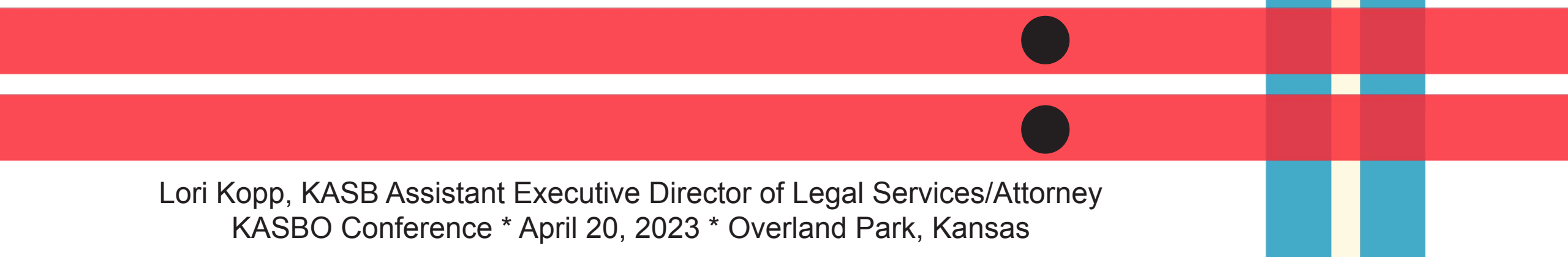




# **The Process Pathway**

How to Use Handbooks and Job  
Descriptions to Pave the Way to Better  
Employment Outcomes



Lori Kopp, KASB Assistant Executive Director of Legal Services/Attorney  
KASBO Conference \* April 20, 2023 \* Overland Park, Kansas

An abstract graphic design featuring a white background with several thick, stylized lines. A red line enters from the top right, turns left, and exits the frame. A green line enters from the left, curves down and right, then continues horizontally. A blue line enters from the bottom, curves up and left, then continues horizontally, overlapping the green line. An orange circle is positioned on the left side. Two small black dots are located on the green line: one on the initial curve and one on the horizontal segment.

# Handbooks

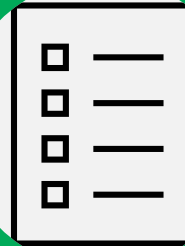


# Guidance Documents

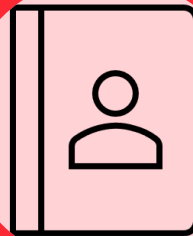
**Policy**



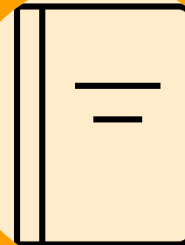
**Job Descriptions**



**Handbooks**



**Negotiated Agreements**

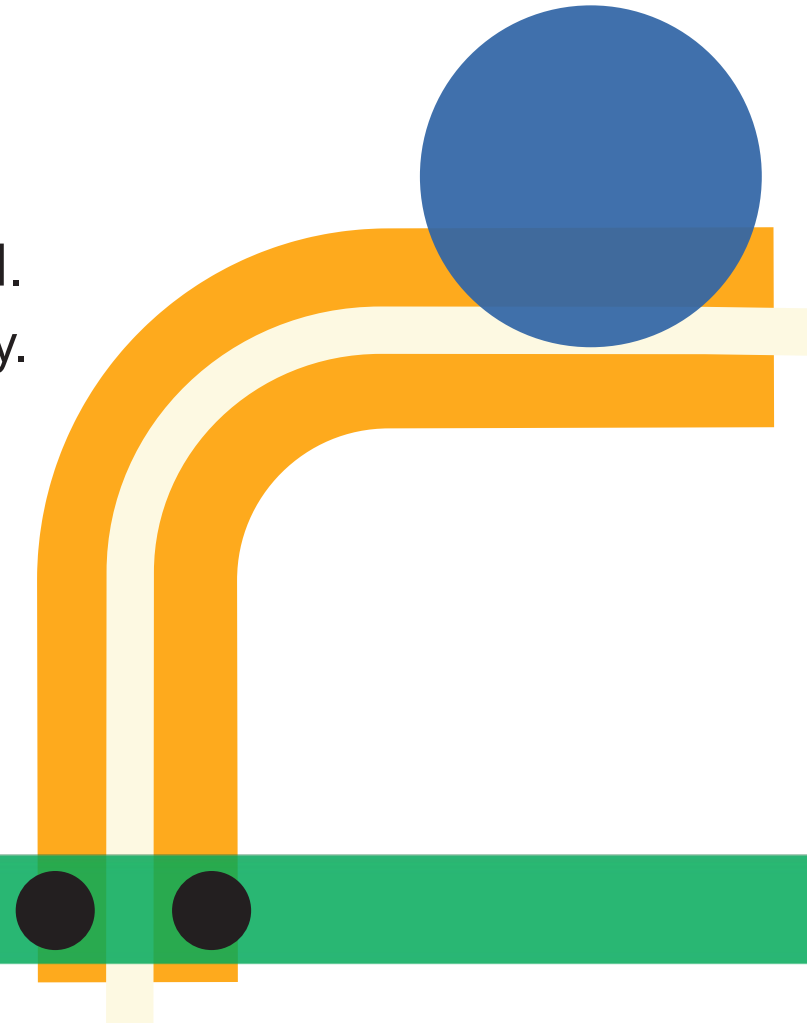




4

## Classified Handbooks

- Handbooks are meant to assist administrators and supervisors to communicate important employment information to staff, whether required by law, regulation, board policy or practice.
- Handbooks should be reviewed and approved by the board.
  - Once approved, handbooks become enforceable district policy.
- All handbooks should be reviewed to make sure they are consistent with board policy at the time of adoption, and annually thereafter.
- Provisions of the negotiated agreement should not be placed in the handbook.





**5**

# **Classified Handbooks**

## **Classified Handbooks Should Include:**

- Classified Schedules
- Benefits and Compensation
- Records
- Conduct
- District Procedures
- Health
- Safety and Security
- Equipment and Supplies

## **Classified Handbooks Could Include:**

- Teaching and Learning
- Reports
- Student Conduct

## **Specific Types of Classified Handbooks**

- Transportation
- Substitute Teacher
- Food Service
- Maintenance



# Handbook Acknowledgement

I do hereby acknowledge that I have received a copy or accessed the internet version of the classified staff handbook for the 20\_\_-\_\_ school year. I further acknowledge that I have read it, and I understand the contents. The most recent version of the handbook is always available at: [insert link].

Further, I understand:

- This handbook is not an employee contract. Further, this handbook is not to be considered as either an expressed or implied contract between the school district and the employee. No employee has authority to create an employee contract by modification of this document.
- Anytime the superintendent is mentioned in this manual, his/her designee is implied.
- As a condition of employment, employees agree to follow rules and regulations that have been adopted by the Board.

This handbook may be changed or modified, and items added or deleted at any time as recommended by the superintendent and approved by the board.

Classified employees are employees-at-will, and employment may be terminated at any time, with or without cause. Classified employees employed pursuant to a written contract may still be employees-at-will in accordance with the written contract, and employment may be terminated as provided in the written contract.

Date:      Signature of Employee:

# When Drafting Language... Be a Goldilocks



An abstract graphic featuring thick red and orange lines that curve and intersect. A solid green circle is positioned in the lower right area. Two small black dots are located at the intersections of the lines.

**You Want Your  
Language to be...  
JUST RIGHT**





# Consistency of Language

**Do you have terms defined in  
your agreement?**

**One section?**

**Throughout the agreement?**

**Do you have a variety of  
terms in your agreement that  
are supposed to mean the  
same thing?**

**Ex: Unpaid leave of absence,  
leave of absence, approved  
leave of absence**



## **Statutory & Policy References**

Are statutory references included in your agreement?

- Are the accurate and up to date?

Is there statutory and regulatory language in your agreement?

- Is it accurate and up to date?
- Does it conflict with other language in the agreement?

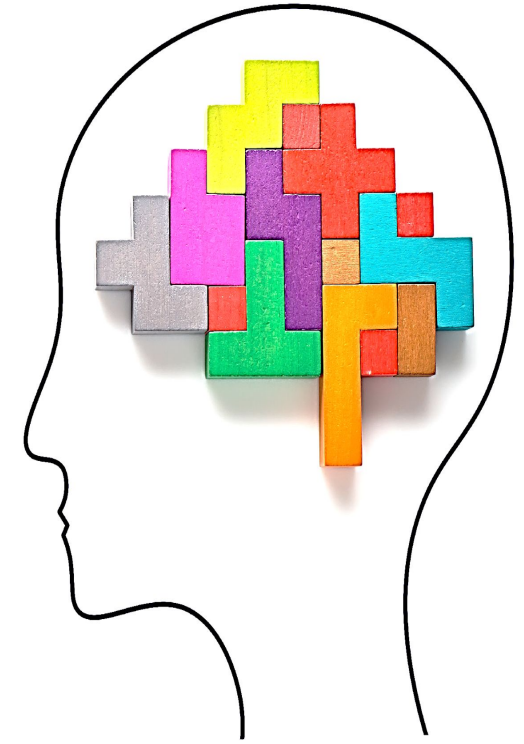




# Institutional Knowledge



- Would anyone be able to read your handbook and know what it means?
- Will people be able to understand the provisions in 1 year, 5 years, 10 years?
  - Is background not included in the handbook needed to interpret or understand provisions?





## **Clear & Concise Language**

- Do you have provisions that are 2 pages long that could be explained in 1 paragraph?
- Have provisions or language been “tacked on” at the end of sections or the agreement without much thought?
- Are there appendices or addendums still in the agreement that are no longer in effect?

An abstract graphic design featuring a white background with several thick, rounded lines in green, blue, and red. A green line starts from the left, curves down, and then continues horizontally. A blue line starts from the bottom, curves up, and then continues horizontally, overlapping the green line. A red line starts from the top right and curves down. There are two small black dots: one on the green line and one on the blue line. A large orange circle is positioned on the left side of the image.

# **Job Descriptions**

# Purpose of Job Descriptions

**Sets Job Expectations**

**1**

**Provides Documentation in Legal Challenges**

**2**

**Provides Important Info to Applicants**

**3**

**Assists in Applicant Selection**

**4**



# Items in a Job Description

## General Information



**Position  
Title**

**Full-time or  
Part-Time**

**FLSA Status  
(Exempt vs.  
Non-Exempt)**

**Work Location**

**Supervisor  
Information**



# Items in a Job Description

## Minimum and Preferred Qualifications



**Education**

**Certification  
or Licenses**

**Experience**

**Required Skills  
(Communication,  
Computer,  
Technology, Etc.)**

**Other Abilities  
(Physical,  
Travel, Etc.)**





# Items in a Job Description

## Duties and Responsibilities



**Major and  
minor things**

**Additional  
knowledge,  
skills,  
abilities**

**Scope of  
Authority  
(Supervision,  
Decision making)**

**Essential  
Functions**

**Other Duties  
as Assigned**

- Legal term from federal regulations regarding implementing EEOC guidelines within the ADA
- “The fundamental job duties of the employment position the individual with a disability holds or desires. The term ‘essential function’ does not include the marginal functions of the position.” – 29 C.F.R. 1630.2(n)(1)
- The function may be essential because:
  - The reason the position exists is to perform that function;
  - The limited number of employees available among whom the performance of that job function can be distributed; and/or
  - Highly specialized so that the incumbent in the position is hired for his or her expertise or ability to perform the particular function.

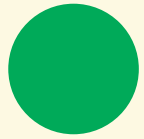
# Essential Functions



## Essential Functions

Other evidence that may support

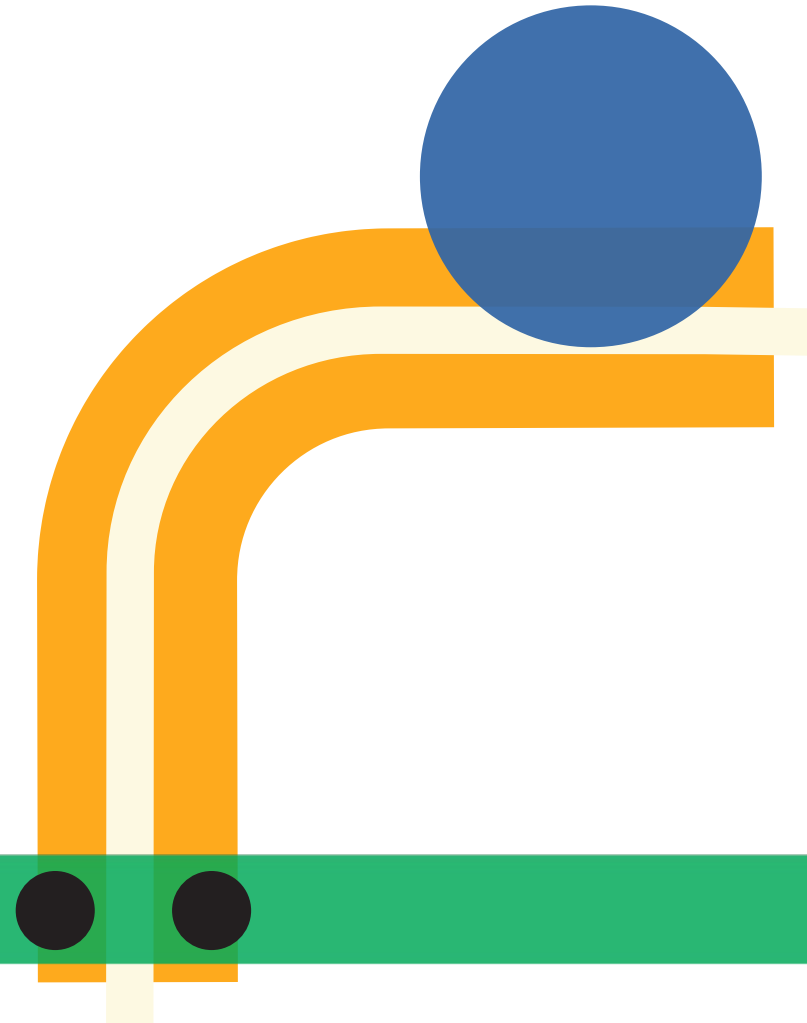
- The employer's judgment as to which functions are essential;
- Written job descriptions prepared before advertising or interviewing applicants for the job;
- The amount of time spent on the job performing the function;
- The consequences of not requiring the incumbent to perform the function;
- The terms of a collective bargaining agreement;
- The work experience of past incumbents in the job; and/or
- The current work experience of incumbents in similar jobs.



# Essential Functions

## Additional Considerations:

- Frequency with which function is performed
- Amount of time spent on the function
- Consequences if function not performed
- Work environment/conditions
- Do not assume that the current way the function is performed is the only way it can be done, unless changing would cause undue hardship for the district.





## Final Tips

- Be specific and thorough.
- Have reasonable expectations/requirements.
- Talk with those in the department when bringing new people on or updating job descriptions.
- Make sure the focus is on the job and not personal characteristics.
- Avoid referencing protected classes.





**KASB**

**Thank  
you**

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