

## Ways to Provide 403b Required Annual Notice

- Importance of 403b Plans
  - Uncertainty of social security
  - Diminished value of state retirement plan
  - Three legged stool of investing
  - Access to growth and income not available with fixed retirement benefits
- Upshur County 403b plan overview
  - \$4,633,612 in plan assets
  - 130 participants with \$34,839 average account balance
  - 61 current contributors totaling about \$9,000 per month in elective deferrals
  - 11 investment providers
- 403b Plan Requirements
  - IRS Regulations issued in early 2000's
  - Plan Document Requirements
  - Annual Notice Requirements - IRS Website
    - Universal Availability Requirement
  - Role of Third-Party Administrator
    - Plan Document
    - Assist with content and language of "Required Annual Notice"
- Required Annual Notice
  - Upshur County Example
    - Page 1 annual notice requirement narrative
    - Page 2 List of approved vendors with contact information
  - Means of distribution
    - Include with paycheck (put language on check stub to bring attention to notice)
    - Post on county website
    - Opening of school employee packet
      - Via email through employee list serve
      - Posting on county webpage
      - Hard copies at each location
    - Invite investment providers to be present at opening of school meetings to meet with individual employees before activities and during breaks
    - Opening Convocation employee staff development sessions
      - 4 50 minute sessions provided for interested employees
      - Invited 4 participating investment providers to present
      - Provide information about 403b plans, tax advantages, investment options, investment types, retirement and integration with other retirement plans

## Plan Overview



### Sponsor One Pager

Plan year

07/01/2017 - 06/30/2018

Payroll Frequency:

Semimonthly

### Plan Summary

[Employees](#) [Balances](#)

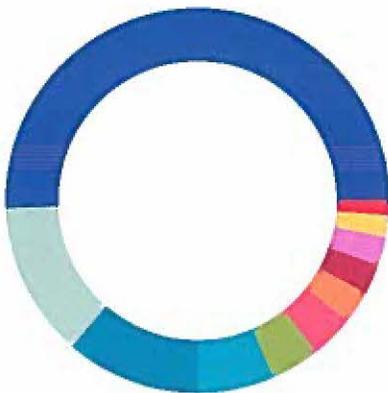
Plan balance

\$ **4,633,612<sup>.08</sup>**

Show balance by source

Balance by Investment Provider

Show Graph View



Ameriprise Financial, Inc.	\$2,348,599.93
Foresters Financial Services, ...	\$604,082.87
Jefferson National	\$526,803.95
Amer Fidelity Assurance Co	\$296,141.04
Horace Mann	\$192,920.19
AXA Equitable	\$167,723.58
Oppenheimer Funds	\$129,968.31
Midland National Life Ins Co	\$116,253.50
VALIC	\$111,629.79
National Life Group	\$85,702.83
ReliaStar Life Ins Co	\$53,786.09

## Investment Balances

[View Plan Account Summary](#)

### Investments

Investment	Balance	Participants
Amer Fidelity Assurance Co	\$296,141.04	19
Ameriprise Financial, Inc.	\$2,348,599.93	37
AXA Equitable	\$167,723.58	7
Foresters Financial Services, Inc	\$604,082.87	23
Horace Mann	\$192,920.19	12
Jefferson National	\$526,803.95	8
Midland National Life Ins Co	\$116,253.50	2
National Life Group	\$85,702.83	2
Oppenheimer Funds	\$129,968.31	6
ReliaStar Life Ins Co	\$53,786.09	3

Investment	Balance	Participants
VALIC	\$111,629.79	11



# Issue Snapshot - 403(b) Universal Availability Requirement

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A 403(b) plan must satisfy the universal availability requirement with respect to elective deferrals. All employees of the employer must be eligible to make elective deferrals if any employee has the right to do so, with certain limited exceptions. Certain part-time employees may be excluded from eligibility to make elective deferrals.

## IRC Section and Treas. Regulation

- [IRC 403\(b\)\(12\)\(A\)\(ii\)](#)
- [Treas. Reg. 1.403\(b\)-5\(b\)](#)

## Resources (Court Cases, Chief Counsel Advice, Revenue Rulings, Internal Resources)

- [403\(b\) Plan Fix-It Guide](#)
- [Webcast: Understanding the Universal Availability Rules in a 403\(b\) Retirement Plan](#)

## Analysis

With respect to elective deferrals, a 403(b) plan must meet the requirements of IRC 403(b)(12)(A)(ii), also known as the 'universal availability' rule. Under this rule, if any employee of the employer maintaining the 403(b) may participate, then all of the employer's employees must be given the opportunity to participate.

Certain employees may be excluded, including:

- Employees who normally work less than 20 hours per week\*
- Students performing services described in IRC 3121(b)(10)\*
- Non-resident aliens described in IRC 410(b)(3)(C)
- Employees who are eligible to make elective deferrals under another 401(k), 403(b) or 457(b) plan sponsored by the same employer

\*For the less than 20 hours per week exclusion and for the student exclusion, if any employee who falls under one of these exclusions has the right to make elective deferrals, then no employee who falls under such exclusion may be prevented from making elective deferrals.

Unlike a plan that is subject to IRC 401(a), a 403(b) plan may not exclude employees based on a generic classification such as:

- Part-time
- Temporary
- Seasonal
- Substitute Teacher
- Adjunct Professor
- Collectively bargained employee

However, if these employees fall under the “normally work less than 20 hours per week” criterion, then they may be excluded on that basis.

An employee normally works less than 20 hours per week only if during the 12-month period beginning on the date employment began (the initial year), the employer reasonably expects the employee to work fewer than 1,000 hours, and for each plan year ending after the close of the initial year (or, if the plan provides, each subsequent 12-month period), the employee works fewer than 1,000 hours of service.

Example: John is hired on August 25, 2015, and the 403(b) plan year ends on December 31. Assume it is reasonable to expect that John will normally work a total of 17 hours per week. John works 800 hours in the first 12 months of employment and 850 hours during the plan year ending after the initial year as follows:

From 8/25/15 -----**Initial-Yr-of-Emp**-----8/24/2016

|<-----300 hrs----->|<-----500 hrs----->|<-----350 hrs----->|

1/1/2016 -----850 hrs -----12/31/2016

**1st PY ending after Initial Yr-of-Emp**

If the 403(b) plan provides an exclusion for employees who normally work less than 20 hours per week, John may be excluded for purposes of making elective deferrals under the plan.

However, if John works 1,000 hours in any subsequent plan year he will become eligible to make elective deferrals and must be given the opportunity to do so. Once he meets the 1,000 threshold, he can no longer be excluded under the “normally work less than 20 hours per week” criterion, even if his hours drop to less than 1,000 in a subsequent year.

A plan may also choose to apply a threshold lower than 20 hours per week.

Employees who are eligible to make elective deferrals must be given an “effective opportunity” to participate. Whether the employee has an effective opportunity is determined by all of the facts and circumstances, including notice of eligibility, the period of time an election may be made, and any other conditions on elections. At least once during a plan year the plan must provide an employee (whether part-time or full-time) with an effective opportunity to make or change an elective deferral election, up to the dollar limit in effect, including any catch-up deferrals permitted under the plan, as well as Roth contributions if the plan permits.

Universal availability for elective deferrals does not apply to a church, as defined in IRC 3121(w)

(3)(A), or a qualified church-controlled organization, as defined in IRC 3121(w)(3)(B).

## **Issue Indicators or Audit Tips**

A common error occurs when employees, working less than full-time, are automatically excluded from making elective deferrals under the 403(b) plan. A plan that wants to apply the statutory exclusion for part-time employment must determine eligibility for the 403(b) elective deferrals based on whether the employee is reasonably expected to normally work less than 20 hours per week and has actually never worked more than 1,000 hours in the applicable 12-month period.

### **Issue Indicator:**

A 403(b) plan using the statutory exclusions under IRC 403(b)(12)(A)(ii)

### **Audit Tips:**

- Review plan language for excluded employees.
- Verify the plan provides an effective opportunity to participate for all non-excludible employees.

# ELECTRONIC CODE OF FEDERAL REGULATIONS

e-CFR data is current as of May 10, 2018

Title 26 → Chapter I → Subchapter A → Part 1 → §1.403(b)-5

Title 26. Internal Revenue  
PART 1—INCOME TAXES (CONTINUED)

## §1.403(b)-5 Nondiscrimination rules.

(a) *Nondiscrimination rules for contributions other than section 403(b) elective deferrals*—(1) *General rule.* Under section 403(b)(12)(A)(i), employer contributions and after-tax employee contributions to a section 403(b) plan must satisfy all of the following requirements (the nondiscrimination requirements) in the same manner as a qualified plan under section 401(a):

- (i) Section 401(a)(4) (relating to nondiscrimination in contributions and benefits), taking section 401(a)(5) into account.
- (ii) Section 401(a)(17) (limiting the amount of compensation that can be taken into account).
- (iii) Section 401(m) (relating to matching and after-tax employee contributions).
- (iv) Section 410(b) (relating to minimum coverage).

(2) *Nonapplication to section 403(b) elective deferrals.* The requirements of this paragraph (a) do not apply to section 403(b) elective deferrals.

(3) *Compensation for testing.* Except as may otherwise be specifically permitted under the provisions referenced in paragraph (a)(1) of this section, compliance with those provisions is tested using compensation as defined in section 414(s) (and without regard to section 415(c)(3)(E)). In addition, for purposes of paragraph (a)(1) of this section, there may be excluded employees who are permitted to be excluded under paragraph (b)(4)(ii)(D) and (E) of this section. However, as provided in paragraph (b)(4)(i) of this section, the exclusion of any employee listed in paragraph (b)(4)(ii)(D) or (E) of this section is subject to the conditions applicable under section 410(b)(4).

(4) *Employer aggregation rules.* See regulations under section 414(b), (c), (m), and (o) for rules treating entities as a single employer for purposes of the nondiscrimination requirements.

(5) *Special rules for governmental plans.* Paragraphs (a)(1)(i), (iii), and (iv) of this section do not apply to a governmental plan as defined in section 414(d) (but contributions to a governmental plan must comply with paragraphs (a)(1)(ii) and (b) of this section).

(b) *Universal availability required for section 403(b) elective deferrals*—(1) *General rule.* Under section 403(b)(12)(A)(ii), all employees of the eligible employer must be permitted to have section 403(b) elective deferrals contributed on their behalf if any employee of the eligible employer may elect to have the organization make section 403(b) elective deferrals. Further, the employee's right to make elective deferrals also includes the right to designate section 403(b) elective deferrals as designated Roth contributions.

(2) *Effective opportunity required.* For purposes of paragraph (b)(1) of this section, an employee is not treated as being permitted to have section 403(b) elective deferrals contributed on the employee's behalf unless the employee is provided an effective opportunity that satisfies the requirements of this paragraph (b)(2). Whether an employee has an effective opportunity is determined based on all the relevant facts and circumstances, including notice of the availability of the election, the period of time during which an election may be made, and any other conditions on elections. A section 403(b) plan satisfies the effective opportunity requirement of this paragraph (b)(2) only if, at least once during each plan year, the plan provides an employee with an effective opportunity to make (or change) a cash or deferred election (as defined at §1.401(k)-1(a)(3)) between cash or a contribution to the plan. Further, an effective opportunity includes the right to have section 403(b) elective deferrals made on his or her behalf up to the lesser of the applicable limits in §1.403(b)-4(c) (including any permissible catch-up elective deferrals under §1.403(b)-4(c)(2) and (3)) or the applicable limits under the contract with the largest limitation, and applies to part-time employees as well as full-time employees. An effective opportunity is not considered to exist if there are any other rights or benefits (other than rights or benefits listed in §1.401(k)-1(e)(6)(i)(A), (B), or (D)) that are conditioned (directly or indirectly) upon a participant making or failing to make a cash or deferred election with respect to a contribution to a section 403(b) contract.

(3) *Special rules.* (i) In the case of a section 403(b) plan that covers the employees of more than one section 501(c)(3) organization, the universal availability requirement of this paragraph (b) applies separately to each common law entity (that is, applies separately to each section 501(c)(3) organization). In the case of a section 403(b) plan that covers the employees of more than one State entity, this requirement applies separately to each entity that is not part of a common payroll. An eligible employer may condition the employee's right to have section 403(b) elective deferrals made on his or her behalf on the employee electing a section 403(b) elective deferral of more than \$200 for a year.

(ii) For purposes of this paragraph (b)(3), an employer that historically has treated one or more of its various geographically distinct units as separate for employee benefit purposes may treat each unit as a separate organization if the unit is operated independently on a day-to-day basis. Units are not geographically distinct if such units are located within the same Standard Metropolitan Statistical Area (SMSA).

(4) *Exclusions*—(i) *Exclusions for special types of employees.* A plan does not fail to satisfy the universal availability requirement of this paragraph (b) merely because it excludes one or more of the types of employees listed in paragraph (b)(4)(ii) of this section. However, the exclusion of any employee listed in paragraph (b)(4)(ii)(D) or (E) of this section is subject to the conditions applicable under section 410(b)(4). Thus, if any employee listed in paragraph (b)(4)(ii)(D) of this section has the right to have section 403(b) elective deferrals made on his or her behalf, then no employee listed in that paragraph (b)(4)(ii)(D) of this section may be excluded under this paragraph (b)(4) and, if any employee listed in paragraph (b)(4)(ii)(E) of this section has the right to have section 403(b) elective deferrals made on his or her behalf, then no employee listed in that paragraph (b)(4)(ii)(E) of this section may be excluded under this paragraph (b)(4).

(ii) *List of special types of excludible employees.* The following types of employees are listed in this paragraph (b)(4)(ii):

(A) Employees who are eligible under another section 403(b) plan, or a section 457(b) eligible governmental plan, of the employer which permits an amount to be contributed or deferred at the election of the employee.

(B) Employees who are eligible to make a cash or deferred election (as defined at §1.401(k)-1(a)(3)) under a section 401(k) plan of the employer.

(C) Employees who are non-resident aliens described in section 410(b)(3)(C).

(D) Subject to the conditions applicable under section 410(b)(4) (including section 410(b)(4)(B) permitting separate testing for employees not meeting minimum age and service requirements), employees who are students performing services described in section 3121(b)(10).

(E) Subject to the conditions applicable under section 410(b)(4), employees who normally work fewer than 20 hours per week (or such lower number of hours per week as may be set forth in the plan).

(iii) *Special rules.* (A) A section 403(b) plan is permitted to take into account coverage under another plan, as permitted in paragraphs (b)(4)(ii)(A) and (B) of this section, only if the rights to make elective deferrals with respect to that coverage would satisfy paragraphs (b)(2) and (4)(i) of this section if that coverage were provided under the section 403(b) plan.

(B) For purposes of paragraph (b)(4)(ii)(E) of this section, an employee normally works fewer than 20 hours per week if and only if—

(1) For the 12-month period beginning on the date the employee's employment commenced, the employer reasonably expects the employee to work fewer than 1,000 hours of service (as defined in section 410(a)(3)(C)) in such period; and

(2) For each plan year ending after the close of the 12-month period beginning on the date the employee's employment commenced (or, if the plan so provides, each subsequent 12-month period), the employee worked fewer than 1,000 hours of service in the preceding 12-month period. (See, however, section 202(a)(1) of the Employee Retirement Income Security Act of 1974 (ERISA) (88 Stat. 829) Public Law 93-406, and regulations under section 410(a) of the Internal Revenue Code applicable with respect to plans that are subject to title I of ERISA.)

(c) *Plan required.* Contributions to an annuity contract do not satisfy the requirements of this section unless the contributions are made pursuant to a plan, as defined in §1.403(b)-3(b)(3), and the terms of the plan satisfy this section.

(d) *Church plans exception.* This section does not apply to a section 403(b) contract purchased by a church (as defined in §1.403(b)-2).

(e) *Other rules.* This section only reflects requirements of the Internal Revenue Code applicable for purposes of section 403(b) and does not include other requirements. Specifically, this section does not reflect the requirements of ERISA that may apply with respect to section 403(b) arrangements, such as the vesting requirements at 29 U.S.C. 1053.

[T.D. 9340, 72 FR 41144, July 26, 2007]

Need assistance?

## **NOTICE ABOUT YOUR ELIGIBILITY TO PARTICIPATE IN THE UPSHUR COUNTY BOE 403(b) PLAN**

### **Did you know that the Upshur County Board of Education sponsors a 403(b) tax deferred plan?**

You have the opportunity to save for retirement by participating in the Upshur County BOE 403(b) plan. You can participate in the 403(b) plan by making pre-tax contributions.

### **What do I have to do to contribute to the Upshur County BOE 403(b) plan?**

You can contribute to the 403(b) plan once you have completed a salary reduction agreement with an approved investment provider and returned it to the Finance Office. The salary reduction agreement authorizes the Upshur County Board of Education to deduct the elected dollar amount or percentage from your paycheck and contribute those amounts to your 403(b) account. A list of approved investment providers is attached below.

### **How do I know if I am eligible to participate in the Upshur County BOE 403(b) plan?**

Subject to limitations contained in the Upshur County Board of Education 403(b) Plan Document, all common law employees of the Upshur County Board of Education are eligible to participate in the 403(b) plan.

### **How much can I contribute?**

In general, you may contribute up to \$18,000 in 2017. This amount may be adjusted annually. Also, if you have at least 15 years of service with your current school district or you are at least 50 years old, you may also be able to make additional catch-up contributions. Contact your investment provider for additional information on the amount you can contribute to the 403(b) plan.

### **I am already participating in the 403(b) plan. What other rules about participating should I know?**

If you are already contributing to the Upshur County BOE 403(b) plan, you may change your contribution amount or percentage by completing a new salary reduction agreement and returning it to the Finance Office. Please refer to [planwithease.com](http://planwithease.com) for specific plan rules regarding how frequently you are allowed to change your contribution amount or percentage.

This specimen notice is offered to assist school districts and their counsel in notifying eligible employees of the opportunity to participate in the school district's 403(b) plan. Modifications to the specimen notice may be needed to meet your 403(b) plan's eligibility rules.

This material was created to provide accurate and reliable information on the subjects covered. It is not intended to provide specific legal, tax or other professional advice. The services of an appropriate professional should be sought regarding your individual situation. These materials are not intended to be used to avoid tax penalties, and were prepared to support the promotion or marketing of the matters addressed in this document. The taxpayer should seek advice from an independent tax advisor.

Upshur County Board of Education – 403(b) Annuity Vendor List

Voya Financial Advisers (1NL403)

Reliastar Life Insurance  
909 Locust Ave  
Des Moines, IA 50309  
Local Contact:  
Don Gilson (304) 382-7279  
Charles Smith (304) 736-2521

American Fidelity Securities (08973)

PO Box 25523  
Oklahoma City, OK 73106  
Local Contact:  
Ron Berkstresser (724) 833-2389

AXA Equitable Life (707190 001)

Equivest Unit  
PO Box 13463  
Newark, NJ 07188-0463  
Local contact:  
Shawn Wilson / Steve Hathaway  
(304) 366-0126 / (304) 848-2045

AIG/VALIC (3785)/Franklin

PO Box 4373  
Houston, TX 77210-0473  
Local Contact: (800) 448-2542

Horace Mann (47073)

PO Box 3263  
Springfield, IL 62708-9953  
Local Contact:  
Lois Spatafore (304) 933-3977

Ameriprise Financial Services (6337 0)

70205 Ameriprise Financial Center  
Minneapolis, MN 55474-0702  
Local Contacts:  
Lance Koury (304) 472-8483

Midland National Life Insurance Co

Annuity Division  
4350 Westown Parkway  
West Des Moines, IA 50266  
Local Contact:  
Michael Arcure (304) 363-4440

Foresters Financial Services, Inc (4540015)

501 Corporate Drive  
Cannonsburg, PA 15317  
Local Contact:  
Steven Hicks (304) 677-2617

Jefferson National Life Insurance Co (4100523)

PO Box 36840  
Louisville, KY 40233  
Local Contact:  
(866) 667-0564

The Lincoln National Life Insurance Co (3197948)

PO Box 25500  
Greensboro, NC 27420  
Local Contact:  
(877) 275-5462

Life Insurance Company of the Southwest (Franchise #1106)

PO Box 911422  
Dallas, TX 75391-1422  
Local Contact:  
(800) 579-2878

Oppenheimer Funds

PO Box 5390  
Denver, CO 80217-5390  
Local Contacts:  
Phillip Burton (304) 363-0073  
Lisa Cain – Edward Jones (304) 473-1992

New York Life

1 Rockwood Rd  
Sleepy Hollow, NY 10591  
Local Contact:  
David Cartwright (304) 472-6984

Firms eligible to Receive Contract Exchanges and Plan to Plan Transfers:

American Funds (66865)  
American General Life Insurance

Administration

Roy H. Wager

Superintendent

Jack L. Reger

Assistant Superintendent



Board of Education

Tammy Samples, President

Alan Suder, Vice-President

Greenbrier Almond

Carl R. Martin

Katie Loudin

## BEGINNING OF SCHOOL BULLETIN

August 9, 2017

Welcome to the 2017-2018 school year. We sincerely wish you a terrific year. Please note the following items and take any necessary action.

### FIRST WEEK SCHEDULE

**August 9** – Contractual term begins with Convocation & Staff Development Day

**August 10** – Staff Development Day

**August 11** – Preparation for Opening of School Day

**FIRST DAY FOR STUDENTS** - Monday, August 14, classes will be in session for ALL students in grades, K-12, as an instructional day. Buses will run on regular schedule. Breakfast and lunch will be served at all schools.

**UPSHUR COUNTY SCHOOLS WEBSITE** – We encourage you to visit [www.upshurschools.com](http://www.upshurschools.com) for vital information regarding Upshur County Schools. (Note: The official school calendar can be found on this site. Also county policies.)

**SEPTEMBER 4, LABOR DAY** – No school employees will work September 4. The Board Office will be closed. September 1 is a 12:30 p.m. early dismissal in lieu of Safe Schools Online Training.

### SCHEDULE OF REPORTS

- |   |   |
|---|---|
| 1. Enrollment by Grades - First Day       | All schools deliver August 14 by 3:45 p.m.    |
| 2. Enrollment by Grades - First Full Week | Deliver Friday, August 18 by <u>3:00 p.m.</u> |

**REPORTING ABSENCES** – All employees are required to report their absences using the Smart Find Express Absence Reporting System when absent for any reason, even if a substitute is not required (Refer to UCS Policy 5005.) This is necessary for appropriate record keeping and accurate pay check preparation.

All absences should be reported by calling the Absence Reporting System at (304) 460-0543, or via internet at <https://upshurcounty.eschoolsolutions.com>. The Help Desk number for reporting problems is (304) 472-5480 Option 2.

From 8:00 to 10:00 p.m. each Monday, Tuesday, Wednesday, Thursday, and Sunday, the System will call substitutes for absences reported for future jobs.

- Service Personnel:
  - Cafeteria Managers and Head Custodians will contact employees in their classification by seniority at their schools for Step-Up purposes. Individuals Stepping-Up will put their absences in the System and Cafeteria Managers and Head Custodians will report their absences by calling the secretary at 304-472-5480, Option 2, and leave a message.
  - Other service employees are to report their absences through the system.

- Service employees who reported an absence through the system that will last longer than originally indicated are to call the Help Desk number to have their absence extended. **DO NOT REPORT A SECOND ABSENCE THROUGH THE SYSTEM.**
- Professional Personnel:
  - Professional personnel are to report absences as soon as the absence is known by using the System.
  - Professionals are not to make arrangements with substitute employees without going through the principal and the central office.
- **EMPLOYEES ARE NOT TO CALL THE SECRETARY'S HOME PHONE OR CELL PHONE TO REPORT ABSENCES.**

Traveling teachers for whom substitutes are required will use the comments feature in the System to inform the sub of their schedule for the absence period.

**REQUEST FOR LEAVE OF ABSENCE WITHOUT PAY** – Any time that an employee requests to be absent from work without pay, that employee shall request such leave in writing. This request shall be in letter form and be directed to the Superintendent. All such requests require Board approval since, in effect, they constitute a change in the number of days for which the employee is contracted to work. Extended medical leaves must include a doctor's report and a monthly update. Excessive use of days without pay can impact credit for years of service for retirement purposes. Leave of absence without pay cannot be granted unless all personal leave without cause days of the employee have been exhausted.

**PERSONAL LEAVE** – You will find information concerning Personal Leave within Policy 5006. Please pay particular attention to the six relationships that can be covered under Emergency Medical Leave which are **spouse, parents, child, parents-in-law, brother, or sister**. All requests for EML for other relationships will be denied.

**TIME SHEETS FOR SERVICE PERSONNEL** – Time sheets for service personnel are due at the county office the day on which the pay period ends, **in alphabetical order please**. This is the last day recorded on each sheet. The immediate supervisor is required to review each time sheet and personally sign and date it prior to its submission. Overtime shall be recorded on the appropriate forms when an employee is authorized by the Superintendent/Designee to work more than the regularly scheduled times. Overtime forms are due at the county office at the end of each pay period, also in alphabetical order please.

**IDENTIFICATION BADGES** – In accordance with county Policy 5019 all employees are required to wear identification badges as described in the policy during work hours. There will be a \$5.00 replacement fee for cards needing replaced due to loss.

**REQUESTS FOR THE USE OF SCHOOL BUSES** – All requests to use school buses must be **submitted to the Transportation Supervisor at least two weeks prior to the event**. The earlier a request is submitted, the more likely a bus can be scheduled as requested. All requests must be approved by the principal or supervisor before being sent to Randy Hardman, Transportation Supervisor. After approval of the request by the Transportation Supervisor, it will be submitted to the Superintendent and/or Board of Education for final approval. **There is no need to send copies of requests to the Board Office prior to the approval of the Transportation Supervisor.**

**TRAVEL EXPENSES FOR PROFESSIONAL MEETINGS** – Before any such expenses can be covered by the Board of Education, they **must be pre-approved at the county office level with funding source identified**. If applying for expense reimbursements, a Professional Leave form must be completed, even if traveling on a non-school day. Individual schools may choose to cover certain expenses at the school level. All **itemized** receipts must be attached to the expense form. The requests for reimbursement must be turned in to Kelly Collett.

**DIRECT DEPOSIT FORMS** – We are currently doing electronic direct deposit. Forms are available at the Board Office for persons interested in direct deposit of their paychecks. Employees having direct deposit should check at the bank for any special benefits that might be available to them. If you currently have a direct deposit, it

will continue. Instructions for WVEIS Employee Self-Serve are on the Upshur County Schools website at [www.upshurschools.com](http://www.upshurschools.com). The instructions will help you view and print copies of pay stubs and W-2's.

**INSURANCE/RETIREMENT CHANGES** – Please keep your information current (Name, Address, Beneficiary, Dependents). Retirement changes can be made by getting the correct form from Stephanie Bennett, in Finance, at Extension 1023. Health/Life Insurance changes need to be made on-line at [www.wvpeia.com](http://www.wvpeia.com). Click the green MANAGE MY BENEFITS button and register or log on.

**CERTIFICATION** – Upgrades in salary classification must be formally applied for through the certification office. Processing for certification renewal must be done in a timely manner, since we cannot legally pay a teacher after the third month of employment if that person does not hold a valid certificate.

**ADULT PRICE MEALS** – The price of an adult breakfast is \$2.60 and the price of an adult lunch is \$3.60.

**SCHOOL LUNCH REPORTS** – Reports must be in the Board Office no later than the 5<sup>th</sup> day of each month.

**FIRE DEPARTMENT NUMBERS** – The telephone number of the Fire Department must be posted at each telephone. Dial 9-911 from all Upshur County Schools telephones.

**PERMANENT RECORDS** – Permanent records are to remain at individual schools. If a student transfers to another Upshur County school, it will be the responsibility of the principal to forward the permanent record to that school upon the request of the principal of the receiving school. If an elementary student moves out of the county or out of the state, the permanent record and SAT files should be sent to Adrienne Hissam at the Board Office along with the request for records from the receiving school and requests for information on that student will be handled by central office personnel. Special Education files should be retained at the school. When preparing permanent record files to send to the board office, please do so according to the permanent record file checklist. If you have questions about this list, please contact the board office and speak with Adrienne Hissam, Extension 1018, or Jodie Akers, Extension 1020.

**FORMS TO BE RETURNED TO THE BOARD OFFICE** – Forms that are sent to teachers and/or service personnel that are to be returned to the Board Office should be dealt with in the following manner: The principal of each school should collect all forms from each individual employee, **put them in alphabetical order, and return them to the Board Office by the date indicated on the form.** It is very important that this procedure be followed so that all matters can be taken care of as quickly and efficiently as possible by all concerned.

**PAYROLL FORMS** – If you completed the form last year to elect 24 pay checks, the election will remain in effect. If your current election is to receive 20 pay checks and you desire to change to 24 pay checks, contact the finance department and complete an Employee Pay Annualization Election form.

**CHANGE OF ADDRESS** – If you have a change of address, please contact the Finance Department for the appropriate forms required by the Retirement Board to make address changes.

**DATES FOR ISSUANCE OF PAYROLL CHECKS FOR THE 2016-2017 SCHOOL YEAR** – Following are the dates on which payroll checks are scheduled to be issued for the coming school year: Checks will be available for the principals and other supervisory personnel to pick up at the Board Office any time after 7:15 a.m. on the date payroll is issued.

July 14 and 28, 2017  
August 15 and 30, 2017  
September 15 and 29, 2017  
October 13 and 30, 2017  
November 15 and 30, 2017  
December 15 and 29, 2017

January 12 and 30, 2018  
February 15 and 28, 2018  
March 15 and 30, 2018  
April 13 and 30, 2018  
May 15 and 30, 2018  
June 15 and 29, 2018

**JOB POSTINGS** – Job postings will be available at job locations and state and county websites. The official posting will always be available at the Upshur County Board of Education Office.



**Roy H. Wager, Superintendent**



**Jack L. Reger, Assistant Superintendent**

As required by federal laws and regulations, the Upshur County Board of Education does not discriminate on the basis of sex, race, color, religion, handicapping condition, or national origin in employment or in its education program and activities. Inquiries may be referred to Tim Derico, Title IX Coordinator, Upshur County Board of Education, 102 Smithfield Street, Buckhannon, West Virginia 26201, phone no. 304-472-5480; to Melinda Stewart, Section 504 Coordinator, Upshur County Board of Education, 102 Smithfield Street, Buckhannon, West Virginia 26201, phone no. 304-472-5480; to the State Elimination of Sex Discrimination Project Coordinator, phone no. 304-558-7867; or the U. S. Department of Education's Director of the Office of Civil Rights, phone no. 215-596-6795.

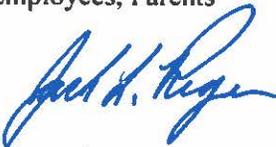


Administration  
Roy H. Wager  
Superintendent  
Jack L. Reger  
Assistant Superintendent

Board of Education  
Tammy Samples, President  
Alan Suder, Vice-President  
Greenbrier Almond  
Carl R. Martin  
Katie Loudin

## MEMORANDUM

TO: Upshur County Board of Education Employees, Parents  
and Community

FROM: Jack Reger, Assistant Superintendent 

SUBJECT: Dissemination of Asbestos Contact Information

DATE: July 1, 2017

All buildings owned by the Upshur County Board of Education which are currently in use have been inspected for asbestos during the year. These inspections were conducted by EPA accredited persons. The Asbestos Management Plan for your building is on file in two locations:

1. Each School Office
2. Board of Education Office

All buildings are reassessed every six months and inspected every three years by accredited inspectors.

Any person may review the Asbestos Management Plan by visiting the school and requesting it from the principal or by contacting Jack Reger, Assistant Superintendent, Upshur County Board of Education, 102 Smithfield Street, Buckhannon, WV 26201 (Phone: 304-472-5480). Mr. Reger is the Upshur County Board of Education asbestos contact. He meets all annual training requirements of the Environmental Protection Agency.

Thank you for your continued support of our efforts to maintain safe, healthful environments in all buildings currently operated by the Upshur County Board of Education.

JR/alh

Administration

Roy H. Wager  
Superintendent  
Jack L. Reger  
Assistant Superintendent



Board of Education

Tammy Samples, President  
Alan Suder, Vice-President  
Greenbrier Almond  
Carl R. Martin  
Katie Loudin

Dear Employee:

The Upshur County Board of Education, by its policy contained in the Policy Manual governing all school operations, hereby affirms that it provides equal opportunity for all students and employees regardless of race, color, sex, national origin, religion, handicap, age, marital status, and political affiliation or belief. Equal opportunity includes equal access to the following:

- All curricular areas
- Textbooks and other instructional materials
- Guidance, counseling, and testing
- Extracurricular activities
- Facilities
- Employment

The Upshur County Board of Education is committed to a continuous program of assuring that unlawful discrimination does not occur in any program or activity operated under the auspices of the Upshur County Schools. The Upshur County Schools will apply affirmative action to all of its program activities and employment policies and practices.

The Upshur County Board of Education wishes to note that it has a grievance procedure for students and/or employees who feel that they may have been discriminated against. Inquiries may be referred to:

Tim Derico  
Title IX Coordinator, or

Melinda Stewart  
Coordinator for Section 504 of the Rehabilitation Act of 1973

These individuals may be contacted at the Upshur County Board of Education Offices at 102 Smithfield Street, Buckhannon, West Virginia 26201, Telephone number 472-5480.

This letter affirms our position and compliance with our policies of non-discrimination.

Sincerely,

Roy H. Wager  
Superintendent

RHW/alh

# **EMPLOYEE**

## **CODE OF CONDUCT**

**All students and employees in West Virginia public schools shall behave in a manner that promotes a school environment that is nurturing, orderly, safe and conducive to learning and personal-social development.**

### **ALL EMPLOYEES SHALL:**

- **Exhibit professional behavior by showing positive examples of preparedness, communication, fairness, punctuality, attendance, language and appearance.**
- **Contribute, cooperate and participate in creating an environment in which all student/employees are accepted and provided the opportunity to achieve at the highest levels in all areas of development.**
- **Maintain a safe and healthy environment, free from harassment, intimidation, bullying, substance abuse, and/or violence, and free from bias and discrimination.**
- **Create a culture of caring through understanding and support.**
- **Immediately intervene in any code of conduct violation that has a negative impact on students, in a manner that preserves confidentiality and the dignity of each person.**
- **Demonstrate responsible citizenship by maintaining a high standard of conduct, self-control, and moral/ethical behavior.**
- **Comply with all Federal and West Virginia laws, policies, regulations and procedures**

# **STUDENT CODE OF CONDUCT**

**All students and employees in West Virginia public schools shall behave in a manner that promotes a school environment that is nurturing, orderly, safe and conducive to learning and personal-social development.**

## **ALL STUDENTS SHALL:**

- **Help create an atmosphere free from bullying, intimidation and harassment.**
- **Demonstrate honesty and trustworthiness.**
- **Treat others with respect, deal peacefully with anger, use good manners and be considerate of the feelings of others.**
- **Demonstrate responsibility, use self-control and be self disciplined.**
- **Demonstrate fairness, play by the rules and will not take advantage of others.**
- **Demonstrate compassion and caring.**
- **Demonstrate good citizenship by obeying laws and rules, respect authority, and cooperating with others.**

## **NOTICE ABOUT YOUR ELIGIBILITY TO PARTICIPATE IN THE UPSHUR COUNTY BOE 403(b) PLAN**

### **Did you know that the Upshur County Board of Education sponsors a 403(b) tax deferred plan?**

You have the opportunity to save for retirement by participating in the Upshur County BOE 403(b) plan. You can participate in the 403(b) plan by making pre-tax contributions.

### **What do I have to do to contribute to the Upshur County BOE 403(b) plan?**

You can contribute to the 403(b) plan once you have completed a salary reduction agreement with an approved investment provider and returned it to the Finance Office. The salary reduction agreement authorizes the Upshur County Board of Education to deduct the elected dollar amount or percentage from your paycheck and contribute those amounts to your 403(b) account. A list of approved investment providers is attached below.

### **How do I know if I am eligible to participate in the Upshur County BOE 403(b) plan?**

Subject to limitations contained in the Upshur County Board of Education 403(b) Plan Document, all common law employees of the Upshur County Board of Education are eligible to participate in the 403(b) plan.

### **How much can I contribute?**

In general, you may contribute up to \$18,000 in 2017. This amount may be adjusted annually. Also, if you have at least 15 years of service with your current school district or you are at least 50 years old, you may also be able to make additional catch-up contributions. Contact your investment provider for additional information on the amount you can contribute to the 403(b) plan.

### **I am already participating in the 403(b) plan. What other rules about participating should I know?**

If you are already contributing to the Upshur County BOE 403(b) plan, you may change your contribution amount or percentage by completing a new salary reduction agreement and returning it to the Finance Office. Please refer to [planwithease.com](http://planwithease.com) for specific plan rules regarding how frequently you are allowed to change your contribution amount or percentage.

This specimen notice is offered to assist school districts and their counsel in notifying eligible employees of the opportunity to participate in the school district's 403(b) plan. Modifications to the specimen notice may be needed to meet your 403(b) plan's eligibility rules.

This material was created to provide accurate and reliable information on the subjects covered. It is not intended to provide specific legal, tax or other professional advice. The services of an appropriate professional should be sought regarding your individual situation. These materials are not intended to be used to avoid tax penalties, and were prepared to support the promotion or marketing of the matters addressed in this document. The taxpayer should seek advice from an independent tax advisor.

Upshur County Board of Education – 403(b) Annuity Vendor List

Voya Financial Advisers (1NL403)

Reliastar Life Insurance

909 Locust Ave

Des Moines, IA 50309

Local Contact:

Charles Smith (304) 736-2521

Foresters Financial Services, Inc (4540015)

501 Corporate Drive

Cannonsburg, PA 15317

Local Contact:

Steven Hicks (304) 677-2617

American Fidelity Securities (08973)

PO Box 25523

Oklahoma City, OK 73106

Local Contact:

Ron Berkstresser (724) 833-2389

Jefferson National Life Insurance Co (4100523)

PO Box 36840

Louisville, KY 40233

Local Contact:

(866) 667-0564

AXA Equitable Life (707190 001)

Equivest Unit

PO Box 13463

Newark, NJ 07188-0463

Local contact:

Shawn Wilson / Steve Hathaway

(304) 366-0126 / (304) 848-2045

The Lincoln National Life Insurance Co (3197948)

PO Box 25500

Greensboro, NC 27420

Local Contact:

(877) 275-5462

AIG/VALIC (3785)/Franklin

PO Box 4373

Houston, TX 77210-0473

Local Contact:

(800) 448-2542

Life Insurance Company of the Southwest (Franchise #1106)

PO Box 911422

Dallas, TX 75391-1422

Local Contact:

(800) 579-2878

Horace Mann (47073)

PO Box 3263

Springfield, IL 62708-9953

Local Contact:

Lois Spatafore (304) 933-3977

Oppenheimer Funds

PO Box 5390

Denver, CO 80217-5390

Local Contacts:

Phillip Burton (304) 363-0073

Lisa Cain – Edward Jones (304) 473-1992

Ameriprise Financial Services (6337 0)

70205 Ameriprise Financial Center

Minneapolis, MN 55474-0702

Local Contacts:

Lance Koury (304) 472-8483

New York Life

1 Rockwood Rd

Sleepy Hollow, NY 10591

Local Contact:

David Cartwright (304) 472-6984

Midland National Life Insurance Co

Annuity Division

4350 Westown Parkway

West Des Moines, IA 50266

Local Contact:

Michael Arcure (304) 363-4440

Firms eligible to Receive Contract Exchanges and Plan to Plan Transfers:

American Funds (66865)

American General Life Insurance