



SD School for the Blind and Visually Impaired

CAREER SERVICE EMPLOYEE HANDBOOK

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APPOINTMENT TYPES

There are several types of appointments in the Career Service. The condition in initial employment may be emergency (45 working days or 360 hours), temporary (6 months or 1040 working hours) or probationary. Probationary means that the employee has been hired for a permanent position, but must first serve a 1040 hours probationary period, exclusive of overtime.

PROBATIONARY PERIOD

Probationary periods will be determined by the completion of 1040 regular hours worked, exclusive of overtime. Exempt employees breaking service before entering a career service position will be required to serve the probationary period. Probationary periods shall not be extended. Temporary, seasonal, and emergency service may not be credited to the probationary period. Leave accrual shall begin on the date of permanent employment for temporary, seasonal, and emergency employees entering the career service. During the probationary period, work (both quality and quantity) will be evaluated. If the standards of work during this period are met, status as a permanent employee will be granted. If the work is not at acceptable levels, the employee may be dismissed without the right of appeal or hearing.

Employees will receive notification from their supervisor upon completion of their probationary period. A five (5) percent increase upon completion of the probationary or trial period for employees at the minimum of the range is mandatory. If upon completion of the probationary or trial period the employee's salary is more than five (5) percent above the minimum of the range, the salary may be adjusted by up to five (5) percent at the discretion of the appointing authority. In no case may the salary exceed the maximum of the salary range.

SALARIES

Career Service appointment salaries are determined by class according to a salary schedule prepared from the classification and compensation plan from the Bureau of Personnel.

WORKING HOURS

A forty-hour (40) workweek is basic for CSE. Office working hours are from 7:30 a.m. to 5:00 p.m., Monday through Friday. Certain operations require different hours or rotating schedules for weekend assignments. All CSE will be at work on time and leave when scheduled to leave. Being late for work makes it inconvenient for those people already on duty. If for some reason you must leave early, see your supervisor first or the Director of Human Resources. Employees, not having duty-free lunch/dinner, are to eat at the School.

The calendar workweek at the South Dakota School for the Blind and Visually Impaired is from 12:01 a.m. Sunday morning to 12:00 p.m. Saturday night (midnight). Hours above forty (40) hours per week are overtime and will be authorized only in emergencies or unusual circumstances. Overtime must be requested by the supervisor and approved by the Superintendent and/or Director of Human Resources in advance.

All Career Service Employees must complete (timesheets) Web Time Entry in SNAP. WTE system allows employees to enter hours worked and leave online. Hours worked and leave is approved online by the supervisor and then sent electronically to Payroll for processing. It is critical that the employee submits their timesheet by the deadline in order to be paid each month. Timesheets must be submitted by 10:00 AM on the 22nd of the month. If the 22nd falls on a holiday or a weekend, they will be due by 10:00 AM on the next working day. Supervisors have until 5:00 PM on the 22nd of the month to approve timesheets. It is critical that supervisors approve timesheets by the deadline in order for their staff to be paid each month. If the 22nd falls on a holiday or a weekend, supervisors will have until 5:00 PM the next working day to approve.

DEFINITION OF WORKWEEK -- 12:01 a.m. Sunday to 12:00 p.m. Saturday.

The PAY CYCLE is 22nd of the month through the 21st of the following month.

UNAUTHORIZED WORK - Hours worked by an employee without the administration's permission or contrary to instructions will not be paid and may be grounds for disciplinary action.

COFFEE BREAK

Career Service employees are entitled to coffee breaks each day. Full-time employees are entitled two (2) fifteen (15) minute breaks and part-time employees are entitled to one (1) fifteen (15) minute coffee break. Each employee should work out the time for coffee breaks with his/her supervisor. Smoking by Career Service employees are to be restricted to these break periods. In the case of houseparents, one adult must be with the students at all times. Coffee breaks cannot be banked, cannot be added on to ones lunch hour or saved to leave work early.

OVERTIME AND COMPENSATORY TIME

On February 19, 1985, the U.S. Supreme Court issued a decision in Garcia vs. San Antonio Metropolitan Transit Authority which now brings state employees under the Fair Labor Standards Act (FLSA) provisions for overtime pay.

Who is covered by FLSA?

SDSBVI Career Service positions that are covered.

Building Maintenance Worker	Physical Plant Manager I
Cook	Human Services Program Specialist I
Food Service Supervisor	Senior Building Maintenance Worker
Houseparent	Senior Secretary
Houseparent Supervisor	Training Specialist

All other Career Service classifications are exempt from the overtime provisions of FLSA.

FLSA EMPLOYEES

Employees eligible for overtime compensation will be compensated with a combination of dollars and time for overtime (overtime is considered the hours physically worked during a workweek). Employees will be compensated at “time and half” for their overtime. The “time” will be compensated in dollars and the “half” will be compensated in comp time earned. Compensatory time off for overtime worked may be taken any time during the pay period with the concurrence of the employee. Comp time needs to be used before sick leave, annual leave, personal emergency leave, and/or leave without pay can be used. This does not apply to Weekend Coverage for the Maintenance Department. Employees may have their compensatory time carried forward to subsequent pay periods. The maximum accumulation of compensatory time is 40 hours. Supervisors are expected to adjust the workweek, when possible, to avoid an overtime liability. If annual or sick leave in combination with hours worked totals more than 40 hours during the workweek, the amount of leave an employee takes will be reduced to bring the total hours paid to 40 hours for the week. If both sick and annual leave have been taken in a week that requires adjustment of leave, the sick leave must be adjusted before the annual leave.

The provisions of this Act obviously will have a tremendous fiscal impact on our personal services budget; therefore, administration will take a conservative approach to the authorization of overtime work. If possible, overtime will be avoided completely to minimize liability and reduce what might cause a severe drain on our personal services budgets. Supervisors are responsible for establishing work schedules in such a manner that overtime hours are nonexistent or at least extremely minimal. Overtime must be requested by the supervisor and approved by the Superintendent or Director of Human Resources in advance.

CLOSING OF SCHOOL

If the school is administratively closed and an FLSA employee is required to work, the employee must be granted either:

- A. Time off later equal to the hours actually worked when the office was closed in addition to payment for hours actually worked, or;
- B. Straight time pay equal to the number of hours actually worked in addition to payment for actual hours worked when the office was administratively closed.

HOLIDAY PAY

If an employee was scheduled to work on a holiday and refused to do so, no payment may be made for the holiday. An employee who is on leave without pay during the week when a holiday occurs will not receive holiday pay.

If a FLSA employee is required to work on a holiday, the employee must be granted either:

- A. Time off equal to the hours actually worked on the holiday (not to exceed eight (8) hours), either within the pay period or later, in addition to payment for the hours actually worked, or;
- B. Straight time pay for the number of hours actually worked on the holiday (not to exceed eight (8) hours), in addition to payment for hours worked on the holiday.

If more the forty (40) hours are worked, exclusive of the eight (8) unworked holiday hours, then time and one-half is paid for those hours over forty (40) for FLSA employees.

INCONVENIENCE PAY

FLSA employees, who have fulfilled all the following conditions, are guaranteed a minimum of three (3) hours pay regardless of the hours actually worked:

- A. Completed the normal shift and left the workplace;
- B. is unexpectedly required to return to work; and
- C. is called to work prior to the beginning of the next scheduled shift and does not continue working into the scheduled shift.

Employees who are called back to work prior to the beginning of their scheduled shift and are allowed to continue working through the shift are not eligible for inconvenience pay. Inconvenience pay hours, that are not worked, are paid at straight time. Only the hours actually worked are used in the computation of overtime.

ON-CALL TIME

FLSA employees who are not required to remain on the employer's premises or at a location specified by the employer and who are free to engage in their own pursuits are not considered to be working and the hours are not compensable. Employees who use beepers or who are subject only to the restriction that employees leave word with the employer or another party where they can be reached by the employer are also not working and the hours are not compensable. When employees are called out on a job assignment, only the time actually spent working is considered as hours worked. Inconvenience pay for up to three (3) hours may also be required if the employee must leave his home for the work site.

TRAVEL TIME

Time spent in travel for FLSA will be counted as hours worked. Layovers at airports where the employee is not free to pursue personal interest is also included as time spent in travel and must be counted as hours worked. Hours in which employees are free to do as they please are not compensable.

RECORDKEEPING

All FLSA employees will maintain and submit complete records of hours worked and leave time.

NON-FLSA EMPLOYEES

Employees who are exempt from FLSA are not eligible for additional compensation or time off based on the number of hours worked over forty (40) hours per week. Non-FLSA employees are compensated not for the amount of time spent on the job, but rather for the general value of services performed. Non-FLSA are not eligible for compensatory time. Supervisors are expected to schedule the normal workweek for non-FLSA employees. Supervisors may adjust the schedule of work within the pay period.

LEAVE TIME

Deductions of less than one day (8 hours) due to any purpose other than Family Medical Leave are not permitted by the State of South Dakota. Non-FLSA employees may leave the work site for less than eight (8) hours, with the prior approval of their supervisor, and need not take leave for the time. Before time away from the job is approved, supervisors and employees are to ensure that the needs of the students, public, and other state employees who rely on them are met.

If a non-FLSA employee has actually worked forty (40) hours in the workweek, no leave time should be taken. Salaried employees must continue to obtain approval from their supervisor prior to any absence from work. When a non-FLSA employee is working for a period of less than one (1) day, the employee is working a "non-standard workweek."

HOLIDAY PAY

If an employee was scheduled to work on a holiday and refused to do so, no payment may be made for the holiday. Non-FLSA employees who are on leave without pay during the workweek when a holiday occurs will not receive holiday pay.

TRAVEL TIME

Time spent in in-state or out-of-state travel during normal working hours shall be recorded as hours worked. Time spent as a passenger in in-state or out-of-state travel outside normal work hours shall not be considered as hours worked unless actual work is performed by the employee. Hours in which employees are free to do as they please are not considered work time.

VACATION, SICK LEAVE AND HOLIDAYS

In determining the hours worked by an employee within a given workweek, time spent on vacation, sick leave and holidays will not be counted as time worked. Such time off must be included in straight-time pay for employees covered by the Act, but it is not included in computing hours of work for overtime pay.

RECLASSIFICATION FOR CAREER SERVICE EMPLOYMENT

Any career service employee may request the reclassification of his/her position. This request must be accompanied by a Position Description Questionnaire which can be picked up from the Director of Human Resources. The questionnaire should clearly show a change in duties and responsibilities before a change can be made. The appointing authority shall review, make written comments and return the request to the Director of Human Resources. The Director of Human Resources will complete the final paperwork and then forward it onto the Board of Regents Office within thirty (30) days from the date of the request for classification was made. The Director of Human Resources in the Board of Regent's Office makes the final opinion on the reclassification.

ACCESS TO EMPLOYEES' RECORDS

Supervisors may review position history files or performance files. The review will be done in confidence with the Superintendent and Director of Human Resources. An employee may review his/her personal file that is kept in the Business/Human Resource Office. He/she must ask the Director of Human Resources to remove the folder from the file, and it cannot be removed from the office. An employee has the right to obtain a copy of the contents of his/her personal file or any other pertinent data that directly relates to his/her file. The cost of the copy shall be borne by the employee.

Note: A sign-out/sign-in form is in each employee's personal folder to show who has removed information from the folder.

PERFORMANCE APPRAISALS (PPAR)

The State of South Dakota has a formal Performance Planning and Review System (PPAR) for its employees. The overall objective of PPAR System is to provide an avenue of two-way communication by which employees and their supervisors can discuss mutual expectations, review performance, and plan future goals. All supervisors shall monitor the progress of each employee in his/her department. Probationary employees are evaluated after 3 months and 5 months of employment to see how well they are progressing. Performance reviews will be reviewed by the Director of Human Resources for completeness and accuracy and to decide whether employees pass their six (6) month probationary period.

Career Service Employees have one yearly evaluation. Comments may be made on the evaluation by both the supervisor and the employee. If you strongly disagree with anything on your performance appraisal, you may request a management review. This means that your supervisor's supervisor will examine the form for accuracy. If you disagree with this evaluation, check your Career Service grievance procedure for the next step.

FACT FILES

The purpose of CSE fact files is to aid the supervisors in substantiating employees' performance appraisal scores. The contents of the fact file will include exceptional accomplishments or offenses. Each document being placed into the employee's fact file must be read, signed and dated by both the supervisor and the employee. The employee has the opportunity to comment or refute documents being placed in the fact file (if employee is a status CSE). All contents of the fact file will be destroyed after the performance evaluation is completed for the year. Fact files will be maintained in the employees' personnel files in the Human Resource Office.

TRAINING IN MANAGEMENT AND PERFORMANCE APPRAISAL

Within six (6) months of appointment to a supervisory or management position, an employee must complete forty (40) hours of training in the South Dakota achievement evaluation system and basic supervision. In addition, within three (3) years of appointment to a supervisory or management position, the employee must complete an additional forty (40) hour course in supervision or management training approved by the Bureau of Personnel. Credit for previous training will be considered on an individual basis. Criteria used shall include, but not be limited to, recency and relevancy to public management.

DISCIPLINARY ACTION

Forms of disciplinary action may be taken for unsatisfactory job performance as outlined in BOP Ruling 55:01:12:03.01 and for reasons outline in BOP Ruling 55:01:12:05 and may include suspension without pay, dismissal, demotion, or reduction in salary.

Work Improvement Plan (BOP Ruling: 55:01:12:03:01):

If, in the performance of the duties of the employee's position, an employee's work is unsatisfactory, the appointing authority shall issue to a status employee a written notice that disciplinary action will be taken unless performance improves. The notice shall outline the duration of the work improvement period, the areas where performance is unsatisfactory, and the level of performance that is expected. Work improvement periods shall be a minimum of 30 days and may not exceed 6 months. If performance has not reached acceptable levels after completion of the work improvement period or if at any later date performance falls below standard, the appointing authority may take disciplinary action. An employee who is serving a work improvement period may be disciplined during the work improvement period for violations of § 55:01:12:05. Placement on a work improvement plan or notice of unsatisfactory work performance is not appealable.

Notice Of Intended Disciplinary Action (BOP Ruling 55:01:12:04):

The appointing authority may discipline a status employee for cause at any time. Before a status employee is disciplined the appointing authority shall give the employee verbal or written notice and an opportunity to present reasons, either in person or in writing, why the proposed action should not be taken. The appointing authority shall provide the employee with a verbal or written statement of the specific reasons for the proposed action and shall advise the employee when the employee must respond.

Prior to imposition of any intended disciplinary action, the employee may be suspended with pay until the meeting, receipt of written response or waiver by the employee of the right to respond. The disciplinary action may be taken only after the meeting or receipt of a written response or after waiver of the right to respond.

The appointing authority shall give the employee written notice of the decision, with a copy to the Board of Regents, within five working days after the date of the meeting or the date of the employee's written response, whichever occurs later. The notice shall advise the employee of the departmental grievance procedure.

Causes for Disciplinary Action (BOP Ruling 55:01:12:05):

Disciplinary action under this section may be taken for conduct within or outside the scope of employment. Disciplinary action may be taken for just cause as reported to the commissioner, including the just causes listed in this section:

1. The employee has admitted to committing, committed, or was convicted of a felony, any sex offense, or any crime involving illegal drugs or illegal use of legal drugs, whether the felony, offense, or crime occurred prior to or during the course of employment;
2. The employee has committed or contributed to any act of brutality, cruelty, or abuse to an inmate, prisoner, resident, or patient of an institution, to a person in custody, or to other persons, whether the conduct occurred prior to or during the course of employment, provided the act committed was not necessarily or lawfully done in self-defense, to protect the lives of others, or to prevent the escape of a person lawfully in custody;
3. The employee has violated any of the provisions of the Career Service Act or this article;
4. The employee has violated any department, division, bureau, or institution regulation, policy, or order or failed to obey any oral or written directions given by a supervisor or other person in authority;
5. The employee has consumed alcohol or other intoxicants or unauthorized controlled substances while on duty or is impaired while on duty or while operating state equipment or has unlawfully manufactured, distributed, dispensed, possessed, or used a controlled substance in the workplace;
6. The employee is guilty of insubordination;
7. The employee disrupts the efficiency or morale of the department;
8. The employee is careless or negligent with the money or other property of the state or property belonging to any person receiving services from the state or has stolen or attempted to steal money or property of the state or property belonging to any person receiving services from the state;
9. The employee has used, threatened to use, or attempted to use personal influence or political influence in securing employment, promotion, leave of absence, transfer, change of pay rate, or change in character of work for the employee or others;
10. The employee has induced or has attempted to induce an officer or employee of the state to commit an unlawful act or to act in violation of any department, division, bureau, or institution regulation or order;
11. The employee, in the course of work or in connection with it, has taken from any person for personal use a fee, gift, or other valuable thing when the fee, gift, or other valuable thing is given in the hope or expectation of receiving a favor or better treatment than that accorded other persons;
12. The employee has engaged in outside business or personal activities on government time or has used state property for those activities in violation of §55:01:11:03;
13. The employee has failed to maintain a satisfactory attendance record based on the established working hours or has had unreported or unauthorized absences;
14. The employee has made a false or misleading statement or intentionally omitted relevant information during the application and selection process;
15. The employee has misused or abused leave;
16. The employee has intentionally falsified a state record or document;
17. The employee has violated statutes or standard work rules established for the safe, efficient, or effective operation of the agency;
18. The employee has sexually harassed another person in the course of employment;

19. The employee has failed to notify the appointing authority within five days after a conviction of a violation of a criminal drug statute occurring in the workplace;
20. The employee has failed to obtain, renew, or maintain a license or certification necessary to perform the duties of the employee's position;
21. The employee failed or refused to take a drug test administered pursuant to SDCL 23-3-64 to 23-3-69, inclusive, or 49 C.F.R. Part 382 (December 1, 1995);
22. The employee has failed to complete the counseling program outlined in § 55:01:15.01:05;
23. The employee has discriminated against another person in the course of employment or has taken wrongful actions against another person, which affect the vicarious or imputed responsibility of the state or any other state employee;
24. The employee has been found unacceptable as a result of an employment screening conducted by the appointing authority, the Bureau of Personnel, or an authorized representative; or
25. The employee has engaged in conduct, either prior to or during employment with the state, which reflects unfavorably on the state, destroys confidence in the operation of state services, or adversely affects the public trust in the state.

If you have specific questions regarding other causes for discipline, contact the Human Resources Director.

TERMINATION OF STATE EMPLOYEES: Please refer to "General Handbook."

LAYOFF PLAN AND REEMPLOYMENT PROCEDURES: Please refer to "General Handbook."

GRIEVANCE APPEALS

INTRODUCTION - The purpose of the grievance appeals procedure is to provide a just and equitable method for the resolution of complaints and grievances without discrimination, coercion, restraint or reprisal against any employee who may submit or be involved in a complaint or grievance.

Prompt settlement of complaints and grievances is necessary to have sound relations between the Board of Regents and its employees. Whenever an employee feels adversely affected by a management action about his job, benefits or conditions of work, he shall pursue settlement of the matter through the established grievance appeals procedure.

A. General Provisions (BOR 4:9) (www.sdbor.edu)

The steps of the procedures below will be adhered to as per the institutional organizational chart.

1. No offer of settlement of a grievance by either party shall be admissible as evidence in later grievance proceedings or elsewhere. No settlement of a grievance shall constitute a binding precedent in the settlement of similar grievances.
2. Employees who voluntarily terminate their employment shall have their grievances under this policy immediately withdrawn and shall not benefit by any later settlement of an individual or group grievance.

3. The Board, administration, or supervisors shall not retaliate or effect reprisals against any exempt non-faculty employee for processing or participating in a grievance.
4. Grievance records shall not be maintained in the individual's personnel files. Separate files shall be maintained for this purpose.

B. Procedures

1. Step One. A Career Service Board of Regents employee who feels aggrieved by a decision which affects the employee's terms and conditions of employment may file a written statement of the grievance with the immediate supervisor within fourteen (14) calendar days of the alleged decision. The statement shall include a detailed description of the alleged grievance and the specific remedy desired. The supervisor shall analyze the facts and provide a written response to the employee within seven (7) calendar days following receipt (postmark or delivery) of the grievance. If the employee fails to receive a response within that time limit, the employee has seven (7) calendar days to proceed to step two. If the employee is dissatisfied with the response rendered, the employee has seven (7) calendar days following receipt (postmark or delivery) to proceed to step two. In the event the employee feels that this step has been satisfied due to written notification from the immediate supervisor, then the employee may skip step one and proceed on to step two of this procedure.
2. Step Two. The employee may appeal the decision of the supervisor to the appropriate vice presidential level of the university. If the employee's supervisor is at the university vice presidential level, or an employee of the Board Office, the South Dakota School for the Deaf, or the South Dakota School for the Blind and Visually Impaired, the appeal shall move to Step Three. The appeal should include copies of the original grievance and the supervisor's response. A written response shall be delivered to the employee within fourteen (14) calendar days of the date the grievance was postmarked or delivered. If the employee fails to receive a response within that time limit, the employee has seven (7) calendar days to proceed to step three. If the employee is dissatisfied with the response rendered, the employee has seven (7) calendar days following receipt (postmark or delivery) to proceed to step three.
3. Step Three. The employee may appeal the decision arrived at in Step Two to the president of the university (if at the university level), the superintendent of the school (if at a special school), or the Executive Director of the Board (if an employee of the board office), as appropriate. The appeal should include copies of the original grievance and the supervisor's response and if applicable, the decision arrived at in Step Two. The President, Superintendent, or Executive Director, as applicable, shall investigate the matter either personally or through an appointed designee or panel. A written decision shall be delivered or mailed within fourteen (14) calendar days of the date the grievance was postmarked or hand delivered. A copy of the decision shall be provided to the employee, supervisor, and the Board's executive director and shall include a statement of findings and conclusions supporting the decision. If the employee fails to receive a response within that time limit, the employee has seven (7) calendar days to proceed to step four. If the employee is dissatisfied with the response rendered, the employee has seven (7) calendar days following receipt (postmark or delivery) to proceed to step four.

4. Step Four. The Executive Director, or designee, shall investigate the grievance and make a recommendation to the Board of Regents. The Executive Director may direct a staff member(s) to conduct the investigation and provide findings and recommendations. The Board of Regents shall review the recommendations of the Executive Director and may, in its discretion, limit the review to the record previously established or may provide the employee an opportunity to be heard by a hearing officer or committee appointed by the Board or its designee. The Board's decision shall be issued to the employee within seven (7) calendar days from the date the grievance is considered by the Board. If the employee fails to receive a response within that time limit, the employee has seven (7) calendar days to appeal in writing to the Career Service Commission. If the employee is dissatisfied with the response rendered, the employee has seven (7) calendar days following receipt (postmark or delivery) to appeal in writing to the Career Service Commission.
5. Step Five. The decision of the Career Service Commission may be appealed to the circuit court in accordance with SDCL ch. 1-26.

C. Release of Findings of Hearings Officer

For Career Service employee grievances, Board policy allows the release of the Hearing Officer's recommendation to the grievant at the time the recommendation is made to the Board.

REPORT, REQUIRED

1. Always complete the BEHAVIOR REPORT Form when student behavior involves self-injury, injury to others or intentional destruction of property.
2. To qualify as "injury", the results of student behavior must require attention at the Infirmary. Superficial scratches that stop bleeding after washing with soap and water and blotting are not injuries, except in the case of specific students with special medical needs as directed by the Nurses. Scratches or cuts that require a bandage are considered injuries.
3. Write simply, clearly, and concisely about direct observations only.
4. The form is to be completed and distributed before leaving the present work shift. Copies are to be given to the Case Teacher, Principal, Student Services Director, and Dorm Supervisor. The Nurses and Superintendent receive a copy only if there was an injury.
5. If an ACCIDENT, INCIDENT OR UNSAFE CONDITION occurs, the standard state form should be completed with copies given to the Risk Manager, Student Services Director, and Superintendent.
6. Only the ACCIDENT, INCIDENT or UNSAFE CONDITION Form is used when the accident, incident or unsafe condition is not related to a student's behavior.

ADDITIONAL INFORMATION

Any time any CSE employee has questions not covered in this handbook, he/she should go to the Director of Human Resources to get answers. Don't speculate; ask!