



**HARFORD COUNTY**  
PUBLIC SCHOOLS

# EMPLOYEE HANDBOOK

Inspire • Prepare • Achieve

Human Resources Office  
Revised 7/2022





*Welcome to Harford County Public Schools. This handbook has been designed to provide you with basic information regarding the policies and procedures that govern your employment. It does not contain all policies, procedures, and terms to which an employee may be subject. The handbook should be reviewed so that you will be familiar with the basic policies and procedures that affect you as an employee.*

*The contents of this handbook are subject to change and do not constitute an expressed or implied contract. Refer to the Human Resources SharePoint site for the most current edition.*

*For additional information regarding the contents of the Employee Handbook, contact the Human Resources Compliance Specialist at 410-588-5247.*





## **Our Vision**

Harford County is a community of learners where educating everyone takes everyone. We empower all students to contribute to a diverse, democratic, and change-oriented society. Our public schools, parents, public officials, businesses, community organizations, and citizens actively commit to educate all students to become caring, respectful, and responsible citizens.

## **Our Mission**

The mission of Harford County Public Schools is to foster a quality educational system that challenges students to develop knowledge and skills, and inspires them to become life-long learners and good citizens.

## **Our Goals**

-  Ensure a safe, positive learning environment for students and staff in our schools.
-  Improve student achievement with a focus on closing the minority achievement gap.
-  Ensure the effective use of all resources focusing on the areas of technology, fiscal and budgetary management, and community partnerships.
-  Understanding that all employees contribute to the learning environment, we will maintain a highly qualified workforce.

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## Statement of Professional Conduct

Each Harford County Public Schools (HCPS) employee in every position serves an important role in fulfilling the Vision, Mission, and Goals of the Board of Education. To contribute effectively in a quality educational system, all employees must conduct themselves in a professional manner at all times and convey a positive image to students, colleagues, and the community.

It is important that employees uphold and reflect the values and principles of the school system, the most essential element of a broader community of learners. While it is impossible to list every example of proper conduct, the following represent the manner in which our employees are expected to conduct themselves in the course of their employment with HCPS:

- act with honesty and integrity;
- demonstrate care and diligence in carrying out duties;
- treat students, colleagues, professional associates, and community members with courtesy and respect, without discrimination or harassment;
- serve as a model of good behavior for the students of HCPS;
- respect the diversity of the school community and the work place;
- be knowledgeable of, and comply with, all applicable laws, regulations, and policies of HCPS;
- disclose and take reasonable steps to avoid any conflicts of interest;
- use HCPS materials and resources in a proper manner;
- maintain appropriate confidentiality as required by each position;
- never make improper use of any school system information or your duties, status, power, or authority;
- accept and comply with any reasonable direction given by someone with the proper authority to do so; and
- behave at all times in a manner that upholds and reflects the values, integrity, and reputation of HCPS.

Although the time beyond your duty day is personal and private, please be mindful that actions undertaken outside of the work day may impact the school system or your ability to effectively perform your duties. Actions or activities that reflect negatively upon the Vision, Mission, and Goals of HCPS or impair your ability to discharge your duties or function as a part of the school system community, even when occurring outside the school system setting or beyond the work day, may jeopardize your employment with HCPS.

## **Professional Dress Code**

All Harford County Public Schools employees are to dress in a manner that is appropriate to the educational and work setting. It is understood that different tasks or assignments will have an influence on the type of clothing worn. Furthermore, it is important that all employees are aware of the importance of presenting a positive image through modest, neat, and professional appearance. It is the responsibility of the administration to ensure that appropriate attire is maintained in each school and/or department.

## **Non-discrimination in Employment**

**The Board of Education of Harford County does not discriminate on the basis of age, ancestry/national origin, color, disability, pregnancy, gender identity/expression, marital status, race, religion, sex, or sexual orientation in matters affecting employment or in providing access to programs and activities and provides equal access to the Boy Scouts and other designated youth groups.**

**In accordance with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. §1681, et seq.), Harford County Public Schools does not discriminate on the basis of sex in any of its programs or activities or with regard to employment. Inquiries about the application of Title IX, and its implementing regulations to Harford County Public Schools may be referred to Harford County Public Schools Title IX Coordinator, by mail to 102 S. Hickory Avenue, Bel Air, Maryland 21014, or by telephone to 410-809-6087 or by email to [Harassment.Complaints@hcps.org](mailto:Harassment.Complaints@hcps.org), or the Assistant Secretary for the Office of Civil Rights in the United States**

**Department of Education by mail to 400 Maryland Avenue, SW, Washington, DC 20202 or by telephone 1-800-421-3481, or both.**

## **Payroll Information**

Pay dates for HCPS employees are available on the HCPS website. Employees are paid on or before the close of business on the pay dates listed. Employees may designate a financial institution for direct deposit of wages.

A final reconciliation of salaries paid vs. salaries earned will be performed at the conclusion of the fiscal year in which employees are hired or upon termination. Any discrepancies resulting in either an overpayment or underpayment will be handled via pay adjustment. If unsuccessful, HCPS may utilize a collection agency for return of overpayments.

Maryland law requires a fee, currently \$10, for each certificate received/renewed. For all certificated employees, during your employment with HCPS, the required fee will be processed through payroll deduction at the time the certificate is issued. The Human Resources Office will notify you in advance of the deduction.

Throughout your employment with HCPS, your position may require that you have possession of HCPS property, such as, but not limited to cell phones, computers, other electronic devices, keys, purchase cards, uniforms or clothing, badges, etc. It is expected that you will return all HCPS property at the time of your separation from employment.

**Reimbursable Fees - The Board is entitled to seek reimbursement from employees for accrued charges related to late cancellations and/or missed appointments pertaining to pre-employment physicals and Hepatitis B vaccine appointments. This provision also applies to HCPS employees who separate from active service during the six-month probationary period.**



## **Sick Leave Benefit**

In order to receive sick leave compensation, the Board is entitled to require satisfactory proof of illness for cases involving patterns of suspicious absence from work or historically disproportionately high sick leave use.

## **Employment References**

Employment references must be verified for all new employees. Appointment or promotion is contingent upon satisfactory references.

## **Criminal Background Investigation (CBI)**

Under the Family Law Article of Maryland, all new HCPS employees are required to submit to fingerprints for a Criminal Background Investigation (CBI) prior to the first day of employment. Rejected fingerprints from Criminal Justice Information Systems (CJIS) must be resubmitted. All costs associated with processing of fingerprints will be borne by prospective employees.

All HCPS employees are expected to promote a positive professional and personal image. If during employment, an employee is arrested for or charged with any crime, including alcohol or drug related charges, with the exception of minor traffic violations, it is the responsibility of the employee to inform his or her immediate supervisor within 24 hours.

## **ID Badges**

All employees are to wear HCPS issued identification badges while on duty at any HCPS facility. Badges, uniforms, and any other HCPS property must be returned to the appropriate supervisor upon completion of employment. If your badge is lost or stolen, contact the Office of Internal Investigations at 410-809-6099.

## **Hepatitis B Vaccine**

Due to the possibility of occupational exposure to blood or other potential infectious materials, individuals hired to fill the following positions will be offered the Hepatitis B vaccine: school nurses, occupational therapists, professional staff assigned to the Infants and Toddlers Program, special education preschool staff, **Harford Academy** instructional staff, Behavior Adjustment Program instructional staff, **food and nutrition staff**, facilities, and custodial personnel who have contact with bodily fluids.

If an employee is identified, in accordance with the Harford County Public Schools System's Blood-borne Pathogen Exposure Control Plan, as an employee who may have been exposed to blood or other infectious materials, the Harford County Public School System will provide the Hepatitis B vaccine at no cost to the employee.

For additional information, contact the HR Specialist Case Manager in the Office of Staff Relations at 410-588-5247.

## **Declination of Offer to Receive Hepatitis B Vaccine**

Employees may decline the offer to receive the Hepatitis B vaccine but understand that by declining the offer, they continue to be at risk of acquiring Hepatitis B, a serious disease. If in the future, they continue to have occupational exposure to blood or other potentially infectious materials and want to receive the Hepatitis B vaccine, they can receive the vaccine at no charge.

## **Tuberculosis Information**

Certification of freedom from tuberculosis has currently been waived as a pre-employment requirement by the Harford County Health Department.

However, it is important to be aware of the possibility of tuberculosis, since unknown, as well as, known exposures can occur. If you have experienced any of the following symptoms and have not been examined and diagnosed by your doctor, please inform your school

administration immediately and contact your doctor or the Harford County Health Department to be tested for tuberculosis.

Symptoms of possible tuberculosis include:

- Known exposure to someone with tuberculosis in a contagious form;
- Prolonged cough (over 3 weeks duration);
- Any cough, regardless of duration that produces bloody sputum;
- Chills;
- Night sweats;
- Unexplained fever;
- **Pain in the chest;**
- **Coughing up blood or sputum (phlegm from deep inside the lungs);**
- **Weakness or fatigue;**
- **Unexplained weight loss;**
- **No appetite.**

## **Notice of Resignation**

It is expected that non-certificated employees will give a minimum of two weeks' notice in writing when they intend to resign from active service. Such notice should include the reasons for resignation and should be submitted to the Human Resources Office, as well as the principal or immediate supervisor. If less than two weeks' notice is given, the employee will not be eligible for re-employment with Harford County Public Schools in any capacity.

### **Certificated Employees:**

**Conditional teachers have an annual contract that automatically terminates on June 30 if not renewed by the Board.**

**Non-tenured teachers may be released by HCPS or resign from their position by providing written notice by May 1 of the current school year.**

**Tenured teachers must submit written notice by July 15.**

**Certificated staff who violate notification deadlines or who breach a contract may have their certificate suspended.**

# Ethics Policy

## I. Applicability and Definitions

- A. The provisions of these Regulations apply, as more fully set forth herein to the members of the Board of Education, all employees of the Harford County Public Schools system, and any person required to register as a lobbyist with the Board of Education.
- B. As used in these Regulations, the term “gift” includes the transfer of any service or thing of economic value regardless of form without adequate and lawful consideration.
- C. As used in these Regulations, the term “conflict of interest” means a circumstance wherein the impartiality or independence of judgment of a person subject to these regulations would be impaired because a decision or action of such person would impart a benefit, financial or otherwise, to a person/entity listed in the following, as opposed to the public generally.
  - 1. The person or their spouse, parent, sibling or child; or
  - 2. A business entity in which any person in paragraph (1) above has any ownership interest or holds employment.

## II. Violation of Regulations

- A. Any individual alleging a violation of these Regulations may file a complaint with the Harford County Board of Education Ethics Panel. The complaint shall be made under oath and shall allege a violation of these regulations.
- B. Upon receipt, the complaint shall be reviewed by the Panel, and if the Panel determines that the complaint’s allegations, if true, could reasonably constitute a violation of the Regulations, the Panel shall take appropriate action and issue written recommendations to the Board of Education.
- C. After receiving the Panel’s written recommendations, the Board may take any reasonable action the Board determines necessary, including:
  - 1. Accepting or rejecting all or part of the Panel’s recommendation;
  - 2. Forwarding information to the State Board of Education for appropriate action against a Board Member;
  - 3. Forwarding information to the State Superintendent for appropriate action against the Superintendent;

4. Requesting the Superintendent to make appropriate recommendations concerning the discipline or discharge of an employee;
  5. Making public any information the Board deems proper;
  6. Any other reasonable action the Board determines necessary.
- D. Any complaints received by, and any recommendations made by the Ethics Panel will be confidential to the extent allowed by law.

III. **Harford County Board of Education Ethics Panel**

- A. There is a Harford County Board of Education Ethics Panel consisting of five members appointed by the Board of Education.
- B. The Board shall appoint a member of the Panel to serve as Chairman of the Panel.
- C. Members of the Panel shall be eligible to vote in Harford County.
- D. One member of the Panel shall be an attorney licensed to practice in the State of Maryland but shall not be considered the Ethics Panel's attorney.
- E. Panel members shall not be current members of the Board; officials, employees, contractors, or students of Harford County Public Schools; owners of or persons employed by a business entity doing business with the Board; any person registered with the Board as a lobbyist; or spouses of such persons.
- F. Panel members shall serve five-year terms and may be reappointed. Panel members serve until replaced.
  1. Terms and Vacancies. Members shall serve overlapping terms of five (5) years or until their successors are appointed. A member shall not serve for more than two consecutive full terms. Vacancies for unexpired terms shall be filled in the same manner as original appointments. A member of the Panel may be removed for cause.  
Initial Terms of Panel Members. The terms of the members initially appointed to the Panel shall be staggered. One member shall be appointed for one (1) year; one member shall be appointed for two (2) years; one member shall be appointed for three (3) years; one member shall be appointed for four (4) years; and one member shall be appointed for five

(5) years.

- G. The Board shall appoint a new Panel member to fill any vacancy on the Panel for the remainder of the unexpired term.
- H. The Panel shall be assisted in carrying out the responsibilities specified in this regulation by the Superintendent, or the Superintendent's designee, who shall see that needed legal, technical, and clerical assistance is provided to the Panel.
  - 1. A majority vote of the Panel is three (3) or more votes.
  - 2. A quorum is three (3) members present.
  - 3. The Panel shall adopt rules for the transaction of its business.
  - 4. The Panel shall maintain minutes of its proceedings.

I. Compensation.

Members of the Panel shall not receive compensation for their services, but members may receive reasonable and necessary expenses as may be provided in the budget.

J. The Panel shall:

- 1. Interpret the Regulations and advise persons subject to them as to their application, including:
  - a. directly receiving requests for advisory opinions from persons subject to the Regulations as to the applicability and/or effect of the provisions relative to such person;
  - b. meeting in person and developing requested advisory opinions in a timely manner;
  - c. publishing and making available to all persons affected by the Regulations copies of advisory opinions, with the identity of any person deleted;
  - d. reporting in a timely manner to the Board of Education as to any request received and advisory opinion developed, with the identity of any person deleted, along with any recommendations for changes to or needed clarification of the Regulations;
- 2. Receive any complaint concerning any alleged violation of the Regulations, in which case the Panel, in a timely manner, shall:
  - a. meet in person to review the complaint;
  - b. determine if more information is required concerning the complaint, in which case the Panel may take necessary steps to conduct an initial investigation to

- acquire more information;
- c. determine after any needed investigation if there is a reasonable basis for believing a violation has occurred;
- d. provide a written recommendation to the Board to dismiss the complaint if the Panel determines after any needed investigation that there is no violation, or there exists insufficient facts to determine a violation;
- e. provide to the subject of the complaint an opportunity for a hearing if the Panel determines after any needed investigation that there may be a violation, in which case the following process shall be used:
  - (i) the hearing shall be informal;
  - (ii) the purpose of the hearing shall be to allow the subject of the complaint the full opportunity to provide to the Panel in writing and/or in person any responses to the allegations and other necessary information;
  - (iii) the subject of the complaint may be represented by an attorney or other representative;
  - (iv) the subject of the complaint shall be allowed to present witnesses and other evidence;
  - (v) the subject of the complaint may be asked to respond to questions from the Panel;
  - (vi) the Panel may call additional witnesses if deemed necessary, in which case the subject of the complaint may cross-examine those witnesses;
  - (vii) the Panel may request additional information from other sources if deemed necessary;
  - (viii) the hearing shall be closed except to the subject of the complaint; his or her representative, any witnesses, and any individuals deemed appropriate by the Panel;
  - (ix) develop a final written report of the Panel's finding of facts, conclusions of law, and recommendations concerning any complaint not previously recommended for dismissal;

- (x) provide to the Board Chairperson its final written report, at which time the Board Chairperson shall distribute the report to all Board members as soon as practicable; and
  - (xi) ensure that all actions taken by the Panel regarding any complaint received be considered confidential.
3. Receive and maintain all forms approved by the Board of Education and required to be filed under these Regulations;
  4. Provide access to all forms filed with the Panel, as required and provided for by the Maryland Public Information Act; and
  5. Conduct, at the request of and in cooperation with the Board and Superintendent, informational programs regarding the purposes and applications of the Regulations.

#### IV. **Conflicts of Interest**

- A. Members of the Board of Education and all employees shall not:
  1. Participate on behalf of the school system in any matter which would, to their knowledge, create a conflict of interest.
  2. Be employed by a business entity that has or is negotiating a contract of more than \$2,500 with the school system, unless:
    - a. the employment is disclosed to the Board or to a direct supervisor;
    - b. the employee does not participate in the negotiation of the contract or any matter related to the contract;
    - c. the Board member or employee reports the employment to the Ethics Panel; and
    - d. the Ethics Panel issues an advisory opinion concluding that the employment does not create a conflict of interest or the appearance of a conflict of interest.
  3. Hold any outside employment relationship that would impair or would appear to impair their impartiality or



independence of judgment.

4. Represent any party for any fee or compensation before the school system.
5. Within one year following termination of the school system service, act on his/her own behalf or as a compensated representative of another in connection with any specific matter in which he participated substantially as a school official or employee.
6. Solicit any gift from any student, employee, or other person who is under the authority of the school system or any person or business entity who has or is negotiating a contract or doing or seeking to do business with the school system.
7. Accept gifts greater than \$20 in value or a series of gifts greater than \$100 in value during a calendar year from any student, employee or other person who is under the authority of the school system or any person or business entity who has or is negotiating a contract or doing or seeking to do business with the school system, except that the following gifts may be accepted (and must be properly reported to the Ethics Panel if the individual is required to file a disclosure form under these Regulations):
  - a. ceremonial gifts or awards;
  - b. meals and beverages, provided they are consumed in the presence of the donor;
  - c. reasonable expenses for food, travel, or lodging at a conference, meeting, or other event at which the recipient is speaking or presenting;
  - d. tickets or free admission to events generally provided to the individual in his or her official capacity;
  - e. gifts received from the recipient's parent, spouse, sibling, or child provided, however, that any such gift need not be reported to the Ethics Panel; and
  - f. as determined by the Ethics Panel, any other gift which was not intended to create, did not create, and did not appear to create a conflict of interest.
8. Knowingly use the prestige of their offices for their own benefit or that of another.
9. Knowingly use confidential information acquired in their official school system position for their own benefit or

that of another.

10. Knowingly fail to report any violation of the Ethics Regulations to the Board of Education of Harford County Ethics Panel.

- B. If a Board member's or employee's parent, spouse, sibling, or child is a member of a collective bargaining unit, it shall not be considered a conflict of interest for the Board member or employee to participate in collective bargaining matters as long as the Board member or employee discloses the relationship to the Board.
- C. If disqualification under paragraph (a)(1) or (a)(2)(ii) of this subsection leaves the Board with less than a quorum capable of acting, or if the disqualified employee is required by law to act or is the only person authorized to act, then the disqualified Board member or employee may participate and act upon disclosing the nature and circumstances of the conflict to the Board or to a direct supervisor.

V. **Financial Disclosure**

- A. The school officials listed in subsection (B) of this section shall file annually no later than January 31 of each calendar year during which they hold office, a statement with the Ethics Panel disclosing any gifts received during the preceding calendar year from any student, employee, or other person who is under the authority of the school system or any person or business entity who has or is negotiating a contract or doing or seeking to do business with the school system. The statement shall identify the donor of the gift and its approximate retail value at the time of receipt.
- B. Officials required to file:
  - 1. Members, Board of Education;
  - 2. Superintendent;
  - 3. Board Attorney;
  - 4. Assistant Superintendents;
  - 5. Executive Directors;
  - 6. Directors;
  - 7. All school-based administrators;
  - 8. **Procurement Office personnel**
  - 9. Any other person identified by the Ethics Panel, Board of Education, or Superintendent.

- C. All school officials listed in (B) above shall file a statement with the Ethics Panel disclosing any interest or employment, the holding of which may require disqualification from participation pursuant to Section IV of these Regulations, to sufficiently allow adequate disclosure to the public. Disclosure statements filed pursuant to this section shall be maintained by the Ethics Panel, which shall provide access to the forms as required and provided for by the Maryland Public Information Act.

VI. **Lobbying Disclosure**

- A. Any person who personally appears before any school official or employee with the intent to influence that person in performance of his or her official duties, and who is, in connection with such intent, expends or reasonably expects to expend for such officials in a given calendar year in excess of \$75 on gifts, including meals and beverages and special events, shall file a registration statement with the Ethics Panel no later than January 15 of the calendar year or within five days after first making such appearances.
- B. The registration statement shall include complete identification of the registrant and of any other person on whose behalf the registrant acts. It shall also identify the subject matter on which the registrant proposes to make such appearances and shall cover a defined registration period not to exceed one calendar year.
- C. Registrants under this section shall file a report within 30 days after the end of any calendar year during which they were registered, disclosing the value, date and nature of any gift provided to a school official or employee. Where a gift or series of gifts to a single official or employee exceed \$75 in value, the official or employee shall also be identified.
- D. The registrations and reports filed pursuant to this section shall be maintained by the Ethics Panel, which shall provide access to the registrations and reports as required and provided for by the Maryland Public Information Act.

VII. **Exemptions and Modifications**

If an individual requests in writing, the Ethics Panel or the Board

of Education, as appropriate, may grant exemptions and modifications to the provisions of Sections IV and V of these Regulations if it is determined that application of those provisions would:

- A. constitute an unreasonable invasion of privacy,
- B. significantly reduce the availability of qualified persons for public service; and
- C. not be required to preserve the purposes of these Regulations.

VIII. **Sanctions**

- A. Violation by any school official or employee of the provisions of these Regulations shall constitute grounds for discipline or personnel action, or removal from office where provided by law, consistent with procedures set forth in Education Article, Annotated Code of Maryland, State Board of Education bylaws and local Board policies.
- B. Persons or organizations found in violation of the lobbying provisions of these Regulations shall be publicly identified and subject to other penalties as provided by law.
- C. Violations of any of the provisions of these Regulations shall be subject to the provisions or sanctions in other applicable provisions of state law.

**Board of Education Personnel Required to Submit Ethics Forms Annually – Note Regarding Vendors**

Notice is hereby given that a list of vendors doing business with the Board of Education of Harford County in the amount of \$2,500 or more annually is available for review during working hours at the Board of Education. It is the responsibility of those who file ethics forms to review the vendor information prior to completing their forms.

**Reporting Child Abuse and Child Neglect**

Each health practitioner, police officer, educator, or human service worker, acting in a professional capacity in this State:

- 1. who has reason to believe that a child has been subjected to abuse or neglect, shall notify the local department or the appropriate law enforcement agency; and
- 2. if acting as a staff member of a hospital, public health agency, child-care institution, juvenile detention center, school, or

similar institution, shall immediately notify and give all information required by this section to the head of the institution or the designee of the head.

An individual who notifies the appropriate authorities shall make:

1. an oral report, by telephone or direct communication, as soon as possible to the local department or appropriate law enforcement agency; and
2. written report:
  - a. to the local department not later than 48 hours after the contact, examination, attention, or treatment that caused the individual to believe that the child had been subjected to abuse or neglect; and
  - b. with a copy to the local State's Attorney.

"Abuse" means:

1. the physical or mental injury of a child by any parent or other person who has permanent or temporary care or custody or responsibility for supervision of a child, or by any household or family member, under circumstances that indicate that the child's health or welfare is harmed or at substantial risk of being harmed; or
2. sexual abuse of a child, whether physical injuries are sustained or not.

"Neglect" means:

the leaving of a child unattended or other failure to give proper care and attention to a child by any parent or other person who has permanent or temporary care or custody or responsibility for supervision of the child under circumstances that indicate:

- a. that the child's health or welfare is harmed or placed at substantial risk of harm; or
- b. mental injury to the child or a substantial risk of mental injury.

"Sexual abuse" means:

any act that involves sexual molestation or exploitation of a child by a parent or other person who has permanent or temporary care or custody or responsibility for supervision of a child, or by any household or family member. "Sexual abuse"

includes:

- a. allowing or encouraging a child to engage in:
  1. obscene photography, films, poses, or similar activity;
  2. pornographic photography, films, poses, or similar activity; or
  3. prostitution;
- b. human trafficking;
- c. incest;
- d. rape;
- e. sexual offense in any degree;
- f. sodomy; and
- g. unnatural or perverted sexual practices.

If you suspect Child Abuse or Neglect, please contact the Department of Social Services during normal business hours at 410-836-4713 or by FAX: 410-836-4919. If it is after hours, please contact the Harford County Sheriff's Office at 410-838-6600 or your appropriate local law enforcement agency.

## **Reporting Improper Actions by Employees, Contractors, or Agents**

### **I. Purpose**

The purpose of this policy is to authorize and support the reporting of known or suspected fiscal misconduct and of certain acts of misconduct, particularly related to financial matters, and to establish criteria and procedures related thereto.

### **II. Definitions**

1. Fiscal misconduct means:
  - a. Theft or appropriation by a member of the school community of HCPS funds, services or property for personal use;
  - b. Bribery committed by a member of the school community.
2. School community means any agent or employee of HCPS; Board of Education member; HCPS volunteer or any other

person who participates in activities of HCPS and is under the authority or control of HCPS.

### III. **Statement of Policy**

1. Persons are authorized to report either verbally or in writing any of the following:
  - a. Fiscal misconduct,
  - b. Violations of Board Policy,
  - c. Violations of federal or state law or regulation,
  - d. Any instance where the health or safety of an employee or student has been jeopardized.
2. Confidentiality  
To the extent permitted by law, the Board/HCPS shall maintain the confidentiality and the identity of:
  - a. the reporter of any of the matters described above;
  - b. the person who is the subject of the report; and
  - c. the report itself.
3. No Retaliation  
No person who makes a report in good faith pursuant to this policy shall have any retaliatory action taken against them by either the Board/HCPS or any member of the school community.
4. Reports
  - a. Reports may be made either verbally or in writing and shall be submitted to any person the reporter reasonably believes can take action to investigate or cause the misconduct to cease.
  - b. Reports pursuant to this policy may also be made via the HCPS Fraud Hotline.

## **Acceptable Use of Telecommunications Equipment by Employees/Volunteers**

- I. Purpose  
The purpose of this policy is to set forth requirements and criteria relating to the acceptable use of telecommunication equipment as defined below which is used to communicate

data, information, images, or any material in any format.

II. Definition

Telecommunication Equipment means any device, or component thereof, of any kind owned, leased or controlled by Harford County Public Schools (HCPS) which is used or intended to be used to communication or transmit data, information, images of any material of any kind in any format. Telecommunication equipment includes, but is not limited to, computers; servers; telephones; cellular telephones; personal data transmitters; two-way radios; or any combination of telecommunication equipment which is designed to allow communication among or between one or more telecommunication devices, including, but not limited to, the Internet, the Harford County Public School's (HCPS) intranet, information sharing sites, web sites or e-mail systems.

III. Policy Statement

HCPS provides its employees/volunteers use of telecommunication equipment in support of its instructional mission. All HCPS telecommunication equipment is to be used by HCPS employees/volunteers for legitimate educational, administrative, or business purposes related to the operation of HCPS. All communications transmitted via HCPS telecommunication equipment shall be professional and respectful in tone and content. Employees or volunteers who violate this policy or any related procedure are subject to sanctions/discipline as determined by the Superintendent.

## **Responsible Use Regarding Telecommunications Equipment**

I. Purpose and Scope

This procedure sets forth the criteria, terms, and conditions with which the Harford County Public Schools community must comply when utilizing HCPS telecommunication devices and/or resources.



## II. Definitions

- A. Telecommunication devices means any electronic or battery powered instrument which transmits or receives voice, text, data or information in any form including, but not limited to cell phones, computers, smart phones, tablets, electronic readers or language translators.
- B. Telecommunication resources means any HCPS computer network; software; application(s); software as a service or any other system which permits the transmission of any form of communication whether through wireless or wired means.
- C. Personal telecommunication devices means a telecommunication device owned by a person or entity other than HCPS
- D. means a system which transmits data between computers or computer systems, including wired and wireless technologies.
- E. Internet means the collective public network of computers and computer networks.
- F. Software means any application or script that can be executed on a computer system, server, or other electronic device.
- G. Content filter means a software or device designed to block access to material based on its content.
- H. CIPA means the Children's Internet Protection Act (Pub. L. No. 106-554 (2000) (codified at 20 U.S.C. §§ 6801, 6777, 9134 (2003); 47 U.S.C. § 254 (2003)).
- I. FERPA means the Family Educational Rights and Privacy Act (20 U.S.C §1232g; 34 CFR Part 99).
- J. HCPS community means HCPS employees, students, volunteers, or any person who is permitted access to HCPS telecommunication devices or resources.

## III. Procedures

HCPS community shall be required when accessing HCPS telecommunication resources to agree to and comply with the following terms and conditions.

A. HCPS community use of HCPS telecommunication devices or resources

1. Use for educational purposes only. The HCPS community agrees to:
  - i. Access and exchange information to promote research and instruction for educational purposes only.
  - ii. Protect and care for all technology and devices.
  - iii. The review of all communications, files, and data by the system administrators, principal, and district officials.
  - iv. Practice responsible, ethical, and legal behavior when downloading files from the Internet or other sources for educational purposes and agree to avoid the intentional introduction of computer viruses and other malicious software.
  - v. The content filtering of all Internet access pursuant to, but not limited to, CIPA.
  - vi. Evaluate the legitimacy of information presented or certain actions (like "downloadable files") initiated online via content filter.
  - vii. Report inappropriate use of technology immediately. It is important to report misuse, damage, and/or inappropriate content to teachers or staff members who can address the issue, submit work orders or fix problems in a timely manner.
2. Digital citizenship and cyber-safety. The HCPS community agrees to:
  - i. Keep personal information (including but not limited to, home/mobile phone number, mailing address, photos, and password(s)) and that of others private in accordance with FERPA and other applicable laws and resolutions. The HCPS community agrees to:
    1. Follow safety guidelines posted by sites to which I subscribe.
    2. Be aware of and/or modify the privacy settings on any website to I which subscribe.
  - ii. Communicate only with people I know.

3. Understand that anything I do online or electronically is not private and can be monitored.
- iii. Show respect for myself and others when using technology including social media. It is important to:
    1. Use appropriate language in all communications. Profanity, obscenity and offensive or inflammatory speech and/or tone are prohibited.
    2. Seek help if I feel unsafe, bullied or witness unkind behavior in accordance with the Board of Education of Harford County's Bullying, Cyberbullying, Harassment or Intimidation of Students Policies and Procedures.
  - iv. Integrity and attribution. The HCPS community agrees to:
    1. Evaluate and cross-reference sources for bias and credibility.
    2. Foster innovation by challenging ideas, supporting tolerance, and honoring independent thought.
- B. HCPS community use of personal telecommunication devices

The use of personal telecommunication devices to support education is a privilege. Adherence to this procedure will enhance the learning environment as a whole. In addition to the terms and conditions stated above, the HCPS community agrees to:

1. Take full responsibility for personal devices. HCPS is not responsible for the security of personal technology devices. Personal telecommunication devices may not be left at school before or after school hours.
2. Use personal devices for an instructional purpose in accordance with the HCPS Personal Communication Device Policy.
3. Immediately comply with teachers' requests to shut down devices or close the screen. Devices must be in "silent" mode and put away when asked by teachers.

4. Transmit or post photographic images/videos only when such action is for a legitimate instructional purpose.
5. Charge personal telecommunication devices prior to bringing them to school and operate from their own batteries while at school. Charging will be available on a limited basis and at the teacher's discretion.
6. Use the HCPS wireless (Wi-Fi) connection in order to comply with the use of content filters. The HCPS community will not bypass the network restriction by using an external network.
7. Understand that bringing personal telecommunication devices on premises with the intent to infect the network with a virus, worm or other program designed to alter, damage, destroy, or provide access to unauthorized data or information is in violation of the Responsible Use Procedure and will result in disciplinary actions. HCPS has the right to collect and examine any device that is suspected of causing problems or is the source of an attack or virus infections.
8. Understand that HCPS will not support personal telecommunication devices.

## **Harford County Public Schools Email Accounts**

The Harford County Public School System's email access is provided to employees to support the educational mission of the school system. Good e-mail communication skills can help support student learning, promote organizational efficiency, and facilitate professional growth. Since sending an email is analogous to using school/office/district letterhead, the following administrative guidelines are provided to ensure the successful implementation and use of the HCPS email system.

1. Employees will attempt to respond to emails within a reasonable period of time. Realizing that not all employees have immediate access to their email account, actual response time may vary.

2. All HCPS related email correspondence shall be conducted through the HCPS email accounts.
3. Permitted use of email accounts includes, but is not limited to:
  - Scheduling appointments with parents,
  - Communicating assignments,
  - Distributing internal memos.
4. Permitted with principal or parent authorization includes, but is not limited to:
  - Communicating student grades,
  - Communicating student disciplinary information,
  - Expressing professional opinions and judgments.
5. Forbidden use of email accounts includes, but is not limited to:
  - Communicating medical information,
  - Communicating custody/visitation information,
  - Sending correspondence that must be accompanied by a signature.
  - Other identifiable confidential information.

All electronic communications transmitted to and/or from HCPS' networks are considered property of HCPS and users are not entitled to any expectation of privacy with regard to the information contained in such communications.

## **Employee Transportation of Students**

### **I. Purpose**

The purpose of this procedure is to establish restrictions and criteria related to employee transportation of students.

### **II. Definitions**

- A. Parent means a student's biological parent or stepparent.
- B. Custodian means a person whom a court has granted rights to have care and custody of a student.
- C. Guardian means a person whom a court has ordered to act as the legal guardian of a student.
- D. Emergency means circumstances wherein a student's health or safety will be jeopardized if immediate action is not taken.

- E. Administrator means a principal, assistant principal or the Director or a supervisor of Transportation.
- F. Pupil Personnel Worker ("PPW") means a person who serves as a member of the Pupil Services Team designated to work as a liaison with students, parents, school personnel, and public and private agencies.

### III. Procedures

#### A. Employee Transport of Students

1. An employee may transport a student only if:
  - a. The employee is the lawful parent, custodian, or guardian of the student. Custodians or guardians are lawful and recognized only if such status is granted by court order.
  - b. Prior to any transportation, the employee has been designated in writing by a parent, guardian, or custodian, as a person who may transport the student.

#### B. Administrator Transport of Students

1. Administrators may transport a student only if:
  - a. The student has no means of transportation available to him or her and no reasonable expectation that transportation will be available to him or her; and,
  - b. The student will be on school property or at a school event under circumstances that place the student at risk of harm because the student does not have any means of transportation nor a reasonable expectation of transportation; and,
  - c. The administrator has attempted to contact, via telephone or otherwise, the parent/guardian/caretaker of the student and such contact does not result in the student having a reasonable expectation of transportation within a reasonable period of time; and,

- d. The administrator has contacted other agencies, such as law enforcement agencies, to provide transportation for the student and such agencies refuse or decline to do so.
  2. An administrator shall make a report of any administrator transport to the Director of Student Services and to the Executive Director of Elementary or Secondary School Instruction and Performance, as applicable. The latter person shall decide whether to make a report to a law enforcement agency, social service agency, juvenile justice agency or other appropriate agency to investigate the circumstances which resulted in the student being transported by the administrator.
- C. Pupil Personnel Worker Transport of Students
  1. Pupil Personnel Workers may transport a student only if:
    - a. The PPW has obtained permission from the parent, custodian, or legal guardian prior to transportation being provided by the PPW; and,
    - b. A student has a health condition that presents a direct health threat to other students but student does not need emergency care; and,
    - c. With respect to transportation of elementary school students there is a parent or responsible adult present at the drop-off locations; and,
    - d. The student can be safely transported in a county-owned vehicle as determined by the PPW.

## **Harford County Public Schools Drug-Free Workplace**

The Anti-Drug Abuse Act of 1988 which was passed into federal law on November 18, 1988, requires any agency receiving federal funds in excess of \$25,000 to provide a drug-free workplace.

In cooperation with the Maryland State Department of Education, and in recognition of the dangers of substance use and abuse, the Board of Education of Harford County adopted a resolution on drug-free schools on May 8, 1989 as a means to announce its commitment to the achievement of a drug-free workplace.

Accordingly, and in compliance with this legislation, each employee is hereby notified that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in any workplace or activity of the Harford County Public Schools. As an extension of the Board of Education's commitment to a drug-free workplace, these provisions will also apply to any employee whose work performance is affected by the use of a controlled substance.

Furthermore, the legislation mandates that all employees are required to abide by the terms of this statement and to notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

Employees found in violation of the prohibitions contained in this policy will be subject to actions consistent with the seriousness of the offense, including but not limited to satisfactory participation in an approved assistance/rehabilitation program, suspension, or termination of employment.

## **Tobacco Use**

The sale or use of tobacco in any form, including e-cigarettes, is prohibited in school buildings, on school grounds, in all school system vehicles, in all school buses (whether owned by the school system, contracted, or leased) every day, 24 hours a day of the entire calendar year.



# Policy Statement on Non-Discrimination

## I. Purpose

The purpose of this policy is to set forth the following.

1. The Board's commitment to compliance with all federal and state anti-discrimination law and regulations applicable to Maryland public schools.
2. The Board's prohibition of conduct by members of the school community which violates federal and state anti-discrimination law or regulations applicable to Maryland public schools.

## II. Definitions

A. **Discrimination** means conduct, including harassment, as defined below, committed by a member of the school community, which violates federal and state law which prohibit discrimination or harassment in public schools, and which results in the unlawful exclusion from participation in, denial of the benefits of or unlawful differential treatment with respect to:

1. Programs, activities, or services provided by Harford County Public Schools ("HCPS"); or,
2. Employment or conditions of employment with HCPS.

B. **Federal And State Law and Regulations** which prohibit discrimination, and, in most cases, harassment, in Maryland public schools include:

1. Americans with Disabilities Act and its implementing regulations (42 U.S.C., Sections 12101-12103; 12111-12117 and 12131-12134; Code of Federal Regulations (C.F.R.) Title 29 Section 1630.1 to 1630.16 and Title 28 Section 35.101 to 35.178, which set forth protections against discrimination on the basis of disability.
2. Section 504 of the Rehabilitation Act of 1973 and its implementing regulations (29 U.S.C. Section 794 and 34 C.F.R. Section 104.1 to 104.39) which set forth protections against discrimination on the basis of disability.
3. Title VI of the Civil Rights Act of 1964 and its implementing regulations (42 U.S.C. Section 2000 d to 42 U.S.C. 2000 d 7, 34 C.F.R. 100.1 to 100.13 and 29 C.F.R. 1691.1 to 29 C.F.R. 1691.13) which set forth protections against discrimination

on the basis of race, color or national origin.

4. Title VII of the Civil Rights Act of 1964 and its implementing regulations (42 U.S.C. Section 2000 to Section 2000 a-4 and 29 C.F.R. Part 1600 to Part 1690, *et seq.*) which set forth protections against discrimination in employment on the basis of race, color, national origin, sex and religion.
  5. Title IX of the Education Amendment of 1972 and its implementing regulations (20 U.S.C. Section 1681 and 34 C.F.R. Section 106.1 to 106.71) which set forth protections against discrimination on the basis of sex, sexual orientation, or gender identity.
  6. Age Discrimination Act of 1975 and its implementing regulations (42 U.S.C. Section 6101-6107 and 34 C.F.R. 110.0-110.39), which set forth protections against discrimination on the basis of age.
  7. Age Discrimination in Employment Act and its implementing regulations (29 U.S.C. Section 621 to Section 623 and 29 C.F.R. Section 1625.1 to Section 1625.31), which set forth protections against discrimination on the basis of age.
  8. Genetic Information Act of 2008 (29 U.S.C. 1001, *et seq.*, and 42 U.S.C. 300 gg, *et seq.*, and C.F.R. 1601, *et seq.*), which sets forth protections against discrimination on the basis of genetic information.
  9. Title 20 of the State Government Article of Maryland Annotated Code which sets forth protections against discrimination in employment on the basis of race, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, genetic information, or disability.
  10. Section 7-424.1 and 7-424.3 of the Education Article of Maryland Annotated Code which set forth protections for students against bullying, harassment or intimidation.
- C. **Harassment** means:
1. being subject to unwelcome conduct based on race, color, national origin, religion, age, disability, sex, sexual orientation, gender identity, or genetic information
    - a. which conduct is either made a condition of access

- to HCPS services, programs or activities or employment or terms of employment; or,
- b. which is severe or pervasive and objectively offensive so that it deprives a student or other person from access to HCPS programs, services or activities or is hostile and abusive so as to alter the condition of employment of a reasonable person; or
  2. being subject to cyberbullying, bullying, harassment or intimidation as defined in Board Policy Number 24-0006-000 entitled, "Cyberbullying, Bullying, Harassment and Intimidation of Students," which is incorporated herein by reference.
- D. **Member of School Community** means:
1. A Board of Education member.
  2. An employee of HCPS.
  3. An HCPS volunteer.
  4. A student.
  5. A person who participates in activities of HCPS or is present on HCPS grounds or premises and is under the authority or control of HCPS.
- E. **Retaliation** means:
1. unfavorable differential treatment imposed by a member of the HCPS school community upon a person because that person has opposed any act or practice which is unlawful under federal or state law or regulations which prohibit discrimination, or has made a charge, testified, assisted or participated in an investigation, proceeding or other matter pursuant to federal or state law or regulations which prohibit discrimination; or
  2. being subject to coercion, intimidation or interference by a member of the school community because that person has opposed any act or practice which is unlawful under federal or state law or regulations which prohibit discrimination or has made a charge, testified, assisted or participated in an investigation, proceeding or other matter pursuant to federal or state law or regulations which prohibit discrimination.

- F. **Student** means any person enrolled in HCPS for the purpose of receiving education services.

III. **Statement of Policy**

- A. The Board is committed to providing an environment that is safe and optimal for academic achievement and productive work activity and free from any form of unlawful discrimination. Accordingly, the Board:
  - 1. prohibits any conduct which constitutes discrimination or harassment in employment or in participation in or access to HCPS activities, programs, or services.
  - 2. prohibits any conduct which constitutes retaliation.
- B. Any conduct by a member of the school community described in III. A. above is a violation of this policy. HCPS will investigate all complaints of harassment, discrimination, or retaliation and will take appropriate disciplinary or other action against any member of the school community who is found to have committed an act of discrimination, harassment or retaliation.
- C. The Superintendent shall establish procedures to implement this policy.

## **Title IX Complaint Process - Discrimination on the Basis of Sex and Prohibition of Sexual Harassment**

### **COMPLAINT PROCEDURES RELATING TO TITLE IX OF THE EDUCATION AMENDMENTS OF 1972 AND ITS IMPLEMENTING REGULATIONS**

#### **I. Purpose**

The purposes of these procedures are as follows.

- A. Provision of information regarding Title IX.
- B. Adoption of procedures for the prompt and equitable resolution of complaints which allege a violation of Title IX and its implementing regulations.
- C. Designation of a Title IX Coordinator responsible to coordinate efforts to comply with Title IX and its implementing regulations.

#### **II. Definitions**

- A. **Discrimination** means the following.
  - 1. Being, on the basis of sex, including sexual orientation and gender identity, unlawfully subject to: exclusion from

participation in, denial of the benefits of, or, unfavorable differential treatment with respect to, any academic, extra- curricular, research, occupational training, or other education program or activity provided by HCPS.

2. Being, on the basis of sex, including sexual orientation and gender identity, unlawfully subject to: exclusion from, participation in, denial of the benefits of, or being subject to unfavorable differential treatment with respect to employment, recruitment, consideration or selection for employment by HCPS.
  3. Being subject to sexual harassment, including harassment on the basis of sexual orientation or gender identity, as defined below.
- B. **Sexual Harassment**, including harassment on the basis of sexual orientation or gender identity means the following.
1. Being subject to conduct by a member of the school community, that is sexual in nature, is unwelcome, and submission to such conduct is used as the basis or a condition for decisions affecting a student's or other person's participation in academic programs, services or activities provided by HCPS.
  2. Being subject to conduct by a member of the school community that is sexual in nature, is unwelcome, is severe or pervasive, and is objectively offensive so that it deprives the student or other person access to, participation in or benefit from academic programs, services or activities provided by HCPS.
  3. Being subject to conduct by a member of the school community that is sexual in nature, is unwelcome, and submission to such conduct is made a condition of a person's employment or any aspect of the individual's employment.
  4. Being subject to sexual conduct that is unwelcome; that is severe and pervasive; that is hostile and/or abusive to a degree that such conduct would alter the conditions of employment of a reasonable person.
- C. **Sexual Conduct** means behavior which relates to sex and

includes, but not limited to the following.

1. Making sexual propositions or pressuring a person for sexual favors;
  2. Touching of a sexual nature;
  3. Writing graffiti of a sexual nature;
  4. Displaying or distributing sexually explicit drawings, pictures, or written materials;
  5. Performing sexual gestures or touching oneself sexually in front of others;
  6. Telling sexual or dirty jokes;
  7. Spreading sexual rumors or rating persons as to sexual activity or performance;
  8. Circulating or showing e-mails or websites of a sexual nature; or
  9. Making statements of a sexual nature.
- D. **Title IX** means Title IX of the Education Amendments of 1972, codified at 20 U.S. Code Section 1681, *et seq.* and its implementing regulations codified at 34 Code of Federal Regulations (CFR) Part 106.1, *et seq.* which, in pertinent part, prohibit discrimination on the basis of sex, sexual orientation or gender identity in employment; access to facilities, program or activities and prohibit sexual harassment.
- E. **Complainant** means any person who files a complaint under these procedures.
- F. **Title IX Coordinator** means the Supervisor of Equity and Cultural Proficiency, 102 S. Hickory Avenue, Bel Air, Maryland 21014, telephone 410-809-6064.
- G. **Retaliation** means:
1. Unfavorable differential treatment of a person because that person has opposed any act or practice which is unlawful under Title IX or has made a charge, testified, assisted or participated in an investigation, proceeding or other matter pursuant to Title IX; or
  2. Threatening, coercing, intimidating or interfering with any person because that person has opposed any act or practice which is unlawful under the Title IX or has made a charge, testified, assisted or participated in an investigation, proceeding or other matter pursuant to the

Title IX.

- H. **Complaint** means a written or verbal statement which sets forth an allegation that a member of the school community has been subject to conduct which is in violation Title IX or retaliation.
- I. **Days** means calendar days.
- J. **HCPS** means Harford County Public Schools.
- K. **Member of School Community** means:
  - 1. Board of Education member.
  - 2. Any employee of Harford County Public Schools (“HCPS”)
  - 3. Any HCPS volunteer.
  - 4. A student.
  - 5. Any other person who participates in activities of HCPS or is present on HCPS grounds or premises and is under the authority or control of HCPS.

**III. Complaint Procedure**

- A. Complaints alleging discrimination on the basis of sex, sexual orientation or gender identity or retaliation shall be submitted orally or in writing to the Title IX Coordinator, 102 South Hickory Avenue, Bel Air, Maryland, 21014, at 410-809-6064.
  - 1. A Complainant shall file a complaint within ninety (90) days of the date the alleged act of disability discrimination occurred.
  - 2. The Title IX Coordinator shall attempt to informally resolve a complaint within thirty (30) days of the receipt of same.
  - 3. If an informal resolution cannot be reached, the Title IX Coordinator shall issue a written decision setting forth in concise fashion his/her decision regarding the complaint and the reasons for the decision. Such written decision shall be issued within sixty (60) days of receipt of the complaint.
  - 4. All decisions of the Title IX Coordinator may be appealed to the Superintendent pursuant to Section 4-205 of the Education Article of the Maryland Annotated Code.
  - 5. The complaint procedure described herein is in addition to any other administrative or judicial action the Complainant may pursue.

# Americans with Disabilities Act/Section 504

## COMPLAINT PROCEDURES FOR VIOLATIONS OF THE AMERICANS WITH DISABILITIES ACT; SECTION 504 OF THE REHABILITATION ACT OF 1973 AND THEIR IMPLEMENTING REGULATIONS

### I. Purpose

The purpose and scope of these procedures are as follows:

- A. Provision of information regarding the ADA and Section 504.
- B. Adoption of complaint procedures for the prompt and equitable resolution of complaints which allege a violation of the ADA, Section 504 and their implementing regulations.
- C. Designation of persons responsible to coordinate efforts to comply with the ADA or Section 504 and their implementing regulations.

### II. Definitions

- A. **ADA** means the Americans with Disabilities Act codified at 20 United States Code (U.S.C.) Section 12101, *et seq.*; and its implementing regulations codified at 29 Code of Federal Regulations (“CFR”) 1630.1 to 1630.16 and 28 CFR Section 35.101 to 35.140.
- B. **Section 504** means Section 504 of the Rehabilitation Act of 1973 codified at 29 U.S.C. Section 794 and its implementing regulations codified at 34 CFR Section 104.1 to 104.39.
- C. **Complainant** means any person who files a complaint under these procedures.
- D. **Designated Person** means the person holding the job position responsible for the coordination of these procedures either in whole or in part.
- E. **Discrimination means:**
  - 1. being on the basis of disability, unlawfully subject to: exclusion from participation in, denial of the benefits of or unfavorable differential treatment with respect to any academic, extra-curricular, research, occupational training, or other education program or activity operated by HCPS; or,
  - 2. being, on the basis of disability, unlawfully subject to exclusion from participation in, denial in the benefits of, or unfavorable differential treatment with respect to



employment, recruitment, consideration or selection for employment by HCPS; or,

3. being subject to harassment as defined below.

F. **Disability Harassment** means:

1. being subject to conduct by a member of the school community that is based on a person's disability, is unwelcome, and submission to such conduct is used as the basis or a condition for decisions affecting a student's or other person's participation in academic programs, services or activities provided by HCPS.

2. being subject to conduct by a member of the school community that is based on the person's disability, is severe or pervasive and is objectively offensive so that it deprives a student with a disability or other person with a disability access to, participation in, or benefit from programs, services or activities provided by HCPS.

3. being subject to conduct by a member of the school community that is based on a person's disability, is unwelcome, and submission to such conduct is made a condition of a person's employment or any aspect of the individual's employment.

4. being subject to conduct by a member of the school community that is based on a person's disability, is unwelcome, is severe or pervasive, that is hostile and/or abusive to the degree that such conduct would alter the conditions of employment of a reasonable person.

G. **Complaint** means a written or verbal statement which sets forth the nature and basis of an allegation that a person has been discriminated against; subject to retaliation, or unlawfully denied a reasonable accommodation, by a member of the school community in violation of the ADA or Section 504.

H. **Days** means calendar days.

I. **HCPS** means Harford County Public Schools.

J. **Member of School Community** means:

1. A Board of Education member.

2. An employee of Harford County Public Schools ("HCPS").

3. An HCPS volunteer.

4. A student.

5. A person who participates in activities of HCPS or is present on HCPS grounds or premises and is under the authority or control of HCPS.

K. **Retaliation** means:

1. unfavorable differential treatment imposed by a member of the HCPS school community upon a person because that person has opposed any act or practice which is unlawful under the ADA or Section 504 or has made a charge, testified, assisted or participated in an investigation, proceeding or other matter pursuant to the ADA or Section 504; or
2. being subject to coercion, intimidation or interference by a member of the school community because a person has opposed any act or practice which is unlawful under the ADA or Section 504 or has made a charge, testified, assisted or participated in an investigation, proceeding or other matter pursuant to the ADA or Section 504.

**III. Procedures**

A. ADA or Section 504 Protections

1. Employment Discrimination: Any person who believes a member of the school community has discriminated against him/her on the basis of disability or retaliated against him or her in violation of the ADA or Section 504 with respect to matters relating to employment may file a complaint with the Designated Person for ADA/Section 504 employment discrimination identified herein.
2. Programs; activities; services accessibility discrimination
  - a. Any person who believes a member of the school community has discriminated against him or her or retaliated against him or her on the basis of disability in violation of the ADA/Section 504 with respect to access to HCPS programs, activities or services may file a complaint with the Designated Person for access to services, programs and activities identified herein.
  - b. Any person who believes a member of the school community has discriminated or retaliated against him/her on the basis of disability against him or her in violation of the ADA/Section 504 with respect to

physical accessibility to HCPS programs, activities or services may file a complaint with the Designated Person for physical accessibility to programs, activities or services identified herein.

3. Student Instruction/Services

Any complaints regarding the identification, evaluation or educational placement of a student under Section 504 are addressed under separate procedures issued by the Office of Student Services and should be submitted to the Director of Student Services.

**A. Inquiries**

Any person with an inquiry regarding the ADA or Section 504 may contact the persons designated below.

**B. Complaint Procedure**

1. A Complainant shall file a complaint within ninety (90) days of the date the alleged act of disability discrimination occurred.
2. The Designated Person shall attempt to informally resolve a complaint within thirty (30) days of receipt of same.
3. If an informal resolution cannot be reached, the Designated Person shall issue a written decision setting forth in concise fashion his/her decision regarding the complaint and the reasons for the decision. Such written decision shall be issued within sixty (60) days of receipt of the complaint.
4. All decisions of the Designated Person may be appealed to the Superintendent pursuant to section 4-205 of the Education Article of the Maryland Annotated Code.
5. The complaint procedure described herein is in addition to any other administrative or judicial action the Complainant may pursue.

**C. Designated Persons**

1. Employment Discrimination: Assistant Superintendent for Human Resources, 102 South Hickory Avenue, Bel Air, Maryland, 21014, at 410-588-5226; or,
2. Service, Program or Activity Discrimination (including complaints regarding physical accessibility or architectural barriers): Risk Manager, 102 South Hickory Avenue, Bel Air,

Maryland, 21014, at 410-588-5286, or Director of Student Services, 102 South Hickory Avenue, Bel Air, Maryland, 21014, at 410-588-5334; or,

3. Identification, Evaluation of or Educational Placement of Students under Section 504: Director of Student Services, 102 South Hickory Avenue, Bel Air, Maryland, 21014, at 410-588-5334.

## **The Reasonable Accommodations for Disabilities Due to Pregnancy Act**

**The Reasonable Accommodations for Disabilities Due to Pregnancy Act requires that a Maryland employer with 15 or more employees provide accommodations for employees who give notice of a disability “caused or contributed to by pregnancy,” so long as the accommodations do not impose an undue hardship on the employer. Any employee who wishes to make a request for an accommodation should send a written request to the Risk Management Office**

## **The Reasonable Accommodations and Service Animals Under the Americans with Disabilities Act**

### **I. Purpose**

The purposes of this procedure are as follows:

- A. Provision of information regarding reasonable accommodations and service animals in employment or in the provision of access to Harford County Public Schools (HCPS) services, programs, and activities.
- B. Adoption of procedures for obtaining a reasonable accommodation or authorization for a service animal.
- C. Designation of a person to contact regarding or obtaining a reasonable accommodation or authorization for a service animal.

### **II. Definitions**

- A. **ADA** means the Americans with Disabilities Act codified at 20 United States Code (U.S.C.) Section 12101 to 12103 and

12111 to 12117, *et seq.*; and its implementing regulations codified at 29 Code of Federal Regulations (“CFR”) 1630.1 to 1630.16 and 28 CFR Section 35.101 to 35.140.

- B. **Section 504** means Section 504 of the Rehabilitation Act of 1973 codified at 29 U.S.C. Section 794 and its implementing regulations codified at 34 CFR Section 104.1 to 104.39.
- C. **HCPS** means Harford County Public Schools.
- D. **Member of School Community means:**
  - 1. Board of Education member.
  - 2. Any employee of Harford County Public Schools (“HCPS”).
  - 3. Any HCPS volunteer.
  - 4. A student.
  - 5. A person who participates in activities of HCPS or is present on HCPS grounds or premises and is under the authority or control of HCPS.
- E. **Reasonable Accommodations** means a change or alteration in a work condition such as, for example, scheduling changes or physical modifications or changes or alterations to policies, practices or procedures which HCPS is legally required to provide.
- F. **Service Animals** means a dog or miniature horse which a person with a disability requires because of his or her disability and which will perform work or tasks for the person.

**Disability** means with respect to a person, having a physical or mental impairment that substantially limits a major life activity; having a record of such impairment; or being regarded as having such an impairment.

### **III. Procedures**

- A. Any person with a disability requesting a reasonable accommodation in employment may contact either his or her supervisor or the HCPS Risk Manager, 102 South Hickory Avenue, Bel Air, Maryland, 21014, at 410-588-5286. If a request is made to a supervisor, he or she shall refer it to the Risk Manager. The request may either be in writing or verbal.
- B. The Risk Manager shall engage in an interactive process with the person seeking the accommodation to obtain such information regarding the request as is necessary and legally available to make a determination regarding the request and

- shall issue a decision granting or denying the request.
- C. Should the person requesting a reasonable accommodation be dissatisfied with the Risk Manager’s decision, the person may file a complaint to the Procedure entitled, “Complaint Under the ADA or Section 504,” or pursue any other legal action or both available to him or her.
  - D. Service Animals
    - 1. Any person with a disability requesting that he or she be permitted to bring and maintain a service animal in or about HCPS property or buildings may contact his or her supervisor or the HCPS Risk Manager, at 102 South Hickory Avenue, Bel Air, Maryland, 21014, or 410-588-5286. If request is made to a supervisor, the supervisor shall refer the request to the Risk Manager. The request may be either verbal or in writing.
  - E. Access to HCPS Programs, Services and Activities  
Any individual with a disability requesting a reasonable accommodation with respect to access to programs, services and activities shall contact his or her supervisor or the Risk Manager, at 102 South Hickory Avenue, Bel Air, Maryland, 21014, or 410-588-5286, or the Director of Student Services at 102 South Hickory Avenue, Bel Air, Maryland, 21014, or 410-588-5334. If request is made to a supervisor, he or she shall refer the request to either the Risk Manager or the Director of Student Services. The request may be made either in writing or verbally.

## **Family and Medical Leave Act Procedures**

- I. DEFINITIONS
  - A. Academic term. (825.602)  
“Academic term” means the school semester which ends in December or in June.
  - B. Continuing treatment by a health care provider. (825.115)  
The term “continuing treatment by a health provider” means one or more of the following:
    - 1. The employee or family member in question is treated two or more times for the injury or illness by a health care provider.

2. The employee or family member is treated for the injury or illness two or more times by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider, or is treated for the injury or illness by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider for example, a course of medication or therapy to resolve the health condition.
  3. The employee or family member is under the continuing supervision of (but not necessarily being actively treated by) a health care provider due to a serious long-term or chronic condition or disability which cannot be cured. Examples include persons with Alzheimer's, persons who have suffered a severe stroke, or persons in the terminal stages of a disease who may not be receiving active medical treatment.
- C. Eligible employee. (825.110)  
Also referred to herein as "employee." The term "eligible employee" means a person who has been employed in a full time position for at least twelve months and has worked 1250 hours of service during the twelve-month period immediately preceding the commencement of requested FMLA leave in accordance with applicable FMLA provisions.
- D. Family member. (825.122)  
"Family member" means spouse, son or daughter or parent, next of kin of a covered service member, son or daughter on active duty or call to active duty status, son or daughter of a covered service member, and parent of a covered service member as defined herein.
- E. FMLA. (825.100)  
"FMLA" means the Family and Medical Leave Act of 1993 codified at 29 USC Section 2601-2654 as amended and its implementing regulations found at 29 Code of Federal Regulations 25.100 et seq.
- F. FMLA leave year. (825.200(b))  
The term "FMLA leave year" means the 12-month period measured forward from the date any employee's FMLA leave

- begins.
- G. Health care provider. (825.125)  
The term “health care provider” means a doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices; or any other person determined by the Secretary of the United States Department of Labor to be capable of providing health care services.
- H. Incapacity. (825.113)  
The term “incapacity” means inability to work, attend school or perform other regular daily activities due to a serious health condition, treatment therefore or recovery therefrom.
- I. Intermittent leave. (825.202)  
“Intermittent leave” means FMLA leave taken in separate blocks of time when medically necessary for planned and/or unanticipated medical treatment of a serious health condition by or under the supervision of a health care provider or for recovery from treatment or recovery from a serious health condition or taken to provide care or psychological comfort to an immediate family member with a serious health condition.
- J. Medical certification. (825.305 - 825.311)  
“Medical certification” means a form completed by a health care provider which provides the following information.
1. Identifies the health care provider and his/her type of medical practice.
  2. Certifies as to which part of the definition of a serious health condition, if any, applies to the employee’s condition; the medical facts which support this certification including a brief statement as to how the medical facts meet the criteria of the definition.
  3. The approximate date the serious health condition commenced; it’s probable duration including the probable duration of the patient’s present incapacity and a statement as to whether the patient’s incapacity will be intermittent or will require a reduced leave schedule; a statement as to the estimate of the probable number and interval between such treatments, actual or estimated dates of treatment if known and any period required for



recovery.

4. If any medical leave is required for the employee's absence from work because of the employee's own serious health condition, a statement as to the following.
    - a. Whether the employee is unable to perform work of any kind;
    - b. Whether the employee is unable to perform any of one or more of the essential functions of the employee's position including a statement of the essential functions the employee is unable to perform.
  5. In circumstances where FMLA leave is requested to care for family member with a serious health condition, a statement as to the following.
    - a. That the employee is required to care for the family member in order to assist a family member with basic medical, personal or safety needs or for transportation; *or*
    - b. That the employee's presence will provide psychological comfort which is beneficial to the family member or assist in the family member's recovery.
- K. Parent. (825.122)  
The term "parent" means biological, adoptive, step or foster father or mother, or any other individual who stood in *loco parentis* to the employee when the employee was a son or daughter as defined in paragraph (c) of this section. This term does not include parents "in laws."
- L. Reduced leave schedule. (825.202)  
"Reduced leave schedule" means a leave schedule that reduces an employee's usual number of working hours per work week or hours per work day for the same reasons as intermittent leave are permitted.
- M. Serious health condition. (825.113)  
The term "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:
1. Any period of incapacity due to pregnancy or for prenatal care;
  2. Any period of incapacity requiring absence from work, school, or other regular daily activities, of more than

three calendar days, that also involves continuing treatment by (or under the supervision of) a health care provider; or

3. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition; or
4. A period of incapacity which is permanent or long term due to a condition for which treatment may not be effective provided that the employee or family member is either under the continuing supervision or receiving active treatment by a health care provider for same; or
5. Any period of absence to receive multiple treatments, including any period of recovery therefrom, from a health care provider or from a provider of health care services who is acting pursuant to a health care provider either for restorative surgery after an accident or other injury or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer, severe arthritis, kidney disease or other serious health conditions.

Inpatient care in a hospital, hospice, or residential medical care facility including any period of incapacity or any subsequent treatment in connection with such inpatient care.

N. Son or daughter. (825.122)

The term “son or daughter” means a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in *loco parentis*, who is under 18 years of age; or 18 years of age or older and incapable of self-care because of a mental or physical disability.

O. Spouse. (825.122)

The term “spouse” means a husband or wife as defined by Maryland law.

P. Supervisor. (N/A)

“Supervisor” means the person who is responsible for reporting absences of the employee in question to the payroll

division of the Finance Department and/or the Human Resources Department.

Q. Teacher. (825.600(c))

An employee employed principally in an instructional capacity by an educational agency or school whose principal function is to teach and instruct students in a class, a small group, or an individual setting, and includes athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. The term does not include teacher assistants or aides who do not have as their principal function actual teaching or instructing, nor auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers, bus drivers, or other primarily non-instructional employees.

II. ENTITLEMENT TO LEAVE

A. An employee is entitled to twelve (12) weeks of FMLA leave per FMLA leave year (subject to the terms and conditions set forth in these procedures) under the following circumstances. (825.200(c))

1. Serious illness of the employee;
2. The birth, adoption or foster care placement of a child by the employee;
3. Care by an employee for a family member who has a serious health condition.

B. Benefits for the employee during FMLA Leave.

1. While an employee is utilizing FMLA leave, he or she is entitled to the following benefits:
  - a. HCPS shall continue the employee's health benefits at the same level and conditions as if the employee had continued to work; (825.209)
  - b. The employee is entitled to return to the same job or a job with equivalent status and pay. (825.214; 825.215)

C. Leave conditions.

1. Entitlement to leave for a birth, adoption or foster care placement of a son or daughter shall expire at the end of the 12-month period beginning on the date of such birth, adoption or foster care placement. (825.200)

2. Intermittent leave or on a reduced leave schedule.
  - a. Leave for maternity, adoption or foster care placement shall not be taken by an employee intermittently or on a reduced leave schedule. (825.202(c))
  - b. Employees requiring intermittent leave or reduced schedule FMLA leave must attempt to schedule their leave so as not to disrupt HCPS's operations. Further, HCPS is permitted to assign an employee taking intermittent or reduced schedule FMLA leave to an alternative position with equivalent pay and benefits to better accommodate the intermittent or reduced leave schedule. (825.204)
  - c. HCPS may require an employee who requests intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment, including recovery from a serious health condition, to transfer temporarily to an available alternative position for which the employee is qualified and which better accommodates the recurring periods of leave than does the employee's regular position. Such alternative position shall have equivalent pay and benefits. (825.204).
3. Leave at end of academic term. (825.602)
  - a. A teacher who begins FMLA leave more than five weeks before the end of an academic term (term) may be required to continue taking FMLA leave until the end of the term if the leave will last at least three weeks and the  
teacher would return to work during the three-week period before the end of the term.
  - b. If a teacher begins leave for a purpose other than the teacher's own serious health condition during the five-week period before the end of the term, HCPS may require the teacher to continue taking leave until the end of the term if the leave will last more than two weeks and the teacher would return to work during the two-week period before the end of the term; or
  - c. HCPS may require the teacher to continue taking leave

until the end of the term if the teacher begins leave for a purpose other than the teacher's own serious health condition during a three-week period before the end of a term and the leave will last more than five working days.

4. Certification to return to work. (825.310)

Each employee who has taken leave for his or her own serious health condition must supply HCPS with a certification from the health care provider that the employee is able to resume work.

5. Both spouses employed by HCPS. (825.120 and 825.201)

If a husband and wife entitled to leave are both employed by HCPS, the aggregate number of work weeks of leave to which both may be entitled is limited to twelve (12) work weeks during the 12-month period except in cases of a serious medical illness of either employee. In the latter such case, each said employee is to take FMLA leave of twelve (12) weeks.

A. Medical Certification. (825.305-309)

1. An employee shall be required to provide medical certification to substantiate his or her need for FMLA leave with respect to his or her own serious health condition or to care for a family member with a serious health condition.
2. HCPS reserves the right to request the employee to obtain a second opinion at the employer's expense. Pending receipt of the second medical opinion, the employee is provisionally entitled to the benefits of FMLA including maintenance of group and health benefits.
3. If the medical certifications do not ultimately establish the employee's entitlement to FMLA leave, the leave shall not be designated as FMLA leave and may be treated as paid or unpaid leave under the employee's established leave policy.
4. HCPS reserves the right to require the employee to obtain a third medical certification from a third health care provider at the employer's expense. Should the Board exercise this option, the third opinion shall be final and binding upon both parties.

5. The employee shall be required to provide medical certification thirty (30) days prior to the commencement of FMLA leave when the leave is foreseeable. If the employee fails to provide this medical certification within the thirty (30) day period, HCPS has the right to delay the employee's requested FMLA leave until the certification is provided. If the need for FMLA leave is not foreseeable then the employee shall be required to provide the medical certification as soon as practicable within 15 days after HCPS has requested same unless such time period is not practicable under the circumstances despite good faith efforts by the employee.

### III. NOTICE AND REPORTING REQUIREMENTS.

- A. The employee shall provide HCPS with not less than thirty (30) days' notice before the date upon which the employee's FMLA leave is to begin, if the need for such leave is foreseeable based on an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of the employee or family member. If the employee fails to provide 30 days' notice, HCPS has the right to delay the employee's requested FMLA leave for thirty (30) days. If thirty (30) days' notice is not practicable because of a change in circumstances or medical emergency, notice must be given as soon as practicable. (825.302)
- B. The employee shall make a reasonable effort to schedule treatment for a serious health condition so as not to unduly disrupt the school system's operations, subject to the approval of the health care provider of the employee or the health care provider of the family member of the employee and shall provide  
the employer with not less than thirty (30) days' notice before the date the FMLA leave is to begin. (825.303)
- C. The school system may ask an employee requesting leave to explain the reasons for the leave so that the school system can determine if the leave qualifies as FMLA leave.
- D. Supervisors shall report in writing to the Human Resources Department and the payroll division of the Finance Department absences of any employee which are five

consecutive days or more. In such event, the Human Resources Department shall notify the employee of possible eligibility for FMLA leave.

- E. The requisite Department of Labor notice relating to FMLA rights shall be posted prominently in each school. (825.300)

#### IV. SUBSTITUTION OF PAID AND UNPAID LEAVE FOR FMLA LEAVE.

- A. An employee shall be required to use any and all unpaid or accrued paid sick, personal and annual leave concurrently with the time period during which the employee uses any type of FMLA leave. (825.207(b))
- B. An employee shall be required to use any and all unpaid or accrued paid sick, personal and annual leave concurrently during any time period the employee utilizes FMLA leave to care for a family member or the employee's own serious health condition. (825.207(c))
- C. An employee shall be required to use any and all unpaid or accrued paid sick, personal and annual leave concurrently during any time period the employee utilizes FMLA leave for the birth or adoption of a child or care for a family member with a serious health condition. (825.207(b))
- D. An employee shall be required to use any and all unpaid or accrued paid sick, personal and annual leave concurrently with the time period during which the employee utilizes FMLA leave for the birth of a child. (825.207)
- E. An employee shall be required to use any and all unpaid or accrued paid sick, personal and annual leave concurrently with the time period during which the employee utilizes FMLA leave for the adoption of a child. (825.207)
- F. An employee's FMLA twelve (12) week leave entitlement shall run concurrently with a worker's compensation absence when the injury which gave rise to the worker's compensation absence is one that meets the criteria for a serious health condition. The employee's leave will be paid under approved workman's compensation benefits and the salary of the employee will be adjusted so that the total of the worker's compensation (excluding medical expenses) and the salary from the Board will not exceed the employee's regular salary.

G. It is the policy of Harford County Public Schools to require employees to use appropriate paid leave for specific absences. In the event that an employee continues to miss time from work after exhausting all of their available paid leave, the employee will receive notification from the Human Resources Department outlining the options that are available to the employee. The available options will be determined by HCPS, but may include an unpaid leave of absence (if eligible), retirement, resignation, or termination of employment by HCPS.

V. NOTICE REQUIREMENTS REGARDING SUBSTITUTION OF UNPAID OR PAID LEAVE FOR FMLA LEAVE OR DESIGNATION OF PAID LEAVE AS FMLA LEAVE. (825.207)

A. HCPS may ask an employee requesting leave to explain the reasons why the leave is requested so that HCPS can determine if the leave qualifies as FMLA leave. HCPS shall advise an employee in writing that the employee's unpaid or paid leave will run concurrently with FMLA leave or that an unpaid or paid leave is being designated as FMLA leave. Said notification shall be forwarded to the employee in the time required by law.

VI. RIGHT OF RECOVERY OF HEALTH INSURANCE BENEFITS.  
(825.212-213)

A. During a period of FMLA leave, HCPS's obligation to maintain health insurance coverage shall cease if the employee's payment of his/her health insurance premium payment is more than thirty (30) days late. If HCPS takes action to terminate the employee's health insurance coverage, it shall provide written notice to the employee that the premium payments have not been received, which such notice must be received at least fifteen (15) days before the coverage is to cease. Such written notice shall also advise that coverage will be terminated on a specified date at least fifteen (15) days after the date of the letter in question.

B. If HCPS opts to pay the employee's share of any health insurance premium payments because the employee failed to do so for any FMLA leave period, HCPS may recover the employee's share of any such premium payments.



- C. HCPS may recover its share of health plan premiums paid during a period of unpaid FMLA leave from an employee if the employee fails to return to work after the employee's FMLA leave entitlement has been exhausted or expires unless the reason the employee does not return is due to the continuation, recurrence or onset of a serious health condition of the employee or the employee's family member which would otherwise entitle the employee to leave under FMLA or other circumstances beyond the employee's control.

VII. HCPS RIGHTS UPON FAILURE OF EMPLOYEE TO GIVE TIMELY NOTICE.

- A. If an employee fails to give timely advance notice when the need for FMLA leave is foreseeable, HCPS may delay the taking of FMLA leave until thirty (30) days after the date the employee provides notice to the employer of the need for FMLA leave. (825.304)
- B. If the employee fails to provide the requested medical certification in a timely manner to substantiate the need for FMLA leave, HCPS may delay continuation of FMLA leave until an employee submits the medical certification required. (825.305(c))

VIII. MISCELLANEOUS

The above procedures are intended to address the more significant aspects of HCPS's and the employee's respective rights and responsibilities under FMLA. However, said procedures are not exhaustive and do not address every aspect of FMLA rights and responsibilities for either HCPS or the employee. For further information regarding FMLA and the respective rights and responsibilities of HCPS or the employee, contact the Human Resources Department.

## **Family Medical Leave Act: Military Leave Entitlements**

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week FMLA leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative child care, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings (825.124, 825.126, 825.127)

## **The Deployment of Family Members in the Armed Services Act**

The Deployment of Family Members in the Armed Services Act requires Maryland employers to allow employees to take leave from work on the day that an immediate family member is leaving for or returning from active duty outside of the United States. An immediate family member is defined under the act as a “spouse, parent, step- parent, child, step-child, or sibling.”

Under this law, employers may not require employees to use compensatory, sick, or vacation leave days. Employers may, however, require employees requesting leave to submit proof verifying that the leave is being taken in accordance with the act.

This act applies to employers with 50 or more individuals and engage in business in Maryland. Eligibility is limited to full-time or part-time employees who have worked for the employer for the last 12 months and for at least 1,250 hours during those 12 months.

## **Worker’s Compensation**

Worker’s Compensation is an insurance program required by state law for employers to cover their employees in the event of a workplace injury. The law dictates how workplace injuries are covered by this program through guidelines for wage replacement, medical benefits, and returning employees to work. Workers’ Compensation insurance

coverage is paid for directly by the Harford County Public School System. There is no payroll deduction from an employee's paycheck to fund this program.

If an employee is injured in the course of their employment they are required to do the following:

- A. The employee has a duty to report any incident immediately to their supervisor, even if medical treatment is not needed. The employee must complete an Employee Statement of Accident/Illness/Injury even if medical treatment is not needed.
- B. If medical treatment is necessary, please contact the Worker's Compensation coordinator at your school/department or call the Risk Management Office. Employees should not use personal health insurance for any medical treatment; this includes your prescription card. All medical bills should be sent directly to:

Maryland Association of Boards of Education Claims Unit  
621 Ridgely Avenue, Suite #301  
Annapolis, MD 21401

*or*

Harford County Public Schools  
Risk Management Office  
102 S. Hickory Avenue  
Bel Air, MD 21014

- C. The employee must keep their supervisor informed of their medical/work status and provide a doctor's work status note after each physician visit.
- D. All medical benefits will be coordinated through the insurance company, MABE, whereby an assigned insurance adjuster will be responsible for approval of specialists, diagnostic tests, and ongoing treatment. The employee must communicate with their adjuster or the Risk Management office to receive their medical benefits.

Light duty accommodations will be sought for all employees who sustain a workplace injury. Light duty may be an alteration of current job functions, may be a temporary or transitional assignment in the

same or similar area, or a transitional assignment in an alternative location. All assignments will comply with a physician or independent medical examiner’s documented restrictions specific to the workplace injury.

The negotiated agreements for employees have specific detail for the handling of workers compensation as it relates to wage replacement and benefits. Employees should refer to their negotiated agreements for details specific to their union.

## **Staff Driver Procedure**

All personnel who drive in a Board of Education owned vehicle in the course and scope of their job are subject to the Staff Driver Procedure. The procedure identifies criteria regarding an employee’s eligibility and conduct for driving and requires the possession of a valid driver’s license issued by a state in the United States and appropriately endorses for the class of vehicle to operate. Personnel driving a BOE owned vehicle are subject to driver record monitoring and other conditions as outlined in the procedure. General conduct is listed that applies to all employees who drive in the course and scope of their job at HCPS.

The Staff Driver Procedure can be found on SharePoint:

- [SharePoint/Central Office Sites/Administration/Administrative Procedures/Staff Driver Procedures](#)

For additional information, contact the Risk Management Department at 410-588-5286.

## **Education that is Multicultural**

All HCPS employees are required to receive training in Education that is Multicultural. Non-certificated employees must attend a two-hour session delivered by the Office of Equity and Cultural Proficiency. Employees will be contacted to schedule the training session.

Certificated employees must take a three-credit MSDE approved continuing professional development (CPD) course offered by Harford County Public Schools. The required course must be taken within the first two years of employment. Do not confuse the Education that is

Multicultural course with course work required to maintain your teaching certificate.

## **Handbook Acknowledgment Procedure**

HCPS operating procedure requires electronic acknowledgment confirming receipt of the Employee Handbook by all networked employees. Confirmation of receipt is a one-time action at the time of hire or the system-wide release of a revised edition of the handbook.

For additional information regarding the contents of the Employee Handbook, contact the Human Resources Compliance Specialist at 410-588-5247.



