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Mary E. Moran, Superintendent
Robert S. Bliss, Assistant Superintendent
Peter P. Amons, Chief Financial Officer
Eloise S. McGarry, Director of Support Services
Patricia W. Aigner, Director of Technology

To: Mary Moran

From: Rob Bliss 

Date: October 24, 2014

Re: Policy Committee Work

On behalf of the Policy Committee I present policies 6110, 6160, and 6200 for second reading. The Policy Committee met on the morning of October 1, 2014 to discuss and update the items below.

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| Policy 6110 | Goals and Objectives of Personnel System
<i>This policy has been updated to include the definition of "employee" and the application of the status of an employee.</i> |
| Policy 6160 | Code of Ethics for all District Personnel
<i>This policy is updated to include the expectation that district employees treat each other with dignity and respect at all times.</i> |
| Policy 6200 | Sexual and other Unlawful Harassment
<i>In this policy the definition of Harassment is updated in keeping with statute.</i> |

POLICY

6110

PERSONNEL

Subject: Goals and Objectives of the Personnel System

The Board of School Commissioners recognizes that a professional and efficient staff dedicated to education is necessary to maintain a constantly improving educational program. The Board is interested in its human resources, and it recognizes the importance of promoting the productivity and general well-being of the staff.

The Board is committed to providing a coordinated staff of specially trained personnel so that each discipline or area of responsibility has proper emphasis in the total curriculum and school system organization.

Employee shall be defined as any individual who is under the direction of and receives compensation from the District in exchange for services rendered. Any individual who accepts any position for which there is compensation offered by the District shall be considered an employee of the District and will be required to abide by any and all rules, regulations, and/or policies put forth by the District including, but not limited to, this Personnel Policy Handbook. The terms personnel, staff, and employee shall have the same meaning and are considered interchangeable for the purpose of this Policy Handbook.

Duties of these employees shall be outlined by the Superintendent and approved by the Board.

Additionally, the District's specific personnel service goals are:

- a. To develop and manage a compensation system sufficient to attract and retain qualified employees;
- b. To provide training for all employees which will improve their rates of performance, retention and eligibility for promotion;
- c. To administer effectively all employee negotiated contracts;
- d. To recruit, select and employ the highest quality employees for the district;
- e. To support a culture that maximizes employee performance and engagement

First Reading: 10/14/14

Second Reading/Approval: 10/28/14

POLICY

6160

PERSONNEL

Subject:: Code of Ethics for all District Personnel

Section 1. Pursuant to the provisions of Section 806 of the General Municipal Law, the Board of School Commissioners of the Rutland City School District recognizes that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct is to be obtained in our unit of local government. It is the purpose of this local law to promulgate these rules of ethical conduct for the officers and employees of the District. These rules shall serve as a guide for official conduct of the officers and employees of the District. The rules of ethical conduct of this local law as adopted, shall not conflict with, but shall be in addition to any general or special law relating to ethical conduct and interest in contracts of municipal officers and employees.

Section 2. Definition.

- a. "Municipal Officer or Employee" means an officer or employee of the Rutland City School District, whether paid or unpaid, including members of any administrative board, commission, or other agency thereof. No person shall be deemed to be a municipal officer or employee solely by reason of being a volunteer fireman or civil defense volunteer, except a chief engineer or assistant chief engineer.
- b. "Interest" means a pecuniary or material benefit accruing to a municipal officer or employee unless the context otherwise requires.

Section 3. Standards of Conduct. Every officer or employee of the Rutland City School District shall be subject to and abide by the following standards of conduct:

- a. He/she shall treat all employees, municipal officers, students, parents, and any other individual who he/she may come into contact with while employed by the District with respect and dignity.
- b. Gifts. He/she shall not, directly or indirectly, solicit any gift or accept or receive any gift having a value of twenty-five dollars or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him/her, from solicitors or while involved with individuals concerning any business transaction, in any official action on his/her part.
- c. Confidential Information. He/she shall not disclose confidential information acquired by him/her in the course of his/her official duties or use such information to further his/her personal interest.

POLICY

6160 (Continued)

PERSONNEL

- d. Representation before one's own agency. He/she shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which he/she is an officer, member or employee or of any municipal agency over which he/she has jurisdiction or to which he/she has the power to appoint any member, officer or employee.
- e. Representation before any agency for a contingent fee. He/she shall not receive, or enter into any agreement, express or implied for compensation for services to be rendered in relation to any matter before any agency of his/her municipality, whereby his/her compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees Rutland City upon the reasonable value of services rendered.
- f. Disclosure of interest in legislation. To the extent that he/she knows thereof, a member of the Board of School Commissioners and any officer or employee of the Board of School Commissioners of Rutland City School, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board of School Commissioners of any legislation before the Board of School Commissioners shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he/she has in such legislature.
- g. Investments in conflicts with official duties. He/she shall not invest or hold any investment directly or indirectly in any financial, business, commercial, or other private transaction, which creates a conflict with his/her official duties.
- h. Private employment. He/she shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his/her official duties.
- i. Future employment. He/she shall not, after the termination of service or employment with such municipality, appear before any board or agency of the Board of School Commissioners of Rutland City School in relation to any case, proceeding, or application in which he/she personally participated during the period of his/her service or employment or which was under his/her active consideration.

Section 4. Nothing herein shall be deemed to bar or prevent the timely filing by a present or former municipal officer or employee of any claim, account, demand or suit against the Board of School Commissioners of Rutland City School, or any agency thereof on behalf of himself/herself or any member of his/her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

First Reading: 10/14/14
Second Reading/Approval: 10/28/14

Sexual and Other Unlawful Harassment

The District is committed to providing a work environment that is free of discrimination and unlawful harassment. Any kind of harassment based on an individual's sex, race, ethnicity, age, religion, sexual orientation, disability, or gender identity will not be tolerated.

Harassment is defined as any single incident or pattern of behavior where the effect, intentional or unintentional, creates an objectively and subjectively hostile, offensive, or intimidating work environment that alters the conditions of an employee's worker environment and is based on or motivated by race, color, religion, national origin, sex, sexual orientation, gender identity, place of birth, age, or disability.

Examples of unlawful harassment may include:

- Suggestive comments about someone's appearance
- Unwanted sexual attention
- Unwanted sexual jokes or comments
- Unwanted touching or other physical contact
- Exposure to pornographic pictures
- Jokes or offensive terms/comments about a specific race, ethnicity, religion, sexual orientation, etc.
- Inappropriate comments that are gender-based, sexual, ethnic in nature, or based on personal characteristics
- Religious insults
- Racial insults
- Threats
- Verbal attacks
- Age-based remarks
- Comments, emails, voicemails, written or pictorial materials

An employee who observes any unlawful harassment of another employee by any other employee, including a supervisor, is encouraged to immediately report the incident to a supervisor. Any employee who hears about an incident of harassment should encourage the harassed employee to report the incident to a supervisor.

When a supervisor hears of or observes any incident of unlawful harassment, the supervisor **must** report the incident immediately to a Designated Administrator (see list below). Any supervisor who fails to initially report an incident within 24 hours may face disciplinary action.

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POLICY NUMBER 6200
Section: Personnel

An employee who feels he or she has been unlawfully harassed is strongly encouraged to report the incident to a supervisor or to a Designated Administrator (see list below). The District cannot do anything to prevent or correct sexual harassment if these incidents are not brought to our attention. All incidents reported to a supervisor will be investigated as soon as possible. Employees can raise concerns and make reports without fear of reprisal. Retaliation is not tolerated, and employees who engage in retaliation will face disciplinary action.

If an employee feels he or she is being retaliated against for reporting an incident of harassment or discrimination or cooperating with an investigation, the employee needs to inform a Designated Administrator or the Superintendent. All incidents of retaliation reported to a supervisor will be investigated and dealt with appropriately.

All efforts will be made to protect the identity of any employee who complains of unlawful harassment or retaliation. However, complete privacy is impossible given our responsibility to fully investigate any charge.

Response: Investigation and Disciplinary Action

The Designated Administrator or his/her designee will complete an investigation of the report within one week of the date the incident was reported to the supervisor, if possible. No person accused of harassment shall be involved in investigating the report. The investigation will include: (1) a meeting with the employee who was harassed; (2) a meeting with the person who reported the incident (if different than the harassed employee); (3) a meeting with the employee accused of the harassment; (4) a review of the accused employee's employment file; and (5) an interview of any witnesses with relevant information identified by the parties. Further investigation may include meetings with any employees who may have witnessed the incident(s), a discussion with the supervisor of both the employee who was harassed and the accused employee, and further interviews with the harassed employee and the accused employee.

Pending the outcome of the investigation, an employee accused of harassment may be transferred to another shift, transferred to another location, be put on paid leave, or put on unpaid leave. This decision will depend on the seriousness of the allegations and the record of the accused employee.

Any employee who engages in unlawful harassment or retaliation will be subject to disciplinary action, up to and including termination. Disciplinary action will depend on the seriousness of the harassment and whether the accused employee has any other substantiated or unsubstantiated reports in his or her personnel file, and the response of the accused employee. Disciplinary action could include a verbal warning, transfer,

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unpaid leave, or termination. The accused employee may also have to undergo education, training and/or counseling.

All incidents of unlawful harassment will be placed in the personnel files of the employee reporting the harassment and the employee accused of harassment. The report will indicate (1) the complaint as it was reported; (2) how the complaint was investigated; (3) if the report was substantiated; and (4) what action, if any, was taken.

Any questions about this policy should be directed to the Superintendent or a Designated Administrator.

Designated Administrators

The following individuals are administrators designated to receive complaints of harassment, discrimination and retaliation.

Rob Bliss, Assistant Superintendent
[802-773-1900]

Ellie McGarry, Director of Support Services
[802-773-1900]

State/Federal Agencies

An employee who is the victim of unlawful harassment may also lodge a complaint with the following agencies:

State of Vermont Attorney General's Office
109 State Street
Montpelier, VT 05602
(802) 828-3171

Equal Employment Opportunity Commission
1 Congress Street
Boston, MA 02114
(617) 565-3200

First Reading: 10/14/14
Second Reading/Approval: 10/28/14

Supersedes policy of: 2/8/2011