

MISSOURI STATE BOARD OF EDUCATION AGENDA ITEM:**June 2015**

CONSIDERATION OF ADOPTION OF PERSONNEL POLICIES

STATUTORY AUTHORITY:

Section 161.132, RSMo.

Consent
ItemAction
ItemReport
Item

DEPARTMENT GOAL NO. 4:

The Missouri Department of Elementary and Secondary Education will improve departmental efficiency and operational effectiveness.

SUMMARY:

The Department's complete set of personnel policies was adopted by the State Board of Education on March 21, 2002. Revisions to some policies have been approved in subsequent years. Policies that now need to be revised are included. Policy revisions have been reviewed by a committee composed of employees, executive staff, the Human Resources Section, and legal counsel.

Although changes may become necessary during the year, every effort will be made to present policy revisions to the State Board of Education annually.

PRESENTER(S):

Ron Lankford, Deputy Commissioner, Financial and Administrative Services, will assist in the presentation and discussion of this agenda item.

RECOMMENDATION:

We recommend that the State Board adopt the personnel policies as presented.



SUMMARY OF PERSONNEL POLICIES CHANGES REVISED 2015

The following is a brief summary of changes to the Department's Personnel Policies. The highlighted text are additions and the highlighted strikethrough text are deletions to the policies.

000-060 Probationary Period

III. POLICY

- (A) Each new employee of the Department will serve a designated period of probation during which the new employee is required to demonstrate his/her ability to satisfactorily perform the duties of the position. The length of the probationary period is stipulated in the letter of employment.
1. Support personnel will serve no less than a six (6) month probationary period from the date of hire.
 2. Professional personnel, because of the complex nature of their duties, will serve no less than a twelve (12) month probationary period from the date of hire.
- (B) **Employees completing their probationary period shall have been evaluated at least once.** Continuing employment beyond the probationary period shall require the approval of the division administrator. Employees continuing beyond the probationary period serve at the pleasure of the Commissioner of Education and the State Board of Education, subject to the availability of appropriated funds. **Lack of approval for continuing employment shall not be grievable. Employees completing their probationary period shall have been evaluated at least once.**
- (C) Probationary employees may be terminated any time during the probationary period.
- (D) Lack of approval for continuing employment shall not be grievable.**

300-320 Code of Ethics

IV. PROCEDURES

5. No employee of the Department may accept gifts or favors of substantial value from customers or vendors. **All gifts of substantial value must be declined; Any gift must be declined unless it is an unsolicited item of nominal value, which is defined as twenty-five (\$25.00) or less, and acceptance does not violate state laws or regulations or department policy.**

700-730 Tax Compliance

New Policy



PERSONNEL POLICIES AND PROCEDURES

Adoption Date:	Approved By: State Board of Education
Policy No: 000-060	Section: Employment
Pg. 1 of 2	Subject: Probationary Period

I. PURPOSE

To establish the timelines and guidelines for the probationary period of new employees of the Department.

II. SCOPE

This policy applies to all new Department employees.

III. POLICY

(A) Each new employee of the Department will serve a designated period of probation during which the new employee is required to demonstrate his/her ability to satisfactorily perform the duties of the position. The length of the probationary period is stipulated in the letter of employment.

1. Support personnel will serve no less than a six (6) month probationary period from the date of hire.
2. Professional personnel, because of the complex nature of their duties, will serve no less than a twelve (12) month probationary period from the date of hire.

(B) Employees completing their probationary period shall have been evaluated at least once. Continuing employment beyond the probationary period shall require the approval of the Division Administrator. Employees continuing beyond the probationary period serve at the pleasure of the Commissioner of Education and the State Board of Education, subject to the availability of appropriated funds. Lack of approval for continuing employment shall not be grievable. Employees completing their probationary period shall have been evaluated at least once.

(C) Probationary employees may be terminated any time during the probationary period.

(D) Lack of approval for continuing employment shall not be grievable.

IV. PROCEDURES

(A) An employee will be evaluated by the immediate supervisor. The supervisor shall share the evaluation with anyone who assists in reviewing, and they shall be in agreement with the evaluation before sharing it with the employee. The performance evaluation forms shall be used for probationary evaluations.

- (B) The probationary period may be extended a maximum of twelve (12) months. Any extension of a probationary period must be approved by the Division Administrator and documented in the employee's personnel file.
- (C) Effective dates of employment and termination may be determined by the Division Administrator subject to recommendation by the Commissioner of Education and action of record by the State Board of Education.

V. DEFINITIONS

- (A) The following definitions apply to this policy:
 1. Probation: That designated period of time in which the new employee of the Department is required to demonstrate his/her ability to perform the duties of the position, for which he/she has been hired, by actual performance of the duties of the position;
 2. Probationary Employee: An employee who is still within his/her probationary period: six (6) months for non-exempt and twelve (12) months for exempt personnel.



PERSONNEL POLICIES AND PROCEDURES

Adoption Date:	Approved By: State Board of Education
Policy No: 300-320	Section: Standards of Conduct and Employee Corrective Action
Pg. 1 of 2	Subject: Code of Ethics

I. PURPOSE

To provide a basis for employee conduct to protect the integrity of the Department.

II. SCOPE

This policy applies to all Department employees.

III. POLICY

- (A) Employees are expected to devote their best efforts to the interests of the Department and the conduct of its affairs. Each employee of the Department shall become familiar with and abide by the provisions of the Governor's Executive Order (Code of Conduct) and the Standards of Conduct Personnel Policy.
- (B) No employee of the Department shall solicit or accept a gift, fee or honorarium for participation in any activity or program directly or indirectly related to the public schools of the State of Missouri or the work of the Department. This policy applies, but is not limited to, Missouri School Improvement Program (MSIP); commencement addresses; advising or consulting with school district officials in preparing proposals for funds administered by the Department, North Central Association, or other evaluations; and participation on programs of area, district, or state educational associations.
- (C) The Department recognizes the right of the employees to engage in activities outside of their employment at the Department, which are of a private nature and unrelated to Department business. However, a policy of full disclosure will be followed to assess and prevent potential conflicts of interest from arising as listed in the procedures.
- (D) Participation in supplemental revenue-producing activities must be scheduled to not detract from or interfere with the employee's departmental responsibilities. They must also be handled so there is no possibility of a conflict of interest. An example would be the authorship or co-authorship of a book or text where the employee's position with the Department could affect its acceptance and use in the state. Another example would be the arrangement of departmental travel to benefit personal needs or desires. Supplemental revenue-producing activities must never involve the utilization of materials, property, or equipment of the Department.

- (E) Employees shall act impartially and neither dispense nor accept special favors or privileges, which might be construed to improperly influence the performance of their official duties.

IV. PROCEDURES

- (A) While all the possible circumstances and conditions cannot be described here, the following is set forth to guide employees:
1. Staff members shall not engage in outside employment, which may be a conflict of interest or which is in any way detrimental to the performance of their assigned duties;
 2. Staff members engaging in outside employment shall abide by this policy and the Standards of Conduct personnel policy;
 3. If the employee will receive compensation from the institution or employer for the services provided, the service must be provided on the employee's own time or the employee must take annual leave;
 4. All outside work by an employee must be fully disclosed to the employee's immediate supervisor and the Human Resources Section;
 5. No employee of the Department may accept gifts or favors of substantial value from customers or vendors. ~~All gifts of substantial value must be declined;~~ Any gift must be declined unless it is an unsolicited item of nominal value, which is defined as twenty-five (\$25.00) or less, and acceptance does not violate state laws or regulations or department policy.
 6. No employee, or members of his or her immediate family, may directly or indirectly borrow from, lend to, invest in, or engage in any substantial financial transaction with a potential or current, customer, client, or supplier; and/or
 7. No outside work may be done during regular office hours and no Department facilities, equipment, labor, or supplies may be used to conduct this outside activity.
- (B) Failure to disclose or discuss information related to any of the above points may lead to corrective action up to and including dismissal.



**MISSOURI DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
PERSONNEL POLICIES AND PROCEDURES**

Adoption Date:	Approved By: State Board of Education
Policy No: 700-730	Section: Employee Separation
Pg. 1 of 2	Subject: Tax Compliance

I. PURPOSE

For Department employees to maintain state income tax compliance with the Missouri Revised Statute Chapter 105, section 105.262.

II. SCOPE

This policy applies to all Department employees.

III. POLICY

(A) As a condition of continued employment with the State of Missouri, all persons employed full-time, part-time, or on a temporary or contracted basis by the Department shall file all state income tax returns and pay all state income taxes owed.

IV. PROCEDURES

(A) The Commissioner of Education will receive an annual report from the Missouri Department of Revenue of employees not in compliance. Employees included in this report are in violation of Section 105.262, RSMo. The report lists those employees that have not filed their state income tax return or paid taxes owed under that taxpayer number. The report will be provided to the Department's central Human Resources office.

(B) The central Human Resources office will notify the employee in writing of the tax issue. The employee will be directed to contact the Missouri Department of Revenue with any questions. Upon notification from Human Resources, the employee will have forty-five (45) calendar days to satisfy the tax liability. Payment plans may be in the form of a payroll deduction or as otherwise agreed by the Department of Revenue.

(C) Failure to satisfy the liability within the forty-five (45) calendar days will result in immediate dismissal of the employee from employment with the Department.

- (D) If an employee voluntarily suspends or terminates an approved payment agreement without the approval of the Director of Revenue before the tax liability is satisfied, the employee shall be immediately dismissed from the Department.
- (E) Employees, not on probationary status, who are terminated at the end of the forty-five (45) calendar day period, shall have ten (10) workdays from the effective date of dismissal to appeal the dismissal. See Personnel Policy 400-420 Grievance Procedure.