



A choice worth making...

**M**artin

**L**uther **H**igh **S**chool

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## **Personnel Policy Manual**

Updated September 2012



## **INTRODUCTION**

This handbook has been prepared for the staff of Martin Luther High School. It is not to be considered complete or final, but should be looked upon as a guide for operational policies and actions. As a guidebook, it will be in a continual state of change as it serves as a reminder of mutual ministry matters.

The purpose of this handbook is to acquaint all staff members with the operational procedures of Martin Luther High School for the smooth performance of each individual in their specific ministry function and for the smooth performance of the ministry team as a whole. This handbook should be a guide to those just beginning, a support and reminder to the experienced, and a source of information for prospective workers.

Staff members are expected to abide by all the policies and procedures which are delineated in this handbook.

It may be necessary at times to remind one another as to what this handbook contains. This should be done with a spirit of love and cooperation and should be received with a spirit of appreciation.

May the Lord bless our efforts in leading His young adults to walk more closely with their Savior as together we strive to reach our heavenly home.

## **MISSION STATEMENT**

Martin Luther High School, empowered by the Gospel of Jesus Christ in partnership with families and congregations, provides Christ-centered training and nurturing to help young people excel academically and lead active Christian lives.

## **VISION STATEMENT**

The Vision of Martin Luther High School is to be an exemplary Lutheran educational ministry.

## **FACULTY MINISTRY DESCRIPTION**

Martin Luther Faculty Members share in the joy of ministry by bringing their students into the full knowledge and understanding of what the Christian life is and can be, by enjoying the task of lifting-up Jesus to each student every day, by loving the students, and by bringing the students into the spiritual life of the school. Additionally, the teachers strive to enable the students to achieve academic and co-curricular proficiency, as well as providing for their emotional and physical needs while at school. A Martin Luther teacher should:

1. adhere to the teachings of the Lutheran Church-Missouri Synod. All workers are expected to support these teachings. Actions contrary to these teachings may result in termination.

2. participate in the worship program of the school –staff and student
3. pray for their students and fellow staff members
4. treat students and parents as “our customers,” making them feel welcome, appreciated, and “heard”
5. share in the efforts to recruit students
6. strive to retain students and help to ensure the success of every student
7. treat those of other faiths/churches diplomatically and with Christian love, and discuss differences accordingly
8. show love for their students and demonstrate a desire to help them grow toward Christian maturity and wisdom
9. prepare for each day’s teaching with attention to the particular needs of the class.
10. strive for and demonstrate annual personal and professional growth.
11. share in the accreditation and co-curricular responsibilities of the school.
12. strive to keep open lines of communication with students, parents, colleagues, administration, and the entire school community. Listen to and respond to all communications promptly, respectfully, and with Christian love
13. actively participate in the life of the congregation in which they hold membership.

### **PRINCIPAL MINISTRY DESCRIPTION SUMMARY**

#### Daily

1. In conjunction with other staff and faculty, plan and oversee the day-to-day calendar activities of the school.
2. Handle any spontaneous staff/student/parent concerns.
3. Serve as head of search committee for replacing any open staff/faculty positions.
4. Chief academic leader of the school.
5. Has responsibility for evaluation and supervision of personnel related to curriculum and instruction; counseling; co-curricular activities; and spiritual life.
6. Carries out the policies developed by the Board of Directors.
7. Provide information in regards to public relation and recruitment activities of the school to the Director of Public Relations and Recruitment.
8. Appoint someone to raise and lower flag.
9. Approve and sign all official correspondence for the school.
10. Resolve or refer to the Board of Directors any disputes that arise over discipline decisions made by the Dean of Students.
11. Advise athletic director in issues of concern in regards to the school’s athletics program.

#### Monthly

1. Prepare Principal’s report for monthly Board of Directors meeting.
2. Write agenda and report for monthly faculty meeting the week before meeting.
3. Attend monthly Board of Directors meeting as ex officio member.
4. Inform Board Chairman of any agenda items.
5. Assist Student Council President in preparing agenda for monthly Student Council meetings.
6. Prepare Principal’s report for monthly Faculty meeting.

### Quarterly

1. Meet with PTL Board and give report.
2. Delegate assembly duties: prepare agenda with Board Chairman, meet with and give report.
3. Attend Region 4 Lutheran Administrator meetings.

### Annually

1. Complete annual Lutheran School Statistics form
2. Complete Lutheran Annual form
3. Prepare annual report for Pastors and Delegates
4. Follow through on Staff contracts for coming year
5. Generate and send annual 'accreditation report' due no later than May 15<sup>th</sup>
6. Plan faculty pre-school meeting this is in August
7. Work on tentative School Year Calendar
8. Recommend graduation speaker
9. Recommend Martin Luther High Award recipient
10. Preside over end of school evaluation meeting
11. Follow through on faculty registration and attendance at District meeting and conferences that are required

## **MINISTERS OF RELIGION—COMMISSIONED**

The policy of MLHS regarding the Calling of teachers shall be that all teachers are Ministers of Religion—Commissioned. All such candidates are eligible for a Call from MLHS. Called "ministers" should use their gifts/talents in their congregations and should show an interest in District and Synodical affairs. Exceptions to this policy are situations where unanticipated vacancy occurs or specialized skills are required. This must be approved by the Board of Directors and is subject to annual renewal unless tenure is granted. The Board will review the status on non-commissioned teachers on an individual basis for contract renewal.

## **CALL-PROCEDURES**

1. When a Called teacher receives a Call to another ministry locale, he or she will immediately notify the school administration. The administrator will inform the Board of Directors of all Calls that are received.
2. When issuing a Call to a staff member of another congregation or institution, the administrator will notify the congregation or the institution from which that person is being Called with the encouragement that they join the Call recipient in careful and prayerful consideration of the Call extended.
3. Called workers shall communicate the receipt of or action taken on any Call to another ministry locale to the appropriate Minnesota South District official and the administrator at Martin Luther High School.

## **CONTRACT TEACHERS**

Teachers who do not hold membership in Synod are employed as contract teachers. They are expected to be active members of a Christian congregation and be supportive of the school's academic and religious programs. Such contracts are for one year and subject to annual renewal. Colloquy completion is encouraged.

## **BACKGROUND CHECKS**

All employees (including substitute teachers) shall have a criminal background check in compliance with state law. Copies of these background checks shall be kept in the staff member's personnel file and forwarded to the Minnesota South District office. Felony convictions or other legal violations may be cause for refusal to hire or dismissal.

## **STAFF QUALIFICATIONS**

1. High priority shall be made to employ qualified teachers who are trained at Lutheran Church-Missouri Synod colleges or seminaries. However, based on school needs, other qualified teachers who are members of the LCMS, as well as other qualified confessing Christians, should also be considered.
2. All teachers and administrators will, normally, hold active membership in an LCMS congregation or in the Christian congregation of their respective Christian tradition if not a LCMS Lutheran. Regular attendance at worship services, the Lord's Supper, Bible Classes, Voters' Assemblies and holding of offices and/or membership in auxiliary organizations is encouraged to the extent that it does not distract from nor interfere with work at Martin Luther High School.
3. All teachers are required to have a Bachelor's Degree and meet accrediting requirements as specified in the Policies and Criteria manual of the North Central Association of Colleges and Schools. College transcripts and evidence of additional credits earned are to be on file with the office. The final decision as to the qualifications of a teacher for a specific teaching assignment will be determined by the administrator.
4. Non-academic staff must meet the requirements set down for the positions to which they are hired. Qualifications and duties of these positions are set down in specific job descriptions. Workshops and other professional growth experiences are encouraged and will be funded for each full time staff member as is practical.
5. Teachers must have on file a written, current five-year plan, which includes certification/re-certification. Each teacher is required to provide for the personal file in the office a copy of their state teacher's certification, as well as an up-to-date copy of their official transcript(s) of coursework credits.

## **EQUAL EMPLOYMENT OPPORTUNITY**

Martin Luther High School attempts to select qualified candidates for employment positions based on merit, qualifications and abilities. Martin Luther High School does not discriminate in employment opportunities or practices on the basis of race, color, sex, national origin, age,

disability, status with regard to public assistance, membership or activity in a local commission or citizenship status, or any other characteristic protected by law.

Because we are a Lutheran Church Missouri Synod school, certain positions demand extensive understanding of and commitment to the doctrinal view of The Lutheran Church-Missouri Synod. For such positions, it is necessary for us to seek out individuals with specific theological training and/or synodical recognition. To the extent allowed by State and Federal Law for all positions, Martin Luther High School may give preference in hiring on the basis of religion.

## **IMMIGRATION REFORM AND CONTROL ACT OF 1986**

Martin Luther High School is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with Martin Luther High School within the past three years, or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact Martin Luther High School. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

## **DISABILITY ACCOMMODATION**

1. Martin Luther High School is committed to complying fully with the Minnesota Human Rights Act and the Americans with Disabilities Act (ADA) ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis.
2. Hiring procedures have been reviewed and provide persons with disabilities meaningful employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position.
3. Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) in job assignments, classifications, organizational structures, position descriptions, lines of progression, and seniority lists. Leave of all types will be available to all employees on an equal basis.
4. Martin Luther High School is also committed to not discriminating against any qualified employees or applicants because they are related to or associated with a person with a disability.
5. This policy is neither exhaustive nor exclusive. Martin Luther High School is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the Minnesota Human Rights Act, the ADA, and all other applicable federal, state, and local laws.

## **SERVICE AGREEMENT**

Full time teachers and the principal are employed on a 10-month basis. They will be paid however over a 12-month schedule. This equates to a responsibility for approximately 190 days during each school year for instruction, testing, and in-service before, during and end of school year. The principal will be available during June and July on a part time basis. Schedule to be announced.

## **COMPENSATION AND BENEFITS**

All teachers' salaries shall be paid on the basis of the approved salary by the delegates during their March Meeting. Stipends will be paid for certain special services. Full-time staff (more than 20 hours per week) will be covered under the Concordia Retirement Plan.

All staff member of MLHS are fully covered under the provisions of Workman's Compensation for injuries sustained while acting in the official capacity as agents of the school.

All full-time employees and families are eligible for coverage by the Concordia Health Plan. Accident Insurance coverage is also available.

All salaries are paid on the 15<sup>th</sup> and the last day of the month unless these fall on a weekend (in such case, checks can be expected no later that the following Monday) throughout the fiscal year of July 1<sup>st</sup> to June 30<sup>th</sup>. Salary increases are reflected in the July 15<sup>th</sup> check.

Teachers hired from outside the Northrop area may receive up to \$2,500 reimbursement for moving expenses.

Teachers must remember that they are legally responsible for actions or lack of actions. A teacher is legally negligent if through unintentional conduct, he or she is liable for the injury of another person. The test of negligence is not whether the person is a reasonable person or not, but rather whether the person acted in a reasonable fashion in the particular instance. A person is deemed negligent if an act is committed which a reasonable prudent person would not do under the same or similar circumstances or conversely, if the person neglects something a reasonably prudent person would do. Because of this, teachers are encouraged to pursue insurance endorsements providing additional liability coverage (e.g. corporal punishment, etc.)

Teachers may engage in tutoring students from MLHS before or after school hours and for special courses approved by the administration. Charging students for tutoring during school hours is not permissible. Anyone interested in tutoring, please speak to the Guidance Counselor

## **CONTINUING EDUCATION / IN-SERVICE**

Continuing professional development is required by the State of Minnesota to upgrade or maintain state teacher certification. The Minnesota South District of the LCMS has a Lutheran Continuing Education Committee, which oversees this requirement on behalf of our Lutheran

educators. This is also the minimum required at MLHS. A MN SO District Professional Growth Plan is highly encouraged.

Knowing that our MLHS students will ultimately be the beneficiaries, the Board of Directors of MLHS have established that full-time faculty members of MLHS will each be remunerated up to \$500 per school year for the tuition costs of continuing education courses related to their ministry assignment at MLHS. Such requests should be written and evidence of successful course completion should subsequently be provided to the administrator for the office personnel file. The total must be within any given fiscal year (July 1 – June 30). Reimbursement will not be given to any faculty member who decides to leave MLHS before successful completion.

For “required” in-service programs and conferences attended for the faculty, the full costs will be paid. Special fund-raisers may be necessary to assist with the costs of any “extra” conferences attended. Additional funding may be provided for coursework, conferences, clinics, or workshops that may be of particular need to the operation of MLHS. Decisions regarding funding will be made by the administration according to the expressed needs and availability of funds. The Parent-Teacher League also provides annual support. All full-time faculties at MLHS are required to hold membership in at least one professional organization (e.g. LEA, NACD, MENC, NASSP, etc.) MLHS will cover up to \$75.00 of this cost.

### **PERFORMANCE EVALUATIONS**

1. The purpose of the evaluation is to provide the staff member with the opportunity for growth and improvement and to provide Martin Luther High School with a means to insure high quality service and performance. All evaluations are confidential and are to be so maintained on the part of the staff member and the administrator.
2. Classroom teachers will be visited periodically by the school administration for supervisory and evaluation purposes as well as keeping informed about current teaching methods and instructional materials.
3. Written evaluations of all staff members are to be made by the administrator at least once each year. These reports should include, but are not limited to, such items as effectiveness, professionalism, strengths and weaknesses, and suggestions for improvement.
4. Written evaluations of staff members should be placed in that staff member’s personnel file. Copies of the evaluation are available to that staff member upon request.
5. The written evaluation of staff members is confidential except as may be required to be disclosed pursuant to applicable federal and state law. Written evaluations may be disclosed to those employees or Board members as may be necessary.

### **OUTSIDE EMPLOYMENT**

1. The Board of Directors reaffirms its practice of allowing Martin Luther High staff to engage in outside employment with the following guidelines:
  - a. When possible, staff is encouraged to seek employment in church-related or education-related activities.
  - b. Any outside employment must be such that it will not bring dishonor to the teacher nor in any way discredit the mission and philosophy of Martin Luther High School.



- c. Summer employment is usually preferable to employment during the school year.
- d. The outside employment of a staff member, or other activities where forms of compensation are given to staff members should in no way interfere with the daily work of the teacher, nor utilize school facilities or equipment with or without a fee.
- e. When staff serve as vendors or sales persons in their outside employment, they shall not solicit the Association nor school offices, staff members, students or auxiliary groups without consent of the administrator.
- f. Students, parents, and other staff members are not to be solicited, directly nor by mail, offering sales nor service of the teacher in his/her "outside employment."

### **ABSENCES / SUBSTITUTES WORK HOURS**

In the event a teacher is absent, the school will obtain a qualified substitute. Faculty members are encouraged to notify the administrator as early as possible, preferably at least 12 hours in advance. In order that the normal educational program may continue, teachers are required to provide necessary lesson plan materials for the substitute including class lists. Occasionally it is necessary for a teacher to “cover” another class during his/her planning period because of a conference, sudden illness, emergency, or when a teacher is traveling off campus with a group of students. Every effort should be made to inform the “covering” teacher at least one day in advance so that he/she may plan accordingly. It is advised that each teacher be prepared at all times for unexpected emergencies. Please make every effort to keep all such “covering” needs to as scant a minimum as possible!!

### **PERSONAL OR MEDICAL APPOINTMENTS**

1. From time to time, staff members may need to leave the building before the end of the day or come later at the beginning of the day for personal and/or medical appointments. Staff members are permitted two of these occasions for a “personal appointment” which is two teaching hours or less. For appointments requiring more than two teaching hours, see the “Personal Day”. If the number of these days is exceeded, teachers shall have their salary reduced by the cost of an outside substitute teacher. Non-teaching staff shall have their payroll deducted the equivalent of the time missed.
2. These days shall not coincide with a holiday or school vacation day and must be coordinated with the administrator.

Once personal or medical appointments are used, employees requesting personal appointments may use a minimum of ½ personal days.

### **PERSONAL TIME OFF**

Faculty and staff are entitled to 10 Personal Time Off (PTO) days during the school year. These days can be used for the following reasons:

1. Illness of self, spouse, parent (step), child (step) or grandchild (step) who needs the staff member’s attention, or for medical and dental appointments which exceed the “Personal Appointment” allotment.

2. Meetings for legal purposes, attending weddings or other family events, picking up from or taking children to college, visiting schools with children, etc.

Other than illness, PTO's cannot be taken congruently unless special arrangements have been made with the principal. PTO's may be used in no less than half day increments. If the number of these days exceeds 10 per academic year, teachers and administrators shall have their salary reduced by the cost of an outside substitute. Non-teaching staff shall have their payroll deducted the equivalent of the time missed for personal days exceeding 10.

### **BEREAVEMENT PAY**

Staff is permitted up to three working days bereavement leave to attend the funeral of an immediate family member without loss of pay. This would include the following family members (including step family or in-laws): brother, sister, father, mother, grandparent, aunt, uncle, niece, and nephew. In the case of the death of a spouse or child, 20 working days shall be permitted without loss of pay and may be taken consecutively or within one year of the anniversary of the death. The administrator may grant exceptions to these time limits.

### **MILITARY LEAVE**

Martin Luther High School provides military leaves of absence to employees who serve in the Uniform Services as required by the Uniform Services Employment and Re-Employment Rights Act of 1994 and applicable state laws. Leave is available for active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty, for examinations to determine fitness for any such duty, and for any other leave permitted by law. Total military leave time taken may not exceed five years during employment, except in certain specific circumstances or as otherwise provided by law.

Advance notice of leave is required, preferably in writing. Employees must inform their supervisor of anticipated military leave time as far in advance as possible. Accrued vacation will be paid during military leave at the employee's request and health plan coverage continuation can be arranged for up to 18 months during military leave if the employee pays the required premium payments. As with other leaves of absence, failure to return to work or to reapply within applicable time limits may result in the employee's loss of re-employment rights.

### **WORKERS' COMPENSATION LEAVE**

1. Martin Luther High School provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, hospital, psychological, chiropractic, or podiatric treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period.
2. Employees who sustain work-related injuries or illnesses should inform the school office and immediate supervisor as soon as possible. All employees are covered by workers' compensation insurance when engaged in Association business. Since workers' compensation is a tax-free income, if an employee is eligible for workers' compensation, his/her payment during the time of eligibility will be only that of workers' compensation and

not from the MLHS payroll. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible. If an employee fails to provide notice to Martin Luther High School within 180 days from the date of the injury or when the employee reasonably should have known it to be work related, then no compensation would be due to the employee.

3. Neither Martin Luther High School nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by Lutheran School or any injuries that occur when the employee is not engaged in, on, or about the premises where the employee's services require the employee's presence as a part of that service at the time of injury and during the hours of that service. Personal injury does not include an injury caused by the act of the third person or fellow employee intended to injure the employee because of personal reasons, and not directed against the employee as an employee, or because of the employment.

### **LEAVE OF ABSENCE...DISABILITY, ADOPTION AND MATERNITY**

1. The Board of Directors shall grant disability leave (including maternity leave) with benefits and salary continuation as prescribed in the Health-Disability Plans and in accordance with the Americans with Disabilities Act, the Minnesota Human Rights Act, the Family and Medical Leave Act, and the Minnesota Parental Leave Law. They may also grant a leave of absence for any such reasons they deem a "family crisis" such as serious illness, accident and the like.
2. In times of disability, MLHS pays the premiums for the Concordia Disability and Survivor Plans (CDSP) which provides benefits to eligible employees, subject to amounts and terms set out in the Plan.
3. Adoption is not considered a disability by the Concordia Plan benefit program and is not eligible for benefits. The Minnesota Parental Leave Act does require an institution to grant an employee six weeks unpaid leave for the adoption of a child. In addition, Martin Luther High School will support the employee who adopts a child by fully paying all benefits for a six week period of time following the adoption of a child. These six weeks shall begin the day the child is adopted and shall run concurrent regardless of weekends or holidays. Furthermore, MLHS will pay one half of that worker's salary up to six weeks. In addition, MLHS will pay the cost of the substitute needed during that six-week period. Should the worker return prior to the six-week period, they shall be returned to full salary pro rated based on the day they return. Medical or Personal Days still remaining for that worker may be added to these six weeks per policies found elsewhere in this manual.
4. In times of family crisis or adoption, including but not limited to a leave of a worker due to a family member's military status, the leave shall be granted under terms and conditions recommended by the administration and approved by the Executive the Board of Directors.
5. When disability situations occur, staff may use any eligible time off as compensations until CDSP disability compensation begins.

6. After day 14 of any disability, CDSP will begin reimbursing 70% of the employee's wage directly to the employee. The other 30% of the employee's wages will be paid in accordance with the CDSP in place at the time of the disability.
7. Disability for purposes of qualifying for disability coverage under CDSP is defined in Section 41 as follows: "A totally disabled member is (a) unable during the first two years of disability to perform any and every duty of the member's occupation, and thereafter is unable to engage in any substantial gainful activity for which the member is qualified by training, education or experience, because of a medically determinable physical or mental impairment which did not result from a cause described in Subsection 4:7, (b) has, because of such impairment, been absent from active work for a continuous period of fourteen days and continues to be absent from work for such reason and (c) is under the regular care of a duly licensed physician."
8. A member for purposes of qualifying for disability coverage under the CDSP policy shall not be deemed totally disabled if disability is the result of (a) injury or disease sustained by the member while serving in any Armed Forces, (b) injury or disease sustained by a member as a result of an act of war, whether or not such act arises from a formally declared state of war or (c) injury or disease sustained by the member while willfully and illegally participating in fights, riots, civil insurrections or while committing a crime.
9. Martin Luther High School incorporates and follows all of the provisions of the Plan in effect at the time of and applicable to the claimed disability, so as to be consistent therewith in all respects including definitions, procedures, etc., relative to payment of benefits.
10. This Plan has been established with the intention that it will be continued indefinitely for the benefit of present and future staff of Martin Luther High School. However, the Board of Directors does reserve the right to change or terminate this Plan.
11. Martin Luther High School will accommodate disabled individuals pursuant to the Americans with Disabilities Act and the Minnesota Human Rights Act notwithstanding whether or not there is disability coverage under CDSP. Reasonable accommodations will be made to all eligible employees pursuant to these state and federal laws.
12. All leaves of absence include weekends, holidays, and any other school calendar breaks.

### **BONE MARROW DONATION LEAVE**

Martin Luther High School shall, in accordance with state law, provide eligible employees paid time off for the purpose of donating bone marrow.

Employees who are eligible for this leave are regular full-time and part-time employees who work a minimum of twenty (20) hours per week.

Eligible employees will be allowed to request and take no more than forty (40) hours leave. This leave shall be paid and the employee will retain all benefits provided by Martin Luther High School while on leave. Employees wishing to take leave for the purpose of donating bone marrow must request the leave from the administrator. All requests must be accompanied by a written verification from a physician stating the purpose of the leave and the length of the leave. If an employee is granted leave and is subsequently found not to qualify as a bone marrow donor, the paid leave will not be forfeited.

## **SCHOOL CONFERENCES AND ACTIVITIES LEAVE**

1. In compliance with Minnesota law, Martin Luther High School will grant unpaid leave of up to a total of 16 hours during any 12 month period to enable a parent to attend a child's special education, pre-school, school conferences or school related activities if those conferences or activities cannot be scheduled during non-work hours.
2. When the leave is foreseeable and cannot be scheduled during non-work hours, the employee must provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave so as not to disrupt unduly the operations of Martin Luther High School. An employee may substitute any paid leave that is available to him or her; otherwise, the leave will remain unpaid.

## **VOTING**

1. Martin Luther High School encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule. If employees are unable to vote in an election during their non-working hours, Martin Luther High School will grant paid time off to vote pursuant to Minnesota State law.
2. Employees should request time off to vote from their supervisor at least two working days prior to the election day. Advance notice is requested so as to provide the least disruption to the normal school day.
3. For purposes of this subdivision, "election" means a regularly scheduled state primary or general election, an election to fill a vacancy in the office of the United States Senate or United States House of Representatives, or an election to fill a vacancy in the office in either house of the State legislature.

## **JURY DUTY**

Teachers are to report notification of assignment of jury duty to the administrator and are encouraged to work together in having such duty deferred to a time when school is not in session. Otherwise, teachers and staff shall be continued at full pay during their service. Jury duty pay shall be returned to the school excluding mileage and meal expense.

## **EMPLOYEE CONDUCT AND WORK RULES FOR ALL EMPLOYEES**

1. To ensure orderly operations and provide the best possible work environment, Martin Luther High School expects employees to follow rules of conduct that will protect the interests and safety of all employees and the school.
2. The "10 month" work year is three weeks prior to the opening of school through one week after the close of school.
3. On school days teachers are required to arrive 35 minutes prior to the beginning of school and leave no earlier than 35 minutes after school.
4. It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions or rules of conduct that may result in disciplinary action, up to and including termination of employment:
  - a. Theft, inappropriate removal, or possession of property

- b. Working under the influence of alcohol or illegal drugs
- c. Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer-owned vehicles or equipment
- d. Fighting or threatening violence in the workplace
- e. Boisterous or disruptive activity in the workplace
- f. Negligence or improper conduct leading to damage of employer-owned or customer owned property
- g. Insubordination or other disrespectful conduct
- h. Violation of safety or health rules
- i. Smoking in prohibited areas
- j. Sexual or other unlawful or unwelcome harassment
- k. Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- l. Excessive absenteeism or any absence without notice
- m. Unauthorized absence from workstation during the workday
- n. Violation of personnel policies
- o. Unsatisfactory performance or conduct
- p. Possession or distribution of inappropriate materials
- q. Misuse of the computer network that violates the terms of the acceptable use policy
- r. Teaches false doctrine, acts immorally or illegally, or violates the requirements or intent of his or her call or contract and its accompanying documents

## **GRIEVANCE PROCEDURES**

When a staff member has a concern with an individual or staff member of the Martin Luther High School community, they shall follow the principles of Matthew 18 in an effort to resolve the concern.

When attempting to resolve any conflict or disagreement with a:

Fellow staff member:

**Step One-** Go to the staff member privately to voice your concern and work towards resolution in a professional and God-pleasing manner.

**Step Two-** If this effort proves unsuccessful, it is appropriate to involve another staff member of the individual with whom you have a concern.

**Step Three-** If this effort proves unsuccessful, it is then appropriate to involve the administrator who will meet with all parties to work towards satisfactory resolution..

Administrator: (including Athletic Director and Dean of Students)

**Step One-** Go to the administrator, one-on-one, to voice your concern and work towards resolution in a professional and God pleasing manner.

**Step Two-** If this effort proves unsuccessful, it is appropriate to involve another staff member or another administrator to work towards resolution.

**Step Three-** If this effort proves unsuccessful, it is then appropriate to contact the chairman of the Board of Directors who will take the appropriate action in the matter.

Board or school policy:

**Step One-** Go to the individual staff member responsible for enforcing the policy.

**Step Two-** If this effort proves unsuccessful, address the matter with the administrator.

**Step Three-** If the matter remains unresolved, the staff member shall contact the Board chair who shall take the appropriate action.

Personnel or policy grievances shall ultimately be resolved among the administrator and the Board of Directors

## **PROGRESSIVE DISCIPLINE**

The purpose of this policy is to state Martin Luther High School's position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

Martin Luther High School's own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Martin Luther High School may use progressive discipline for both called and non-called workers at its discretion.

Disciplinary action may call for any of three steps -- verbal warning, written warning, suspension or termination of employment -- depending on the severity of the problem and the number of occurrences. There may be circumstances when one or more steps are bypassed.

Progressive discipline means that, with respect to most disciplinary problems, these steps will normally be followed: a first offense may call for a verbal warning; a next offense may be followed by a written warning; and, still another offense may then lead to termination of employment.

Martin Luther High School recognizes that there are certain types of employee problems that are serious enough to justify either a suspension, or, in extreme situations, termination of employment, without going through the usual progressive discipline steps.

While it is impossible to list every type of behavior that may be deemed a serious offense, the Employee Conduct and Work Rules policy includes examples of problems that may result in immediate termination of employment. However, the problems listed are not all necessarily serious offenses, but may be examples of unsatisfactory conduct that will trigger progressive discipline.

By using progressive discipline, we hope that most employee problems can be corrected at an early stage, benefiting both the employee and Martin Luther High School.

## **TERMINATION OF EMPLOYMENT**

1. Martin Luther High School employs several different categories of employees including the Called and Non-Called Workers.
  - a. Called Workers – “for cause” as defined within this manual.
  - b. Non-Called Workers – Employed “contract” during all periods of employment.
2. “Cause” as stated in this manual is intended to mean (1) any intentional conduct, on the job or off the job, that disregards the standards of behavior that Martin Luther High School has the right to expect of the employee or disregards the employee’s duties and obligations to Martin Luther High School; or (2) negligent or indifferent conduct, on the job or off the job, that demonstrates a substantial lack of concern for the employment; or (3) exhibiting an ungodly lifestyle; or (4) teaching false doctrine; or (5) inability to perform the essential functions of the position; or (6) job elimination due to restructuring or lack of funds.
3. A violation of the Employee Conduct and Work Rules, as set forth in that section, may, depending upon the violation and the circumstances, be considered to be “cause” to terminate the employment relationship for called workers.
4. When a worker leaves MLHS, his or her Concordia Plan benefits will be paid until the last day of the month in which he/she stops employment at MLHS.

## **MORALS POLICY**

The command of Christ is that His mission for MLHS should be carried out according to His will, and that in doing so, we maintain decency and order in our personal and professional lives. No practice or behavior inconsistent with or in conflict with individual moral and ethical conduct required by Scripture shall be tolerated from employees. Any failure to maintain these ethical and moral standards may be grounds for counseling and/or immediate dismissal from employment.

Persons who hold positions of responsibility or positions that put them and Martin Luther High School in the public eye are often regarded as role models and exemplars of Christian leadership. These persons may be held to a stricter standard of behavior and practice than other employees in both their work and their personal lives. Counseling may be required, and these employees may face dismissal for behavior and practices deemed by Martin Luther High School to be inappropriate to fulfilling their function as a role model and leader in carrying out Christ’s mission on earth.

## **OFFENSIVE BEHAVIOR**

### **I. Policy Statement**

It is the policy of Martin Luther High School to make every effort to provide a working environment free from discrimination and from offensive, inappropriate or degrading remarks or conduct. Such behavior includes, but is not limited to, inappropriate remarks about or conduct related to any individual’s race, color, creed, religion, national origin, gender, pregnancy, marital status, disability, age, status with regard to public assistance or sexual preference or identity. Offensive behavior prohibited by this policy includes requests



to engage in illegal, immoral, or unethical conduct or retaliation for the making of a complaint.

While all forms of offensive, inappropriate and discriminatory behavior are prohibited, it is Martin Luther High School's policy to emphasize that sexual harassment is strictly prohibited.

The harassment of any employee of Martin Luther High School is demeaning to both the victim of the harassment and to Martin Luther High School. It can result in high turnover, absenteeism, low morale, and an uncomfortable work environment. Martin Luther High School will not tolerate the harassment of any of its employees and will take immediate, positive steps to stop it when it occurs.

An employee of Martin Luther High School found to have acted in violation of this Offensive Behavior Policy shall be subject to appropriate disciplinary action which may include but is not limited to a warning, reprimand, suspension, demotion, and termination.

This policy is not intended to deny the right of any individual who feels s/he has been sexually harassed or harassed in any other manner in violation of the Offensive Behavior Policy, to contact government enforcement agencies, or to replace legal recourse for any actions which violate federal or state law.

## II. Definition

The following definition is intended to define sexual harassment, one form of offensive behavior:

Unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or communication of a sexual nature constitutes sexual harassment when:

- A. Submission to such conduct or communication is made either explicitly or implicitly a term or condition of an individual's employment;
- B. Submission to or rejection of such conduct or communication by an individual is used as the basis for employment decisions affecting such individual; or
- C. Such conduct or communication has the purpose or effect of substantially interfering with an individual's employment or creating an intimidating, hostile, or offensive working environment.

The following kinds of conduct may, depending upon the circumstances, be examples of sexual harassment:

### Verbal Harassment

- Sexually oriented verbal kidding or abuse.
- Use of offensive or demeaning terms which have sexual connotations.
- Whistling, catcalling, or leering.
- Unwelcome vulgar or obscene jokes or language.

- Commenting on the appearance of an individual in a sexual way.
- Recounting one's sexual exploits for the people in the office or workplace.
- Starting or spreading untrue rumors about the sex life of an employee.
- Subtle or overt pressure for sexual activity.

#### Physical Harassment

- Soliciting or pressuring someone to sit on your knee, hug you, kiss you, or be friendly.
- Objectionable physical proximity or physical contact.
- Physical contact such as patting, pinching, or brushing against another's body.
- Unwelcome touching gestures.
- Impeding or blocking movement or any physical interference with normal work or environment.
- Grabbing or tearing someone's clothing.
- Physically forcing sexual activity on someone (assault).

#### Visual Harassment

- Displaying offensive, sexually-oriented jokes and pictures, which may include pinups or posters.
- Revealing parts of your body in violation of common decency.
- Offensive or intimate personal gestures or touching.
- Displaying offensive, sexually-oriented letters, poems, graffiti, cartoons, emails, or drawings.

### III. Responsibilities

All MLHS employees are responsible for conducting themselves in a manner consistent with the spirit and intent of this policy. The Offensive Behavior Policy applies to all employees of Martin Luther High School including, but not limited to: full-time and part-time employees, regular and temporary employees, and employees covered or exempted from personnel rules or regulations.

This policy will be distributed to all employees of Martin Luther High School. Every employee will be required to acknowledge his or her receipt of this policy in writing. A copy of that acknowledgment shall be kept on permanent file with Martin Luther High School. Department heads and supervisors shall be responsible for ensuring that all employees under their direction are familiar with this policy.

### IV. Remedial Action

Any employee who feels s/he is being subjected to offensive behavior should immediately contact one of the persons below with whom the employee feels most comfortable. Complaints may be made orally or in writing to the administrator and or chairman of the Board of Directors.

All complaints of offensive behavior will be taken seriously and responded to in a timely and appropriate manner. Martin Luther High School will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with Martin Luther High School's legal obligation to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations.

## 1. Investigation

When making a complaint, the employee should be prepared to provide the following information:

- a. The employee's name, department, and position title;
- b. The name of the person or persons committing the offensive behavior, including their title/s, if known;
- c. The specific nature of the offensive behavior, how long it has gone on, and any employment action (demotion, failure to promote, dismissal, refusal to hire, transfer, etc.) taken against the complainant as a result of the offensive behavior;
- d. Witnesses to the offensive behavior; and
- e. Whether the complainant has previously reported or discussed such offensive behavior and if so, when, to whom, or with whom.

The administrator is the person designated by Martin Luther High School to be the investigator of complaints of offensive behavior. The administrator may delegate the investigation to another MLHS employee at his/her discretion. In the event the offensive behavior complaint is against the administrator, the investigator shall be a person designated by the chairman of the Board of Directors.

## 2. Corrective Action

### a. Involving Employees

Based upon the investigation, the administrator shall, within a reasonable period of time, determine whether the conduct of the person against whom a complaint of offensive behavior has been made constitutes offensive behavior. In making that determination, the administrator shall look at the situation as a whole and at the totality of the circumstances. The determination of whether offensive behavior occurred shall be made on a case-by-case basis.

If the administrator determines that the complaint of offensive behavior is founded, s/he shall take immediate and appropriate disciplinary action against the employee guilty of the offensive behavior, consistent with his/her authority.

The disciplinary action shall be consistent with the nature and severity of the offense, the rank of the employee and any other factors the administrator deems appropriate including, but not limited to: the effect of the offense on employee morale, public

perception of the offense, and the light in which it casts Martin Luther High School. A determination of the level of disciplinary action shall also be made on a case-by-case basis.

A written record of disciplinary action taken shall be kept, including, verbal reprimands in a separate, confidential file.

b. Involving Non-Employees

In cases of offensive behavior committed by a non-employee against a MLHS employee in the workplace, the administrator shall take lawful steps to halt the offensive behavior.

V. Obligation of Employees

Employees are not only encouraged to report instances of offensive behavior, but are obligated to make such reports. Offensive behavior exposes Martin Luther High School to liability, and it is part of each employee's job to reduce Martin Luther High School's exposure to liability.

Employees are obligated to cooperate in every investigation of offensive behavior. This includes, but is not limited to: coming forward with evidence which may be favorable to the accused person, as well as, fully and truthfully making a written report or verbally answering questions when required to do so by an investigator during the course of an investigation of offensive behavior.

Employees are also obligated to refrain from filing bad faith complaints of offensive behavior.

VI. Retaliation

Martin Luther High School prohibits retaliation against the person making the complaint of offensive behavior, witnesses, a person who associates with or supports a person making a complaint, or any other persons connected with the investigation. Individuals who engage in retaliation will be subject to immediate discipline, up to and including termination of employment.

VII. Process

If, for any reason, you believe your complaint has not been responded to in a timely or appropriate manner, refer the problem to the chairman of the Board of Directors.

VIII. Consensual Relationship

Consensual or voluntary romantic and/or sexual relationships between co-workers, while not forbidden, are considered by management as unwise and having the potential for charges of

sexual harassment. A charge of sexual harassment arising out of this relationship will be investigated under these policies and procedures in the same manner as any other charge.

### **ALCOHOL, DRUGS, AND CONTROLLED SUBSTANCES**

It is Martin Luther High School's desire to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

While on Martin Luther High School's premises and while conducting business-related activities off Martin Luther High School's premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. (Exception: Alcoholic beverages served at MLHS events such as benefit dinners, Dinner auction etc.) The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment. Such violations may also have legal consequences.

Martin Luther High School has adopted a Drug and Alcohol Testing Policy which allows Martin Luther High School to test employees if alcohol or drug use is suspected. Martin Luther High School may also test job applicants and employees in safety sensitive positions as set forth within the Policy. For details regarding this Testing Policy, please refer to the Drug and Alcohol Testing Policy at the end of this Manual.

Employees with questions on these policies or issues related to drug or alcohol use/abuse should direct their questions to the administrator without fear of reprisal.

### **WORKPLACE SAFETY**

Martin Luther High School is committed to providing a safe environment for employees and visitors. In order to provide a safe work place, access to our work area may be limited to those with a legitimate business interest.

### **WORKPLACE VIOLENCE PREVENTION**

Martin Luther High School is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, Martin Luther High School has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

All employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others.

Conduct that threatens, intimidates, or coerces another employee, a student, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's gender, race, age, or any characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor. This includes threats by employees, as well as threats by students, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Do not place yourself in peril. If you see or hear a commotion or disturbance near your work station, do not try to intercede or see what is happening.

Martin Luther High School will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, Martin Luther High School may suspend employees, either with or without pay, pending investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action, up to and including termination of employment.

Martin Luther High School encourages employees to bring their disputes or differences with other employees to the attention of the administrator before the situation escalates into potential violence. Martin Luther High School is eager to assist in the resolution of employee disputes, and will not discipline employees for raising such concerns.

#### FRAUDULENT OR DISHONEST CONDUCT & WHISTLEBLOWER POLICY

Martin Luther High School will investigate any possible fraudulent or dishonest use or misuse of Martin Luther High School resources or property by management, staff, volunteers, or members. Anyone found to have engaged in a fraudulent or dishonest conduct is subject to disciplinary action by Martin Luther High School up to and including civil or criminal prosecution when warranted.

All members of the Martin Luther High School community are encouraged to report possible fraudulent or dishonest conduct (i.e., a whistleblower). An employee should report his or her concerns to the administrator. If for any reason an employee finds it difficult to report his or her concern to the administrator, the employee can report it directly to the chairman of the Board of Directors.

The administrator is required to report suspected fraudulent or dishonest conduct to the chairman of the Board of Directors.

For more information about definitions, rights and responsibilities, procedures, and contacts read the following.

### Definitions

Baseless Allegations: allegations made with reckless disregard for their truth or falsity. People making such allegations may be subject to institutional disciplinary action and /or legal claims by individuals accused of such conduct.

Fraudulent or Dishonest Conduct: a deliberate act or failure to act with the intention of obtaining an unauthorized benefit. Examples of such conduct include, but are not limited to:

- forgery or alteration of documents
- unauthorized alteration or manipulation of computer files
- fraudulent financial reporting
- misappropriation or misuse of Martin Luther High School resources, such as funds, supplies, or other assets
- authorizing or receiving compensation for goods not received or services not performed
- authorizing or receiving compensation for hours not worked

Whistleblower: an employee who informs the administrator or chairman of the Board of Directors about an activity which that person believes to be fraudulent or dishonest.

### Rights and Responsibilities

The administrator is required to report suspected fraudulent or dishonest conduct to the chairman of the Board of Directors. In addition, they are responsible for maintaining a system of management controls, which detect and deter fraudulent or dishonest conduct. Failure to establish management controls or report misconduct within the scope of this policy may result in adverse personnel action against the administrator, up to and including dismissal. The Board of Directors is available to assist in establishing management systems and recognizing improper conduct.

Reasonable care should be taken in dealing with suspected misconduct to avoid:

- baseless allegations
- premature notice to persons suspected of misconduct and/or disclosure of suspected misconduct to others not involved with the investigation
- violations of a person's rights under law

### Whistleblower Protection

Martin Luther High School will protect whistleblowers as defined below.

- Martin Luther High School will use best efforts to protect whistleblowers against retaliation, as described below. It cannot guarantee confidentiality, however, and there is no such thing as an "unofficial" or "off the record" report. Martin Luther High School will keep the whistleblower's identity confidential, unless (1) the person agrees to be identified; (2) identification is necessary to allow Martin Luther High School or law enforcement officials to investigate or respond effectively to the report; (3) identification is required by law; or (4) the person accused of Fraud Policy violations is entitled to the information as a matter of legal right in disciplinary proceedings.
- Martin Luther High School employees may not retaliate against a whistleblower with the intent or effect of adversely affecting the terms or conditions of employment (including but not limited to, threats of physical harm, loss of job, punitive work assignments, or impact on salary or wages). Whistleblowers who believe that they have been retaliated against may file a written complaint with the administrator. A proven complaint of retaliation shall result in a proper remedy for the person harmed and the initiation of disciplinary action, up to and including dismissal, against the retaliating person. This protection from retaliation is not intended to prohibit managers or supervisors from taking action, including disciplinary action, in the usual scope of their duties and based on valid performance-related factors.
- Whistleblowers must be cautious to avoid baseless allegations (as described earlier in the definitions section of this policy).

## MANDATED REPORTING

Teachers, office staff, custodians and anyone employed by the school who has regular contact with students are considered by the State of Minnesota to be mandated reporters of any abuse to a student. A mandated reporter must report when they receive information that maltreatment has occurred or have reason to believe maltreatment has occurred to a child within the past three years. A “mandated reporter” is the individual who receives the information.

“Abuse” is defined as the following:

**Physical abuse-** Non-accidental physical injury or threatened injury or unauthorized aversive or deprivation procedures used with developmentally delayed children.

**Sexual abuse-** Any sexual contact with a child, including everything from touching or fondling a child with clothes on, all the way to penetration or intercourse includes sexual abuse.

**Neglect-** Failure to provide a child with food, clothing, shelter or medical care when able to do so or failure to protect a child from conditions or actions which imminently and seriously endanger a child’s physical or mental health or pre-natal exposure to a controlled substance or infant medical neglect.

**Mental Injury-** An injury to the psychological capacity or emotional stability of a child as evidenced by observable impairment or substantial impairment in the child’s ability to function within a normal range of performance and behavior with regard to the child’s culture.

Staff suspecting that abuse has occurred must report to the local social services agency or local law enforcement within twenty-four hours of receiving the information. If the mandated reporter



perceives the child to be in immediate danger, they shall immediately contact 911 for further action. A written report must follow within seventy-two hours of receiving the information. The staff member shall also inform the Guidance Counselor and/or appropriate administrative personnel, but it is the staff member's responsibility to fulfill the reporting procedures.

Mandated reporters must keep this information confidential. This means that they are only to discuss this matter with the Guidance Counselor or appropriate administrative personnel or appropriate local authority. Do not discuss this with other staff, the parents of the student, or any other person(s). The results of any investigation may remain confidential by the investigating agency and may not necessarily be shared with the mandated reporter.

According to state regulations, mandated reporters are to remain confidential, immune from civil or criminal liability if acting in good faith, and retaliation by the employer is prohibited.

### **COMPUTER/INTERNET USE POLICY**

Computers, computer files, the e-mail system, and software furnished to employees are property of Martin Luther High School. Employees should not use a password that is not filed with the management, or without authorization of the management. Employees do not have an expectation of privacy with respect to information contained in MLHS' computers, computer files, or e-mail systems.

Martin Luther High School strives to maintain a workplace free of harassment and is sensitive to the diversity of its employees. Therefore, Martin Luther High School prohibits the use of computers and the e-mail system in ways that are disruptive, offensive to others, or harmful to morale. For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or that creates a hostile, offensive or intimidating environment for others. Employees should notify the Executive Director upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

Internet access to global electronic information resources on the World Wide Web is provided by Martin Luther High School to assist employees in obtaining work-related data and technology. The following guidelines have been established to ensure responsible and productive Internet usage.

All Internet data that is composed, transmitted, or received via our computer communications systems is considered to be part of the official records of Martin Luther High School and, as such, is subject to disclosure to law enforcement or other third parties. Consequently, employees should always ensure that the business information contained in Internet e-mail messages and other transmissions are accurate, appropriate, ethical, and lawful. The equipment, services, and technology provided to access the Internet remain at all times the property of Martin Luther High School.

Employees do not have an expectation of privacy with respect to their use of the Internet. As such, Martin Luther High School reserves the right to monitor Internet traffic, and retrieve and read any data composed, sent, or received through our online connections and stored in our computer systems. Data that is composed, transmitted, accessed, or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person. Examples of unacceptable content may include, but are not limited to: sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation, or any other class or characteristic protected by law.

Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses and all compressed files are to be checked before and after decompression. Abuse of the Internet access provided by Martin Luther High School in violation of law or Martin Luther High School's policies will result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and can result in disciplinary action:

- Sending or posting discriminatory, harassing, or threatening messages or images
- Using Martin Luther High School's time and resources for personal gain
- Stealing, using, or disclosing someone else's code or password without authorization
- Sending or posting confidential material, trade secrets, or proprietary information outside of the organization
- Violation of copyright law
- Failing to observe licensing agreements
- Engaging in unauthorized transactions that may incur a cost to Martin Luther High School or initiate unwanted Internet services and transmissions
- Sending or posting messages or material that could damage Martin Luther High School's image or reputation
- Participating in the viewing or exchange of pornography or obscene materials
- Sending or posting messages that defame or slander other individuals
- Attempting to break into the computer system of another organization or person
- Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities
- Jeopardizing the security of Martin Luther High School's electronic communications systems or engaging in any other illegal activities

Workplace monitoring may be conducted by Martin Luther High School to ensure quality control, employee safety, security and customer satisfaction.

### **STAFF DRESS CODE**

Staff dress should reflect professionalism therefore; the following requirements additionally apply to the professional staff during the school day for their best appearance:

1. No shorts
2. No athletic shoes or apparel
3. Strongly encouraged: men – tied neckties and dress slacks: women – skirts, dresses, dress slacks.
4. Fridays are “casual days”. (This would include nice jeans (no rips or tears), no ties but collared shirts, no shorts.)

### **STAFF RECOGNITION**

Martin Luther will formally recognize the following anniversaries at the end of the year:

- 10 years of ministry to MLHS, plus multiples of each additional 5 years;
- 25 years of total ministry, plus multiples of each additional 5 years.

### **GRADING / PROGRESS REPORTS / TESTING**

Numerical scores record a student’s progress throughout a marking period. The grades for all subjects are to be expressed as follows:

100 - 99%	A+	
98 - 95%	A = Superior	
94 - 92%	A-	4 (3.5 - 4.0)
91 - 89%	B+	
88 - 86%	B = Good	
85 - 83%	B-	3 (2.5 - 3.4)
82 - 78%	C+	
77 - 75%	C = Satisfactory	
74 - 72%	C-	2 (1.5 - 2.4)
71 - 69%	D+	
68 - 67%	D = Poor, conditionally passed	
66 - 65%	D-	1 (0.5 - 1.4)
64% or below	F = Failing	0 (0.4 and below)

WF - Withdrew Failing      WP - Withdrew Passing  
 Med - Medical Excused Physical Education - with doctor verification  
 I - Incomplete work due to illness, verified by doctor  
 NC - No Credit

Individual quarter grades may be given in terms of a plus or a minus; however, semester grades will not.

All teachers are encouraged to evaluate on the basis of as many grades as possible for each marking period. Two grades per week is the suggested minimum. Grades are determined by weighing test data, analyzing success in meeting performance objectives, handling teacher-imposed criteria involving homework assignments, reports, projects, classroom participation, term papers, etc. Teachers may record a 0% in cases of unexcused absences, cheating, late work, or being dismissed from class.

Grades must be completed and entered into Cornerstone by the mutually agreed deadline. At mid-terms teachers must contact parents of those students who are performing below average. Two weeks prior to the end of each quarter teachers must contact parents of those students who are in jeopardy of failing. An Official report card (with letter grades) are issued at the end of each quarter grading period. Each teacher is required to complete the report card of each student in each subject they teach. These are to be completed by the mutually agreed deadline. Teachers must include “comments” on report cards for each subject in which they recorded a below average grade. Teachers are required to contact parents as soon as they know a student is failing before Progress Reports or Report Cards are issued.

All students are given semester examinations. Semester examinations represent 20% of the final semester grade. All subjects are required to offer a semester examination on the appropriate final exam day except as may have previously been exempted (music/art, etc). The administrator must approve all exceptions. Exams are administered during 90 minute testing periods over a three-day period. Other specifics regarding the final exam procedure will be discussed at a faculty meeting prior to the examination time. Teachers are required to hand in to the academic/guidance office, a copy of the final for each subject in which a final is given, each semester. Seniors’ will be excused from the final exam in each subject in the second semester of their senior year they had an “A” average in that subject for 3<sup>rd</sup> and 4<sup>th</sup> quarters combined. In order to receive credit for the semester in each course, a student must pass at least two of these grading elements, i.e. must pass at least both quarters or one quarter and the semester final exams. The combined average of the three elements must be at least 65% to pass and receive credit.

(NOTE: Semester examinations generate the best results when teachers can prepare students for taking a major test, enforcing strict examination rules during the test and discussing the test results. Teachers should plan to fully use the entire 90 minutes in this fashion so that the test will be a true evaluation and diagnostic instrument. Teacher-prepared tests that determine the student’s success in acquiring, retaining and applying concepts over a semester’s period of time will provide better results than a rehash of items from old unit tests or the diagnostic exam often included in the teacher’s manual. In other words, take time in preparing, giving, and discussing the examination.)

### **ACADEMIC GUIDANCE / INTERVENTION**

Teachers may refer an individual student to the academic counselor if the student exhibits some special education need. Parents will then be contacted to consider special education testing for their child.

Parent/student/teacher conferences are encouraged whenever they may be of benefit for the educational process. Requests for conferences may be initiated by the teacher or parent. Teachers are to respond immediately (within 24 hours) to parent requested conferences. Should the principal be requested to come to the conference, teachers should make the necessary arrangements. A teacher may be requested to attend a parent-principal conference in order to provide clarification of supporting material.

Telephone calls to parents are encouraged whenever possible. There is NO research which supports parents being upset that the teachers have too much contact with them relative to their student's progress. THERE'S PLENTY CONSIDERING THE CONVERSE! Let us err on the side of having too much!!

### **STUDENT ATTENDANCE**

Student attendance must be taken and recorded by the teacher each period. Student absences and tardies are recorded on cornerstone. Each teacher is also expected to keep an accurate attendance record in their grade book. Students arriving to class more than 20 minutes late are considered absent. The office record is the official record.

Students who enroll in class or school before the close of the 10<sup>th</sup> day of class at the beginning of school, shall be permitted to make-up class work in order to receive full credit for the grading period. Enrollment after more than 10 days can receive credit if written documentation is presented that attendance and/or schoolwork was completed at another school during the same school year.

Students who are absent from class more than ten days during the semester will lose credit in that class. Credit can only be restored by the affirmative action of an Appeals Committee upon written request to the administrator that an appeal is being made.

### **WORSHIP LIFE**

Worship Life is perhaps the most important part of the Christian educator experience with young people. Therefore, a primary emphasis is placed on the concept of worship at Martin Luther High School in the daily atmosphere of the educational program.

Students and faculty come together for chapel, led by one of our area LCMS pastors on Monday's and Wednesday's between 1<sup>st</sup> and 2<sup>nd</sup> hour classes. Faculty members will lead devotions on Friday's during the same time period. Worship times are designed with themes, purposes, outcomes in mind by the various presenters. Such expression may carry-over into the classrooms in the form of discussion and reaction.

All faculty and staff are expected to attend school chapel not only to personally gain from the experience of worship, but also to assist in the supervision of students. This is best achieved by simply sitting in strategically spaced locations.

Full time faculty will lead small group Bible studies on Thursday between 1<sup>st</sup> and 2<sup>nd</sup> hour classes. The bible studies will be provided by MLHS. The students in each of the Bible studies will be designated by the administration.

Daily devotions are the responsibility of each teacher to be done at the beginning of first hour. Students should be encouraged by the staff to use prayer as a means of worshipping God both publicly and in privately. Closing prayer at the end of the class day is also the responsibility of each teacher prior to dismissal.

Church and Bible class attendance must always be strongly encouraged.

In all aspects of worship life, teachers and staff members must be primary examples for the students. In order to make the most of this very important aspect of the Christian life of our students, we must be sincere, genuine, dedicated, and willing to share the precious Name of Our Lord and Savior, Jesus Christ, and His place in our lives.

### **STUDENT DISCIPLINE / SUPERVISION**

1. Guidelines for students' conduct are specified in the School Handbook.
2. Each teacher is responsible for the supervision of his own classroom. Therefore, the teacher should NEVER leave the class alone without proper supervision.
3. Disciplinary referrals can be issued for all rule infractions. It is up to the judgment of each teacher to determine when verbal warnings shall cease and other means are necessary. Teachers are obligated to assign detention if other classroom management procedures fail. When a detention is assigned, the necessary information is given to the secretary to complete the form, which is returned to the teacher to sign and give to the offending student. The teacher must contact the parent/guardian and inform them of the detention being assigned. Detentions are served on Wednesday morning, 7:00 – 8:00 a.m., in the week following receipt of the detention. **See the School Handbook section for other details on detentions, such as those for excessive tardiness, etc.**

Teachers may find it necessary to remove a student from the classroom. Students are to be sent to the teacher's designated area. The teacher is to check on the student after class and discuss the student's behavior. If the problem does not need further attention, the teacher is to send the student on to the next class. If the student's behavior needs the attention of the administrator, the student is to be sent to the office and will remain in the office until the administrator or his designated authority is available.

4. Any student leaving class for a period of time must obtain a pass. The pass is adult initiated and must be adequately completed and signed. Passes are to be given with discretion.

5. All teachers should make periodic visits during their free times (prep times and passing times) to the hallways, restrooms, cafeteria, etc., to assist with supervision of students in those locations.
6. All teachers assist with lunchroom supervision as they themselves have their lunch.
  - ....Mealtime prayers are spoken in class before dismissal for lunch.
  - ....Students are to refrain from loud talking, walking about, throwing food or any other kind of rowdyism, etc.
  - ....Students at each table is responsible for the cleanliness of their table (clearing trash, straightening chairs, etc.) Students may be retained at table until this is done.
  - ....Food and pop may only be consumed in the cafeteria except on days when the LAC is specifically used.
7. At times the entire student body or portions of it will meet together for student assemblies. A special schedule or the “meeting schedule” will be used for such programs. Teachers are expected to attend and assist with the supervision needs wherever necessary.
8. Faculty will rotate coverage on a weekly basis in regards to “after school duty” (ASD). Coverage begins at 3:30 and ends at 5:00. Responsibilities include:
  - Lock doors to unoccupied class rooms
  - Students who are not in an extra-curricular organization must be in the cafeteria.
  - Only students who are using the weight room equipment, waiting for a ride, the start of other extra-curricular or sporting events are to be in the building.
  - Students in the weight room must sign in (Sign in sheet is in the office)
  - You may work in your classroom, but you must periodically venture out into the hallways, LAC, and weight room to check on students.
  - If there are no students in the building you may leave but make sure that the front door is locked. (If students are involved in an extra-curricular activity and are in the school there must be an advisor or coach present before you leave for the day.)
  - Students that are released from a practice or extra-curricular event are the responsibility of the coach or advisor.
  - The weekly schedule will be posted in the office window.
9. Coaches are to remain until the last student under their responsibility has left or has been picked up.

## **EQUIPMENT AND SUPPLIES**

Each staff member is responsible for the economical use and care of all of supplies, books, and equipment for their ministry position. An inventory should be made at the beginning and end of the school year to check on the condition of student books, desks, and other school equipment.

General supplies will be kept and distributed from the front office secretary. Art, science, and educational materials are generally kept in the rooms where they are most frequently used.

Teacher planning materials and equipment are located in the teacher's workroom. This is off-limits to students. Staff should not ask students to do copywork on the school's equipment because they have not received instruction on its use. Students may be present with a staff member to assist by special permission.

Audio-visual equipment, computers, and other technology equipment and supplies are available throughout the school building for use of staff and students. Most rooms are equipped with a TV/VCR/DVD. These are all under the supervision of the staff technology coordinator. If you need audio-visual equipment that is not in your room, a reservation can be made to assure availability of a TV/VCR/DVD for class usage by contacting the technology coordinator. Each teacher is responsible for promptly returning items after use and should notify the technology coordinator of any defects or problems. TV's, DVD's, VCR's, etc. will be kept in room #101.

School owned equipment should not be taken from the campus without specific permission from the TC and/or administrator. For practical purposes, there is limited insurance coverage on such equipment so that the liability for items removed from campus become the sole responsibility of the person taking the equipment

All requests for new supplies and equipment should be routed to the school office.

### **USE OF FACILITIES**

Each staff member should remember that all facilities and equipment of the school belong to the association and that they are at least partially responsible for the careful use and maintenance of such facilities and equipment. Each staff member is directly responsible for the organization and appearance of his/her classroom and/or office area at all times. This includes any display areas and bulletin boards.

Doors should be locked when the teacher leaves the room. No teacher will allow student entrance into another teacher's room without supervision and/or that teacher's permission. Areas are secured for good reasons which are upheld and respected by not giving students access keys and allowing them unsupervised entrance to any locked area.

In case of breakage, damage, or loss, it is the responsibility of the supervisor in charge to report the matter to the administrator for appropriate action to be taken.

Use of school facilities and equipment for personal use needs the approval of the administrator or his designated authority.

### **STAFF RESPONSIBILITIES**

Money Handling:



All monies collected by students or teachers must be deposited in the proper account as a rule of thumb—on a weekly basis on or before Friday. Monies should not be left in the building over weekends. All accounts will be run through the MLHS financial system. Contact the book keeper in order to set up the account that you want. All accounts are required to be setup needing two signatures for access of funds. All expenditures are made by check unless the office gives specific approval for the use of cash.

#### Keys:

Each staff member has appropriate keys needed for their ministry position. Lost keys should be reported immediately. Keys are retained by the staff member until termination of employment at MLHS. At no time are school keys to be given to students to gain access to secured areas where supervision is required. Staff should let them in and monitor their presence in the secured area until they leave; making sure that the area is again secured when leaving the area.

#### Meetings:

The faculty meets daily at 7:45 a.m. for devotion and brief meeting to start the school day. In order to more fully discuss school matters and to grow professionally as a ministry team during the school year, monthly faculty meeting are also held on the first Friday of each month. Faculty members are each allowed time to report on their areas of activity and/or bring other items of concern for presentation to the full faculty. Faculty committees will be appointed when and as such needs may arise.

Pre-school and post-school faculty in-service meetings are held annually in the week before and the week after the meeting of regular student classes. These meetings are announced and agreed upon well in advance.

#### Opening/Closing of Building:

The building should normally be open 7:45 a.m. until 3:30 p.m. Usually the first to arrive in the morning opens/unlocks and the last to leave will lock the entrance doors. For efficient security, staff members lock their own rooms/offices, and whoever is the **last one** out of the building needs to make sure the copy machine in the teachers lounge is off and all lights are turned-off (don't forget restrooms). If you are the **last one**, and you know that someone is coming-back (from sports practice, etc.) LOCK UP ANYWAY!

#### Student Records:

A cumulative record is kept for each student enrolled at Martin Luther High School. These records include medical forms, official transcripts, registration forms, achievement test results, report card copies, and other vital information that may be of help to all teachers. These files may be accessed, but **are not to be removed from the office** without permission of the guidance counselor, and certainly never to be removed from the school campus.

#### Lesson Plans:

Each faculty member will submit their weekly lesson plans on the “lesson plans” folder found on the “T-drive” of the server. These should be of sufficient detail to enable a substitute teacher to

“find their way” in teaching your students in your absence. Each faculty member should also have available in their classroom a written copy of their routine procedures so as to enable a smooth classroom flow in your absence.

#### Student/Staff Relations:

Each staff member needs to remember that contact with students outside of school affects what happens in school. Therefore staff member behavior outside of school should reflect Christian standards of conduct. Teachers should discourage random visits on the part of students and are asked to inform parents of invitations to a teacher’s home.

Each teacher shall minister to any student as the need arises. Names of professional references are available through the office. Teachers ministering to students should write a report after each session containing pertinent information for teacher records. The reports should be updated as necessary. Sessions should be held during the student’s free period, before or after school. Teachers are reminded that Minnesota laws require the reporting of known and suspected cases of abuse to the administration and authorities.

*Guidelines for appropriate student/teacher interactions would include:*

1. Teachers avoid putting themselves into situations where they are behind closed doors with a student or alone with a student.
2. Teachers avoid physical contact with students.
3. Teachers discipline a student with other staff present for verification.
4. Teachers avoid engaging in sexual conversations with students.
5. Teachers be discriminate in hugging students i.e. not in private with opposite sex, etc.

#### Other Responsibilities: Events and Dates

1. All full time teachers are required to attend the opening service in August. *Date to be announced.*
2. All teachers, full and part time, are required to attend the Teacher In-Service in August. *Dates to be announced.*
3. The Parent-Teacher league is a very important auxiliary organization of MLHS. Full time teachers are required to attend all meetings. Special permission to be absent can be obtained if conflicts arise such as coaching responsibilities, continuing education class, etc.
4. All teachers, full and part time, are required to attend the Parent/Teacher conferences in September and March. *Dates and times to be announced.*
5. All full time teachers and staff are required to attend the monthly Friday Faculty meetings.
6. All full time teachers are required to participate in the October and February Grade School visitation days. *Dates and times to be announced.*
7. All full time teachers are required to attend the Recognition Night Banquet in May. *Date and time to be announced.*
8. All full time teachers are required to attend the May Graduation Ceremonies. *Date and time to be announced.*
9. All staff and teachers, full and part time are required to attend the end of the school year meeting. *Dates and times to be announced.*

10. Teachers are expected to support students and colleague involvement by attending co-curricular activities such as concerts, athletic events, etc.

### **FIRST AID**

When a student is injured on school property, the teacher or person in charge may render such aid as is advisable under the circumstances and within the limits of his knowledge of treatment of such injury. If possible, the administrator and parents should be notified immediately. In the event of a serious injury or in the case of any doubt, 911 will be called first and then the other contacts will be made. As soon as possible after the student has been treated or placed under competent care, the teacher or person in charge should complete a written statement to put on file for insurance purposes. No internal medicine should ever be given to any students by any staff members.

### **BLOODBORNE PATHOGENS EXPOSURE CONTROL PLAN**

A detailed plan is available on file in the office and should be read by each staff member. All staff members are required to attend the annual bloodborne pathogen presentation by the school health provider.

### **STUDENT ILLNESS**

When a student becomes ill, the office should be contacted that he has been sent to the teachers' workroom for observation. Unless the student is sent home, he will be dismissed to return to class approximately 30 minutes, unless he is very ill and no one is at home. Efforts to make contact will continue and their workroom presence will continue to be monitored.

### **OFF-CAMPUS VISITORS**

All off-campus visitors during school hours should be asked to report to the office. Visitors or strangers not having official business should be asked to leave. Should the visitor not cooperate, contact the administrator immediately.

### **MEMOS and MAIL**

Faculty mailboxes and lounge message board are the major means of staff communication other than person-to-person. It is important that all faculty and staff check these frequently! **PLEASE KEEP YOUR BOXES FREE OF CLUTTER AND OLD MATERIAL!**

Stamped out-going mail may be placed in the container so marked in the office. School-related mail may be sent to the office for postage or parcel pick up.

Teachers are encouraged to save paper and time by communicating any information concerning the faculty, student schedules, etc. in the Staff Notes rather than issuing their own memo. Please have items of information for the following week given to the principal on or before Wednesday of the previous week.

All faculty and staff shall have an e-mail address, which will be published. The e-mail should be checked at least twice daily, once in the morning, preferably before the start of the school day, and before you leave school for the day.

### **ANNOUNCEMENTS / PUBLICATIONS**

Daily announcements are given/read during the second period. Any information to be announced should be given to the secretary before first hour class. Students desiring to have an announcement read must first obtain permission of a faculty advisor or the principal.

All posters or items to be displayed on walls, windows, or bulletin boards around campus must receive prior approval of the administrator. Unapproved items may be removed.

All written communications given or sent to students or parents must also be shared with the principal by submitting a copy in his mailbox.

### **EVACUATION and FIRE DRILL PROCEDURES**

All classrooms must have posted an evacuation map near the exit door. Primary and alternate routes should be shown.

In the event of real fire, explosion, poisonous gas/chemical leak, or bomb threat, immediately contact the office.

Teachers should be familiar with the location and operation of fire extinguishers. Extinguishers should only be used by the faculty to retard the spread of fire; the first concern is the safe evacuation of all people.

When hearing the evacuation signal (continuous bell ring), teachers are to:

1. Immediately stop all work.
2. Quietly and quickly file the students out of the room to the area designated on the map.
3. Teachers are to leave the room last, taking the roll book, closing the door and windows and turning out the lights.
4. Take roll immediately when reaching the class. If someone is missing, immediately contact the designated authority. Do not re-enter the building.
5. Re-enter building after hearing three bell rings indicating it is safe to return.

(See the School Handbook for additional information)

## **SHELTER PROCEDURE**

In the event of danger from devastating winds and tornadoes, the administrator or his designated authority will have contact with weather officials, monitor the situation, and determine if and when to sound the alarm (intermittent bell rings).

Upon hearing this alarm all students proceed to lockerrooms, females to girls' lockerroom and males to the boys' lockerroom. All students are to be seated immediately upon entering their respective areas with hands/arms folded over their heads. Teachers follow steps 1-4 of the evacuation routine. All are to remain quiet, calm, and orderly until the three bell rings sound indicating that "all's clear and safe to return".

Besides "Evacuation" and "Shelter" procedures given here, please consult the "Emergency Planning Guide" on file in the office for steps to take in other emergency situations such as: bombs/bomb threats; hazardous material incidents; utility emergency; natural disaster; national emergency; serious injury/illness; child abuse; sudden damage to facility.

## **CRISIS MANAGEMENT HANDBOOK**

The Crisis Management Handbook contains the plans and procedures for crucial situations and difficulties. All staff personal should be aquatinted with the policies and procedures in this handbook.

## **END-OF-THE-YEAR REMINDERS**

1. Fill out report cards by deadline. Do end-of-year inventory. Turn in a list of students owing book fines or other monies.
2. Hand in Teacher Grade/Lesson Plan books to the school office if not returning to MLHS next year.
3. Clean your homeroom desks, windows, shelves, chalkboards, and bulletin boards before leaving for the summer.
4. Leave the room neat and orderly with the desks set up in normal fashion. Lock teacher's desk and files if lockable.
5. Store personal property under lock and key; remove plants and animals.
6. Submit written report on damages to room or equipment.
7. Compare materials inventory with class size projections for coming year. Hand in written requests for supplies and equipment needs for the coming year.
8. Turn in keys if you are not returning next fall.
9. Leave address and telephone number with the office, where you can be reached during the summer along with dates, if different from your permanent address.
10. Final paycheck if not returning is issued with principal's approval.

## **DRUG AND ALCOHOL TESTING POLICY**

### **I. PURPOSE**

The purpose of this policy is to provide written guidelines in compliance with the Minnesota Drug and Alcohol Testing in the Workplace Act for requesting or requiring employees or job applicants to undergo drug and/or alcohol testing. MLHS prohibits the possession, consumption, sale, transfer or “being under the influence” of alcohol or illegal drugs during employment.

### **II. OBJECTIVES**

- A. To create a safe and healthy environment for all employees to work in.
- B. To provide professional, efficient service to the public with employees utilizing their full potential.
- C. To reduce the costs directly and indirectly associated with substance abuse in our work place.
- D. To assure fairness and equality in the administration of this policy.
- E. To set forth the procedures for the administration and implementation of this program and policy.

### **III. DEFINITIONS**

- A. “Confirmatory Test” and “Confirmatory Retest” means a drug or alcohol test that uses a method of analysis allowed under one of the programs listed in MINN. STAT. § 181.953, Subd. 1.
- B. “Drug and/or alcohol testing” means analysis of a body component sample according to the standards established under one of the programs listed in MINN. STAT. § 181.953, Subd. 1, for the purpose of measuring the presence or absence of drugs, alcohol, or their metabolites in the sample tested.
- C. “Drug” means a controlled substance as defined in MINN. STAT. § 152.01, Subd. 4.
- D. “During Employment” means regular working hours, overtime, or any other period when employees are performing duties for MLHS. Reasonable consumption of alcohol will be allowed during non-working hours such as business lunches, seminars, conferences, or other social functions where the company is represented.
- E. “Employee” means a person, independent contractor, or person working for an independent contractor who performs services for compensation, in whatever form, for an employer.
- F. “Initial screening test” means a drug or alcohol test which uses a method of analysis under one of the programs listed in MINN. STAT. § 181.953, Subd. 1.
- G. “Job applicants” means a person, independent contractor, or person working for an independent contractor who applies to become an employee of MLHS, and

includes a person who has received a job offer made contingent on the person passing drug or alcohol testing.

- H. "Positive test result" means a finding of the presence of drugs, alcohol, or their metabolites, in the sample tested in levels at or above the threshold detection levels contained in the standards of one of the programs listed in MINN. STAT. § 181.953, Subd. 1.
- I. "Reasonable suspicion" means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.

#### IV. APPLICABILITY

MLHS may request or require alcohol and/or drug testing of the following individuals and under the following circumstances:

- A. Applicant Testing: Job applicants for positions which require a pre-employment physical. Testing will not be required until a job offer has been made.
- B. Reasonable Suspicion Testing  
Employees may be requested or required to undergo drug or alcohol testing if the employer has a reasonable suspicion that the employee:
  - 1. is under the influence of drugs or alcohol;
  - 2. has violated the employer's written work rules prohibiting the use, possession, sale, or transfer of drugs or alcohol while the employee is working or while the employee is on the employer's premises or operating the employer's vehicle, machinery, or equipment;
  - 3. has sustained a personal injury, as that term is defined in MINN. STAT. § 176.011, Subd. 16, or has caused another employee to sustain a personal injury; or
  - 4. has caused a work-related accident or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident.
- C. Treatment Program Testing. Employees who have been referred by MLHS for a chemical dependency treatment or evaluation or who are participating in a chemical dependency treatment program under an employee benefit plan, in which case the employee may be requested or required to undergo drug or alcohol testing without prior notice during the evaluation or treatment period and for a period of up to two years following completion of any prescribed chemical dependency treatment program.
- D. Random testing. MLHS may request or require only employees in safety-sensitive positions to undergo drug and alcohol testing on a random basis.
- E. Routine Physical Examination Testing. MLHS may request or require an employee to undergo drug and alcohol testing as part of a routine physical examination provided the drug or alcohol test is requested or required no more than once annually and the employee has been given at least two weeks' written notice that a drug or alcohol test may be requested or required as part of the physical examination.

#### V. COMPANY REQUIREMENTS AND PROCEDURES

- A. MLHS will post and maintain a notice in appropriate and conspicuous locations at its facilities that this policy has been adopted and that copies are available for inspection at specified locations.
- B. MLHS will use a facility for drug and/or alcohol testing meeting the requirements set forth in MINN. STAT. § 181.953, Subd. 1.
- C. All test samples will be taken at the designated facility. The procedure utilized for collecting samples for testing will ensure privacy to the employees and job applicants to the extent practicable, considering the need to prevent tampering with the sample. Applicable laws regarding chain of custody procedures with respect to the sample will be followed.
- D. All personal injuries sustained while working for MLHS and all work related accidents will be reported immediately to an on-duty supervisor by the person involved in the injury or accident and/or witnesses to the injury or accident. If no supervisor is on duty at the time, one will be called at home. The notified supervisor will then determine whether to require drug/alcohol testing of the injured person, the person causing the injury, or the person involved or causing a work-related accident. Any employee tested under this section of the policy may be suspended in accordance with Article IX, Section D of this policy.
- E. When a supervisor determines that an employee should be tested under Reasonable Suspicion Testing, the employee will be told that in the supervisor's opinion, the employee appears to be under the influence of drugs or alcohol in violation of MLHS' Drug and Alcohol Testing Policy. During this discussion, the employee shall be asked for his or her response to the supervisor's suspicions. A written record of the discussion and employee's replies will be kept. The supervisor will then explain that the employee will be driven to the designated facility for the testing sample.
- F. If the test result is negative, there will be no loss of pay or disciplinary action taken.
- G. Before an employee or job applicant is required to submit to an alcohol or drug test, the employee or applicant must sign a consent form, authorizing drug and alcohol testing, and this consent form shall also acknowledge that the employee or applicant has seen MLHS' Drug and Alcohol Testing Policy.
- H. A testing laboratory shall conduct a confirmatory test on all samples that produced a positive test result on an initial screening test. No adverse personnel action will be taken based on an initial screening test that has not been verified by a confirmatory test, except for a suspension, as discussed in Article IX, Section D of this policy.
- I. Within three business days of MLHS' receipt of testing results, MLHS will notify the employee/job applicant in writing of a negative test result on an initial screening test or a negative or positive test result on a confirmatory test. If the individual tests positive for drug use, the employee will be given written notice of the right to explain the positive test result. MLHS may also request that the employee or job applicant indicate any over-the-counter or prescription medication that the individual is currently taking or has recently taken and any other information relevant to the reliability of, or explanation for, a positive test result.



VI. RIGHTS OF EMPLOYEES AND JOB APPLICANTS TO REFUSE TESTING

- A. Applicants. If a job applicant for an affected position refuses to submit to an alcohol and/or drug test, any offer of employment may be withdrawn and the individual may not be considered for employment by MLHS.
- B. Employees. Employees who refuse to be tested, refuse to cooperate with an alcohol and/or drug test, refuse to provide a specimen, or attempt to subvert a test or specimen, will constitute a test failure, as if the employee received a confirmed positive test result. Employees who refuse to be tested are subject to immediate suspension without pay, if they have no previous failures under the Drug and Alcohol Testing Policy. Employees who have previous failures under the policy are subject to immediate termination.

VII. EFFECT OF POSITIVE CONFIRMATORY TEST

- A. Applicants. If a job applicant for an affected position tests positive on a confirmatory test for alcohol and/or drugs, any offer of employment may be withdrawn and the individual may not be considered for employment by MLHS.
- B. Employees. Positive test results on a confirmatory test or retest are considered test failures. Employees who fail for the first time will be required to participate, at the employee's own expense, or pursuant to coverage under an employee benefit plan if available, in either a drug or alcohol counseling and rehabilitation program, whichever is more appropriate, as determined by the employer after consultation with a certified chemical use counselor or a physician trained in the diagnosis and treatment of chemical dependency. Employees who either refuse to participate in the counseling or rehabilitation program, or have failed to successfully complete the program, as evidenced by withdrawal from the program before its completion or by a positive test result on a confirmatory test after completion of the program, may be discharged immediately. Employees completing a counseling or rehabilitation program at MLHS' request, will be subject to Treatment Program Testing under Article IV, Section C. Employees subject to Treatment Program Testing may be requested or required to undergo drug or alcohol testing without prior notice during the evaluation or treatment period, and for a period of up to two years following completion of any prescribed chemical dependency treatment program. A positive test result on a confirmatory test after completion of the Treatment Program Testing will result in immediate discharge.

Employees who have previously failed a drug or alcohol test which has been verified by a confirmatory test will be immediately discharged if they fail for the second time and this second failure is verified by a confirmatory test.

VIII. EMPLOYEE/JOB APPLICANT RIGHTS AFTER A TEST

- A. Employees and applicants can submit information to the employer to explain a positive test result after receiving actual notice of the positive test result. Within

three business days after receiving actual notice of a positive test result on a confirmatory test, the employee or applicant may submit additional information to MLHS to explain the positive test result. Within five business days after receiving notice of a confirmatory test result, the employee or job applicant shall notify the employer in writing of the employee's or job applicant's intention to obtain a confirmatory retest. Within three business days after receiving this notice, MLHS shall notify the original testing laboratory that the employee or job applicant has requested the laboratory to conduct the confirmatory retest or transfer the sample to another laboratory licensed to conduct the confirmatory retest. No adverse personnel action will be taken if the confirmatory retest does not confirm the original test result.

- B. An employee or job applicant may request and receive from MLHS a copy of the drug or alcohol test result report.

## IX. MISCELLANEOUS

- A. The laboratory which MLHS may use shall disclose test result data only to the company office manager.
- B. Test result reports and other data acquired by MLHS in the drug or alcohol testing process is private data on individuals pursuant to Chapter 13 of the Minnesota Statutes. MLHS will disclose the information internally only to employees with a need to know and to the tested individual. The information will not be released to any third party without the written consent of the individual, except evidence of a positive test result on a confirmatory test may be:
  - 1. used in an arbitration proceeding pursuant to a collective bargaining agreement, an administrative hearing under Chapter 43A, or other applicable state or local law, or a judicial proceeding, provided that information is relevant to the hearing or proceeding;
  - 2. disclosed to any federal agency or other unit of the United States Government as required under federal law, regulation, or order, or in accordance with compliance requirements of a federal government contract; and
  - 3. disclosed to a substance abuse treatment facility for the purpose of evaluation or treatment of the employee.
- C. Positive test results from MLHS' drug or alcohol program will not be used as evidence in a criminal action against an employee or job applicant.
- D. MLHS may temporarily suspend a tested employee pending the outcome of the confirmatory test and if requested, confirmatory retest, provided the employer believes that it is reasonably necessary to protect the health or safety of the employee, co-employees, or the public. The suspension may be without pay, at the discretion of the office manager. An employee who has been suspended must be reinstated with back pay if the outcome of the confirmatory test or requested confirmatory retest is negative. In lieu of suspension, MLHS may temporarily transfer the employee to another position at the same rate of pay. Positive test results will be handled in accordance with Article VII of this policy. It shall be the responsibility of the office manager to determine the date a suspended employee may return to work.

## EMPLOYEE STATEMENT OF ACKNOWLEDGEMENT

1. Please thoroughly read the following Employee Acknowledgment Form;
2. Sign and date below; and
3. Turn in to Administrative Office.

This Employee Policy Manual describes important information about Martin Luther High School, and I understand that I should consult the Executive administrator regarding any questions not answered in the manual. I have entered into my employment relationship with Martin Luther High School voluntarily and acknowledge that there is no specified length of employment.

Since the information, policies, and benefits described herein are necessarily subject to change, I acknowledge that revisions to the manual may occur. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only Martin Luther High School, through its administrator, has the ability to adopt any revisions to the policies in this manual.

I acknowledge that this manual is neither a contract of employment nor a legal document. I have received a copy of the manual and I understand it is my responsibility to read and comply with the policies contained in this manual and any revisions made to it. Any employee policy manuals or manuals previously distributed are now specifically revoked and rescinded and the provisions therein are now null and void.

Dated: \_\_\_\_\_

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Signature)

**EMPLOYEE ACKNOWLEDGMENT FORM FOR  
OFFENSIVE BEHAVIOR POLICY**

I hereby acknowledge that I have been provided with, have seen, and have read MLHS' Offensive Behavior Policy (pp. 16-21).

I understand that I am responsible for the information contained in the Offensive Behavior Policy which I have received. If I have any questions, concerns, or responses to this policy, it is my responsibility to bring it to the attention of the administrator. I have read the reporting procedures and they appear to be reasonable to me.

\_\_\_\_\_

Date

\_\_\_\_\_

Signature