

**WESTERN**  
**SCHOOL** *of*  
**SCIENCE AND**  
**TECHNOLOGY**  
A Challenge Foundation ✧ Academy

**Western School of Science and Technology:  
A Challenge Foundation Academy, Inc.  
Employee Handbook  
2016 – 2017**

## Section 1: Introduction

### 1.1 Introduction

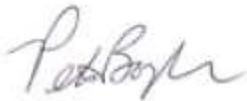
For the benefit of all employees, we would like to acquaint you with the policies governing employment with Western School of Science and Technology: A Challenge Foundation Academy, Inc. (“the School” or “Western: CFA”). This manual sets out and explains the School’s basic employment policies and supersedes all previous manuals and written or implied policies.

It may become necessary to modify, change, update, revoke, replace or even terminate the policies outlined in this manual, and the School reserves the right to make changes at any time at its discretion. The School will endeavor to inform you of changes, but failure to notify you will not affect the validity or enforcement of the policy. The language contained in this manual is provided for informational purposes only. **It does not, nor is it intended to, create any contractual rights or obligations, and it is not a contractual agreement.**

This manual applies to all employees of the School. At all times, the School remains solely responsible for the interpretation of this handbook’s provisions and its application. In applying its policies and procedures, the School retains the right to make decisions based on the Administration’s assessment of its needs and consideration of the specific facts and circumstances presented by each situation. If you have questions regarding this Employee Handbook, please discuss them with your immediate supervisor.

We look forward to working with you to build Western: CFA’s program and care for each child. We take great pride in our accomplishments and the difference we make in the transformation of the entire Maryvale community.

Best wishes for much success.



Peter Boyle  
Founding School Director  
Western School of Science and Technology:  
A Challenge Foundation Academy, Inc.

### 1.2 Mission

Western School of Science and Technology: A Challenge Foundation Academy, Inc. exists to transform Maryvale by improving low-income west Phoenix students’ opportunities for advancement in the new global technological economy through needed preparation for the academic rigors of college graduation leading to career success.

## Section 2: Hiring and Employment Policies

### 2.1 Nature of Employment

Employment at Western: CFA is “at will” and Western: CFA may terminate employment at any time, with or without cause and with or without further notice. Most employees may terminate employment with or without cause upon thirty (30) days prior written notice and you acknowledge that this thirty (30)-day period is required to find a suitable replacement and to provide continuity for Western: CFA’s students. Several employees’ contracts have a forty-five (45) day notice period. Check your contract for further information.

### 2.2 Hiring Practices

**Equal Employment Opportunity:** The School is an Equal Employment Opportunity (EEO) employer and does not discriminate against employees or qualified job applicants on the basis of race, color, religion, sex, national origin, age, disability, military status, sexual orientation, gender identity, or any status protected by applicable law. This policy extends to, but is not limited to, recruitment, selection, compensation, benefits, promotion, training, and termination.

**Employment Checks:** To help ensure that all staff members at Western: CFA are of the highest quality, we will conduct checks of employment references, educational verification and Criminal Offender Record Information (CORI) on all applicants prior to extending an offer of employment.

**Immigration Law Compliance:** Western: CFA does not hire anyone that is not a citizen of the United States, or is not authorized to work in the United States under the Immigration Reform and Control Act of 1986. As a condition of employment, all employees must show valid proof that they are eligible to work in the United States. Western: CFA is committed to employing only United States citizens and legal aliens who are authorized to work in the United States.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the same process as new employees.

The I-9 must be completed by the employee prior to their first day of work. Failure to complete this form will terminate any employment or offer of employment. Western: CFA will also comply with the provisions of Arizona Revised Statutes § 23-211 et seq. regarding employment of unauthorized aliens and the use of the E-Verify program.

### 2.3 Interviewing and Hiring

**Interviewing and Hiring:** The School Director will oversee all hiring and all interested applicants will interview with at least one School administrator. References will be required and checked.

Western: CFA relies upon the accuracy of information contained in the employment application and your resume, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or

data may result in your exclusion from further consideration for employment or, if hired, your termination.

**Tenure:** Western: CFA does not have a tenure or seniority system.

**Salary Administration:** Western: CFA will contract with an outside, independently insured payroll service for all salary distribution. The Board will evaluate this contract annually. Documentation of authorized pay rates shall be maintained in the employee's personnel file. Personnel files shall be secured with access limited to authorized individuals. Personnel will be paid semimonthly, on the 5<sup>th</sup> and 20<sup>th</sup> of each month, by check or direct deposit. Personnel electing direct deposit will receive a check stub via paper or email.

**Discipline:** Employees who face disciplinary action will be disciplined in accordance with the policies set forth in this Handbook and pursuant to applicable law.

## 2.4 Performance Review and Evaluation

Western: CFA has developed a comprehensive system to monitor and evaluate the effectiveness of instructional practices of the School's teachers and staff.

**Informal Performance Reviews:** Performance reviews may take place any number of times during the year, and may be in the form of a scheduled meeting or more informal talks during the school day. Performance reviews may be utilized as tools to improve employee performance with regard to management expectations. Employees should expect classroom observations and feedback as often as multiple times per day. Such coaching conversations are non-evaluative and will be aimed at improving a teacher's performance and identifying concrete areas of growth or new instructional methodologies to implement based upon best practices. Outcomes of coaching conversations may lead to specific action plans or professional development opportunities for teachers.

**Formal Performance Reviews:** The following performance levels will be used for instructional staff: "Ineffective," "Developing," "Effective," and "Highly Effective." The following performance levels will be used for non-instructional staff: "Limited," "Developing," "Proficient," and "Exemplar." In addition, teachers new to Western: CFA will be ranked as "New To Western" pending results of the first formal observation.

Each employee's manager will conduct a formal evaluation of each employee's performance each semester. Formal evaluations will be followed by a Post-Observation Conference. Evaluations will assess instructional practice and the effectiveness of a teacher's lesson plans, lessons, gradebook, assessments, and assessment results. Pursuant to state requirements, at least 33% of teachers' and other instructional staffmembers' formal summative evaluations will be based upon their students' assessment results – relating to both proficiency and growth – and their usage of data to improve students learning. The Post-Observation Conference will present the results of the Formal Evaluation, including:

- Determination of a teacher's performance level according to a defined rubric modeled upon rubrics used at high-performing charter schools.
- Determination of specific progress, assets, and areas of growth in a teacher's practice, including specific coaching opportunities and action steps moving forward.

- Determination of whether or not a teacher will be asked back to Western: CFA (during the second semester formal evaluation).
- Determination of a teacher's level of performance-based compensation.

Teachers rated "Ineffective" will not be offered a contract renewal with Western: CFA and teachers rated "Developing" will be placed on a Performance Plan.

Performance Plans will involve specific growth targets for a teacher relating to instructional performance and student progress, as measured by assessment data. A minimum of monthly, the School Director and any teacher on a Performance Plan will meet to discuss progress regarding the plan. A teacher must move from "Developing" to "Effective" by the next year's Spring Formal Evaluation to be asked back to Western: CFA.

We expect all teachers to succeed and will work with them to make that happen. Teacher quality is one of the main determinants of student success, and the job of the administration is to hire excellent teachers, establish high standards, and enable teachers to reach those standards. Teachers should also let the administration know how best to support them.

## 2.5 Accommodations to Individuals with Disabilities

Western: CFA complies with all laws applicable to disabled employees. Qualified individuals with a disability may make a request for reasonable accommodation to the School Director. On receipt of an accommodation request, the School Director will meet with the requesting individual to discuss and identify the precise limitations resulting from the disability and the potential reasonable accommodation that the School might make to help overcome those limitations. The School may request medical certification from the individual's doctor in order to verify the disability and the precise nature of the limitations as well as to ensure that you can safely perform the essential functions of your job with the accommodations. We may also ask you to submit to an independent medical or other appropriate examination, at our expense, to help us assess your needs.

## 2.6 Employment Classifications

All employees of the School will be classified as either full-time or part-time, and either exempt or non-exempt. We may also hire consultants and/or temporary employees.

**Full-time employees:** Full time employees are those who are scheduled to work thirty (30) or more hours per week. All full-time employees are eligible to participate in the School's benefits program. Full time employees may be "exempt" or "non-exempt" as defined below.

**Part-Time Employees:** Part time employees are those who work fewer than thirty (30) hours per week. Part-time employees are not eligible to participate in the School's benefits program.

**Exempt Employees:** Employees whose positions meet specific tests established by the Fair Labor Standards Act ("FLSA") and state law and who are exempt from overtime pay requirements. Professional employees (i.e. teachers and counselors) and administrative positions will be deemed exempt.

**Non-Exempt Employees:** Employees paid an hourly rate are typically non-exempt employees who work the schedule that is agreed upon at the time of employment and are not exempt from overtime pay requirements. The School is entitled to change this schedule from time to time as needed. Employees paid at an hourly rate may or may not be eligible for employee benefits. A written agreement memorializing the School's decision to grant hourly employees employee benefits is required before such benefits become effective.

Accurately recording time worked is the responsibility of every nonexempt employee. Federal and state laws require Western: CFA to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Nonexempt employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. Employees should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved in the pay period it is performed.

Altering, falsifying or tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

The supervisor will review and then initial the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and the supervisor must verify the accuracy of the changes by initialing the time record.

For purposes of external funding received by Western: CFA (which requires accurate timekeeping of various activities, such as a Title grant program), any Western: CFA employee may be required to keep and maintain a log of time worked relative to the specified activity within the grant or funding.

**Consultant:** Consultants are independent contractors who work under a consultancy agreement. Consultants have no employee status, and are not eligible for benefits.

**Temporary Employee:** Temporary employees are those employees whose employment with the School is for a limited period, generally not exceeding two academic quarters, or five months, whichever is greater. Temporary employees are not entitled to participate in the School's benefits program.

Leased employees and independent contractors are not employees of the School and are not entitled to any benefits from Western: CFA. If you change positions during your employment as a result of a promotion, transfer or otherwise, you will be informed in writing by the School Director of any change in your exemption status. Please direct any questions regarding your employment classification or exemption status to the Senior Managing Director of Operations.

## 2.7 Personnel Files and Data

Western: CFA maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, salary information, high school and/or college transcripts, disciplinary actions and other employment records.

Personnel files are the property of Western: CFA, and access to the information they contain is restricted. Generally, only Western: CFA administrators or board members who have a legitimate reason

to review information in a file are permitted to do so. Employees who wish to review their own file should contact the Senior Managing Director of Operations. With reasonable advance notice, employees may review their own personnel files in Western: CFA offices and in the presence of an individual appointed by Western: CFA to maintain the files.

It is the responsibility of each employee to promptly notify Western: CFA of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, and other such information should be accurate and current. If any personnel data has changed, please notify Western: CFA.

## **2.8 Open Door Policy & Progressive Discipline**

If an employee has a work-related problem or feels that procedures are not properly applied, the School has an “open door policy.” However, employees are encouraged to take their problems to their immediate supervisor before proceeding to the School Director, as the majority of misunderstandings can be resolved between employees themselves and/or their supervisor.

Most performance problems will be addressed using progressive discipline, which may include an oral warning, a written warning, a probation period, and then termination. In cases of serious misconduct, however, certain steps of the progressive discipline process may be skipped or immediate discharge may be warranted.

## **2.9 Problem Resolution Procedure**

It is the policy of the School to treat employees in a fair and impartial manner. The School is firmly committed to the belief that undisclosed problems will remain unresolved and may negatively affect the work environment at the School. Therefore, the School has established an administrative review system whose intent is to solve problems as fairly and collaboratively as possible.

A grievance is any significant employee concern that arises out of or relates to employment or the policies in this document. Employees who seek resolution of employment situations by using established procedures are assured that they will not be subjected to discrimination or retaliation or be penalized in any way for their use of these procedures.

Employees are encouraged to take complaints involving a co-worker directly to that person for discussion and resolution. If the two employees are unable to resolve their differences, they may at any time request a mediation meeting with their supervisor and/or the School Director where both employees are present. The resolution by the School Director shall be considered final.

## **Section 3: Schedules and Compensation**

### **3.1 Salaries and Wages**

Western: CFA will consider a wide variety of factors in setting salary structure. These may include, but are not limited to:

1. Past teaching performance and experience at the School or elsewhere
2. Level of education

### 3. Additional work responsibilities and depth of commitment to the School

#### **3.2 Work Day Schedules, Absences, Tardies**

Each staff member's hours of work are detailed in his or her contract.

If you plan to be out of the office for meetings or some other event, you are required to advise the Senior Managing Director of Operations twenty-four (24) hours ahead of time via the Paid Time Off Request Form and receive approval in writing for that event.

There may be occasions when employees need to arrive late or leave early. In such situations where there is an anticipated absence, staff should notify the Senior Managing Director of Operations at least twenty-four (24) hours ahead of time so that coverage can be arranged. The fact that your absence or tardiness may be approved does not insulate you from a review of the total number and timing of absences or lateness in any given period of time, and such absences or tardiness may count towards paid time off time.

In the event of an *actual emergency* that results in an unexpected absence, the employ must notify the Senior Managing Director of Operations as soon as reasonably practicable. The cell phone number for the Senior Managing Director of Operations is 630.347.9974. Whether an event constitutes an actual emergency, and whether notification was given as soon as reasonably practicable to do so will be the sole determination of the direct supervisor in consultation with the School Director.

Regular attendance is an essential requirement of your employment at the School. In addition, absenteeism that is deemed excessive in the School Director's sole discretion may result in discharge. The School expects all employees to arrive to work each day on a timely basis. More than three (3) unexplained late arrivals in one (1) month may result in postponing or negating of a salary increase and/or progressive disciplinary action, up to and potentially including termination. Three (3) consecutive days of absence without notification will constitute voluntary resignation from employment as of the last day worked.

Unapproved paid-time off requests will result in docked paid time off time, or potentially, compensation.

The maximum number of total employees for one day of paid time off time will be seven (7). This is to ensure there is always enough staff members on campus at a time.

#### **3.3 Paycheck Policies**

Generally, employees are paid on the 5<sup>th</sup> and 20<sup>th</sup> of every month. For the convenience of our employees, the School has instituted an option of direct deposit for employee paychecks. All requisite contributions to benefits will be withheld on each paycheck. There are twenty-four (24) pay periods every year. At your request, the School will deposit your paycheck directly to the bank of your choice. To enroll in the direct deposit system, please complete a direct deposit application and return it to the Senior Managing Director of Operations. Withholding and deductions will be made for federal, state, and/or city taxes as well as for other authorized deductions such as health care plan costs, etc.

When an employee's wages are garnished by a court order, our School is legally bound to withhold the amount indicated in the garnishment order from the employee's paycheck.

Western: CFA takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Senior Managing Director of Operations who will contact the Payroll Administrator so that corrections can be made as quickly as possible.

Underpayments: In the event of an error resulting in an underpayment to an employee, the employee will be properly compensated on the next scheduled pay date.

Overpayments and deduction adjustments of \$50.00 or less: If an employee has been mistakenly overpaid or deductions under-withheld by \$50.00 or less, an adjustment will be made on the next scheduled pay date. Western: CFA will notify the employee no later than five calendar days before the adjustment is made.

Overpayments and deduction adjustments greater than \$50.00: Western: CFA may collect overpayments not to exceed one (1) year in duration from the date of an employee notification. Western: CFA will notify the affected employee if an overpayment or under-withheld deduction of over \$50.00 has occurred. Western: CFA and the employee will agree upon an acceptable payback schedule.

### 3.4 Business Travel

**Who is Reimbursed:** Western: CFA staff shall be reimbursed for business expenses incurred while on authorized Western: CFA business.

**Reimbursement Process:** Western: CFA employees should submit receipts for reimbursement to the Senior Managing Director of Operations. Receipts are required for all reimbursements. Reimbursements are subject to approval by the School Director.

**Reimbursable Expenses - Airfare:** The least expensive direct, non-stop commercial air fare in coach class will be reimbursable from the airport nearest the traveler's home or office to the airport nearest the destination. Airline reservations should be made at least fourteen (14) days in advance of travel. Any additional expense related to companion travel is the responsibility of the traveler. Preferred carriers may be utilized if the airfare is equivalent to the lowest fare available. Typically, Western: CFA purchases airfare for teachers.

**Reimbursable Expenses - Taxi:** Taxi fare is reimbursed if essential for business purposes with receipts.

**Reimbursable Expenses – Automobile:** The use of private autos for School business will be reimbursed at the School's standard rate per mile (generally the IRS prescribed rate), to the extent mileage exceeds the employee's normal commuting distance.

When an employee uses his or her own auto for School business, the owner or driver of the vehicle is the responsible party in the event of an accident.

The decision to use rental cars, rather than other forms of public transportation, should be made on the basis of balancing costs against convenience and availability. Rental insurance does not need to be purchased.

**Reimbursable Expenses – Meals:** The cost of an employee's meals will be reimbursed when the employee is required to take an overnight trip away from his or her base city. The cost of a dinner meal is also reimbursable if an employee is on an extended day trip away from his or her base city.

As a general guideline, individual meal expenses including non-alcoholic beverages and tips should not exceed \$57.00 per day per person. Exceptions may be approved for cities with higher costs of living, including New York, Washington D.C., Los Angeles, San Francisco, and international cities.

**Reimbursable Expenses - Lodging:** Lodging at the single-room rate for days of meetings, including night before and after if flight schedules make necessary such stays.

**Miscellaneous business expenses.** The following expenses are reimbursable, if reasonable. Original receipts are required for parking and office supplies:

- Parking (long-term economy parking, only)
- Office supplies
- Road and bridge tolls
- Reasonable tips to baggage handlers, etc.

**Non-Reimbursable Expenses:**

- First-class or any upgrades in air travel.
- Fines. Fines associated with traffic or parking tickets or other violations of the law resulting from an employee's conduct are not reimbursable
- Personal Auto Expenses. Auto mileage for personal autos when the distance traveled is for personal reasons or commuting is not reimbursable.
- Personal entertainment and services. Personal entertainment and services not necessary for the employee to conduct School business are not reimbursable. This includes such things as sightseeing tours, barber or beauty shop services, books, health club charges, movies, aspirin, cold tablets, etc.
- When lodging accommodations have been arranged by Western: CFA and the traveler elects to stay elsewhere, reimbursement is made at an amount no higher than the rate negotiated by Western: CFA, and reimbursement is not made for transportation between the alternate lodging and meeting site
- If an individual accompanies the traveler, it is the responsibility of the traveler to determine the added cost for double occupancy and related expenses and to make the appropriate adjustment in the reimbursement request.
- Entertainment costs including movies, liquor, or bar costs.
- Any costs over \$25 that are not first cleared by the School Director.

### 3.5 Teacher Bonus Pay

At Western: CFA, we believe that good teaching should be rewarded. Bonuses are not guaranteed. However, when the budget allows, staff may be eligible for bonuses at the School's discretion.

### Section 4: Time Off

#### 4.1 School Vacations, Holidays and Vacations: Teachers

With the exception of personal days (which are described in more detail below) and School holidays, teachers do not receive vacation time. Full-time teachers are not expected to work on days the School is closed for school vacations or holidays. However, teachers will continue to receive their salary during school vacations and holidays.

#### 4.2 School Vacations, Holidays and Vacations: Full-Time Administrators

School vacations and holidays for full-time administrators are detailed in administrators' contracts.

#### 4.3 Sick Days and Personal Days

Every full-time employee is entitled to nine (9) paid sick or personal days per school year. If an employee is not able to report to work because of a sickness, or sickness of someone dependent on them for care such as a parent, spouse, partner, or child, it is expected that the employee will contact the Senior Managing Director of Operations as soon as possible.

If a sick day or personal day needs to be taken at the last minute, please call the Senior Managing Director of Operations on both the cell and work numbers. Email is not sufficient. Unused sick and personal days accrue up to sixteen (16).

Unapproved paid-time off requests will result in docked paid time off time, or potentially, compensation.

The School may reimburse staff for unused paid time off, at the rate of .5% of the staff member's salary, for up to nine (9) days at the end of the school year. Staff members wishing to take advantage of this benefit should contact the Senior Managing Director of Operations and the decision to pay is at the sole discretion of the School Director.

Should an employee have a serious and contagious illness, he/she should take precautions to ensure students and other staff members are not affected by the illness. These involve notifying his/her supervisor as soon as a diagnosis – even if just suspected – is postulated. The supervisor may then determine to notify the School Director, who may notify students, families, and other staff members, without sharing the identity of the staff member in question, and who may also take additional precautionary and sanitary measures. Employees in this circumstance are encouraged to take enough days of paid time off until the illness is no longer contagious.

#### 4.4 Leaves of Absence

1. **Family and Medical Leave:** Western: CFA, as a public body, follows the Family and Medical Leave Act. Please discuss any needs under the purview of this Act with the Senior Managing Director of Operations.

In general, if family or medical circumstances dictated in the Act require an employee's absence for more than the number of his/her remaining paid time off days, the employee can submit a formal request for family or medical leave to his/her supervisor. In

consultation with the School Director, the supervisor may determine to grant the leave request. During an approved family/medical leave, the following are guaranteed:

- a. The employee's job will remain his/hers for twelve (12) weeks. Group health insurance and benefits will be continued during the same.
- b. The employee will remain compensated, less the cost of securing a substitute, during the duration of the leave.

The duration of applicable leave may be determined by a request for applicable records or documentation from a physician or other service provider.

2. **Military Leave:** If you are a member of the U.S. National Guard or the U.S. military services and are involuntarily called to duty or required to attend training camp, you will be allowed an unpaid leave of absence to comply. Employees should provide their supervisor and the Senior Managing Director of Operations with copies of their military orders as far in advance as possible.

If an employee is out for less than ninety (90) days, the employee is guaranteed the same position upon return. If an employee is away from duty longer than ninety (90) days, the employee is guaranteed a similar position upon return.

If an employee is out less than thirty-one (31) days, the employee must return immediately upon release minus travel time home and an eight (8) hour rest period. If out for 30 – 180 days, the employee must return within fourteen (14) days of release. If out for more than 180 days, the employee must return within ninety (90) days from release.

This policy applies to persons who are absent for military service if their cumulative absence for uniformed service does not exceed five (5) years.

Employees are reinstated with the same length of service, status and pay as well as other benefits determined by seniority as if they had not been absent for military service. Employees do not accrue sick leave or vacation while on military leave. If an employee passes a benchmark while on leave that entitles the employee to build sick leave vacation at an increased rate (i.e., from 1 week a year to 2 weeks per year), the employee will be eligible for the additional sick leave and/or vacation benefits when he or she returns to work.

If an employee is away for less than one-hundred eighty (180) days, the rate the employee pays for benefits remains the same. If the employee is away for more than one-hundred eighty (180) days and provided the School qualifies for COBRA coverage, the employee will have the opportunity to continue benefits for an additional eighteen (18) months at COBRA rates. If the leave is less than thirty (30) days, the benefit premiums will be deducted from the first paycheck upon return. If the leave is more than thirty (30) days, the employee must contact the Senior Managing Director of Operations to arrange for payment while on leave. Failure to make timely payments may result in cancellation of benefits. If an Employee elects to discontinue coverage while on leave, the employee must submit a letter with military orders attached, stating that they have military coverage and want to cancel health benefits.

Upon return from service, health insurance will be reinstated without any waiting period or exclusion from preexisting conditions (does not matter if COBRA was elected or not). This rule does not apply to any illness or injury determined by the Secretary of Veteran Affairs to have been incurred in, or aggravated during performance of military service.

You may not, under any circumstances, engage in other non-military employment or a competitive business while on any kind of leave of absence.

3. **Jury and Witness Duty:** If you are subpoenaed for jury duty, you will be given a leave of absence for the period served. Employees are eligible to receive the difference between the jury pay received and the base pay you would have earned at work. You must present a copy of your subpoena or notice from the court to your supervisor and the Senior Managing Director of Operations as soon as you receive it. Employees summoned for jury duty should inform the School Director immediately so that alternative accommodations can be made. Employees are expected to return to work on any day or portion of a day they are released from jury duty.

Western: CFA encourages employees to appear in court for jury duty. During the period of time in which an employee serves as a juror, the employee will receive the difference between court-issued pay and regular pay for the day(s) the employee is absent from work.

4. **Bereavement:** Full-time employees are entitled to take up to four (4) consecutive days off, with pay, to attend to a family death. Employees may be granted additional time without pay or may use unused personal leave days for additional bereavement leave. For these purposes, family is defined as a spouse, domestic partner, child, parent, sibling, grandparent, or grandchild. Additional needs, such as for extended family, extenuating circumstances, etc. may be discussed with an employee's supervisor.

Bereavement pay is calculated based on the base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, or bonuses.

## **Section 5: Employee Benefits**

### **5.1 General**

This section of the manual describes some general features of the group benefits currently available to our employees. Complete details of our plans are contained in official plan documents, such as insurance contracts and master plan documents. If there is any contradiction between the information appearing in this handbook and the information that appears in official plan documents, the official plan documents will govern in all cases.

The School anticipates continuing to make the School benefits described in this section available. However, the School reserves the right to amend or terminate these benefits at any time, or to increase employee premium contributions.

The School currently offers general health, dental, and vision insurance for its employees. For more information regarding the employee benefits program, please contact the Senior Managing Director of Operations.

## 5.2 Benefits

**Health, Dental, and Vision Coverage:** We offer health, dental, and vision insurance coverage, and specifics will be presented to employees at the start of every school year.

An employee may enroll in the medical plan when they are first eligible or they may enroll during “open enrollment,” which occurs on an annual basis. In some instances, i.e. if a spouse loses medical coverage, the employee may be able to enroll in the Western: CFA plan at a time other than “open enrollment”. To qualify under these conditions, enrollment must be requested within thirty (30) days of the event. More information is available from the Senior Managing Director of Operations.

**Medicare:** All employees are required by federal statute to participate in the federal government Medicare program. Medicare is currently deducted at 1.45% of gross salary earnings. The federal government has the authority to change this rate in the future without notice.

**Domestic Partner Policy:** Western: CFA offers domestic partner health and dental coverage along with individual and family plans.

**Workers Compensation:** In addition to health and dental benefits, the School has workers compensation insurance. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

All injuries suffered on the job, no matter how minor, must be reported immediately to your supervisor. If an employee suffers a serious work-related injury, the employee should contact the School Director who will assist the employee in obtaining the worker's compensation insurance forms. No matter how minor an on-the-job injury may appear, please report it immediately. Failure to immediately notify your supervisor or Western: CFA about a work-related injury or illness may result in your losing workers' compensation benefits with regards to that particular injury or illness.

Neither Western: CFA nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity whether sponsored or sanctioned by Western: CFA or not.

**Short- and Long-Term Disability Coverage:** The School offers short-term and long-term disability insurance coverage. The details of this insurance benefit depend on what plan the employee selects. Eligibility requirements and benefit details for this insurance benefit are detailed separately in the insurance policy, and are subject to change if/when the insurance policy changes. More information is available from the Senior Managing Director of Operations.

## 5.3 Continuation of Benefits

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and qualified beneficiaries the opportunity to continue health insurance coverage (including medical, dental, and vision) under Western: CFA's health insurance plan when a qualifying event would normally result in the loss of eligibility. Common qualifying events include resignation, termination of employment except when termination is due to an employees' gross misconduct, death of an employee, a reduction in an employee's hours or a leave of absence, an employee's divorce or legal separation, and a dependent child no longer meeting eligibility requirements.

The School provides each eligible employee with a written notice describing rights granted under COBRA, when the employee becomes eligible for coverage under Western: CFA's health insurance plan. The notice contains important information about the employee's rights and obligations, as well as cost of benefits, under COBRA.

#### **5.4 Retirement Benefits**

Western: CFA is a part of a 401k plan. Full-time employees may enroll as members of this program. The employee shall contribute up to 6% of the employee's salary as required by the applicable statute to an eligible retirement plan. Western: CFA contributes up to 3% of the employee's salary to the selected retirement plan. For each year of service, employees may elect to contribute an additional .50% of salary to the eligible plan, and Western: CFA will match an additional .25% to the plan.

### **Section 6: Technology**

#### **6.1 Laptop Policy**

All new staff will receive a laptop computer during Teacher Leadership Academy. Any laptop computers that are distributed to staff are the sole financial responsibility of staff and damage/theft should be reported to the School immediately. Employees may use this laptop throughout the School, and it may be taken home if so desired. The following points are critical elements of the laptop policy:

- Employees are expected to care for the laptop in a responsible manner and will assume liability for any damage to the laptop that occurs as a result of negligence.
- Employees assume responsibility for leaving the laptop in a secure place, both at School and away from School. Teachers are encouraged to lock their laptops when leaving their classrooms.
- Employees are asked not to install new software or hardware on the computer without the permission of the Senior Managing Director of Operations.
- Employees are expected to return the laptop one week after the last day of school. Teachers who fail to return the laptops by that date will have \$250 deducted from their remaining paychecks. Returning teachers who have signed an employment contract for the subsequent school year will be allowed to check out their laptop again for a year period.

Employees must periodically update and run virus detection software under the direction and guidance of the Senior Managing Director of Operations.

Questions about the laptop policy or about technology in general should be directed to the Senior Managing Director of Operations.

## 6.2 Email Accounts

Staff emails will be: first initial+last name@wsst.school. So for instance, the email address for Peter Boyle would be pboyle@wsst.school.

It is extremely important that staff do NOT open attachments or click on links from sources that are at all unknown, as this is the main means by which viruses are spread through the School's network. As a rule, if you are not 100% certain that the source is reliable, do not open the attachment or click on the link.

It is important to periodically update and run virus detection software under the direction and guidance of the Senior Managing Director of Operations.

The School provides electronic mail (email) for purposes of School communications.

The email system is the property of Western: CFA. It has been provided by Western: CFA for use in conducting School business. All communications and information transmitted by, received from, or stored in this system are School records and property of Western: CFA. The email system is to be used for School purposes only. Use of the email system for personal purposes is prohibited.

Employees have no right of personal privacy in any matter stored in, created, received, or sent over the Western: CFA email system.

Western: CFA, in its discretion as owner of the email system, reserves and may exercise the right to monitor, access, retrieve, and delete any matter stored in, created, received, or sent over the email system, for any reason and without the permission of any employee.

Even if employees use a password to access the email system, the confidentiality of any message stored in, created, received, or sent from the Western: CFA email system still cannot be assured. Use of passwords or other security measures does not in any way diminish Western: CFA's rights to access materials on its system or create any privacy rights of employees in the messages and files on the system. Any password used by employees must be revealed to Western: CFA as email files may need to be accessed by the School in an employee's absence.

Users should routinely delete outdated or otherwise unnecessary emails and computer files. These deletions will help keep the system running smoothly and effectively, as well as minimize maintenance costs. However, employees should be aware that deletion of any email messages or files will not truly eliminate the messages from the system. All email messages are stored on a central back-up system in the normal course of data management.

Even though authorized employees of Western: CFA have the right to retrieve and read any email messages, those messages should still be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or read any email messages that are not sent to them. Any exception to this policy must receive the prior approval of Western: CFA administration.

Western: CFA's policies against sexual or other harassment apply fully to the email system, and any violation of those policies is grounds for discipline up to and including discharge. Therefore, no email messages should be created, sent, or received if they contain intimidating, hostile, or offensive material concerning race, color, religion, sex, national origin, age, disability, military status, sexual orientation, gender identity, or any status protected by applicable law. The email system may not be used to solicit for religious or political causes, commercial enterprises, outside organizations, or other non-job related solicitations.

The email system shall not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization from Western: CFA administration. Employees, if uncertain about whether certain information is copyrighted, proprietary, or otherwise inappropriate for transfer, should resolve all doubts in favor of not transferring the information and consult or contact the appropriate entity.

Employees are reminded to be courteous to other users of the system and always to conduct themselves in a professional manner. Emails are sometimes misdirected or forwarded and may be viewed by persons other than the intended recipient. Users should write email communications with no less care, judgment and responsibility than they would use for letters or internal memoranda written on Western: CFA letterhead.

The following rules and procedures apply:

- Your use of email should be for the School's purposes and not for more than incidental personal use.
- You are prohibited from initiating or forwarding harassing, pornographic or indecent communications of any kind, either to School employees or to anyone else from your School email account. Similarly, employees may not use the School's equipment or Internet connection to send, access, display, download or print pornographic or sexually explicit materials, derogatory, racial messages, or other material that a reasonable person would find offensive. Such conduct may be grounds for discipline, up to and including termination.
- Electronic mail must be addressed to proper recipients. Carefully check to reduce the possibility of communications being misdirected.
- If your job includes responding to work-related email requests on an informal and unofficial basis (e.g. a personal reference for a colleague or student), make sure that your message clearly states that your views are not necessarily the views of the School. Even so, you must be aware that the address you are sending from may well indicate the School's name and you should keep in mind that the message may be seen to be representing the School, regardless of any disclaimers. Therefore, do not send any email critical of the School's employees, students, or services.
- In all cases, do not reveal any legally defined confidential information of the School or its vendors, students, or employees.
- You are prohibited from misrepresenting your name, identity, or position, or posing as another person in an electronic mail message sent from a School email account, using School equipment, or using the School's Internet connection.

Violations of Western: CFA's email policy may result in disciplinary action up to and including discharge.

### **6.3 Communications and Information Systems Policy**

The School provides employees with computer equipment and online access to internal and external networks, including the Internet, so that employees may communicate more efficiently and accomplish the School's goals. The School's email and other computer applications are intended for use by employees engaged in administrative or educational work. Employees who use these systems for personal communications are subject to the terms of this policy.

**No Expectation of Privacy:** Employees should understand that the School's computer equipment and internal and external networks, including the Internet, are intended for business use, and all computer information, voice mail, and electronic messages are considered School records. The School retains the right and the ability to enter at any time into any of these systems, without prior approval or knowledge of the employee, in order to inspect and review any and all data contained in those systems, and to monitor voice mail or electronic messages at any time, with or without notice. As such, employees should not assume that any information placed, contained, stored, sent, or received on the School's systems is private or confidential. Thus, there is no expectation of privacy by any employee to the School's electronic equipment.

If employees abuse their right to use the Internet, it will be taken away from the employee. In addition, employees may be subject to disciplinary action, including possible termination, and civil and criminal liability.

**Disclaimer of liability for use of Internet.** Western: CFA is not responsible for material viewed or downloaded by users from the Internet. The Internet is a worldwide network of computers that contains millions of pages of information. Users are cautioned that many of these pages include offensive, sexually explicit, and inappropriate material. In general, it is difficult to avoid at least some contact with this material while using the Internet. Even innocuous search requests may lead to sites with highly offensive content. In addition, having an email address on the Internet may lead to receipt of unsolicited email containing offensive content. Users accessing the Internet do so at their own risk.

**Conserving resources.** Employees must not deliberately perform acts that waste computer resources or unfairly monopolize resources to the exclusion of others. These acts include, but are not limited to, sending mass mailings or chain letters, spending excessive amounts of time on the Internet, playing games, engaging in online chat groups, printing multiple copies of documents, or otherwise creating unnecessary network traffic. Because audio, video and picture files require significant storage space, files of this or any other sort may not be downloaded unless they are business-related.

**Monitoring computer usage.** The School has the right, but not the duty, to monitor any and all of the aspects of its computer system, including, but not limited to, monitoring sites visited by employees on the Internet, monitoring chat groups and news groups, reviewing material downloaded or uploaded by users to the Internet, and reviewing email sent and received by users.

**Blocking of inappropriate content.** The School may use software to identify inappropriate or sexually explicit Internet sites. Such sites may be blocked from access by School networks. In the event an employee nonetheless encounters inappropriate or sexually explicit material while browsing on the Internet, they must immediately disconnect from the site, regardless of whether the site was subject to School blocking software.

**Prohibited activities.** Material that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, or otherwise unlawful, inappropriate, offensive (including offensive material concerning race, color, religion, sex, national origin, age, disability, military status, sexual orientation, gender identity, or any status protected by applicable law), or violates Western: CFA's equal employment opportunity policy and its policies against sexual or other harassment may not be downloaded from the Internet or displayed or stored in Western: CFA's computers. Employees encountering or receiving this kind of material should immediately report the incident to their supervisors or Senior Managing Director of Operations. Western: CFA's equal employment opportunity policy and its policies against sexual or other harassment apply fully to the use of the Internet and any violation of those policies is grounds for discipline up to and including discharge.

**Games and entertainment software.** Employees may not use the School's Internet connection to download games or other entertainment software, including wallpaper and screen savers, or to play games over the Internet.

**Illegal copying.** Employees may not illegally copy material protected under copyright law or make that material available to others for copying. Employees are responsible for complying with copyright law and applicable licenses that may apply to software, files, graphics, documents, messages, and other material you wish to download or copy. Employees may not agree to a license or download any material for which a registration fee is charged without first obtaining the express written permission of Senior Managing Director of Operations.

**Accessing the Internet.** To ensure security and to avoid the spread of viruses, employees accessing the Internet through a computer attached to Western: CFA's network must do so through an approved Internet firewall. Accessing the Internet directly by modem is strictly prohibited unless the computer the employee is using is not connected to the School's network.

**Virus detection.** Files obtained from sources outside the School, including disks brought from home, files downloaded from the Internet, newsgroups, bulletin boards, or other online services, files attached to email, and files provided by students, other employees or vendors may contain dangerous computer viruses that may damage the School's computer network. Employees should never download files from the Internet, accept email attachments from outsiders, or use disks from non-School sources without first scanning the material with School-approved virus checking software. If an employee suspects that a virus has been introduced into the School's network, they must notify the Senior Managing Director of Operations immediately.

Violations of this policy will be taken seriously and may result in disciplinary action, including possible termination, and civil and criminal liability.

Use of the Internet via Western: CFA's computer system constitutes consent by the user to all of the terms and conditions of this policy.

Western: CFA reserves the right to modify this policy at any time with or without notice.

Employees are required to sign an email and Internet Policy Acknowledgment Form as a condition of employment. The form is to be signed on acceptance of an employment offer by Western: CFA.

Use of computer equipment or online access provided by the School is subject to the following general conditions:

- Your use of computer equipment and online access should be for the School's purposes and not for more than incidental personal use.
- Use of equipment or online access provided by the School for any illegal purpose is prohibited. Such use includes, but is not limited to:
  - Gaining unauthorized access to or intentionally damaging other computer systems or networks or the information contained within them.
  - Committing theft, fraud, or other criminal acts of any kind.
  - Distributing or obtaining illegally copied software, graphics, sounds, text, or other material.
  - Sending or posting harassing or threatening messages, or pornographic or indecent content.
- The School will cooperate with law enforcement authorities to prosecute offenders. You must report any suspected, accidental, or intentional illegal action.
- The School has the right to monitor all online communications to ensure that appropriate and lawful purposes are being pursued and to limit connections solely to School-related resources. All information stored on School computers including all email communication belongs to the School. The School may inspect all such computers and information at any time as necessary for the conduct of its business.
- No direct third party physical or electronic access to School facilities, information or computers of any type or for any reason may be established without the express permission of the School Director.
- Online communications may be subject to interception by persons outside the School and such interception may not be detectable. Therefore, no confidential information should be sent online by any means without utilizing appropriate security methods such as the use of code names or (in certain cases) encryption (using software to scramble any messages before they are sent, and descramble them upon receipt). Any encryption software should be provided or approved by the School, and the School should be given a copy of all encryption and decryption "keys" utilized by you for the above purpose.
- To protect the School from infringement actions, you may not download or save any material from any online source, however retrieved, unless (a) you have taken measures to verify source reliability, and (b) the material is legally permitted to be downloaded without violation of copyright or trademark.
- Downloading data, information, images, and the like from an outside source increases the risks to our computers of viruses and other damaging agents. You should not retrieve material from outside sources, particularly from sources not known to you, unless you have good reason to do so. Any material downloaded from an outside source should be checked immediately for viruses and other damaging elements.

**Safety and Internet Use.** Please refrain from using streaming radio (e.g., Pandora, NPR, etc.) through the Internet for personal use during the school day (before 5pm), as it strains the capacity of our Internet connection.

The following are basic safety rules pertaining to all types of Internet applications:

- Never reveal any identifying information about students, such as last names, ages, addresses, phone numbers, parents' names, parents' employers or work addresses, or photographs.
- Never share your password or use another person's password. Internet passwords are provided for each user's personal use only. If you suspect that someone has discovered your password, you should change it immediately.

**Chat Rooms, Weblogs and Social Networking Sites.** Access to chat rooms, weblogs (or “blogs”), and social networking sites (for example, Facebook) is subject to similar restrictions as Internet access. In addition:

- Access to chat rooms, blogs and social networking sites is prohibited when using School computers, unless it is an official School posting or related to official School business. You must be aware that your profile and/or the address you are sending from may well indicate the School's name and you should keep in mind that the message may be seen to be representing the School, regardless of any disclaimers. Therefore, do not post any message critical of the School, its employees, or Board Members.
- If you have obtained express authorization to post a message in a chat room or on a blog that is not related to official School business, you must always state that any opinions expressed are not those of the School.
- Even while you are using a computer outside of the workplace to post messages in a chat room, on a blog, or on a social networking site, you should use caution when identifying or criticizing (either by name or implication) the School, its employees, or Board Members. Moreover, you should not include anything in your posting which gives the impression that the views expressed are in any way associated with the School.
- Employees should not accept current students as “friends” or connections on personal social networking sites (i.e. Facebook). Employees should not “friend” or network with current or former minor students through Facebook or other social media sites.
- While the School provides Internet access to its employees as part of its work resources, it does not monitor the content of every website which it makes available. Provision of a particular website or posting board does not imply the School's endorsement or approval of the content of such site or posting. The School reserves the right but is not obligated to place appropriate limits on the sites it makes available.
- Nothing in this policy, or any other School policy, should be interpreted in a manner that unlawfully prohibits the right of employees to engage in protected concerted activity under the National Labor Relations Act (“NLRA”). The School has and always will comply fully with its obligations under the NLRA.
- It is expected that employees check email at least daily.

**Disciplinary Action.** Access to the School Internet service is a privilege not a right. The School Director reserves the right to deny, revoke, or suspend specific user privileges and/or to take other disciplinary action, up to and including suspension or termination for violations of this policy. The School will advise appropriate law enforcement agencies of illegal activities conducted through the School’s Internet service. The School also will cooperate fully with local, state, and/or federal officials in any investigation related to any illegal activities conducted through the service. Abuse of the School's computer equipment or online connection or other violation of this policy will result in disciplinary action, up to and including termination.

## 6.4 Computer Usage

To install software on the system, a software request form must be filled out and submitted for any changes to the configuration of computers. Further, this policy reaffirms that the School's employees have no reasonable expectation of privacy with respect to any computer hardware, software, electronic mail, or other computer or electronic means of communication or storage, regardless of whether employees have private access or an entry code into the computer system. The School reserves the right to monitor the use of its computer system.

An employee's occasional use of Western: CFA's computer facilities to type a term paper for an educational course or prepare an announcement for a charitable event is acceptable. However, in order to keep these uses to a reasonable level, approval to use the system in such a manner must be given by the employee's supervisor. Moreover, please be aware that Western: CFA may purge files on its computer at any time, without notice.

Using the computer facilities for other than educational or charitable activities, following the procedures described above, is not permitted.

All employees shall use software only in accordance with its license agreement. Unless otherwise provided in the license, any duplication of copyrighted software, except for backup and archival purposes, is a violation of the law. The following points are to be followed to comply with the School's software licensing agreement(s):

1. We will use all software in accordance with applicable license agreement(s).
2. Legitimate licensed copies of software will promptly be provided to all employees who, in the discretion of the School, need it for the performance of their duties to the School. No employee will make any unauthorized copies of any software under any circumstances. Anyone found copying software other than for backup purposes is subject to termination.
3. We will not tolerate the use of any unauthorized copies of software in our School. Any person illegally reproducing software can be subject to civil and criminal penalties including fines and imprisonment. We do not condone illegal copying of software under any circumstances and anyone who makes, uses, or otherwise acquires unauthorized software shall be appropriately disciplined.
4. No employee shall give School software to any outsiders including students. No employee shall install any software on School computers except the software provided by the School for installation. No employee shall establish a password or encryption protection on a School computer without authorization from the School or without providing the password or key to that encryption to the School.
5. Any employee who determines that there may be a purposeful or accidental violation of the above software policy within the School shall notify the School Director.
6. All software installed and/or used on School computers shall be properly licensed through appropriate procedures.

## **6.5 Use of Telephones, Copy Machines, and Other Communication Devices**

The use of cellular telephones, pagers, and other electronic devices is becoming more widespread, both on and off the job. In an effort to balance employees' private personal use of such devices with their responsibilities to the School, the School has implemented the following guidelines regarding the use of such devices in the workplace.

The School realizes that on occasion it may be necessary for employees to make or accept personal calls during the workday. Nevertheless, such calls should be limited to planning/off periods, and they should not interfere with the employee's job duties or performance. Absent prior supervisory approval, employees are prohibited from making or accepting long distance calls for personal matters at the School's expense. Employees are subject to discipline, up to and including termination, where the non-business use of cellular telephones, pagers, and/or devices adversely affects their job performance or causes disruption in the workplace. Unauthorized or improper use of communication devices constitutes grounds for discipline, up to and including termination.

Western: CFA uses a voicemail answering system. Employees are assigned passwords and are responsible for maintaining the confidentiality of their passwords and for modifying their individual voice mail messages. Employees are expected to check voicemail boxes at least weekly. As with all School systems, voicemails may be recorded, monitored and reviewed by authorized School personnel. There is no expectation of privacy for voicemails.

Employees are required to charge personal long distance calls to their personal telephone credit card or their home telephone number, per the long distance policy.

To ensure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner. Please confirm information received from the caller.

Western: CFA has a copy machine for the use of employees to make copies for School-related programs.

Per Western: CFA's 501(c)(3) designation, employees may not use the above devices (School telephones, School computers, School email accounts, internet at School, or copy machines) for political purposes, as this could jeopardize our tax exempt status.

## **Section 7: Workplace Safety and the Environment**

### **7.1 Media Relations Policy**

Only the School Director, Board President, or other individual(s) explicitly designated by the Board in writing are authorized to speak with the media. Employees, Board Members (other than the President) and members acting in a capacity within a committee or a caucus are not to make statements, provide information for distribution, or provide background information to the media unless specifically directed to do so by the School Director and/or the Board. Additionally, all press releases or other promotional materials are to be approved by the School Director or his or her designee prior to dissemination. Failure to comply with the School's media policy is grounds for disciplinary action.

**Main Contacts:** School Director and Board President

**Description:** How to handle inquiries from any media such as newspaper, radio, TV, cable access, magazine, trade organizations, etc.

**Background:** Western: CFA strives to advance its mission by communicating openly and honestly using consistent messages with its constituents, including the media. It is important for all Western: CFA staff and Board members to reinforce these messages by referring all calls from any media source to the appropriate authorized contact.

### **Procedure**

- Please refer all calls or visits to the School Director
- If the School Director is not available, take the following steps:
  1. Find out the reporter's name, phone number, and deadline.
  2. Find out the nature of the story ("Our FSD is the spokesperson for Western: CFA. May I ask what kind of a story you are working on so that we can gather the information so that he will have all the facts in front of him when he calls you back?"), OR, if you are sure that the School Director will be available to hear a voicemail message, offer to let the reporter leave a detailed voicemail message.
  3. Let the reporter know that the School Director or another staff member will return the call by a stated time and date.

Western: CFA seeks to provide informed responses to all questions by third parties, not just the press, and thus all such inquiries should be immediately directed to the School Director who will decide how to provide the most appropriate response.

### **Key Points To Remember When Dealing with Any Inquiries:**

1. Be polite.
2. Be helpful.
3. Find out what the reporter needs to know and what his or her deadline is.
4. Don't let a deadline pass without a response.
5. Don't get drawn into providing information or opinions that you don't have the authority to provide.
6. Always inform the School Director.

## **7.2 Personal Property and Workplace Searches**

Teachers may bring their own property to school for use in their classroom or desk. The School is not responsible for any property lost or stolen during, or outside of school hours.

To safeguard the safety and property of our employees, students, and the School, the School reserves the right to inspect any packages, parcels, purses, handbags, briefcases, or any other possession or articles carried to and from work areas. Therefore, there is no reasonable expectation of privacy with regard to items brought onto the School premises. It is considered to be part of each employee's job at the School to cooperate fully with such searches. Refusal to cooperate may lead to disciplinary action, up to and including termination.

## **7.3 Use and Care of Equipment**

All equipment, furniture, and other materials provided by the School are the property of the School. Staff is expected to treat all equipment with the utmost care and should be used only in the context of School-related business.

#### 7.4 Safety and Building Issues

**Closed Campus:** Under no circumstances are students to leave the School building without permission. A student with permission to leave may only leave under the escort and supervision of an authorized adult, unless the School has been given prior written permission authorizing unaccompanied departure. Once students have entered the School in the morning, they may not leave the building unless they are escorted by a School staff member or other authorized adult.

**Visitor Policy:** All visitors are required to report to the Main Office upon entering the building. Visitors will be given a visitor sticker or other identification and/or escorted to their destination. Any visitor who does not report to the office or is found in the building without authorization should be asked to leave immediately.

**Fire Safety:** If a staff member sees fire or sees or smells smoke, he or she should follow defined procedures outlined in Western: CFA's emergency guidance documents. Upon hearing an alarm, School staff should follow defined procedures in Western: CFA's emergency guidance documents. Students should follow the direction of the staff, and exit the building to the designated locations, where School staff will line up students by class and take attendance.

During the first week of school, and frequently throughout the school year, students and staff will participate in fire drills to ensure that the entire School community is familiar with the appropriate response in the event of an emergency.

**Parking:** The School is not responsible for loss, damage or theft of staff vehicles or any personal property within vehicles. Staff are advised to lock car doors.

**Facility Needs & Repair:** Facility needs or repair requests should be made to the Senior Managing Director of Operations. It is extremely important that we keep our facility clean and functioning smoothly, as this sends a strong message to all School community members about the extent to which we value our work and our workplace. Any graffiti, particularly in the bathrooms or on School desks should be reported immediately.

#### 7.5 Emergency Drills

Employees will receive detailed procedures for fire drills, lock downs, and other potential emergency situations at the beginning of the school year.

### Section 8: Employee Conduct

#### 8.1 Code of Conduct, Discharge, and Other Discipline

As an integral member of the School, you are expected to accept certain responsibilities, adhere to acceptable School practices, and exhibit a high degree of personal integrity at all times. This involves respecting the rights and feelings of others and refraining from any behavior that might be harmful to

you, your co-workers, students, and/or the School. You are expected to observe the highest standards of professionalism at all times.

These guidelines are fundamental in nature and are matters of judgment and common sense. Since it is impossible to list guidelines to cover every situation, the absence of an illustration from this list will not prohibit the School from taking disciplinary action, up to and including immediate termination, when the School believes, in its sole discretion, that such action is warranted. These guidelines do not in any way alter your at-will employment relationship with the School. The School may terminate your employment at any time and for any reason with or without cause or notice. The School expects you to follow rules of conduct that will protect the interests and safety of all students, employees and the School. Types of behavior and conduct the School considers inappropriate include, but are not limited to:

- Misconduct involving students;
- Any conduct (including striking, fighting, threatening, etc.) endangering the life, safety, or health of any fellow employee, child, or visitor on School premises;
- Boisterous or disruptive activity in the workplace;
- Negligence or improper conduct leading to damage of School-owned or School-issued property;
- Sleeping while on the job;
- Violating the School's nondiscrimination and/or employee harassment policies, sexual or otherwise.
- Disclosing confidential information, including information protected by the Family Educational Records and Privacy Act (FERPA), and the Health Insurance Portability and Accountability Act (HIPAA);
- Excessive or patterned absenteeism or tardiness;
- Excessive, unnecessary, or unauthorized use of the School's supplies or telephones, particularly for personal purposes;
- Reporting to work intoxicated or under the influence of non-prescribed drugs, or the possession, use, distribution, manufacture, sale, or dispensation of any controlled substance or illegal drug;
- Fighting or using obscene, abusive, or threatening language or gestures;
- Stealing from the School or fellow employees, or misappropriation of School assets or failure to report knowledge of such acts;
- Possession of firearms or weapons on the School's premises or during the course of your employment related activities;
- Disregarding safety or security regulations;
- Falsification of timekeeping records, applications, work records, or any other records/reports required through the course of business;
- Insubordination (i.e., failure to comply with lawful direction from management and/or your immediate supervisor);
- Failure to notify your manager that you will be absent from work in accordance with School policy;
- Defacing or damaging School property;
- Failing to follow the Children in the Workplace Policy;
- Any action, whatsoever, that has the potential to negatively affect good relations between the School and its employees or between the School and any of its students; and
- Any violation of School policy.

Corrective Action: The School expects the highest quality performance from all employees. An employee's failure to meet these expectations may result in disciplinary action up to and including

dismissal. All forms of substandard performance, work of unacceptable quality or quantity, excessive absenteeism or tardiness, violations of School policies or procedures, misconduct, insubordination, any other form of improper conduct, and conduct which presents even the appearance of impropriety may result in disciplinary action up to and including discharge.

### **Progressive Discipline**

The purpose of this policy is to state the position of Western: CFA on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

Western: CFA's own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Although employment with Western: CFA is based on mutual consent and the employee and Western: CFA have the right to terminate employment at will, Western: CFA may use progressive discipline at its discretion.

Disciplinary action may call for any of four steps: verbal warning, written warning, suspension with or without pay, or termination of employment, depending on the severity of the problem and the number of occurrences. There will be circumstances when one or more steps are bypassed.

Progressive discipline means that, with respect to most disciplinary problems, these steps will normally be followed: a first offense may call for a verbal warning; a next offense may be followed by a written warning; another offense may lead to a suspension; and still another offense may lead to termination of employment.

Western: CFA recognizes that there are certain types of employee problems that are serious enough to justify either a suspension, or, in extreme situations, termination of employment, without going through the usual progressive discipline steps.

By using progressive discipline, we hope that most employee problems can be corrected at an early stage, benefiting both the employee and Western: CFA.

## **8.2 Termination of Employment**

1. Termination: Employment is "at-will" and may be terminated by the School at any time with or without cause.
2. Resignation: A resignation is a termination instituted by the employee. Thirty (30) or, in some cases, forty-five (45) days of notice is required per the employment contract.

Employees who fail to report to work for three consecutive days without notifying and receiving authorization from their supervisor or an administrator will be considered to have resigned.

Western: CFA may schedule exit interviews at the time of employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, and repayment of outstanding debts to Western: CFA. Suggestions, complaints, and questions can also be voiced.

Since employment with Western: CFA is based on mutual consent, both the employee and Western: CFA have the right to terminate employment at will, with or without cause, at any time. Employee benefits will be affected by employment termination. All accrued, vested benefits that are due and payable at termination will be paid within a reasonable time consistent with Arizona labor law. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

### 8.3 Return of Property

Upon separation from the School, all files, documents, records, laptops, passwords, credit cards, door and file keys, computer access codes or discs, and instructional manuals and other physical or personal property which the employee has received, prepared, or helped prepare in connection with his/her employment with the School, and any copies, duplicates, reproductions or excerpts thereof must be returned by the employee on or before the last day of work.

### 8.4 Interactions Between Employees and Students at School and at School-Sponsored Functions

- **Introduction:** The purpose of this policy statement is to provide all employees with guidance and direction with respect to physical contact between employees and students at School and during School-sponsored functions. It is an area of educational policy, judgment, and law, which is fraught with uncertainties and changing standards. What constitutes appropriate physical contact in one circumstance may be totally inappropriate in another. At the outset, the decision of whether or not to touch or make physical contact with a student must be made by the employee involved. When or if it occurs, its appropriateness will depend on a variety of factors, not the least of which will be the student's reaction and responses of other adults. The School believes that its employees individually and collectively possess the wisdom and expertise necessary to conduct themselves in a manner that is educationally sound and acceptable both within the professional community and the community at large.
- **General Principles:** All physical contact between employees and students shall have a valid educational purpose and objective, meeting the student's needs. The use of physical contact (including touching) or force in order to impose the staff member's will upon a student, except in an emergency situation, is strictly prohibited. Employees who observe physical contact between students and employees which they deem to be inappropriate are expected to report such observations to the School Director as soon as possible. If the observer believes the contact is or may be immediately harmful, prompt intervention to prevent further harm is expected.

Staff should refrain from maintaining any social relationship with any students outside of the School environment or School approved activities.

Staff should never transport students in his/her personal vehicle. The only exception would be if staff were acting in a strictly personal capacity, i.e. as the parent or neighbor of a student.

- **Staff Conduct With Students:** Questions of the appropriateness of physical contact are to be determined by the context of the contact on a case-by-case basis. Issues such as intent, context, location, circumstances, age, and sex are all considerations that may be relevant.

Examples: Holding or comforting a student who has fallen and is crying may be appropriate, whereas, placing a hand on a child's head to redirect his attention to the front of the room is not.

Instances of inappropriate physical contact initiated, encouraged, practiced and/or tolerated by employees, in even a single instance, may result in disciplinary action up to and including dismissal and/or legal action.

- **Summary:** The School recognizes that this is a complex issue, and that some employees may deal with it by implementing a practice of never physically contacting or touching students. That is not the School's intent or objective. It is expected that any physical contact between an employee and a student will have a legitimate purpose consistent with the School's role as educator and caretaker of minor children.

### 8.5 Tobacco-Free Workplace Policy

Consistent with Arizona Revised Statutes § 36-798.03, tobacco products are prohibited on all sites where students attend school, in school buses and vehicles, and at off-campus school-sponsored events. This policy includes school grounds, buildings, parking lots, and playing fields, or anywhere that an employee could be reasonably expected to encounter students during the school day. Any violation of this policy may result in disciplinary action.

### 8.6 Drug-Free Workplace Policy

Western: CFA is committed to protecting the safety, health, and wellbeing of all students, employees and other individuals in our workplace. We recognize that alcohol abuse and drug use pose a significant threat to our goals. We have established a drug-free workplace program that balances our respect for individuals with the need to maintain an alcohol and drug-free environment. This organization encourages employees to voluntarily seek help with drug and alcohol problems.

**Covered Workers:** Any individual who conducts business for the organization or is conducting business on the School's property is covered by this drug-free workplace policy. This policy includes, but is not limited to full-time employees, part-time employees, consultants, contractors, volunteers, interns, and applicants, and for purposes of this policy, the term "employee" covers all of those individuals.

**Applicability:** Our drug-free workplace policy is intended to apply whenever anyone is representing or conducting business for the organization. Therefore, this policy applies during all working hours and while on School property.

**Prohibited Behavior:** It is a violation of the School's drug-free workplace policy for an employ to use, possess, give, sell, trade, and/or offer for free or for sale alcohol, illegal drugs or intoxicants. Employees are also prohibited from coming to work under the influence of alcohol or drugs or smelling of alcohol or drugs.

**Notification of Convictions:** It is a condition of employment that each employee abides by this policy and notifies Western: CFA of any criminal drug violation within five (5) calendar days of the conviction. The organization will take appropriate action within thirty (30) days of notification. Federal contracting agencies will be notified when appropriate.

**Consequences:** One of the goals of our drug-free workplace program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates the policy, the consequences are serious. In the case of applicants, if he or she violates the drug-free workplace policy, the offer of employment can be withdrawn. The applicant may reapply after one year and must successfully pass a pre-employment drug test. If an employee violates the policy, appropriate action will be taken up to and including employment termination.

**Assistance:** Western: CFA recognizes that alcohol and drug abuse and addiction are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation. To support our employees, our drug-free workplace policy encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem. Treatment for alcoholism and/or other drug use disorders may be covered in whole or in part by an employee benefit plan. However, the ultimate financial responsibility for recommended treatment, however, belongs to the employee.

**Confidentiality:** Access to all information received by the School under the drug-free workplace policy is limited to those who have a legitimate need to know in compliance with applicable laws.

**Shared Responsibility:** A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Employees are not to report to work or be on duty while their ability to perform job duties is impaired due to on- or off-duty use of alcohol or other drugs.

In addition, employees are encouraged to:

- Be concerned about working in a safe environment.
- Support fellow workers in seeking help.
- Report dangerous behavior to their supervisor.

It is the supervisor's responsibility to:

- Inform employees of the drug-free workplace policy.
- Investigate reports of dangerous practices.
- Clearly state consequences of policy violations.

**Communication:** Communicating our drug-free workplace policy to both supervisors and employees is critical to our success. To ensure all employees are aware of their role in supporting our drug-free workplace program:

- All employees will receive a written copy of the policy.
- The policy will be reviewed in orientation sessions with new employees.

## 8.7 Confidentiality of School Information

If during the course of employment you acquire confidential information or proprietary information about the School, its students, or its employees, such information is to be handled in strict confidence

and not to be discussed with persons outside the School. Such confidential information includes, but is not limited to, the following examples:

- Building security information
- Compensation information
- Computer processes, programs, and codes
- Financial information
- Labor relations strategies
- New materials research
- Marketing strategies
- Research and development strategies
- Scientific data and formulae
- Scientific prototypes
- Student information
- Technological data
- Technological prototypes

Employees are also responsible for the internal security of such information.

Please remember that keeping confidential information confidential is part of your job description. This obligation shall remain in effect during your employment at the School and at all times thereafter. Violation of this policy is a serious breach of confidence, may be a violation of the law, and may lead to disciplinary action, up to and including immediate termination.

The Family Educational Rights and Privacy Act (FERPA) affords parents, guardians, and individuals acting as a parent in the absence of a parent or guardian, as well as students over eighteen (18) years of age certain rights with respect to the student's education records. FERPA will be addressed in detail during faculty orientation. Any violation of FERPA is prohibited.

**Reference Checks:** All inquiries regarding a current or former Western: CFA employee must be referred to the School Director. Should an employee receive a written request for a reference, he or she should refer the request to the School Director for handling. No School employee may issue a reference letter to or regarding any current or former employee without the permission of the School Director. Under no circumstances should any School employee release any information about any current or former School employee over the telephone. All telephone inquiries regarding any current or former employee of the School must be referred to the School Director. In response to an outside request for information regarding any current or former School employee, the School Director will furnish or verify only an employee's name, dates of employment, job title and/or department unless the employee resigned or was terminated as a result of allegations concerning conduct described in A.R.S. § 15-550(A) or (B). No employment data will be released without a written authorization and release form signed by the individual who is the subject of the inquiry.

## 8.8 Conflicts of Interest

As an employee of Western: CFA, you are to be ever mindful of the need to conduct yourself both in and outside of the School in a manner that will not bring criticism to yourself and to the School. You have an obligation to conduct your affairs within guidelines that prohibit actual or potential conflicts of interest.

An actual or potential conflict of interest occurs when you are in a position to influence a decision that may result in a personal gain for you, for a relative or for anyone else who has a close personal relationship with you as a result of Western: CFA business dealings. For the purpose of this policy, a relative or a person with a close personal relationship is a spouse, domestic partner, father or stepfather, mother or stepmother, son or stepson, daughter or stepdaughter, sister or stepsister, brother or stepbrother, grandparent, grandchild, uncle, aunt, nephew, or niece.

Additionally, it is the policy of Western: CFA that employees should not enter into personal employment arrangements with current students and their families. If a personal employment arrangement exists before a child is a student at Western: CFA, the arrangement must be disclosed at the time of the child's application for admission.

No "presumption of guilt" is created by the mere existence of a relationship between an employee and an outside firm or vendor that employs a relative or person with a close personal relationship to the employee. However, if you have any influence on transactions involving purchases, contracts, or supplies it is imperative that you disclose that relationship to the School Director immediately so that safeguards can be established to protect all parties.

Personal gain may result in instances where you or your relative or person with a close personal relationship has a significant ownership in the vendor or firm with which Western: CFA does business. As noted elsewhere, accepting a gift from a vendor or business doing business with Western: CFA is prohibited, except for widely distributed advertising items of nominal value. Western: CFA recognizes the right of employees to engage in activities outside of their employment which are of a private nature and unrelated to our educational mission. However, the employee must disclose any possible conflicts to the School Director, so that Western: CFA may assess and prevent potential conflicts of interest from arising.

A potential or actual conflict of interest occurs whenever an employee is in a position to influence a decision that may result in a personal gain for the employee or an employee's relative or person with a close personal relationship to the employee as a result of Western: CFA's business dealings.

Although it is not possible to specify every action that might create a conflict of interest, this policy sets forth the ones which most frequently present problems. If an employee has any question whether an action or proposed course of conduct would create a conflict of interest, he or she should immediately contact the School Director to obtain advice on the issue. The purpose of this policy is to protect employees from any conflict of interest that might arise.

**Reporting Potential Conflicts of Interest:** An employee must promptly disclose actual or potential conflicts of interest, in writing, to the School Director. Approval will not be given unless the relationship will not interfere with the employee's duties or will not damage Western: CFA's relationship.

A violation of this policy will result in immediate and appropriate discipline, up to and including immediate termination.

## 8.9 Dress Code

We expect all staff to dress professionally in "business casual" attire that they would feel comfortable wearing in the presence of an important visitor (e.g., Mayor, Governor, funder).

The following items are considered inappropriate: t-shirts, jeans, shorts, tank tops, sweat suits, flip-flops without ankle straps, sneakers, and revealing clothing. In addition, ripped or soiled clothing is always inappropriate. Exceptions to this policy will be made on certain occasions (e.g., Fridays, field trips, summer training) and for certain staff, such as a fitness instructor. Jeans are permitted on Fridays, as are spirit wear or college apparel.

Determination of the appropriateness of dress shall be left up to the discretion of the School Director or immediate supervisor. He or she will counsel the individual employee regarding suitable, appropriate, acceptable, and professional dress.

### **8.10 Outside Employment**

Helping students achieve their full academic potential, and working to help the School realize its mission will take a significant investment of time from every staff member. To that end, employment outside of the School is strongly discouraged. Any outside employment that an employee does decide to pursue must not conflict in any way with the employee's responsibilities to the School. Employees may not conduct outside work or use School property, equipment, or facilities in connection with outside work whilst on School time. Further, all work done for Western: CFA is the exclusive property of the School and may not be used, distributed, or sold to or for any other organization without the written consent of the School Director. Further, the School assumes that all work completed by an employee is completed while under the employment of the School and is therefore property of the School, unless otherwise approved, in writing, by the School Director or the Board.

Further provisions are described in employee contracts.

### **8.11 Workplace Violence Prevention**

Western: CFA is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, Western: CFA has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises:

- All employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, horseplay, or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited on the premises of Western: CFA without proper, prior written authorization.
- Conduct that threatens, intimidates, or coerces another employee, a child, a student, or a member of the public at any time, including business functions and off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's race, color, religion, sex, national origin, age, disability, military status, sexual orientation, gender identity, or any status protected by applicable law.
- All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor at Western: CFA. This includes threats by employees, as well as threats by students, vendors, solicitors, or other members of the public. When reporting a threat of violence, employees should be as specific and detailed as possible.

- All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Do not place yourself in peril. If employees see or hear a commotion or disturbance near their workstation, they should not try to intercede.

Western: CFA will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, Western: CFA may suspend employees, either with or without pay, pending investigation. Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines may be subject to prompt disciplinary action up to and including termination of employment.

## 8.12 Harassment

It is the goal of the School to promote a workplace that is free of harassment. The School expressly prohibits any form of unlawful harassment based on race, color, religion, sex, national origin, age, disability, military status, sexual orientation, gender identity, or any status protected by applicable law. Further, any retaliation against an individual who has complained about harassment, or retaliation against individuals for cooperating with an investigation of a harassment complaint, is similarly unlawful and will not be tolerated. To achieve our goal of providing a workplace free from harassment, the conduct that is described in this policy will not be tolerated, and we have provided a procedure by which inappropriate conduct will be dealt with if encountered by employees.

The School takes allegations of harassment very seriously. We will respond promptly to complaints of harassment, and where it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate, up to and including termination.

Please note that while this policy sets forth our goals of promoting a harassment-free workplace, the policy is not designated or intended to limit our authority to discipline or take remedial action for workplace conduct that we deem unacceptable, regardless of whether that conduct satisfies the definition of harassment.

**Definition of Harassment:** The School strongly supports the rights of all its employees to work in an environment free from all forms of harassment, including harassment on the basis of race, color, religion, sex, national origin, age, disability, military status, sexual orientation, gender identity, or any status protected by applicable law.

Harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of race, color, religion, sex, national origin, age, disability, military status, sexual orientation, gender identity, or any status protected by applicable law, or that of the individual's relatives, friends or associates and that:

- a. Creates an intimidating, hostile, or offensive working environment;
- b. Unreasonably interferes with an individual's work performance; or
- c. Otherwise adversely affects an individual's employment opportunities.

Harassing constitutes, but is not limited to:

- a. Epithets;
- b. Slurs;
- c. Negative stereotyping;
- d. Threatening, intimidating or hostile acts that related to the above characteristics; and
- e. Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of the above characteristics, and that is placed on walls, bulletin boards, or elsewhere on the employer's premises, or circulated in the workplace on paper or electronically.

**Definition of Sexual Harassment:** While all types of harassment are prohibited, sexual harassment requires particular attention. Sexual harassment is considered to be sexual advances, requests for sexual favors, and all other unwelcome verbal or physical conduct of a sexual or otherwise offensive nature, especially, but not limited to when:

- a. Submission to such conduct is made, either explicitly or implicitly, a term or condition of employment or promotion;
- b. Such conduct interferes with an individual's job duties, education or participation in extra-curricular activities;
- c. Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment; or
- d. Such conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment.

Other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating, or humiliating to workers may also constitute sexual harassment.

While it is not possible to list all the circumstances that may constitute sexual harassment, the following are some examples of conduct, which, if unwelcome, may constitute sexual harassment depending on the totality of the circumstances including the severity of the conduct and its pervasiveness:

- a. Unwelcome sexual advances - whether they involve physical touching or not;
- b. Sexual epithets, slurs, jokes, written or oral references to sexual conduct, gossip regarding one's sex life;
- c. Commenting on an individual's body or about an individual's sexual activity, deficiencies, or prowess;
- d. Displaying sexually suggestive objects, pictures, or cartoons;
- e. Leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- f. Sending or circulating, whether in print or electronic form, literature or communications (articles, magazines, or emails) of a sexual nature;
- g. Inquiries into one's sexual experiences; and
- h. Discussion of one's sexual activities.

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during field trips, business trips, business meetings and business-related social events.

**Complaints of Harassment:** Employees who experience any job-related harassment based on their sex, race, color, religion, sex, national origin, age, disability, military status, sexual orientation, gender identity, or any status protected by applicable law, or believe that they have been treated in an unlawful, discriminatory manner, should report the incident to the School Director. This may be done in writing or in person.

If you would like to file a complaint, you may do so by contacting the School Director. The School Director is also available to discuss any concerns you may have and to provide information to you about our policy on harassment and our complaint process. In cases alleged to involve the School Director, you should contact the President of the Governing Board.

The School prohibits any form of retaliation against any employee for filing a complaint under this policy or for assisting in a complaint investigation. Acts of retaliation may result in disciplinary action, up to and including suspension or expulsion/discharge.

**Harassment Investigation:** Complaints will be investigated promptly, and will be kept confidential to the extent possible. Our investigation will typically include a private interview with the person filing the complaint and with any witnesses. We will also usually interview the person alleged to have committed harassment. When we have completed our investigation, we will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of our action.

If the School determines that an employee has engaged in inappropriate, harassing or unlawful discriminatory conduct, disciplinary action will be taken against the offending employee, up to and including termination of employment.

**Appeals:** If the complainant is not satisfied with a disposition by the School's administration, the complainant may appeal the disposition to the Governing Board, as follows:

President, Governing Board  
Western School of Science and Technology:  
A Challenge Foundation Academy, Inc.  
6515 W. Indian School Rd.  
Phoenix, AZ 85033

The Governing Board will issue a written response on the appeal to the complainant within thirty (30) school days of receiving the appeal, unless it advises the complainant, in writing, that additional time will be needed and the reasons why the additional time will be needed.

In addition to the above, if you believe you have been subjected to harassment, you may file a complaint with the Equal Employment Opportunity Commission located at 3300 North Central Avenue, Suite 690, Phoenix, AZ 85012-2504 or the Arizona Attorney General's Office - Civil Rights Division located at 1275 W. Washington Street, Phoenix, AZ 85007.

Western: CFA has developed this policy to ensure that all its employees can work in an environment free from harassment, discrimination, and retaliation. Western: CFA will make every reasonable effort to ensure that all necessary persons are familiar with these policies and aware that any complaint in violation of such policies will be investigated and resolved appropriately. Any employee who has any questions or concerns about these policies should communicate with the Western: CFA School Director.

Finally, these policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions. In other words, no one should make the mistake of engaging in discrimination or exclusion in order to avoid allegations of harassment. The law and the policies of Western: CFA prohibit disparate treatment on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges, and prerequisites of employment. The prohibitions against harassment, discrimination, and retaliation are intended to complement and further those policies, not to form the basis of an exception to them.

An individual is not required to prove the truth of an allegation, but is required to act in good faith and have reasonable grounds for making allegations. Making allegations that prove to be unsubstantiated, or that prove to have been made maliciously, recklessly or with the foreknowledge that the allegations are false, will be viewed as a serious disciplinary offense and may result in discipline, up to and including dismissal from the volunteer position or termination of employment.

### **8.13 Mandated Reporter Policy**

All School personnel are mandated reporters of suspected abuse and/or neglect of minors. Western: CFA will provide annual training to all School personnel to facilitate identification of such potential reporting obligations. Mandated reporters are required to report suspected child maltreatment immediately when they have reasonable belief that a minor is or has been the victim of physical injury, abuse, child abuse, a reportable offense or neglect that appears to have been inflicted on the minor by other than accidental means or that is not explained by the available medical history as being accidental in nature shall immediately report or cause reports to be made of this information to a peace officer or to child protective services. "Abuse" shall include, but not be limited to, the following:

1. *Physical Abuse:* The deprivation of the child of food, shelter, clothing, care and supervision, medical and dental care and treatment, or educational opportunity; non-accidental and physically assaultive behavior inflicted upon the child, which results in demonstrable tissue injury to the child.
2. *Emotional Abuse:* A consistent pattern of conduct, speech or attitude toward the child, which arrests the child's development or demonstrably impairs the child psychologically and/or emotionally. Western: CFA acknowledges the emotionally abusive impact witnessing domestic violence has on children. Western: CFA personnel are advised to follow the below outlined procedure when such abuse is suspected.
3. *Sexual Abuse:* The sexual exploitation of a child or his or her image; physical contact, whether with or without the consent of the child, with his or her genitalia, breasts or buttocks in a sexual context; exposing to or in the presence of a child one's genitalia, breasts, or buttocks, or causing the child to have any physical contact with the same.

Once you become aware that a student may be a victim of abuse or neglect, you **MUST** take the following steps:

1. Notify the School Director immediately of the situation
2. Call the a peace officer or child protective services

3. Complete and submit a written incident report to the entity notified in step number two that shall include:

- Name, age, and gender of child
- Address of child and parent or legal guardian
- Description of suspected abuse or neglect
- Current condition of the child

The School Director will assist you and the student in understanding the next steps after the call and, when appropriate, will contact the parent/guardian. No one in the workplace, including supervisors, is permitted to suppress, change, or edit a report of abuse. A mandated reporter who willfully fails to report suspected incidents of child abuse or neglect is subject to license suspension or revocation, and subject to criminal prosecution. Falsely reporting information to the hotline also subjects the reporter to criminal prosecution. A mandatory reporter has an independent legal duty to notify the appropriate authorities of suspected child abuse, and cannot satisfy that duty simply by notifying the School Director or other member of School's administration. A mandatory reporter should therefore satisfy himself or herself that a member of the School's administration has completed the steps listed above, and if those steps have not been timely completed, the mandatory reporter has a legal obligation to do so.

#### **8.14 Liability of Staff for Student Welfare**

All Western: CFA employees are responsible for the safety of students on the grounds, on the bus and during all School sponsored events. To minimize the occurrence of situations in which employees may incur liability for actions related to students, each employee:

- Must not leave students unattended;
- Must not leave an unqualified person in charge of students;
- Must accompany students wherever they are assigned and remain with them until supervision is assumed by another responsible person;
- Must not leave a student in charge of other students;
- Must ensure students do not use non-School-owned and/or maintained equipment or other equipment which may be potentially dangerous or use facilities or equipment except for the intended purposes;
- Must ensure classroom is locked at all times it is not occupied; and
- Must organize classroom materials and equipment so as to minimize danger of injury to students and to self.

If for any reason an area is unlocked for anyone, the Western: CFA employee or authorized adult is responsible for ensuring the area is locked up after its use.

Under no circumstances are custodians authorized to open a facility for unsupervised student use.

#### **8.15 Whistleblower Protection**

All employees will be protected from any disadvantage caused by raising legitimate concerns and shall report suspected illegal or prohibited activities within the organization, including, but not limited to, accounting irregularities, harassment, fraud, any activity jeopardizing Western: CFA's non-profit status or any other activity prohibited by Western: CFA.

## **PURPOSE**

Western: CFA encourages its employees, directors and officers to maintain high ethical standards. This whistleblower policy is meant to provide a confidential and effective means for reporting suspected violations of the law or School policy. It further serves to protect individuals who report suspected violations from retaliation in any form.

## **SAFEGUARDS**

### **Confidentiality**

An individual may report a suspected violation anonymously or on a confidential basis, keeping in mind that in the course of the investigation it may become necessary that the source of the complaint be identified.

### **Retaliation**

No individual who properly reports a suspected violation in good faith, whether or not the allegation turns out to be correct, shall be subject to any form of retaliation, including harassment, demotion, or firing, by Western: CFA or its directors, officers or employees. Anyone who retaliates against a complainant shall be subject to disciplinary action.

Western: CFA will not retaliate against employees who disclose or threaten to disclose to a director, administrator, employee or a public body, any activity, policy, or practice of Western: CFA that the employee reasonably believes is in violation of a law a rule or regulation mandated pursuant to law or School policy.

### **Malicious Allegations – Good Faith**

An individual is not required to prove the truth of an allegation, but is required to act in good faith and have reasonable grounds for believing the information disclosed indicates an improper practice or violation of law or School policy. Making allegations that prove to be unsubstantiated, or that prove to have been made maliciously, recklessly or with the foreknowledge that the allegations are false, will be viewed as a serious disciplinary offense and may result in discipline, up to and including dismissal from the volunteer position or termination of employment.

## **PROCEDURE**

### **Open Door Policy**

If an employee reasonably believes that some policy, practice or activity of Western: CFA is in violation of the law, a prohibited activity, or a clear mandate or public policy, the employee should share their questions, concerns, suggestions, or complaints with their supervisor or the School Director. If, after speaking with his or her supervisor or the School Director, the individual continues to have reasonable grounds to believe that a violation has occurred or if the concerns are not addressed, the individual should make a formal complaint as outlined below.

### **Reporting Violations**

If an individual reasonably believes that some practice of Western: CFA, a member of the board of directors or a board committee, an officer, an employee of Western: CFA, or another individual or entity with whom Western: CFA has a business relationship is in violation of the law or prohibited activity:

- The employee must file a written complaint with his or her supervisor, or if the supervisor is the subject of the concern, the employee should submit a written complaint to the School Director.

If the School Director is the subject of the concern, the concern should be reported directly to the President of the Board of Directors.

- Any concern by a director, volunteer or employee regarding improper accounting or auditing procedures should be reported directly to the President of the Board for investigation and correction of any improper activity.

### **Handling Reported Violations**

The Board of Directors, any individual director, the School Director, or any supervisor will contact the complainant within ten (10) business days and acknowledge the reported violation was received. The complainant will be notified about what actions will be taken. If no further action or investigation is to follow, an explanation for the decision will be given to the complainant.

### **8.16 Conflict Resolution Procedure**

The purpose of the Conflict Resolution Procedure is to assure each employee of an effective, equitable and expeditious resolution to any Western: CFA-related conflict the staff member may wish to submit. The School Director shall ensure that no retaliatory action of any nature is taken against a staff member who submits a conflict under this policy.

A conflict is defined as any Western: CFA-related dissatisfaction or complaint by a current employee concerning any violation of the law of School policies of Western: CFA stated herein that have affected that employee adversely. Employees during their review period do not have recourse to the Conflict Resolution Procedure, unless the employee is claiming discrimination or harassment under applicable civil rights laws.

The Conflict Resolution Procedure *excludes* the following:

1. Matters in which a policy, procedure, or practice is mandated by federal, state, or local laws or regulations.
2. Matters in which the Board is without authority to act.
3. Disputes regarding the appropriateness of an established written policy or procedure. Such disputes may be pursued by making recommendations to the Board of Western: CFA.
4. Salary or salary increases

The conflict should be submitted to the Board in as timely a manner as possible. The conflict description must include at least a statement of the problem, the facts upon which it is based, and the specific action(s) being sought by the employee, which, if implemented would satisfy the employee.

The School Director or Board (or his, her or its designee) will investigate the conflict and will respond to the employee within ten working days, describing his/her own resolution of the conflict, which shall be implemented. The response shall explain the particular reasons for implementing the resolution.

If School Director, Board or designee has not responded accordingly within ten working days with a resolution to the conflict, or if the employee is still not satisfied with the response or reasons for implementing a resolution, then the conflict may be submitted to the Board, and the same process as described above will be followed. The conflict description must be submitted within thirty days of either 1) lack of response, or 2) the date the employee was notified of the decision or action of the School Director or Board (or his, her or its designee) regarding the conflict.

The final level of the appeal process rests with the Board of Western; CFA and all decisions by the Board will be final.

### **8.17 Filming Policy**

No person is allowed to take videos, pictures, or other media of students or teachers at Western: CFA without the express written consent of the teacher(s) and parent(s)/guardian(s) of the students in question without first notifying the School Director, who will give approval in writing or deny the request.

### **8.18 Student Restraint Policy**

1. In this policy, the following terms are defined as follows:
  - a. “Restrain” is any method used to restrict a person’s ability to move freely or use one’s body.
  - b. “Seclusion” is any involuntary isolation in a restricted location without the ability to leave. Office referrals, in-school suspensions, and time-outs are not considered Seclusion.
  - c. “Physical Restraint” is being held by others.
  - d. “Mechanical Restraint” is being held by straps or another device.
2. Western School of Science and Technology: A Challenge Foundation Academy, Inc. (“Western: CFA”) recognizes that in some cases it may be necessary to physical Restrain or Seclude a student.
3. Restraint or Seclusion should only be used in an emergency to protect student(s) and staff from imminent, serious physical harm. When used, only Physical Restraint may be used.
4. Only a staff member with a Restraint or Seclusion certification on file with the Senior Managing Director of Operations, who is also certified by the Founding School Director to use Restraint or Seclusion techniques on campus, may use a Restraint technique.
5. If Restraint or Seclusion is used, the parents or guardians of the student must be notified that day. The Founding School Director must be notified immediately. A debriefing between the staff member reporting the need for the Restraint or Seclusion, the staff member performing the Restraint or Seclusion, the Dean of Students, and the Founding School Director must happen within 48 hours of the Restraint.
6. Any incidence of Restraint or Seclusion is to be reported using the Incident Report Form and kept on file in both the Restrained or Secluded student’s file and in the file of the staff member performing the Restraint or Seclusion.
7. The Founding School Director shall develop a protocol to complement this policy, and review it annually with staff.

### **8.19 Movie Policy**

The Governing Board recognizes that videos, movies, and other digital media that directly relate to the instructional program may be of benefit for classroom viewing. Any media shown must directly relate to the curriculum being taught. Pertinent clips should be shown, rather than viewing the movie or video in its entirety, whenever possible.

For middle and high school classes and activities, movies, videos, and clips from movies may only be shown if they carry a MPAA G, PG, or PG-13 rating or equivalent. No R-rated movies will be used or

shown in school. Instructionally-relevant clips from R-rated movies may be shown; however, the Founding School Director or designee must preview and approve/disapprove of the use of a digital media clip from an R-rated source and the instructional relevancy must be clearly demonstrated.

Teachers must inform the Founding School Director of the intent to show the PG-13 film or R-rated film clip. Teachers must send home a permission slip and parents or guardians must sign off on their child viewing the film or clip. An alternate, educationally-relevant activity must be provided for students without signed permission slips.

## **8.20 Concussion Policy**

The Board of Directors of Western School of Science and Technology: A Challenge Foundation Academy, Inc. adopts the below Concussion Policy, effective July 1, 2015:

- i. An informed consent must be signed annually by parents and scholar athletes acknowledging the risk of head injury prior to practice or competition. It shall be included in the Athletic Handbook required to be signed by all scholar athletes and their parents/guardians for participation in any sport.
- ii. A scholar athlete who is suspected of sustaining a concussion or head injury must be removed from play – “when in doubt, sit them out”.
- iii. A scholar athlete who has been removed from play must receive written clearance from a licensed Medical Doctor (MD) or Doctor of Osteopathy (DO) prior to returning to play.
- iv. Scholar athletes are encouraged to notify a coach if they or a teammate exhibit signs or symptoms of a concussion/brain injury.
- v. Head Injury/Concussion Signs and Symptoms, according to the Centers for Disease Control and Prevention:

A concussion is a brain injury and all brain injuries are serious. They are caused by a bump, blow, or jolt to the head, or by a blow to another part of the body with the force transmitted to the head. They can range from mild to severe and can disrupt the way the brain normally works. Even though most concussions are mild, all concussions are potentially serious and may result in complications including prolonged brain damage and death if not recognized and managed properly. In other words, even a “ding” or a bump on the head can be serious. You can’t see a concussion and most sports concussions occur without loss of consciousness. Signs and symptoms of concussion may show up right after the injury or can take hours or days to fully appear. If your child/player reports any symptoms of concussion, or if you notice the symptoms or signs of concussion yourself, seek medical attention right away. Symptoms may include one or more of the following:

- a. Headaches
- b. “Pressure in head”
- c. Nausea or vomiting
- d. Neck pain
- e. Balance problems or dizziness
- f. Blurred, double, or fuzzy vision
- g. Sensitivity to light or noise
- h. Feeling sluggish or slowed down
- i. Feeling foggy or groggy
- j. Drowsiness
- k. Change in sleep patterns
- l. Amnesia
- m. “Don’t feel right”

- n. Fatigue or low energy
- o. Sadness
- p. Nervousness or anxiety
- q. Irritability
- r. More emotional
- s. Confusion
- t. Concentration or memory problems (forgetting game plays)
- u. Repeating the same question/comment
- vi. Signs observed by teammates, parents and coaches include:
  - a. Appears dazed
  - b. Vacant facial expression
  - c. Confused about assignment
  - d. Forgets plays
  - e. Is unsure of game, score, or opponent
  - f. Moves clumsily or displays incoordination
  - g. Answers questions slowly
  - h. Slurred speech
  - i. Shows behavior or personality changes
  - j. Can't recall events prior to hit
  - k. Can't recall events after hit
  - l. Seizures or convulsions
  - m. Any change in typical behavior or personality
  - n. Loses consciousness
- vii. The following Concussion Management Protocol forms an integral part of this policy: Any athlete even suspected of suffering a concussion should be removed from the game or practice immediately. No athlete may return to activity after an apparent head injury or concussion, regardless of how mild it seems or how quickly symptoms clear, without medical clearance. Close observation of the athlete should continue for several hours.

### **8.21 Corporal Punishment Prevention Policy**

Western: CFA **does not allow** corporal punishment. "Corporal punishment" is defined as the infliction of, or causing the infliction of, physical pain on a pupil as means of discipline.

"Corporal punishment" for the purposes of this policy does not include:

- Physical pain, injury, or discomfort caused by the use of incidental, minor, or reasonable physical contact or other actions as designed to maintain order and control, to quell a disturbance, or remove a pupil from the scene of a disturbance that threatens physical injury to persons or damage to property.
- The use of reasonable and necessary force to prevent a pupil from inflicting physical harm upon himself or herself.
- The use of reasonable and necessary force for self-defense or the defense of others.
- The use of reasonable and necessary force to obtain possession of weapons or other dangerous objects, controlled substances or paraphernalia that are within the pupil's possession or control.

Staff members, contractors, or volunteers accused of corporal punishment shall be subject to an administrative inquiry conducted by the School Director or designee and/or Board of Directors.

After such an inquiry, if there is proof to substantiate such an incident occurred contrary to this policy, the staff member, contractor, or volunteer shall be subject to appropriate discipline.

## **8.22 Children in the Workplace Policy**

Maintaining the safety of Western: CFA employees, students, guests, and visitors and the prevention of unsafe behaviors are key priorities of Western: CFA. To that end, while a school, Western: CFA as a workplace is typically not an appropriate place for children of employees. However, Western: CFA recognizes that employees may occasionally want to bring children to the workplace for brief visits, specific campus events, situational convenience, or family emergencies.

For purposes of this policy, “Child” or “Children” means a person or persons less than 18 years of age, and not enrolled at Western: CFA.

Children are not to be brought to the workplace on a regular basis in lieu of childcare.

Generally, an employee who brings a child into the workplace shall not leave the child unsupervised. Employees are responsible for requesting from their immediate supervisor when children are allowed to come to the workplace. Verification may not be granted in all circumstances or on all occasions. Requests should be made in writing.

An employee who brings a child to work must:

- Be the individual who primarily supervises and cares for the child while in the workplace;
- Prevent any breach of confidential information;
- Address with management any issues related to a child’s infectious disease;
- Ensure the child does not interfere with the learning environment or with student achievement;
- Accept full responsibility, including financially, for all aspects of the child’s behavior, including, but not limited to, safety of the child, disruption to coworkers and their duties, unauthorized or inappropriate use of school resources, and any damage to property or injury to persons.

Administration and employee supervisors have the authority to deny the presence of children in the workplace at their sole discretion. Administration and employee supervisors may revoke previously-granted permission for the employee to bring the child into the workplace.

Any employee who violates this policy may be subject to the disciplinary action defined in prior sections above.

**ACKNOWLEDGMENT OF RECEIPT OF EMPLOYEE HANDBOOK, E-MAIL, INTERNET AND COMPUTER USE  
POLICY ACKNOWLEDGEMENT FORM**

This Employee Handbook covers employees who work for Western: CFA, referred to throughout this Handbook as the “School.”

I hereby acknowledge receipt of Western: CFA’s Employee Handbook, which outlines the personnel policies of the School. I understand that the information contained in the Handbook represents guidelines only, and that the School may change, rescind or add to any policies, benefits or practices described in this Handbook at any time at its sole and absolute discretion with or without prior notice.

I agree to read it thoroughly and agree that if there is any policy or provision in the policy I do not understand, I will seek clarification from the School Director.

I understand that my use of WESTERN: CFA's email system constitutes my consent to all the terms and conditions of that policy.

In particular, I understand that (1) the email system and all information transmitted by, received from, or stored in that system are the property of WESTERN: CFA; (2) the system is to be used only for business purposes and not for personal purposes; and (3) I have no expectation of privacy in connection with the use of the email system or the Internet or with the transmission, receipt, or storage of information in that system.

I agree not to use a code, access a file, or retrieve stored communications unless authorized. I acknowledge and consent to WESTERN: CFA's monitoring my use of the email system and the Internet at any time at its discretion, including printing and reading all emails entering, leaving, or stored in the system.

I understand and agree that I am to familiarize myself with the contents of the Handbook. As a condition of employment, I agree to abide by School rules and policies as stated herein or as subsequently changed. I understand that I can ask my supervisor at any time for further information on any subject contained in the Handbook.

Please sign and return to the Senior Managing Director of Operations.

\_\_\_\_\_  
Employee’s Signature

\_\_\_\_\_  
Print Employee’s Name

\_\_\_\_\_  
Date

**EMPLOYEE HARASSMENT ACKNOWLEDGMENT FORM**

I \_\_\_\_\_ have received and read the School's Harassment Policy.

It is the policy and practice of Western: CFA to promote a productive work environment and not to tolerate verbal or physical conduct by any employee that harasses, disrupts, or interferes with another's work performance or that creates an intimidating, offensive, or hostile work environment. I have reviewed the Harassment Policy and understand that it is my responsibility to read and comply with all of the policies contained in the Handbook and any revisions made to it. I understand and agree to abide by this Policy.

Please sign and return to the Senior Managing Director of Operations.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Print Employee's Name

\_\_\_\_\_  
Date