling or unable to assist the employee, he/she should contact a Department of Human Resources administrator as soon as possible. By surfacing the problem, the employee enables the District to investigate and to take immediate and appropriate corrective action if necessary. For more information, refer to [Board Policy 06.3 - Statement on the Prevention of Harassment of Employees](#) and [Board Policy 08.2 - Statement Prohibiting Bullying on District Property or at a School Function](#).

Health Certification

At the discretion of an employee's immediate supervisor, school or department administrator, or a Department of Human Resources administrator, an employee may be required to present a physician's certificate indicating that he/she is free of any physical defect or emotional instability that would interfere with his/her success as a District employee. An employee may be compensated for any time lost from work for undergoing any medical evaluation specifically directed by the District for the purpose of verifying a physician's certificate of his/her medical

condition and/or the ability to perform assigned job functions. An employee must meet the physical and/or mental health certification guidelines when required by other State of Delaware agencies to remain employed by the District in his/her job assignment.

Return of District Property upon Vacating Position

In the event of a transfer, departure for an extended leave of absence, or termination of employment, an employee is required to return all keys, employee identification badge, credit cards, laptop computer, access passes or swipe cards, confidential documents, and any other assigned and/or possessed District-owned property to his/her immediate supervisor.

Safety and Security

The District strives to achieve and maintain the highest standards of safety and hygiene in order to provide a safe and healthy working environment for all employees and to prevent accidents, injuries and illnesses. Employees must report immediately to their immediate supervisor or department administrator any unsafe or unsecured working conditions or any injury, which occurs during work hours. For more information, refer to [Board Policy 03.5 - Statement on Safety and Security](#).

Employee Identification Badge

All full-time, part-time and casual/seasonal employees (including coaches and substitutes for Facilities, Transportation and School Nutrition) of the Brandywine School District (“BSD”) are required to obtain an Employee ID badge from the Department of Human Resources and display by wearing the Employee ID badge at all times during District operational hours and while on District property.

The official Employee ID badge shall include the Brandywine School District logo, a recent photograph (no more than five years old) of the employee, his/her full name and position title. The Department of Human Resources will maintain appropriate internal procedures for the issuance, maintenance, updating and collection process for Employee ID badges.

The Department of Human Resources prints all new hire and replacement employee ID badges (lost/stolen/damaged/official name change/official position change/substitute position to regular position). Please email Sandrus Clark in Human Resources at sandrus.clark@bsd.k12.de.us or call Sandrus at 793-5062 if you are in need of a replacement badge. Please be reminded that there is a cost of \$6.00 for all lost/stolen replacement badges.

Swipe access to buildings is managed by the Facilities Department. If an employee is having trouble accessing a building, please contact the Facilities Department at 792-3986 to resolve the problem.

Smoking

The District is committed to protecting the health and safety of its students, employees and visitors to its facilities. To that end, the District prohibits smoking on all District properties, at all District-sponsored events, and in all District or State of Delaware owned vehicles. For additional information, refer to the [Board Policy 03.3 - Statement on the Distribution and Use of Tobacco Products](#).

Solicitation and Distribution of Literature

Except as specifically authorized by District administration, employees may not engage in soliciting, collecting, or selling any services or products for any purpose, during work time. In addition, employees may not distribute literature, pamphlets or any other documents either during working time, or any time in work areas or using District technology. Persons not employed by District are not permitted, except at the District's invitation, to engage in solicitation, collecting or selling, or distribution of literature, pamphlets, or any other documents for any purpose on District's premises or using District technology. For more information, refer to [Board Policy 06.1 - Statement on Conflicts of Interest & Codes of Conduct for Employees](#).

Substance Abuse Prevention and Awareness

District employees are prohibited from possessing, using, distributing, manufacturing, purchasing, dispensing or selling or being under the influence of illegal drugs or alcohol while at work. An employee will be subject to disciplinary action or involuntary termination from the District if he/she is directly observed engaging in any of these actions on District premises, if he/she acknowledges engaging in such actions on District premises, or if his/her immediate supervisor evaluates available evidence and concludes that he/she has been involved in such prohibited conduct on District premises. An employee is subject to substance abuse testing if there is a reasonable suspicion that he/she is under the influence of illegal drugs or alcohol while at work. For more information, refer to [Board Policy 06.11 - Statement on a Drug / Alcohol-Free Workplace](#).

Communication through Social Networking/Electronic Media

In order to minimize the potential for inappropriate contact between employees and students on Social Networks or other electronic media sites and/or the appearance of impropriety, the Board has established policy for Employee-Student communication through social networking/electronic media as detailed in Board Policy 06.17 – Statement on Employee-Student Communication through Social Networking/Electronic Media. Specific regulations regarding these types of communication are detailed in: R06.1701 – Regulation on Instructional or Informational Sites Not Housed on the Brandywine School District Server; R06.17.2 – Regulation on Emailing Students from a Personal Account; R06.17.3 – Regulation on Permission to Communicate with Students on a Social Network. Employees are advised to maintain their professionalism as District employees at all times and they must adhere to all Policies and Regulations as set forth by the Board or be subject to disciplinary action.

Use of Technology Equipment, Systems, and the Internet

The Acceptable Use Policy of the State Of Delaware, Title 29, Delaware Code, §9004C,

mandates and guides behaviors in using the State's communications and computer systems.

District or State owned and/or leased technology equipment, systems and the internet are to be used by employees for the purposes of fulfilling job requirements. Employee users are obligated to never use computer systems, the internet or intranet to engage in activities that are unlawful, violate District or State policies or in ways that would be disruptive, cause offense to others, harm morale, be considered harassing or discriminatory or create a hostile work environment, or result in District or State of Delaware's liability, embarrassment or loss of reputation.

While District and State systems are intended for primarily business or instructional purposes, limited (incidental and occasional) personal use may be permissible when it does not: interfere with work responsibilities or business or instructional operations; involve interests in personal outside business and/or other non-authorized organizations and activities (which may include, but are not limited to selling personal property/items or soliciting for or promoting commercial ventures, charitable, religious or political activities or causes); violate District policies or State of Delaware laws; or lead to inappropriate costs to the District and/or State.

For more information, refer to the [Delaware Department of Technology – Acceptable Use Policy](#).

SECTION III: BENEFITS

BENEFITS

District Benefits

Dental Insurance

Coverage pays benefits for many preventive and corrective dental services.

Group Life/Accidental Death and Dismemberment Insurance

The District provides coverage at two times (2x) of the employee's annualized salary to his/her designated beneficiaries.

Prescription Insurance

Supplemental prescription benefits are provided to employees and eligible dependents.

Vision Insurance

Vision coverage can be used for eye exams, eyeglass lenses and frames.

State of Delaware Benefits

Direct Deposit

Employees hired after January 1, 1996 are required to have their paycheck directly deposited in a financial institution of their choice.

Medical Insurance

The State of Delaware provides a share to regular full-time employees who work 30 or more hours per workweek, after three months of service. Choice of traditional / preferred provider organization (PPO), health maintenance organization (HMO) and consumer directed health plans with prescription coverage is included. Coverage may begin on the first day of the month following the date of hire.

Blood Bank

The annual membership fee is paid by the State of Delaware for full-time employees. Part-time employees may purchase an annual membership for \$5.00. The Blood Bank will replace or pay the cost of blood used by you and your family members. Blood replacement is not usually a covered item in many medical plans.

Contributory Pension Plan

The State Pension Plan provides contributory Service, Disability, and Vested Pensions. Effective 1/1/12, employees can be vested after completing ten years of continued state service. The State continues to contribute toward health insurance after retirement.

Group Life Insurance

Employees may purchase life insurance based on his/her annual salary. Dependent insurance is also available.

Deferred Compensation (457) and 403b TSA (Tax Sheltered Annuities) Plans

Pre-tax savings plans administered by the State of Delaware. Contributions are through pre-tax payroll deductions and grow tax deferred.

Flexible Spending Account

Employees are eligible for health and dependent care pre-tax payroll deduction after completing three months of service.

Employee Assistance Program (EAP)

Human Management Services, Inc. offers confidential assistance for personal, family and work related matters to employees and their dependents enrolled in the State medical plan. Employees are eligible to receive an assessment and up to five (5) short-term counseling sessions free of charge.

Group Long Term Disability Insurance

Full-time employees are eligible to purchase supplemental group long-term disability insurance. The maximum is \$7500 per month and, if eligible, terminates at age 70.

Credit Union / Banking Services

Employees may join the New Castle County School Employees Federal Credit Union. There are a variety of banking services available to account holders, which include checking/savings accounts, reduced rate interest loans, Visa credit card, and vacation and holiday club accounts.

Leaves and Absences

An employee may request paid time off for personal business and/or vacation (if applicable). Personal and vacation leave may be used as allotted and requires prior approval from the employee's immediate supervisor. The immediate supervisor has the discretion to approve or deny vacation requests based on operational needs. NOTE: Personal and/or vacation days may not be substituted for sick days already used and recorded as sick leave on the employee's attendance record.

A physician's certificate indicating that an existing medical condition is preventing (or has prevented) an employee from reporting to work may be required to verify illness of less than five

(5) days in the event a pattern of absence(s) is evident.

After an absence of five (5) consecutive scheduled workdays due to an employee or an employee's family member's illness, the employee is required to present a physician's certificate to the Department of Compensation Services to substantiate the absence and continued paid sick leave compensation, and to establish a date of return to work. Additionally, a physician's certificate is required to determine whether or not the employee is eligible for a leave (or extended leave) of absence under [Board Policy 06.6 - Statement on Leaves and Absences](#). The Department of Compensation Services will provide the employee with the request form, acknowledge receipt of all documents collected from the employee, and notify the Department of Human Resources and the employee's immediate supervisor of the status of the leave or absence.

The employee's immediate supervisor or the Department of Compensation Services personnel may request a physician's certificate periodically until the employee is authorized to return to work from an approved leave or absence. All correspondence to the employee will be sent via U.S. Mail – Certified to the employee's last known address as documented in his/her personnel record. For more information, refer to under [Board Policy 06.6 - Statement on Leaves and Absences](#).

Vacation Leave

Regular full-time 12-month employees are allotted vacation leave days based on years of service with the District. Vacation is pro-rated the first year according to an employee's actual hire date. A maximum of 42 vacation days may be carried over to the subsequent fiscal year. Annual vacation allotment as indicated below is frontloaded on July 1st for the current fiscal year. The following vacation schedule applies to 12-month employees with consecutive years of service in the District AND who are not covered by an individual employment contract. NOTE: 10 and 11-month employees are not allotted vacation leave.

Employment from date of hire up to one year	1 day/month up to maximum of 10 days
Employment one through eight years	16
Employment nine years	17
Employment ten years	18
Employment eleven years	19
Employment twelve years	20
Employment thirteen years	21
Employment fourteen years	22
Employment fifteen years	23
Employment sixteen years and greater	24

Sick Leave

Full-time regular employees earn one (1) sick day each month based on months worked each year, three (3) of which may be used for personal business each school year. Sick days may accumulate unlimitedly and be carried over to subsequent years. The Delaware Code provides for the following annual allotment for personal or family illness: 10-month employees = 10 days; 11-month employees = 11 days; 12-month employees = 12 days. Any unused day(s) of sick leave will be accumulated to the employee's paid sick leave balance. The Department of Compensation Services will furnish employees with an annual statement

of accumulated and unused sick leave. Sick leave is allotted and available for use at the beginning of the fiscal year July 1st for 12-month employees and September 1st for 10-month employees.

When an employee resigns from the District, he/she will not be paid for unused sick leave days accumulated. However, if an employee resigns and is then rehired by this District or other state agency/school District within six (6) months of the effective date of the resignation, the number of sick leave days previously accumulated and unused will be reinstated.

When an employee retires from this District, accumulated sick days are paid or may be used to purchase service upon the retirement date. The number of sick days is prorated for those employees who retire from the District prior to the end of the year. At retirement, an employee will be paid one-half of the State salary portion per sick day for a maximum of 90 accumulated sick days.

Personal Injury

Employees may use their sick leave allotment for paid absence as a result of a personal injury, except for on-the-job injuries as covered by Worker's Compensation of four (4) or more days of absence.

Disability

The short-term disability plan provides up to 75% of an employee's annual base salary up to the 182nd day after a 30 calendar day elimination period. The long-term disability plan provides up to 60% of annual base salary starting on the 183rd day. Disability benefits are subject to the terms and conditions of the agreement between the disability insurance provider and the State of Delaware.

Emergency / Personal Leave

In accordance with Delaware State Law, employees are allowed up to three (3) days personal leave per fiscal year. Employees must request use of such days prior to the date of planned absence, except in case of an emergency or extenuating circumstances. The Superintendent or designee must approve such absence and the employee's sick leave balance will be charged for use of all types of personal days.

Religious Holidays

In the case of the observance of recognized religious holiday(s), an employee may be absent without loss of pay no more than three (3) calendar days per year. The Superintendent or designee must approve such absence and leave taken to observe a recognized religious holiday will be deducted from the employee's sick leave balance.

Bereavement

Delaware Code, Title 14, Section 1318(b) (d), outlines absences from work due to the death of an immediate family and/or the death of near relative of an employee. An employee may be required by his/her immediate supervisor to present official documentation to substantiate a paid absence for bereavement.

- Employees shall be entitled to a maximum of 5 days absence for the death of an immediate family member.
 - Members of employee's immediate family shall be defined as the employee's spouse or domestic partner; parent, stepparent or child of the employee, spouse or domestic partner; employee's grandparent or grandchild; employee's sibling; spouse of employee's child; any relative who resides in the same household; or any minor child for whom the employee has assumed and carried out parental responsibilities.
 - 12-month employees: maximum of 5 days absence for death of an immediate family member must be used within 3 months of the date of death;
 - 10-month employees: providing the death of the immediate family member occurs during the employee's normal work year (excluding summer break), a maximum of 5 days absence for death of an immediate family member must be used within 3 months of the date of death.
- Employees are entitled to 1 day of absence on the day of the funeral for a near relative.
 - Near relative of the employee shall be defined as first cousin, aunt, uncle, niece, nephew, brother-in-law, sister-in-law, grandparent-in-law, or any other friend living in the employee's household.

Jury Duty

Any regular full-time or part-time employee who is called for jury duty during his/her workday will receive their regular pay for work time spent on jury duty. All employees who are requested to serve on jury duty shall present to the Leave Coordinator in Compensation Services, the written notification stating that they must report for jury duty within five (5) days of receipt to be compensated for jury duty leave.

Subpoenas

In addition to State provided personal leave, when an employee is required to attend a legal proceeding as a party or is subpoenaed as a witness, such absence shall not be charged against leave if: 1) the legal proceeding is related to school matters and the employee's presence as a party or witness is *not* caused by any fault or misconduct on the part of the employee as determined by the outcome of the proceedings; or 2) the legal proceeding involves a matter of public interest as distinguished from a private dispute and appearance of the employee as a witness in the proceeding may properly be considered to be a discharge of a civic responsibility. Public interest is defined as the employee being subpoenaed by the defendant or the prosecution in a criminal case.

Professional Development

An employee may request paid professional absence to attend a meeting, conference or workshop. An application for professional absence must be submitted to the employee's immediate supervisor for approval in a timely manner and then onto the District Office for appropriate approval/processing.

Extended Leave of Absence

An employee may be eligible for a long-term leave of absence for the birth or adoption of an infant, disability, sabbatical, medical, military, or other leave for other personal reasons. Please contact the Leave Coordinator in Compensation Services to obtain more specific, individualized counseling.

SECTION IV: COMPENSATION

COMPENSATION

Employment Classifications

Exempt and Non-Exempt Employees

Employees are classified as either exempt or non-exempt according to the provisions of the Federal Fair Labor Standards Act. The rules for classifying employees are set by the Act and depend upon the salary and nature of the work performed.

- Exempt employees are not subject to the overtime provisions of the Act due to the nature of their positions.
- Non-Exempt employees are paid in direct proportion to the number of hours worked and are subject to the overtime provisions of the Act.

Regular Full-Time Employee

An employee who is scheduled to work an indefinite period of regularly scheduled employment of 37.5 to 40 hours per workweek is a regular full-time employee. A regular full-time employee who is not covered by a collective bargaining agreement or an individualized employment contract is considered an employee-at-will. A regular full-time employee may elect to participate in the District's benefits plans when eligible.

Regular Part-Time Employee

An employee who is scheduled to work an indefinite period of regularly scheduled employment of less than 30 hours but at least 10 hours per workweek is a regular part-time employee. A regular part-time employee who is not covered by a collective bargaining agreement or an individualized employment contract is an employee-at-will. A regular part-time employee may elect to participate in the District's benefits plans when eligible.

Temporary Full-Time Employee

An employee who is scheduled to work at least 37.5 to 40 hours per week for a specifically defined period with an end date is a temporary full-time employee. A temporary full-time employee who is not covered by a collective bargaining agreement or an individualized employment contract is an employee-at-will. A temporary full-time employee may elect to participate in the District's benefits plans when eligible.

Temporary Part-Time Employee

An employee who is scheduled to work less than 30 but at least 20 hours per workweek for a specifically defined period with an end date is a temporary part-time employee. A temporary part-time employee who is not covered by a collective bargaining agreement or an individualized employment contract is an employee-at-will. A temporary part-time employee may elect to participate in the District's benefits plans when eligible.

Casual / Seasonal (formerly referred to as "Reported Time") Employee

An employee who works for a specifically defined period and/or on an “as-needed” or “call-in” basis is a casual or seasonal employee and is paid for actual hours worked. A casual / seasonal employee does not accrue District service time and is not eligible for participation in the District’s benefit plans. A casual / seasonal employee may not work in excess of 7.5 hours per day or more than 40 hours in a workweek.

Pay Practices

State law, collective bargaining and the Board of Education mandate and determine an employee’s salary according to their position assignment with the District. An employee’s salary may be based on education attainments, relevant work experience, and/or longevity supplements. Current salary schedules are posted and available on the District’s website.

Paydays

12-month employees are paid bi-weekly - every other Friday, 26 payments per year. When the payday Friday occurs on a holiday, the actual payday is the day before. 10-month employees may elect either 22 or 26 salary payments per year.

Mandatory Salary Deductions

Income Tax

All new employees must complete an Internal Revenue Service W-4 form claiming the desired number of dependents. To change the number of dependents, complete a new W-4 form and submit it to the Department of Compensation Services for processing.

Pension Fund

Employee’s contribution toward pension is 3% of gross salary per calendar year. The first \$6,000 gross salary is excluded.

Unpaid Absence

An employee’s immediate supervisor will authorize the payroll deduction in the employee’s bi-weekly salary equivalent to the number of days or hours of absence for unauthorized leave or absence or if the employee’s paid time off balance (sick leave or vacation) has been exhausted or the employee has not worked for that period of time or disciplinary action has occurred. Payroll deductions will be taken from the appropriately designated paycheck for the day and amount of time to be deducted.

Voluntary Salary Deductions

The District provides an opportunity for employees to voluntarily request the following payroll deductions:

- District sponsored benefits in excess of the District stipend
- Tax Sheltered Annuity/Deferred State Compensation
- United Way Fund Pledge
- Payment of loans/savings programs through the credit union
- Association/Union Dues

Holiday Schedule

The District observes the following paid holidays. The Holiday Schedule can be found on the district web site under Staff - Employee Forms. The District's annual school calendar will indicate if or when schools and offices are closed to observe the following holidays:

- Independence Day
- Labor Day
- Election Day (election year only)
- Veterans' Day
- Thanksgiving Day
- Friday after Thanksgiving Day
- Christmas Day
- Columbus Day (or day in lieu of)
- New Year's Day
- Dr. Martin Luther King, Jr.'s Birthday
- Presidents' Day
- Spring Break
- Memorial Day

Compensatory Time for Non-Exempt Employees

For non-exempt employees, overtime for work assignments may be determined by operational needs and must be approved in advance and in writing by the employee's immediate supervisor. Overtime may be requested either by the non-exempt employee or by the non-exempt employee's immediate supervisor.

A non-exempt employee who works between 37.5 and 40 hours in a workweek will receive his/her hourly rate of pay for time worked over 37.5 and up to 40 hours. An employee who works more than 40 hours in a workweek will be compensated according to the Fair Labor Standard Act and Delaware law under the following conditions:

- a. An employee who works more than 40 hours in any workweek (Sunday through Saturday) will be paid at a rate of one and one-half time for any hour(s) in excess of 40 or be given paid time off at a rate of one and one-half hours for the number of hours worked over the 40.
- b. An employee will receive paid time off only for hours actually worked beyond 40 in a workweek if he/she has signed the Agreement to Accept Compensatory Time in Lieu of Overtime Pay, which is maintained in his/her personnel file. Compensatory (or paid time off) in lieu of overtime pay must be taken within two pay periods that the compensatory time was earned or by June 30th of the current fiscal year, whichever one comes first, or it will be paid to the employee at the employee's overtime rate. Please also refer to the Memorandum Regarding Compensatory Time in Lieu of Overtime Pay distributed to all administrators by the Department of Compensation Services in October, 2007.

Military Reserve/National Guard Service

As a member of the Military Reserves or National Guard, an employee will receive compensation for a maximum of 10 working days per year in order to fulfill an annual training commitment. Compensation will be the difference between the employee's normal base salary or regular hourly rate of pay, and the salary paid by the government. An employee will be eligible to receive such compensation during the entire period of association with the Reserves or National Guard. The District may modify its compensation and benefits practices for employee Reservists or members of the National Guard under circumstances specified by the Director of Human Resources.

Paycheck Information and Compensation Inquiries and Questions

An employee should examine his/her paycheck online regularly to ascertain whether the deductions and salary payments are correct. Access to your paycheck is available through the Brandywine School District Web Portal by clicking on [ePay Login](#) under DOE Links.

Questions and inquiries regarding annualized or hourly salary calculation, payroll processing, or net pay may be directed to the Department of Compensation Services at 302-793-5036.