

**BOARD OF EDUCATION
PYRAMID LAKE JUNIOR/SENIOR HIGH SCHOOL
BOARD POLICIES AND ADMINISTRATIVE PROCEDURES
SECTION 3 - HUMAN RESOURCES**

BOARD POLICIES

3.00 HUMAN RESOURCES

The Human Resources Department's purpose is to provide a system of personnel administration that develops, advises, and implements policies to strengthen the supportive services to students, staff, and the Administration. This is achieved through the recruitment of qualified individuals and retention of valuable employees providing services that promotes employee partnership and leadership that will support the mission of the Pyramid Lake Jr./Sr. High School.

Board Policies governing Human Resource matters:

1. Shall base all appointments, promotions, and separations on objective criteria as designated.
2. Shall provide fair and equitable rates of pay with due observance of the principle of equal pay for equal work and suitable differences in pay for differences in work.
3. Employment at the School shall be made attractive as a career and employees will be encouraged to render their best service to the public.
4. To recruit and employ the highest qualified personnel to staff the school system
5. To coordinate attractive compensation and benefits for staff.
6. To develop and implement personnel evaluation processes which will contribute to the improvement of staff performance and the development of the learning program.
7. To coordinate and provide in service and training programs for all employees to improve the educational program and assist each staff member's career aspirations.
8. To provide a climate producing high staff performance, morale, satisfaction and retention.
9. Will ensure all employment matters comply with applicable federal laws, Tribal laws and Pyramid Lake Jr./Sr. High Board Policies and Administrative Procedures.

ADMINISTRATIVE PROCEDURES

3.01 PERSONNEL VALUES

Acceptable behavior of staff and students at the school is encompassed by actions that exemplify values of Wisdom, Generosity, Respect, Courage, Spirituality, Patience and Honesty.

3.02 EQUAL EMPLOYMENT OPPORTUNITY

It is a policy of the Board to provide equal employment opportunities to all. This means there can be no discrimination as to any condition of employment. All qualified individuals have an equal chance to compete for job opportunities. Race, creed, color, national origin, religion, gender, age, marital status, disability, or prior civil rights activity will not be a factor in the hiring, assignment, reassignment, promotion, demotion, or dismissal of personnel at the School. Indian preference shall apply as stated in Title VII of the Civil Rights Act of 1964.

3.03 DRUG-FREE WORKPLACE

The Board shall provide for an Alcohol and Drug-Free work environment. As part of this commitment, the School provides the following guidelines to assist in the provision of services and discipline to employees or administrators who use alcohol or drugs.

For purposes of this administrative procedure, the following definitions apply:

- 1) The workplace - anywhere work is assigned by the appointing authority and is performed by an employee or administrator.
- 2) Conviction - a finding of guilt, including a plea of *nolo contendere*, or imposition of sentence by a court.
- 3) Criminal drug statute - any statute adopted by the tribe, state or federal government, which prohibits the manufacture, distribution, possession or use of alcohol or a controlled substance.
- 4) Prohibited drugs - any non-prescribed controlled substance, including but not limited to marijuana, cocaine, opiates, amphetamines or phencyclidine (PCP).
- 5) Alcohol - intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohol's including methyl or isopropyl alcohol.

Annually, the School shall provide a drug awareness program for its employees. Any employee under the influence of, or who possesses, distributes or manufactures alcohol or drugs in the workplace or on school premises shall be subject to appropriate disciplinary action up to and including termination. The Board shall contract with an employee assistance agency or firm to assist the Administration in determining the appropriate disciplinary action for an employee. However, if such use endangers the health, life or safety of the students, staff, parents or others, they shall be immediately terminated from their employment at the School.

Any employee or administrator who is convicted of a violation of a criminal drug statute, on or off the Pyramid Lake Indian Reservation, shall notify the Principal, within three (3) regular work days after such conviction. An employee's failure to notify the Principal as required by this section shall result in immediate termination. Once the Principal is notified of such conviction, the Principal shall develop a plan of discipline and employee assistance with the help of Employee Assistance Program personnel regarding such conviction. This plan must then be submitted to the Board for its input and approval within the thirty (30) business days of receiving the notice. Further action shall be taken at the direction of the Board.

1. All employees will be educated on the outlining requirement for a safe drug-free school. Employees are required to sign a statement that they have read and understood the content of the drug free workplace statement. Employees who endanger the health, life or safety of students, staff, parents, or others while under the influence of alcohol or other drugs while at School or School-related activities shall be immediately terminated from their employment at the School.
2. Abuse of alcohol or other illegal or non-prescribed drugs on School premises is not an acceptable reason for not providing consistent and competent service at the School. Excessive non-attendance and lack of performance due to alcohol, drug or inhalant abuse may result in termination of an employee's services at the School.
3. The selling, distribution, possession, manufacture, or use of alcohol or illegal drugs by School personnel on the School premises will subject the employee violator to immediate suspension from work by the Principal, with the recommendation for termination of employment to the Board. Reported incidences of such activity will be turned over to the Pyramid Lake Tribal law enforcement.
4. The selling, distribution, possession, manufacture, or use of alcohol or illegal drugs by anyone within the School campus boundaries is prohibited, and reported incidences of such activities will be turned over to the Administration of the School for further investigation which may result with the involvement of the Pyramid Lake Tribal law enforcement.
5. Smoking and the use of tobacco in any form is prohibited while on the School grounds and/or while utilizing a school owned vehicle.

3.04 DRUG AND ALCOHOL TESTING

It is the policy of the Board to maintain a workplace that is free from the effects of drug and alcohol abuse. It is prohibited for any employee to use or possess illegal controlled substances on or off duty. It is prohibited for any employee to use legal drugs in a manner, which might interfere with the employee's performance of duties. Any employee found to be in violation of this policy may be subject to disciplinary action

PRE-EMPLOYMENT DRUG TEST

All offers of employment will be contingent upon successful completion of a drug and alcohol screening test that will be conducted after a provisional offer of employment has been made and before an employee performs work for the first time.

1. The applicant will pay for the test.
2. A positive screening result will disqualify an applicant from employment for a period of six (6) months.

REASONABLE SUSPICION DRUG TESTING

Supervisors have the responsibility to observe and document the cause for reasonable suspicion and when appropriate refer the matter to the Principal. It is not the supervisor's responsibility to attempt diagnosis. All information, facts, and circumstances leading to and supporting this suspicion, should be included in a written report detailing the basis for the suspicion. The supervisor will also request a second supervisor to witness the observed behavior.

Any employee may be required to submit to a substance screening if the following conditions exists:

1. Observed use, possession, or sale of illegal drugs and/or use, possession, sale, or abuse of alcohol and/or prescribed medications.
2. Apparent physical state of impairment of motor functions.
3. Marked changes in personal behavior not attributed to other factors.
4. Employee involvement in or contribution to an accident where the use of alcohol or drugs is reasonably suspected or employee involvement in a pattern of repetitive accidents whether or not they involved actual or potential injury.
5. Violation of criminal statutes involving the use of illegal drugs, alcohol, or prescription drugs and/or violation of drug statutes.
6. The employee only upon receipt of positive result will pay for this test.

RANDOM TESTING

An independent agency will select the random list of employees quarterly. The Human Resources Manager will receive the random listing from the independent agency. Upon receipt of the listing the Human Resources Manager will notify the supervisor or department head accordingly. The names received from the Human Resources Manager are to be maintained in strict confidence. The employee will receive a written notice of the request and requirements. Department heads or supervisors are to arrange the employees schedule so that it allows for the least amount of interruption from duties:

1. The employee will be advised no more than thirty (30) minutes before they are to be tested.
2. The employee will be provided a cover sheet detailing collection site including which test the employee is to receive.
3. All time spent on testing including travel time to and from collection site is paid time.
4. If the test is positive or non-negative, the employee will be referred to the Sumunumu Program.
5. The School will pay for the cost of random alcohol and drug tests.

POST-ACCIDENT TESTING

Should an accident occur, drug and alcohol testing must be performed within two (2) HOURS FOLLOWING THE ACCIDENT. An accident is an occurrence associated with a motor vehicle, which results in death, injury, or vehicle damage.

1. The supervisor will contact the Pyramid Lake Health Clinic and advise that the employee will

be brought in for drug and alcohol testing. If alcohol usage is suspected, the supervisor will contact the Tribal Police Department to request a portable breath test be administered. If the Pyramid Lake Health Clinic is un-accessible the Employee will be transported to Concentra Medical Center or the hospital for immediate medical attention and drug testing.

2. The supervisor will ensure that the employee is safely transported. **Under no circumstances will the employee be allowed to drive.**
3. The supervisor will ensure that the employee completes an incident report as soon as it is determined that the employee is physically and mentally able to do so.
4. When the collection is completed the supervisor will confirm that the employee is relieved of duty until test results are received and medical clearance is given.
5. The supervisor will ensure that the employee is safely transported to his/her home. **Under no circumstances will the employee be allowed to drive.**
6. All drug tests are reviewed by a Medical Review Officer (MRO) to verify validity of the results. If the test is positive, the MRO will contact the employee and inform him/her that he/she has 72 hours to request a test of split specimen. If the employee does not notify the MRO within 72 hours and there is no legitimate reason for positive results, the MRO will contact the Human Resources Manager with the positive result.

The School will pay for the cost of post-accident and reasonable suspicion testing only if the tests are received with negative results. If the test is positive, cost associated with the testing will be the responsibility of the employee.

3.05 STAFF INVOLVEMENT IN DECISION-MAKING

The Administration is responsible to ensure that decision-making processes are designed to incorporate the advice of employees in matters that affect their conditions of employment, educational planning, community involvement, school climate, student activities and other related developmental activities.

3.06 STAFF DEVELOPMENT OPPORTUNITIES

The Principal will get staff input and then, in conjunction with the supervisors, will develop a Staff Development Program for all staff. Based on the proposed plan, the Finance Director will be advised to ensure funds are available within the annual budgets.

Such opportunities shall include special course offerings, workshops/in-service, visits/observations to and from other schools, adequate professional library, assistance from supervisors or consultants, and attendance at professional conferences/seminars and meetings. Staff shall always keep in-classroom teaching a priority and limit attendance at staff development opportunities accordingly as not to hinder or interfere with regular teaching.

3.07 STAFF CONFLICT OF INTEREST

No employee shall engage in any activity that conflicts or raises a reasonable question of conflict with her/his duties and responsibilities in the School system or engage in any type of private business during school time or on school property.

3.08 STAFF PROTECTION

The Board will support, protect, provide legal counsel to, and aid any School employee who is threatened with or suffers physical harm or assault by a student, employee, parent or other person while the employee is acting in the course of her/his duties and within the scope of the Board's written policies.

3.09 SEXUAL HARASSMENT

SEXUAL HARASSMENT DEFINED: Threatening or insinuating, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect their employment, performance assessment, compensation, advancement, assigned duties, condition of employment, career development or educational endeavors. Other sexually harassing conduct in the school system is prohibited and includes:

1. Unwelcome sexual flirtations, touching, advances, or propositions;
2. Verbal abuse of a sexual nature, jokes or stories that the victim has previously or clearly communicated are unwelcome;
3. Graphic or suggestive comments about an individual's dress or body;
4. Sexually degrading words to describe an individual; and the display of sexually suggestive objects or pictures, including photographs.

The Board recognizes that sexual harassment is illegal, unacceptable and will not be tolerated.

The Board will not accept any employee being subjected to sexual harassment. The School will provide employees with an environment, which encourages efficient, productive, and creative work; taking necessary actions to ensure that this purpose is achieved.

Any employee who reports sexual harassment shall not be subject to retaliation, threats of retaliation, nor shall they be restrained, coerced, or otherwise interfered with in the exercise of his/her rights under this section.

RESPONSIBILITY: Board members and employees are responsible to maintain a working and learning environment free from sexual harassment. In-service training will be provided for employees at the beginning of each school year to explain policy and law.

PROCEDURES: Any employee who believes she or he has been the victim of sexual harassment by another person on the School premises, during school hours, or at school related activities should report such incident immediately. The School cannot take appropriate action if it does not receive notice of allegations of sexual harassment. Employees are to report any incidents of sexual harassment in writing to their supervisor, Human Resources or any other staff member they feel safe disclosing the information to. If the employee's immediate supervisor is responsible for the harassment, the employee shall report the harassment to the Principal. An employee who has been informed of any occurrence or has a belief that improper conduct has occurred, that employee must report it to the employee's immediate supervisor or to the Principal.

All allegations of harassment shall be investigated and held in strict confidence. If the investigation confirms that harassment has occurred, the School will take corrective action up to and including termination. False allegations of sexual harassment may constitute libel or slander. If an investigation discovers an allegation was made maliciously, the individual who made the false allegation may be subject to discipline up to and including termination of employment.

3.10 STAFF-STUDENT RELATIONS

The Board recognizes a special responsibility to foster and preserve the scholarly values of curiosity, experimentation, critical appraisal and integrity and to foster these values in its students. A central component of this responsibility involves creating and managing quality teaching environments for all students.

Staff members shall treat students with courtesy, regard each student as a unique individual and aid each student in learning consistent with School goals. Staff members should exhibit and help students to develop a commitment to, scholarly values, life-long learning, professional and personal growth through critical reflection and self-evaluation.

The Board acknowledges that staff seeks to maintain the highest professional and ethical standards in the pursuit of good practice in a productive learning environment. In this context, the Board believes it is important that staff avoid situations where family or other personal relationships with students could influence academic or professional judgments and decisions as well as the climate in which the learning/teaching process occurs.

For the protection of staff, the boundaries and obligations of the professional role of staff must be fully recognized and respected and it is a clear responsibility of staff to ensure this happens. Staff members are prohibited, under any circumstances, to engage in any improper fraternization or undue familiarity with students, regardless of age and/or regardless of whether the student may have “consented” to such conduct. Any relationship between staff and students, where there is likely to be some specific academic or other professional basis should be avoided. This is particularly so where relationships are with family members or are closely personal. Such relationships raise serious questions of conflict of interest, of trust, of confidence and dependency in working relations and of equitable treatment in teaching, learning, selection, assessment, and research. A quality learning and teaching environment for all students is a fundamental issue and can be adversely affected by such relationship.

It is the position of the Board that the conduct of staff whose duties place them in a position of trust with students, in particular, must be based on the following principles:

1. Staff recognizes their professional and ethical responsibility to protect the interest of students, to avoid conflicts of interest, to respect the trust involved in the staff/student relationship and to accept the constraints and obligations inherent in that responsibility.
2. That to engage in a sexual or other close personal relationship with a student is likely to involve serious difficulties arising from the unequal power and thus unequal choice of the parties concerned, as well as problems in maintaining the boundaries of professional and personal life and violates the law. Some relationships may disrupt the teaching and learning environment for other students and colleagues.
3. That existing relationship with family members or with friends or associates may raise ethical and professional issues, including conflict of interest, in the school environment.

Inappropriate employee conduct directed toward students includes, but it is not limited to, the following behavior:

1. Flirting or making suggestive comments
2. Dating or asking students for dates
3. Giving inappropriate personal gifts
4. Frequent personal communication with a student unrelated to course work or official school matters (via telephone, social media, email, etc.)
5. Providing alcohol or drugs to students; or permitting students, in the absence of parental/guardian supervision, to drink alcohol or take drugs in the presence of the employee.

6. Inviting a student to go somewhere alone
7. Inappropriate touching
8. Promoting, providing access to, and/or sharing pornographic materials
9. Engaging in sexual contact and/or relations

Parents of students subjected to possible improper behavior on the part of a staff member and/or students filing a complaint of such inappropriate behavior will be notified by the appropriate administrator of such occurrence and/or allegations as warranted and in accordance with legal guidelines.

Any staff member who conducts himself/herself inappropriately with a student as prohibited by the terms of the Board policy shall be subject to appropriate disciplinary measures up to and including termination of employment in accordance with legal guidelines, regulations, and Board policy. A violation of Board policy and regulation may also subject the employee to criminal and/or civil sanctions as well as possible action by the State of Nevada Department of Education for certified employees.

Students shall regard staff members as people with specific knowledge and capabilities and do not have the right to interfere with efforts of instructional staff to implement a learning program or interfere with the learning of other students.

If a student initiates inappropriate behavior towards a staff member, that employee shall document the incident and immediately report it to his/her supervisor or Principal. If appropriate, the Principal will intervene and speak with the student and the students' parents about the inappropriate behavior.

3.11 STAFF-COMMUNITY RELATIONS

The Board and staff of the School have the responsibility to ensure community involvement in the development and implementation of the academic and extracurricular programs of the School by:

1. Identifying and implementing innovative trends in the areas of curriculum, student activities, and professional development which shall be relevant to the School;
2. Developing and implementing educational programs, which reflect the needs of the community and the students;
3. Informing parents and the community at large about all aspects of school programs through the news media and presentations to local parent and civic groups;
4. Inviting the community to visit the school. Encouraging parents and community members to schedule individual conferences with teachers or the Principal at an agreed meeting time.

3.12 POLITICAL AND LABOR ACTIVITIES

Employment may not be offered as a consideration for the support or defeat of any political party or candidate for public office including Tribal offices or Board.

Employees have the right, as citizens, to engage in activities that exemplify good citizenship. School property and time shall not be used for political purposes. For example, an employee would be using School time and/or property if the employee circulates a petition regarding a political matter during work hours at the school.

Employees shall not have the right to engage in unorganized labor activities during the school day, or when they are on School property, unless such activity is protected by and in conformity with federal law, including but not limited to, the Indian Self-Determination and Education Assistance Act.

Unprotected or legally nonconforming behavior related to unorganized labor activities shall be the subject of disciplinary action up to and including termination.

An employee may become eligible to seek School Board elective office by giving written notice of the employee's intent to seek school board elective office, to the employee's supervisor and the School Principal, prior to the last day for filing a nominating petition and notice of candidacy. Such notice must be given prior to the day on which the employee's nominating petitions are filed, in order to remain on pay status.

- a) Upon election to the School Board, employment with the school shall terminate no later than the date of swearing in.

3.13 PUBLIC APPEARANCES

Staff making public appearances not on behalf of the School shall take appropriate leave to do so. The Board or the Principal is authorized to make or approve public statements pertaining to the School or its operation. No staff, unless specifically designated, shall make statements on behalf of the School. If authorized staff members are appearing on behalf of the School, they should represent the School in a positive way.

Any personnel making false allegations that are libelous or slanderous of the School, School officials, or employees shall be grounds for discipline action, up to and including termination.

3.14 SOLICITATIONS AND GIFTS

Employees shall not accept gifts, money or gratuities from persons receiving benefits or services from the School. In recognition and support of local custom, those gifts given as part of community activities or Native custom are allowed.

Employees shall not sell, solicit for sale, or advertise for sale, merchandise, or services, or organize students for such purposes without the approval of the Principal.

3.15 PERSONNEL RECORDS

Personnel records shall be kept on file in the Human Resources office for each employee and should include, but are not limited to:

1. Job announcements
2. Application
3. Resume
4. Letters of Reference
5. Evaluations
6. Contract
7. Employee Action Notice
8. Certified Degree of Indian Blood (CDIB if applicable)
9. Diplomas and Official Transcripts
10. Military Discharge (DD214)
11. Valid Certifications or License
12. Training/In-service Documentation
13. Handbook acknowledgement
14. Disciplinary Actions
15. Drug Free Workplace Statement
16. Related medical information requiring a separate file

All personnel records are considered confidential and are not open for inspection by any unauthorized personnel unless otherwise approved in writing by the employee or directed by a court order. Personnel

files are to remain in a locked file cabinet in a locked office of Human Resources and must remain there for viewing and review, including authorized individuals. Authorized personnel include the Principal and the Human Resources Manager.

Upon her/his written request, each employee has the right to review his or her own personnel file and ask the Human Resources Manager for removal of any unnecessary information from the file.

The Human Resources Manager shall review personnel files annually to purge them of unnecessary or outdated documents.

An employee's discipline record may be cleared of disciplinary violation(s) if the employee works two (2) years without further action being instituted.

Documentation of disciplinary actions resulting from alcohol/drug related incidents or serious misconduct will be maintained for a period of three (3) years and upon recommendation of the Human Resources Manager and Principal approval, will be removed from the personnel files.

3.16 DEFINITION OF EMPLOYEE

An employee is defined as an individual who works part-time or full-time for the School, who has signed an agreement with the School, whether oral or written, express or implied, who performs work for the School, under the supervision of someone in the School, and who utilizes the resources of the School to perform these functions. The classes of employees are defined as follows:

Classified Employees: Staff members who work part-time or full-time shift and maintains regular employment status. All classified employees who work at least thirty (30) hours per week are eligible for fringe benefits. Classified staff are paid hourly rates and are considered Non-exempt as described in the Federal Labor Standards Act (FLSA).

Non-exempt: An employee who is subject to federal overtime laws (FLSA). These employees shall receive overtime pay at a rate of one and one-half (1 1/2) times the hourly rate for every hour worked over 40 hours in the workweek. All hourly employees are required to utilize an electronic time clock to sign in and out each workday.

Unclassified Employee: Staff members who are administrators or professional, earning a salary that maintains regular employment status.

Certified Employees: Staff members who are required to have certifications in a profession which includes, but is not limited to teaching, counseling and administration, in order to maintain their employment with the School.

Unclassified and Certified staff are salaried employees and are Exempt as described in the federal labor law (FLSA). They are paid full salary every week, no matter how many hours worked.

Exempt: An employee who is not subject to federal overtime laws (FLSA). These employees do not have to be paid overtime when they work more than forty (40) hours in a workweek. These employees are classified based on specific job descriptions and duties involved and are generally classified as exempt if the employee falls into one of three classes: executive, administrative, or professional.

Temporary Employees: An appointment that does not exceed sixty (60) days, with the exception of substitute teachers--Temporary staff members shall not be eligible for employee benefits, including but

not limited to; annual/sick leave, holiday pay, insurance or retirement benefits. These staff members may be dismissed with or without cause at any time, and have no grievance rights.

3.17 SUBSTITUTE TEACHERS

The Human Resources Manager shall be responsible to maintain a list of substitute employees meeting Board requirements on an annual basis.

Substitute employees may be used only in those jobs that in the absence of a teacher that would adversely affect the school and the services provided.

All substitute teachers shall possess a current State of Nevada substitute license.

The designated staff member will contact the Human Resources Manager for available substitutes during a teacher absence. Substitute teachers will be utilized in the absence of certified teachers. The Principal must approve any exceptions regarding substitute duties.

The Board will approve the substitute daily rate of pay for short-term and long-term substitute teachers.

3.18 PERSONAL APPEARANCE

The Board strives to maintain a work environment that is well functioning and free from unnecessary distractions. The Board expects all employees to set a good example for our youth making a favorable impression in their interactions with the general public. All employees will be neat in personal appearance at all times wearing clothing appropriate for their jobs. Staff dress should meet the standards of health and safety, not be obscene or disrupt the educational process, nor wear clothing that is sexually suggestive or promotes the consumption of illegal substances and/or alcohol or gang activity. Employees are not allowed to wear clothing that reveals their mid-drifts or shorts/skirts that are more than two inches above the knee and no headgear will be worn indoors.

Professional attire or school uniforms are to be worn at all times when students are in the building except as directed by the Principal.

Tattoos or brands anywhere visible on the body that promote racism/discrimination, indecency, extremist philosophies, lawlessness, violence, or contain sexually explicit material are prohibited. Tattoos of this nature must be covered up during any shift that the employee is working.

3.19 SALARY AND BENEFITS

Salary ranges shall be established to provide a fair range of pay for all positions. The objective is to ensure equal pay for equal work.

1. No employee shall be paid less than the federal minimum wage.
2. All starting salaries should be set at Step 1-3 whether full-time, part-time, or temporary appointment and salaries set above Step 1 should be based on employment conditions or exceptional qualifications of the employee.
3. Supervisors shall be paid at a higher rate than their subordinates. In the event that a supervisor would be paid at a rate equal to or less than a duly assigned subordinate, the supervisor's rate of pay will be adjusted to be at least 5% higher than that of any subordinate, regardless of the supervisor's length of service.

SALARY SCHEDULES: Salary and wage schedules will be reviewed every three (3) years. Any adjustments made to salary and wage schedules will be based on the overall financial status of the School. Upon approval of new salary schedules, the rate of pay for each employee shall be adjusted to a step in the newly approved schedule corresponding to the step in the former schedule. In no case

shall an employee's salary be reduced.

SALARY INCREASES: At the discretion of the Board salary increases may be granted annually for one of the following reasons: Step increase, educational attainment, or cost of living.

Annual merit increases for classified/unclassified employees shall become effective July 1st, or upon date of rehire (return from break) for the new school year.

SUBSTITUTE TEACHER SALARY: Payment for substitute teachers will be based on established rates approved by the Board.

FRINGE BENEFITS: Fringe benefits for all regular staff shall be established by the Board on an annual basis and may include life Insurance, health insurance (medical, dental, vision).

3.20 CERTIFIED EMPLOYEE COMPENSATION GUIDES AND CONTRACTS

ENTRANCE SALARY: Salary granted to new teachers will depend on an assessment of education, experience, and qualifications. Teachers entering Pyramid Lake Jr./Sr. High School will be allowed credit for secondary teaching experience to a maximum of ten (10) years of service as long as earned within the last fifteen (15) years. If the teacher is a former Pyramid Lake Jr./Sr. High School employee, all previous teaching experience at the School may also be used to determine entrance salary if such experience is directly related to the position hired for as long as there is not a break-in service for more than two years.

CERTIFIED EMPLOYEE CONTRACTS: Except as otherwise provided herein below, the Board may provide for a continuing certified employee contract. All certified employees are hired pursuant to a contract of two (2) years or less. The certified employee shall sign a certified employment contract, an employee action notice, along with other pertinent documents upon employment, which must be on file with the Human Resources Manager before salary is received. A certified employee contract, once offered by the School, must be accepted or rejected, and may not be altered in any way unless agreed upon by both the employee and by the School Board, such alteration will constitute as an addendum to the contract.

Certified Employees shall sign a certified employee contract to provide duties as outlined in an approved job description for a specified number of days during the school year. Certified Employees shall not receive any additional payment unless stated in the approved contract. Leave will be based on an approved number of days stated in the contract. Subject to satisfactory performance evaluation the Board may offer a Certified Employee a two-year certified employee contract for subsequent years before the existing initial contract expires and may approve such offered contract for the subsequent years at any time.

Written notice of intent to complete college courses by a certified employee with the intent to utilize such credits for the purpose of salary increase, must be on file with the Human Resource Manager by April 1st.

Official college transcripts must be on file with the Human Resources Manager no later than June 30th in order to receive a salary increase based upon completion of college courses.

Certified staff must be employed a minimum of one year before they are eligible for salary increases.

Depending on the school's annual budget and grant funding: the Board can approve a sign-on bonus not to exceed \$1,000.00 during the first year of employment at the School or for hard-to-fill positions; certified employee contracts may include a rural stipend as approved by the Board.

Hard to-fill positions will be defined as the following:

- All Special Education: Resource/Self-Contained/Hearing Impaired/Vision Impaired/ Speech Language/Psychologists/Occupational Therapists/Physical Therapists
- Foreign Language (Spanish, French, Mandarin, American Sign Language)
- 7-12 School Math
- 7-12 School Science

Days missed without approved leave for pro-rated salaries will be deducted at a rate dividing the contract amount by the number of contract days to acquire a daily rate for deductions. Certified staff shall receive their annual salary on a bi-weekly basis until the contract amount is fulfilled.

If a contract is not completed, the salary will be pro-rated based on the completed days of the contract.

3.21 CERTIFIED STAFF WORK LOAD

Class size and work load of individual staff members shall adhere to requirements for accreditation by the accrediting agency.

Teachers are required to consult with the substitute teachers about learning activities to be implemented in their absence, unless in an emergency. Teachers are required to submit lesson plans weekly to their Principal to be used by the substitute teacher. Failure of a teacher to report their absence in time to acquire a substitute teacher may result in disciplinary action. Commensurate with the needs of the school, the Principal shall determine the workload of personnel.

3.22 POSITION CLASSIFICATION

The Principal shall annually develop and recommend to the Board a personnel organization plan for all positions. The Human Resources Manager shall be responsible for the operation and maintenance of the position classification plan for the school. The Board considers all positions vital to the smooth functioning of the school system and requires all employees to work together as partners to provide the best learning situation for students of the school.

The purpose of the position classification plan shall be to:

1. Provide the school employee with a means to identify work distribution, areas of responsibility, lines of authority, and other relationships between positions.
2. Provide uniform titles for positions.
3. Establish that all positions will be paid according to specific salary schedules.

The position classification plan shall be based upon the analysis of the duties and responsibilities of each position maintaining appropriate classifications of positions to make sure that all legal requirements are maintained so that there is no discrimination in terms of benefit plan eligibility and payment of compensation in accordance with federal labor laws. The plan will include:

1. An appropriate classification of each kind and level of work.
2. A description of the duties and responsibilities of each classification.
3. A statement of the knowledge, skills, and abilities generally needed to perform the work.
4. Also included will be a statement of any special required education and experience necessary to enter the position.

The material below summarizes the general characteristics of work classifiable under this schedule.

- 200 Skilled/Technical Series – Involves extensive practical knowledge, gained through experience and/or specific training less than that represented by a college graduation.

- 300 Clerical Series – In support of office, business, or fiscal operations it requires knowledge of organization's rules, some degree of subject matter knowledge and skill in carrying out clerical processes and procedures.
- 400 Para Professional Work – Non-licensed teaching related positions.
- 400 Support Series - In support of professional and administrative field; work is performed as a service function, which supports the mission of the School.
- 500 Administrative Series – Involves the exercise of analytical ability, judgment, discretion, and personal responsibility and the application of a substantial body of knowledge of principles, concepts, and practices applicable to one or more fields of administration or management. Gained through college level education or through progressively responsible experience.
- 600 Professional Series – Licensed teaching staff, dedicated to the education of the students.

PROCEDURE:

All requests for new positions will be made to the Principal who may either approve or disapprove the request considering the budget and in coordination with the Finance Director determine funding availability. If the Principal approves the request, the request shall be submitted to the Human Resources Manager who shall then work with the supervisor to develop a job description. Once the job description is written, the Human Resources Manager will compare the qualifications and proposed salary based on a comparative study. The Human Resources Manager will assign a pay level and the request will then be submitted to the Board for approval. If approved, the Human Resources Manager will take action to fill the position.

POSITION RECLASSIFICATION:

When the duty assignments of an employee has changed substantially as to the kind and level of work performed, the supervisor may initiate a request for change in the job title or pay class level in writing to the Human Resources Manager. The request should outline the reasons why the supervisor feels change is needed. Such reclassification of a position is not required to be advertised.

If the Human Resources Manager determines that the position has changed sufficiently to warrant a change in job title or pay grade level and budget considerations have been made, recommendation will be made to the Principal for approval or disapproval. The request will then be submitted to the Board for approval. If, approved, the affected employee(s) will be transferred to the new job title or pay grade level. If, the employee transfers within the same grade the rate of pay will remain the same. If, grade level is increased the employee will transfer to the new grade and step closest to their current wage, which represents an increase not to exceed 10% but no less than step four (4) of the new grade.

Hiring and selection procedures will be strictly in accordance with job qualifications. Waivers of job qualifications shall only be granted with concurrence of the Board.

Certified staff that has a provisional license may be employed until their provisional license expires. In order to be considered for further employment, all of the provisions must have been removed from the license and the employee must have obtained a regular license issued by the Nevada Department of Education.

Certified staff shall hold a valid State of Nevada education license to perform the particular service for which they are hired and have a copy of their license placed in their personnel file before their starting date of work. Failure to do so will result in a delay of employment start date.

A teacher's contract shall be considered null and void if that teacher does not hold a valid license or a Board approved Authority to Act to perform the service for which they are employed.

An Authority to Act approved by the Nevada Department of Education may be approved in extreme emergencies upon the recommendation of the Principal and with Board approval.

3.23 CERTIFIED PERSONNEL EXTRA DUTY

Each employee must assume her/his share of duties incidental to programs, extra-curricular activities, or community involvement activities assigned by her/his supervisor. Failure to assume responsibility for such

duties is a contract violation and may be cause for dismissal. Some extra-curricular activities are of such size and scope that extra duty pay is warranted. Annually the Board will approve a list of activities that qualify for extra-duty pay.

For athletics, extra-duty contracts for those who are not currently employed by the School will be advertised for a minimum of ten (10) days. Extra Duty contracts will be issued for coaching that requires consistent supervision when applicable and must be approved by the Board.

The Athletic Director shall provide an orientation for all individuals having extra duty athletic contracts or assigned to an athletic event. The orientation shall be provided to coaches on expectations, school rules, administrative procedures, purchasing procedures, fundraising activities procedures, philosophical elements, supervision, and other requirements.

Extra duty contract payments shall not be made until the activities have been completed and all issued equipment (uniforms, equipment, etc.) is accounted for. The Athletic Director shall evaluate coaches following the completion of the coaching assignments.

All head coaches must attend the Nevada Interscholastic Activities Association (NIAA) rules meetings for their respective activities. Violation of NIAA rules may result in disciplinary action or immediate termination of any coaching assignment.

3.24 STAFF EXPENSES

All staff shall receive the prior written approval of the Principal in carrying out their authorized duties before incurring expense and shall submit properly completed requisition and supporting receipts as required in Section 2: Fiscal Management policies.

Mileage payment shall be made at the current U.S. General Services Administration's approved rate when official travel has been authorized for the use of a personal vehicle.

3.25 NON-SCHOOL EMPLOYMENT

Outside work and activities are generally permitted unless prohibited by statute or regulation, or would affect performance or nonperformance of official duties.

Staff shall not engage in any employment that interferes with their effectiveness in performing regular assigned duties, compromises or embarrass themselves or the school, adversely affects their employment status or professional standing, and/or conflicts with assigned duties. Employees shall not be employed or involved in any private business during the hours necessary to fulfill assigned duties.

3.26 CONSULTING

Personnel wishing to provide consultant services to other agencies are required to submit a request to their supervisor who shall consult with the Principal for approval.

Personnel receiving approval to provide consulting services shall utilize annual leave or leave without pay during time consultant services are required. If the consulting contract is funded with federal funds then annual leave, holiday leave, and personal leave cannot be utilized.

All leave without pay (LWOP) provisions are still applicable.

3.27 TUTORING FOR PAY

To assure students receive assistance without charge from their own teachers and to avoid placing a teacher in a position where s/he may have a conflict of interest, teachers shall receive no money for tutoring a student they have in class or to whom they will perform an assessment or give assignments, unless part of a formal after-school tutoring program of the School.

No tutoring for which a teacher receives a fee will be performed in the school building, unless such tutoring is

performed in a formal after-school tutoring program of the School.

3.28 WORK HOURS

The School generally operates during the hours of 7:30 a.m. through 4:00 p.m., Monday through Thursday. Staff may have varied start and end times, depending on their position and the School's need. Some employees may have reduced hours on non-school days. The supervisor will provide the hours of work during the orientation process.

An employee is to notify the supervisor when the employee will not be at work or will arrive late. The initial contact should be made to the employee's immediate supervisor and the Office Manager at least one (1) hour before the start of the employee's shift. Employees must communicate directly with either and only leave a voice message if they are unavailable. If an employee must leave a voice message, it is the employee's responsibility to contact their supervisor within the first two (2) hours of the start of their shift. If the employee does not receive a reply from the School, a second message is required.

Time & Attendance:

All employees, whether exempt or nonexempt, will be required to provide an accurate accounting of the hours worked and approved leave used during a pay period. All employees will use an electronic time clock or other type of recording document as directed by the Department Supervisor. The method used to document time and attendance must include actual time worked and/or approved leave when appropriate. Each employee is responsible to maintain accurate records. Misuse of the time-clock punches may be cause for disciplinary action; i.e. no employee may clock-in or clock-out for another employee.

Employees may not "make-up" time during the workday or alter their work schedule when they are late to work unless it has been approved in advance and in writing by the supervisor in advance.

Time-clock times are set to allow six (6) minutes before your start time and six (6) minutes after your start time to count as the beginning hour or half-hour time. After the 7th minute the time clock will reflect to the next quarter time. Staff are not required to clock out for lunches or breaks. Supervisors are responsible to ensure employees use the time clock correctly for their individual start and end times

Breaks and Lunches:

Breaks and the lunch times are provided to employees to allow free time during the workday to promote the efficiency of employees and are counted as hours worked. The School provides two 15-minute breaks during the school day for those employees who work more than a seven (7) hour workday, and must be taken separately within the morning and afternoon work periods.

Overtime:

Overtime compensation is paid to all non-exempt employees at one and one-half times their regular rate of pay, and is paid only when an employee actually works in excess of forty (40) hours per week not eight (8) hours per day.

Overtime pay is based on actual hours worked. Time taken for lunch or dinner is not included as time worked for purposes of computing overtime. Time off on holidays, sick leave, vacation leave, personal leave or any leave of absence during a pay period will not be factored in as hours worked when *calculating* overtime.

If possible, overtime authorization should be approved before working overtime. However, under circumstances when it is not possible, employees may get supervisor approval after the time has been worked.

3.29 LEAVE

An employee may use available leave with the prior approval of their supervisor. An employee may not use more leave than currently available during a pay period. Prior approval is required of at least two (2) weeks before the leave time, except in an emergency to allow the School operations to continue with minimal impact or incident caused by inadequate work coverage. Failure to receive approval in advance may result in the request being denied due to operational need. Leave is discouraged during orientation, the first two weeks of school and the last two weeks of school.

The FLSA provides that an exempt employee must receive their full-predetermined salary for any week in which work is performed without regard to the number of days or hours worked. Deductions from pay are permissible when an exempt employee: is absent from work for one or more full days for personal reasons other than

sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan. The School's policy will require that if an exempt employee is not at work for one (1) day or more, the exempt employee is required to use some type of approved leave.

Unauthorized absence for one (1) workday constitutes abandonment of position and the School shall move to terminate the employee. The employee shall have the right to a hearing with the Principal and may appeal the Principal's decision to the Board. The Board's decision is final.

The following Leave Policy provides an overview of all leave available to eligible School employees; please contact the Human Resources Office for assistance if needed.

For the purposes of this Policy, the following are defined as immediate family: an employee's spouse, parents, stepparents, siblings, children, stepchildren, grandparent, grandchild, father-in-law or mother-in-law, aunt or uncle.

ANNUAL LEAVE (AL): All regular employees may use annual leave for vacations, rest and relaxation, personal business or emergencies. This leave may also be used to cover sick leave if sick leave is not available to an employee or other types of absences as long as the supervisor has given prior approval excluding any emergency leave.

Accrual Rate:

For those employees who have been employed less than five (5) years, they will accrue four (4) hours for each pay period. For those employees who have been employed more than five (5) years, they will accrue six (6) hours for each pay period. For those employees who have been employed more than 10 years, they will accrue eight (8) hours for each pay period. At 20 years, an employee's accrual rate will increase to 10 hours for each pay period. Employees who work less than a regular 40-hour workweek will have their accrual rate prorated following the above accrual rates based on their hours of work and their number of years of employment. All increases in accrual rates will become effective on the first pay period following an employee's anniversary date.

Use or Lose:

Employees are allowed to carryover no more than 120 hours at year-end. Leave in excess of this amount will be forfeited at December 31 of each year. Employees who work less than a 12-month schedule and are on lay-off status during the summer breaks will be allowed to carry over their accrued Annual Leave. Upon an employee's resignation from the School's employment they are eligible to receive up to 120 hours of accrued Annual Leave provided that the employee has given no less than two weeks written notification of their resignation. Less than the two (2) week notification may result in a pro-rated amount based on the number of days of written notice provided. Employees who are terminated for cause may not receive payment for accrued Annual Leave.

Scheduling of Annual Leave:

Both the employee and supervisor are responsible to coordinate the scheduling of all requests for Annual Leave throughout the year. Employees should request Annual Leave at least two (2) weeks in advance and supervisors should respond as approved or denied within two (2) business days of receipt of the request. If the supervisor denies a request, a verbal and written response to the employee must occur within two (2) business days of their decision. Supervisors may ask for more information to clarify the need of Annual Leave especially if there are immediate deadlines that may be impacted with the employee on leave.

SICK LEAVE: All regular employees may use approved sick leave for their personal medical, dental or vision appointments, personal sickness, injury or other temporary disability that prevents the employee from performing their usual work duties. Sick leave taken in excess of three (3) consecutive work days shall require a physician certification before the employee may return to work. This certification must be submitted to the Human Resources Manager for inclusion in your personnel medical file.

Accrual Rate:

All eligible regular employees receive sick leave at four (3.69) hours per pay period based on an 80-hour pay period. There is not an increased increment for sick leave. Employees who work less than a regular 80-hour pay period will have their sick leave accrual rate prorated based on number of work hours per pay period.

Use or Lose:

Employees who have accrued sick leave and have a balance at year-end may carry forward any balance. Sick leave is not paid out at the end of an employee's employment with the School.

Scheduling of Sick Leave:

Employees must receive prior approval to use sick leave. If unable to submit a prior request for sick leave, i.e. sudden illness, a sick leave form must be completed and the supervisor's written approval obtained when the employee returns to work

FAMILY SICK LEAVE: All regular employees qualify for Family Sick Leave (FSL). This should not be confused with the Family and Medical Leave Act (FMLA). The School provides FSL for employees to attend to their immediate family member's medical, vision, or dental appointments or to attend to an immediate family member who requires short-term assistance during a time of illness or disability.

Accrual Rate:

All eligible employees will receive 30 hours at the beginning of each calendar year as FSL. Employees who start after the calendar year starts will receive a pro-rated amount based on the number of months remaining in the calendar year.

Use or Lose:

Employees who do not use FSL by the end of the calendar year will forfeit the balance. FSL does not carry over into the next year.

FAMILY & MEDICAL LEAVE ACT (FMLA): The Board acknowledges its commitment to comply and intent of leave entitlement provided by the FMLA. The Board recognizes that on occasion it will be necessary for employees to take job protected leave for reasons consistent with the FMLA as defined by the FMLA. Reasons for FMLA leave may include an employee's serious health condition, for the care of a child, spouse, domestic partner, or parent who has a serious health condition, for the birth or adoption of a child, and for qualifying exigencies arising from an employee's spouse, son, daughter, or parent who is on active duty or called to active duty status. Although this is unpaid leave, the Board has policies that allow you to be paid when you take time off under FMLA. The Board must continue to provide the same health insurance during the leave as was provided while you were working. You are also entitled to the same or an equivalent position in terms of pay, benefits, and other terms and conditions of employment upon returning to work.

Eligibility: Employees are eligible for FMLA leave if they have worked for the School for 12 months and worked 1,250 hours or more during the previous 12 months. Eligible employees are entitled to:

12 weeks of FMLA job-protected leave per year or 26 weeks if leave is to care for a covered service member with serious injury or illness. An employee does not have to use all 12 weeks at once. The employee may take intermittent leave or reduced leave for a serious health condition. Intermittent leave is time off taken in separate blocks of time. An employee can use intermittent leave for things such as doctor appointments, taking care of a serious health condition, etc. Reduced leave reduces your number of working hours, and is used for such things as physical therapy. Notification: Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable; however, when 30 days' notice is not possible, the employee must provide notice as soon as practical. The School will provide the employee written notice of their rights and responsibilities while on leave within two (2) business days of receipt of the request for FMLA; containing the following information:

1. The leave will be counted against your annual FMLA leave entitlement;
2. Any requirements to provide medical documentation, and the consequences for the failure to do so;
3. Your right to use accrued leave, and any requirements and conditions related to it;
4. Any requirements regarding insurance co-pays, and arrangements for it;
5. Any requirements regarding a fitness-for-duty certification;
6. Your rights to job restoration;
7. Any liability for reimbursement of health insurance payments if you do not return to work; and
8. Whether you qualify as a "key" employee and when you may not be restored to your job.

Leave Schedule: Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt operations. Employees must exhaust accrued sick and annual leave before using unpaid leave while taking FMLA leave. The employee may also be required to provide a certification and periodic recertification supporting the need for leave and release to return to work.

Benefits: During any period of leave under the FMLA, an employee's group health insurance coverage will be maintained at the same level and under the same conditions as before the leave began. If the employee fails to return to work after using FMLA, the employee may be required to reimburse the School for any premiums paid on their behalf. Employees who normally make a contribution toward their health insurance coverage must continue to do so. During unpaid leave, the employee must arrange with the Finance Department, prior to commencement of the leave, for payment of the employees' share of the premium. The School will only provide benefits as it relates to health insurance coverage and does not include any other type of benefits while on unpaid leave status.

Return to Duty: Upon return to duty, an employee is entitled to restoration to the former position or an equivalent position with equivalent pay and benefits.

SABBATICAL LEAVE: Staff become eligible to request sabbatical leave after five (5) years of uninterrupted service to the school.

The requirements for sabbatical leave shall include the completion of (12) hours of graduate work per semester for each semester of the year in which the sabbatical is requested and to increase the employee's abilities to provide services to the school through an approved graduate study program.

To be considered for sabbatical leave, applicants must:

1. Submit a written request to the Principal, who will submit to the Board, indicating area of study, location of study, graduate program pursued, and time line for graduate program completion.
2. Submit a letter of recommendation from their supervisor and Principal for approval of request.

Other considerations:

1. No more than two (2) professional staff members may be granted sabbatical leave within any given year.
2. Sabbaticals granted include no compensation by the Board during sabbatical year, only a commitment to provide a one-year contract to the person approved for sabbatical leave during the initial year following completion of degree program or approved sabbatical study. If the requirements have been satisfied, the Board then will approve a two-year contract at the end of the sabbatical leave and before the ensuing school year.
3. Failure of the person on sabbatical leave to complete the approved degree program or sabbatical study as originally approved by the Board will relieve the Board of any commitment for employment following the person's year of sabbatical leave.

MISCELLANEOUS LEAVE: The School provides various other types of leaves that are not based on an accrual rate or years of employment but rather on a need and includes the following:

Bereavement Leave: When a death occurs in an employee's immediate family, all regular employees may take up to three (3) days off with pay to attend the funeral or make funeral arrangements. The pay for time off will be based on an employee's regular scheduled workday and will not exceed the three (3) workdays. The School may request verification of the need for the leave.

- a) **Additional Time Off:** The School understands the impact that a death can have on an individual or family; therefore, additional non-paid time off may be granted. The employee may make arrangements with their immediate supervisor for an additional four (4) unpaid days off in the instance of the death of an immediate family member. Additional unpaid time may be granted depending on the circumstances such as distance and the individual's responsibility for funeral arrangements. You may also use available Annual Leave for these purposes.

Administrative Leave with Pay: The Principal may grant administrative leave with pay to employees as follows:

- a) To relieve an employee of duties during an active investigation of a suspected criminal violation or other alleged wrongdoing.
- b) To remove an employee from the work environment, not to exceed 30 days, when they have committed an act of violence or threatened to commit an act of violence.
- c) Closure of office or work site caused by a natural disaster or other similar adverse condition when employees' are scheduled and expected to be at work.
- d) To participate in, or attendance at, activities which are directly or indirectly related to the employee's job that requires their participation away from the work site. If an employee is completing official duties on the clock but must leave the school premises while conducting business, they will clock out and then use Administrative Leave for the time spent off-campus performing School business; this also includes any approved travel/training.
- e) As directed by the Principal.

All personnel shall not travel within one (1) month prior to graduation to ensure that the students and the school are prepared for the end of the school year (unless included in professional development/plan of study).

Civil or Jury Leave: In most cases, if you serve on a jury or as a witness in court or an administrative hearing, you will be given civil leave with pay. You may keep all jury or witness fees paid to you except:

- a) If you are serving as a witness in your official capacity as a School employee, you are required to relinquish any witness fee to the School.
- b) If you are a witness in an action to which you are a party, you will not receive civil leave with pay unless it is job related.

Voting Leave: Two (2) hours off with pay is provided for an employee for whom it is impractical to vote before or after work and the voting place is more than 50 miles from the School.

Military Leave: The Uniformed Services Employment and Reemployments Rights (USERRA) guarantees an employee returning from military service or training the right to be reemployed at his or her former job (or as nearly comparable a job as possible) with the same benefits. An employee who is required to perform active military service during her/his employment with the School, you can be granted a leave of absence without pay for the period of your military service. You may also be eligible for differential pay to supplement your military pay during your approved military service not to exceed 15 working days. USERRA requires that an employee provide advance written or verbal notice of service; must have five years or less of cumulative service in the military while employed with the School; return to work or apply for reemployment within 90 days after the end of duty and the employee be separated from duty with a disqualifying discharge or under other than honorable conditions. For more information visit the U.S. Department of Labor's website <http://www.dol.gov/elaws/userra.htm> or contact the VETS at 1-866-4-USA-DOL (1-866-487-2365) for more information.

- a) An employee who leaves her/his position to perform military service can elect to continue her/his health plan coverage for up to 24 months while in the military.
- b) An employee who chooses not to continue her/his health plan coverage has the right to be reinstated upon reinstatement of employment.

Leave without Pay: Depending on the employee's work schedule, the supervisor may approve leave without pay for no more than three (3) days. The Principal must be notified when an employee requests for more than the three (3) days LWOP and any decision will be based on a case-by-case basis.

Maternity Leave: Maternity leave is not a special type of leave but may consist of a combination of sick leave, personal time off, and leave without pay. It is also considered a temporary leave of absence from work granted to expectant or new mothers during the time before or after childbirth. An employee who is eligible under the Family and Medical Leave Act (FMLA) you will be required to use your FMLA entitlement concurrently with applicable leave types and follow FMLA for continued employment with the School. A pregnant employee may continue to work until such time as she can no longer satisfactorily perform her duties or her physical condition is such that her continued employment would be injurious to her health.

An approved maternity leave may not exceed fourteen (14) weeks from their last workday to the day of reinstatement to the employee's position or similar position. The School requires a physician's clearance for the employee to return to work or before resuming work.

Worker's Compensation: The School provides a Worker's Compensation Plan for an employee who may incur a job-related injury or illness while on the job. These benefits may include medical benefits and, if the employee is unable to work, worker's compensation income maintenance benefits. An employee must report the work-related injury or illness immediately to his/her immediate supervisor regardless of its severity and complete the forms within 5 hours of the incident; an extended time may be approved provided there is a valid reason for not reporting as required, i.e. school administration not open. During the first day of the injury or illness when reporting to the Tribal Health Clinic or any medical facility as a worker's compensation claim, the employee may use this time off as Administrative Leave with Pay. The employee is eligible to use their available sick leave or personal time off when seeking other medical services for this claim beyond the first day of medical services.

3.30 HOLIDAYS: A regular employee (full-time or part-time) is eligible for holiday pay. To qualify the employee must be in attendance for the scheduled shift before or after the holiday or be on approved leave status. The School observes the following holidays:

HOLIDAY
New Year's Day
Martin Luther King Day

DATE
January 1
3rd Monday in January

President's Day
Pyramid Lake War Memorial
Memorial Day
Independence Day
Labor Day
Indian Day
Nevada Day
Veteran's Day
Thanksgiving Day
Family Day
Christmas Day

3rd Monday in February
3rd Friday in May
Last Monday in May
July 4th
1st Monday in September
4th Friday in September
4th Friday in October
November 11th
4th Thursday in November
4th Friday in November
December 25th

When a holiday falls on a Saturday, the preceding Friday is the observed School holiday. If a holiday falls on a Sunday, the following Monday is the observed School holiday. When a workweek includes a holiday all eligible employees will be compensated for the day based on their regular scheduled shift hours. If, the holiday falls on a regular scheduled day off, an employee's schedule can be modified or reduced to accommodate the holiday. The immediate supervisor must approve these changes to the work schedule. For example, staff members scheduled to work ten (10) hour shifts four (4) days a week and the holiday falls on Friday. The work schedule can be reduced to work four (4) eight (8) hour shifts to fit within a 32-hour workweek. In addition, the School may observe days declared a holiday by the Governor of Nevada, the President of the United States or the Pyramid Lake Paiute Tribal Chairman.

If an employee must work a holiday, the employee will receive pay at her/his regular rate of pay for actual hours worked in addition to the holiday pay. An exempt employee will receive regular salary during a week in which a holiday occurs regardless of whether the employee works or has the day off.

The School will make reasonable accommodations for those employees who need time off for religious observances. The employee must notify the supervisor when a conflict between a religious observance and the work schedule may occur. An employee may use their accumulated vacation or LWOP for time off for a religious observance. Supervisors will work with the employee to arrange their work schedule for time needed for religious observations.

3.31 DISCIPLINE

The Board endorses a policy of progressive discipline in which employees are provided with notice of deficiencies and are given an opportunity to improve. The progressive discipline procedures may be utilized for an employee who is experiencing job performance and/or behavior problems and can impose "for cause" a legitimate reason for demotion, suspension without pay, or dismissal from employment.

The Principal reserves the right to immediately proceed to more serious discipline than warranted by the progressive discipline procedures if the Principal determines such discipline is warranted.

In cases involving serious misconduct which includes, but is not limited to, any act resulting in serious damage to School personnel, students, or property, or actions by an employee which impacts the financial integrity or community reputation of the School, may be subject to immediate suspension by the Principal and/or immediate dismissal by the Board.

Disciplinary action may result from, but is not limited to, the following employee behavior:

- (AWOL) Missing one (1) day of work without personally contacting her/his immediate supervisor
- Driving a School vehicle while under the influence of alcohol or other illegal (non-prescription) drugs
- Threatening or causing physical injury to students or personnel of the School
- Stealing or destroying School property
- Misuse of School materials, supplies or equipment
- Misuse, miss-management, or embezzlement of School funds
- Drinking or using alcohol or other drugs while performing job duties during hours of employment
- Involvement with students which is legally, ethically, and morally prohibited by law as well as professional and community standards
- Falsification of required reports
- Failure to carry out assigned duties or to provide adequate supervision of students
- Insubordination
- Possession of firearms, explosives, explosive devices, knives, or other dangerous weapons
- Conviction of a felony under the Major Crimes Act, 18 U.S.C. 1153, or under federal and state criminal laws of

- general applicability
- Misuse of School vehicles, i.e., personal use of School vehicles
- Misuse of the School leave policy
- Failure of a supervisory employee to enforce any or all of these policies

Supervisors shall utilize the following procedures, unless the violation involves serious misconduct, if an employee violates policy:

Step 1.

- a. Meet with the employee to discuss the matter.
- b. Inform the employee of the nature of the problem and the action necessary to correct it.
- c. Document that a verbal reprimand has occurred. Originals shall be forwarded to Human Resources office to be placed in the employee personnel file. Copies to be kept by the supervisor and given to the employee for the employee's records.

Step 2.

Performance and Behavior Issues should be reviewed within thirty (30) days from the first meeting (step 1), if the employee still has not met expectations of the position.

- a. Have another meeting with the employee to discuss and review improvements and/or continued infractions.
- b. Issue a written reprimand to the employee that shall include the reason(s) for the action, the expected improvement and a time line for improvement (no less than 2 weeks).
- c. The supervisor shall warn the employee that a third incident may result in their suspension.
- d. The original reprimand shall be forwarded to Human Resources office to be placed in the employee personnel file. Copies to be kept by the supervisor and given to the employee for the employee's records.

Step 3.

At the end of the designated time frame set forth on the written reprimand. The supervisor shall:

- a. Hold a third meeting with the employee to discuss the matter.
- b. If the issue has been corrected stop the process and continue coaching and monitoring progress to ensure continued success.
- c. If the employee has still not corrected performance and/or behavior issue, continue steps:
 1. Recommend suspension of the employee from work to the Principal.
 2. The Supervisor may issue a written suspension letter to the employee with concurrence with the Principal. The letter shall include the reason(s) and the dates of the suspension.
 3. The Supervisor shall warn the employee that another incident may result in termination.
 4. The original suspension letter shall be forwarded to the Human Resources office to be placed in the employee personnel file. Copies to be kept by the supervisor and given to the employee for their records.

Step 4.

- a. Hold a fourth meeting with the employee to discuss the matter and the recommendation for termination of employment.
- b. Recommend termination of the employee's employment to the Principal.
- c. Provide all written documentation concerning the employee to the Principal.
- d. The Principal may proceed with the termination of the employee's contract or employment
- e. Written notification will be made by the Principal to the employee and will include the reason(s) for the disciplinary action and advise the employee of her/his right to timely file a grievance.

Three or more written reprimands in a one (1) year period may adversely affect an employee up to and including immediate termination from employment.

The supervisor may refer the employee to the Sumunumu Program for drug and alcohol related issues.

Employees who believe they have been disciplined without good cause may use the grievance procedures.

An employee's personnel record may be cleared of disciplinary violations if the employee works two (2) years from the date of action without further action being instituted under these Board policies and administrative procedures.

3.32 STAFF GRIEVANCE

A grievance is a claim by an employee that he or she is adversely affected by the misinterpretation or misapplication of one of the Pyramid Lake Jr./Sr. High School policies.

Employees must follow the process outlined to address a grievance. Grievance forms can be found in the Human Resources office and on-line (staff website). Any information concerning an employee grievance is to be held in strict confidence by School administration, staff, and by the grieving employee. The grievance procedure provides a mechanism to promote prompt and responsible resolution to staff and administrators issues of concern.

INFORMAL GRIEVANCE:

1. Employees shall attempt to resolve their complaints informally prior to filing a formal grievance. This shall be accomplished by discussing the situation directly with the alleged subject of the complaint. Employees can do this alone or if they feel more comfortable, involve a third person to facilitate the discussion and document the meeting.
2. If, within five (5) business days of the first meeting the employee is not satisfied she/he must contact their supervisor or if the supervisor is the subject of the complaint, then the employee will need to follow the chain of command and contact the Principal, If the Principal is subject of the complaint the employee is to contact Human Resources Manager. A meeting will be held with the employee, alleged subject of the complaint, and supervisor attempting to resolve the issue.

FORMAL GRIEVANCE:

1. If the employee is not satisfied with the outcome of the informal grievance process, the employee can complete and submit a formal grievance along with supporting documentation. This must be submitted within 10 calendar days of the incident. The Human Resource Manager will coordinate the process but does not participate on the Grievance Committee. The Human Resource Manager's role is to monitor-and ensuring compliance with the grievance process.
2. The Human Resources Manager will assemble the members of the grievance committee. The employee and alleged offender will be notified of the identities of the persons on the committee. The employee and alleged offender will have the opportunity to advise the Human Resource Manager of any potential committee members having a conflict of interest. The committee will include at least three of the following: Assistant Principal, Finance Director, Certified or Classified employee or an educational professional that has experience with school personnel matters. The School attorney will be involved to ensure compliance with applicable laws and policies throughout the formal grievance process. The Principal will approve the committee. If the Principal is the subject of the complaint, then the school attorney will provide the leadership for the committee.
3. The committee will review the grievance to determine whether it is valid. Three possible outcomes will occur at this stage of the process:
 - a. The grievance may be resolved.
 - b. The committee may determine that no valid grievance exists. If there is no valid grievance, the complaint ends at this step and goes no further.
 - c. The grievance committee determines the grievance is valid, the grievance will move forward to the next step in the process, which may include a hearing.
4. The employee may request a hearing by the grievance committee or request that a decision be based upon the personnel records, and written statements of the grieving employee, the alleged subject of the complaint and/or any other written documentation submitted or requested by the grievance committee. The hearings will be conducted within 10 business days of the date of the filling of the grievance.
5. At the hearing, the grieving employee may be accompanied by one personal representative or by an attorney of her/his choosing. All attorney's fees and costs shall be borne by the grieving employee.

6. The grieving employee has the right to clarify evidence and testimony submitted with her/his written grievance, and to cross-examine witnesses. The formal rules of evidence and procedure shall not apply, but the grievance committee shall require that the hearing be conducted in an orderly fashion, with decorum and respect, and that the hearing be fair and impartial. A recording of the hearing shall be taken and maintained by the Human Resources office for (3) three years from date of completion. The School attorney may represent the School.
7. The grievance committee may issue an oral decision at the end of the hearing and will issue a written decision, which must be provided to the grieving employee within five (5) business days of the conclusion of the hearing. The decision must adhere to current policy. The decision of the grievance committee shall constitute a final decision.
8. If an employee is dissatisfied with the decision of the grievance committee, the grieving employee may appeal to the Board by submitting written notification to the Human Resources Office who will notify and coordinate the Board grievance hearing. The employee must file the appeal within five (5) business days of the date of the decision of the grievance committee. If the employee fails to file timely, her/his appeal shall be dismissed.
9. A personal representative or an attorney may represent the grieving employee. New evidence may not be presented and the basis for the grievance must be that the decision of the grievance committee was procedurally or substantively flawed. The Board and School's attorney shall represent the Board and School.
10. A grieving employee may request that a decision be made by the Board on the documentation submitted to the Board, without a hearing. If a hearing is requested, and the grieving employee fails to appear, the appeal shall be dismissed with prejudice.
11. The Board may issue an oral decision at the end of the appeal hearing and will issue a written decision, which must be provided to the grieving employee within five (5) business days of the end of the hearing. The decision of the Board shall constitute a final decision. In the event a Board member has a conflict of interest the member shall abstain from participating or voting in the appeal hearing. The Board has the authority to appoint a temporary Board member for the purpose of conducting a grievance hearing.

3.33 HEALTH EXAMINATION

All food service and transportation staff members shall have a physical examination prior to or within thirty (30) days following the start of employment and biennially thereafter, unless physical examinations are required more frequently by the approving agency. All physical examinations must be on file in the Human Resources office within thirty (30) days following the start of employment or at the beginning of the school year. Failure to comply with this section may lead to disciplinary action up to and including termination.

3.34 RECRUITMENT

The Human Resources Manager is responsible for the recruitment and recommendation to the Board of the best and most qualified personnel for the school. Anyone who believes she/he is qualified for a vacant position may submit a completed application to the Human Resources Manager.

Vacancies that require advertising shall be advertised by posting in school buildings within a fifty-mile radius of the School. Also, an announcement of vacancies may be sent to State and national placement agencies or through other methods deemed appropriate by the Human Resources Manager.

A job vacancy that requires advertising is defined as a job that has become available and there has been no recommendation for a transfer or a reassignment of a qualified current employee to fill such job. The job that is left vacant shall be advertised.

Job advertisements will be posted for at least two (2) weeks before applications are considered.

3.35 THE SCREENING OF APPLICATIONS

At the earliest possible date following the posting date of a job announcement, the Human Resources Manager shall review the applications to determine if the applicants, based on job requirements, are eligible for interviews. Applications that will

be eliminated are: 1) Applications not meeting job qualifications as indicated in the job advertisement. 2) Applications that are not signed by the applicant, 3) Applications received after job advertisement closing date, and 4) Applications from former School employees who were terminated for disciplinary reasons within one year from date of application. The Human Resources Manager will coordinate with the supervisor to establish an interview date and sends request for interview letters to all qualified applicants and letters of ineligibility to all applicants who do not qualify.

3.36 HIRING

The Human Resources Manager will coordinate and facilitate the interview process.

Immediate supervisors, Principal and a member of the faculty may be among those persons who serve on the interview committee. There will be no travel expenses paid to applicants for interviewing and interviews may be conducted by telephone or other technology methods.

If, in the opinion of the Principal, applicants interviewed for a position are not suitable for the position, the Principal may request that the position be re-advertised.

Once a selected applicant is notified of pending employment the Human Resources Manager shall coordinate a complete background investigation before the applicant begins employment with the School and re-investigation at least once every five years, as required by the Public Law 101-647 (Crime Control Act) and Public Law 101-630 (Indian Child Protection & Family Violence Prevention Act) and by the Bureau of Indian Education. Such investigation shall be in compliance with all applicable laws and administrative procedures. This process will include forwarding background investigation to the State Department of Criminal Justice Services, State Registry of Social Services, Federal Bureau of Investigations, and Tribal Agencies.

All staff shall not be eligible to enter employment until a completed background and negative drug testing results are received.

The Board has the final decision on all certified staff employed at the School. The Board may retroactively approve the hiring of an employee where the Principal has had to act in an emergency without advance Board approval.

On the recommendation of the Principal, the Board reserves the right to select one alternate who will fill a position in the event the selected person declines the job offer or fails to fulfill her/his probation period.

3.37 ASSIGNMENT

The Principal shall consider the teacher's preparation, qualifications and the specific educational needs of the students, when assigning teachers to specific duties and grade level placement.

The Principal is authorized to assign employees to other duties. The Board shall be informed of all personnel assignments.

3.38 TEMPORARY APPOINTMENTS

The Principal shall have the authority to appoint temporary personnel to work assignments required at the school (first, utilizing the temporary pool of applicants), dependent upon available funding sources and avoiding nepotism. Under no circumstances will an individual be employed without first undergoing background investigation and pre-employment drug testing. The Board will be notified of all temporary appointments.

Temporary appointments may not exceed sixty (60) workdays. The temporary employee shall be paid at a rate established by the Board for actual workdays performed.

3.39 ORIENTATION

The Pyramid Lake Jr./Sr. High School Human Resources Manager shall implement an orientation program for all new employees. The orientation shall assist new employees to become acquainted with the community, school policies and procedures, philosophy, programs, and evaluations. Supervisors shall be assigned specific roles in carrying out the orientation program.

Employees shall document their participation in orientation by completing a checklist developed by the Human Resources Manager, which lists those items understood and those items requiring additional information, to be placed in the

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employee's personnel folder.

The Pyramid Lake Jr./Sr. High School Human Resources Manager shall work with supervisors to ensure all support staff have the required preparation and training as outlined in her/his job description.

All personnel shall participate in an orientation on cultural values and reservation life.

3.40 PROBATIONARY PERIOD

Certified teachers with special contract provisions will require a one (1) year probation period. A new classified and unclassified staff and any employee who transfers from one job to another within the school system shall have a sixty (60)-calendar day probation period. Staff who transfer to a new position retain their grievance privileges and leave accruals.

Nature and Purpose: Probation is established to benefit the employee and the School and is a time for personal adjustment, adaptation, learning the job requirements, and the policies and procedures of the School. This period shall determine if the new employee meets required standards of employment and will be a period when the employee and her/his supervisor will pay close attention to the employee's job performance and progress.

Conditions Preliminary to Regular Appointment: The regular employment of an employee shall begin with the date ending the probation period. The Human Resources Manager is responsible for obtaining a probationary evaluation form from the employee's supervisor. The evaluation must contain an evaluation of the employee's duties during the probation period, noting the employee's performance has been satisfactory, and the employee is recommended for regular status. The supervisor shall review the evaluation with the employee including whether the appointment is to be made regular. A copy of the evaluation shall be placed in the employee's personnel file.

Leave during Probation: Probationary employees can use accrued Sick Leave after thirty (30) days of employment but are not allowed to use any Annual leave during probation. Any excused absence(s) for probationary employees shall be considered leave without pay. The Certified Teachers may use leave as approved by the Principal after thirty (30) days of employment.

Promotions during Probation: Employees must complete the probation period before being eligible for promotion.

Transfers during Probation: An employee may be transferred during the probation period if such action would benefit the School or the employee. A new probation period will begin on the date of transfer.

Performance Evaluation during Probation: The supervisor shall provide a performance evaluation after thirty (30) days of work and again at the end of the employees' probationary period. Performance evaluations shall be documented and used to determine how the employee is adapting to job requirements and the overall school environment, and to recommend for regular employment, extension to the probation period or termination of employment. Certified Teachers will receive their assessments and will follow the schedule noted in Section 3.42. Performance Evaluations.

Extended Probationary Period: An employee's probationary period may be extended for a period not to exceed sixty (60) days based on a recommendation of unsatisfactory performance if there is a belief or likelihood of improvement. The Supervisor must complete performance evaluations every thirty (30) days; until regular status is achieved or the employee is dismissed.

Continuing Employment: Those employees, whose continuing employment is contingent upon the employee meeting special conditions, may be placed on a ninety (90) calendar day probation period. All special conditions to employment contracts and agreements require Board approval.

Dismissal during Probation: Any time during the probation period that an employee fails to perform the requirements of the position, employment will be terminated immediately. The supervisor will make a recommendation to terminate to the Principal who will notify the employee in writing of such recommendation and the date services will be terminated. The Board will make the final decision on termination. The probationary employee shall have no right to appeal the Board's decision.

Attendance at Workshops and Training Sessions/Seminars: Probationary employees are not eligible to attend workshops
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and training sessions/seminars that are held off of the School campus until the employee's probationary period has ended and the employee has become a regular employee. The Principal, upon request of the employee's supervisor, may make exceptions for those probationary employees who must attend training as part of a special project, which requires such training.

3.41 SUPERVISION

The major focus of employee supervision shall be to assist, monitor and support an employee to competently perform his or her assigned job responsibilities.

At the time of initial employment, the Human Resources Manager shall notify an employee of his/her direct supervisor's identity. The employee's direct supervisor shall record time and attendance, evaluate, provide technical assistance, consult with, assist in planning, conflict resolution and problem-solving, identify developmental needs and resources, acquire materials, approve/disapprove all leave, and assign other duties to the employee. Failure of the employee to fulfill these duties may result in discipline up to and including termination.

3.42 PERFORMANCE EVALUATIONS

PURPOSE: The formal evaluation program is intended to assist and motivate employees to attain their maximum potential. It is a means of stimulation to self-improvement. The program is designed to analyze the strengths and weaknesses of an employee. It enables the Supervisor and the employee to direct their efforts toward those personal characteristics, skills, knowledge, and abilities that will make her/him a more effective employee.

POLICY: It is the policy of the School to conduct an on-the-job performance review with each employee on a regular basis as an employee development activity. Promotions, demotions, contract renewals, pay increases, and continued employment are based on performance, length of service or longevity. Performance evaluations are one of several factors considered in decisions affecting promotions, demotions, layoffs, contract renewals, and dismissals.

FREQUENCY OF PERFORMANCE ASSESSMENTS: The performance of all employees will be reviewed on an on-going informal basis. Formal reviews will be made in accordance with the established schedule outlined below:

- a. An initial review, which shall occur annually on or before November 1st of the respective school year for all certified staff.
- b. A second review shall occur annually on or before March 1st of the respective school year for all probationary and first year certified staff.
- c. Annual review for all classified/un-classified staff members shall occur by May 15th.
- d. Anytime the supervisor or the Principal deems it necessary or appropriate.
- e. Promotion/Transfer Review: Ninety (90) calendar days after transfer or reassignment to a new position.

RESPONSIBILITIES: The employee's immediate supervisor will normally be the guiding evaluator who will meet regularly with the employee, providing guidance, advice, and ratings. The immediate supervisor will be responsible for appraising the performance of each employee under her/his supervision, discussing the completed performance assessment with the employee. The Principal will appraise the performance of each supervisor under her/his supervision and the Board will appraise the performance of the Principal.

PROCEDURES: It is the supervisor's responsibility to conduct a thorough and impartial review of each employee reporting directly to her/him. If a supervisor is not completely familiar with all phases of an employee's job assignment, a second person knowledgeable of the employee's performance will be requested to assist in the performance evaluation. All the performance evaluations will be discussed and reviewed with the employee when assessed. The following steps, at the discretion of the supervisor, may be observed in accomplishing the employee's performance evaluation process:

- a. Guide the employee through the goal setting process
- b. Observe what the employee is doing
- c. Provide feedback to the employee
- d. Assess the performance
- e. Discuss the performance with the employee
- f. Take appropriate action

PERFORMANCE REVIEW: Each employee will be given the benefit of a private performance review with his or her supervisor. The purpose of the private performance interview is to review the ratings and discuss the employee's job

performance. The employee will be allowed a reasonable time to enter comments on the review form. The employee will sign the performance assessment form, indicating the performance assessment has been explained and discussed. The employee can outline agreement or disagreement with the supervisor's assessment. The review form will not be placed in an employee's personnel file until this has been accomplished.

The performance assessment form will then be forwarded to the Human Resources Manager for appropriate action.

UNSATISFACTORY PERFORMANCE EVALUATIONS: An employee who receives an overall rating of "unsatisfactory" on any formal performance assessment may be placed on performance improvement probation up to sixty (60) days at the Principal's discretion. Job performance will be re-assessed prior to the end of the probationary period. Certified staff that again receives overall ratings of "unsatisfactory" may be recommended for termination to the Board.

3.43 PROMOTION

Whenever new positions are created or vacancies occur in a higher-rated position that may provide salary advancement, present employees who meet job qualifications may be eligible for consideration for a reassignment to such position. If, approved, the affected employee(s) will be transferred to the new job title and pay grade level in accordance with Section 3.46 Transfers of this policy.

3.44 SUSPENSION

The Principal may suspend any staff member with or without pay from their assignment for good cause (in collaboration with the employees immediate supervisor), and shall report such action promptly to the Chairperson of the Board and/or the Board members.

3.45 REDUCTION-IN-FORCE

A reduction-in-force (RIF) is defined as a situation whereby either a position no longer serves the mission or purpose of the School, or reductions in funding sources used to support a program have occurred, and staff reductions become necessary.

The Board may lay-off an employee for any of the usual reasons for a RIF or due to conditions that impede its ability to meet employee contract obligations.

The Principal shall notify all personnel in writing as to their job status in any RIF action taken by the Board.

An employee laid off due to a RIF action may, if it meets the needs of the School, be given priority in hiring for job vacancies for which they are qualified. The position offered may be at a salary or under conditions, which are less than the former position of the RIF'd, employee. If a RIF'd employee is offered a position, and that RIF'd employee rejects it, then the School shall not give the RIF'd employee priority consideration for any further positions. All personnel must keep the Human Resources Manager informed of their current mailing address in order for them to be eligible for employment.

3.46 TRANSFERS

Staff members may transfer within the School on a voluntary or involuntary basis. Transfer may not be used as a means of disciplinary action.

VOLUNTARY TRANSFER: Employees may request transfer or may be reassigned from one department or job to another, which they believe they are qualified for and the transfer may be granted when in the best interest of the employee and the School.

Staff wishing to transfer or to be reassigned to another position within the school shall submit a written request to the Human Resources Department along with a completed application for the position to which transfer or reassignment is desired. The Human Resources Manager who shall screen the application to ensure the minimum qualifications are met and refer the request to the Principal for action then reviews the request. The Principal shall make the final decision. If, approved, the affected employee(s) will be transferred to the new job title or pay grade level and shall serve a normal probationary period for that position. If, the employee transfers within the same grade the rate of pay will remain the same. If, grade level is increased the employee will transfer to the new grade and step closest to their current wage, which represents an increase not to exceed 10% but no less than step four (4) of the new grade.

INVOLUNTARY TRANSFER: If an involuntary transfer is determined to be in the best interest of the School, the Principal shall notify the employee and the immediate supervisor of reasons for the action and the position to which transfer or reassignment is desired two (2) weeks prior to the transfer. Noncompliance with transfer request may result in loss of employment to person(s) involved. If the employee subsequently is re-hired, the Principal may consider maintaining the employee's former salary, pay, or grade, but is not required to do so.

The Principal shall request transfers or reassignments of personnel that are in the best interest of the school and consider employee preference. The Principal may take into consideration the recommendation of the transferring employee's supervisor prior to transfer or reassignment.

If an employee is transferred or reassigned to a vacant or soon to be vacant position then the requirement for advertisement of that position is waived and only the position being left vacant by the transferred or reassigned employee(s) shall be advertised.

3.47 EMPLOYMENT TERMINATION

Supervisors can recommend terminating an employee based on performance deficiency and/or behavior problems following the progressive disciplinary procedures. In cases involving serious misconduct employees may be subject to immediate termination by the Board.

Based on the recommendation by the Principal the Board may dismiss a teacher or other certified staff for reasonable and just cause to include, but not be limited to: breach of contract, incompetence, serious misconduct, neglect of duty, immoral conduct, in-temperance, inappropriate physical abuse or treatment of a student or staff member, commission of a crime, continuing physical or mental disability rendering her/him unfit to perform her/his duties, and other matters as prescribed by law.

Terminated regular employees may utilize the Grievance Procedures if they believe the termination is the result of the misinterpretation or misapplication of School policies. Employees who are terminated may not reapply for any employment with the school before the expiration of one year from their date of termination.

3.48 RESIGNATION

A staff member may resign at any time. A written notice of resignation must be provided to the supervisor fourteen (14) days prior to leaving employment.

In cases where an employee breaches his/her contract by resigning during the contract year, terminating or canceling the contract without the Board's consent, the Board may consider legal action, including seeking revocation of the employee's Nevada education license.

If staff members fail to comply with exit documentation or comply with the above stated procedure, they will not be considered for future employment for a period of at least one (1) year.

3.49 CERTIFIED STAFF RE-EMPLOYMENT

The Board will, whenever possible, notify the teacher of contract renewal or non-renewal for the following year at the regularly scheduled board meeting in March but no later than the last day in April of the current contract year. Failure to so notify certified staff by this date does not constitute an expressed or implied promise to renew contracts for the following year.

The certified employee must notify the Board in writing whether she or he accepts or rejects the re-employment offer within fifteen (15) calendar days following the date of notification. Failure to provide the Board with such notification, writing new terms into the contract, or signing a contract under protest, shall constitute a rejection of the contract offer. Signing an offered contract constitutes proper notice of acceptance.

The Principal is responsible for projecting certified staff needs and recommending certified staff contract renewals or non-renewals to the Board for approval at the regularly scheduled meeting of the Board in March.

Following consultation and review of performance assessments with supervisors, the Principal shall submit recommendations to the Board regarding support personnel re-employment for the following school term.

If a certified employee was subject to a lay-off, rehiring shall be carried out on the basis of the Reduction-in-Force (RIF) policy.

3.50 USE OF SCHOOL CELL PHONES

This Policy applies to all employees or others who provide related educational services for the Pyramid Lake Jr. /Sr. High School. Employees must adhere to all federal, state or local rules and regulations regarding the use of cell phones while driving. The use of cellular phones, both incoming and outgoing are not permitted at any time while driving a vehicle and/or bus. The use of a cell phone while driving may present a hazard to the driver, other employees and the general public.

Employees are prohibited from using hand held cell phones for any purposes while driving. Should an employee need to make a business call while driving, he/she should locate a lawfully designated area to park and make the call. Employees may use hands-free cell phones only in emergency situations.

School assigned cell phones are to be used to conduct school business. Employees who use cell phones for personal calls assume responsibility and will reimburse the Pyramid Lake Jr. /Sr. High School for the costs within ten (10) days of notification of the amount due.

During the school hours of operations, the use of cell phones may not be used while supervising or interacting with students. As a courtesy to others, during meetings or interaction with others, cell phones will be on silent mode. The employee excusing herself/himself to an area away from others may take an emergency call.

Use of a school cell phone is a privilege that may be revoked at any time based on a violation of this policy. Any abuse or violation of this policy may result in termination of cellular use and access and/or disciplinary action up to and including termination.

3.51 COMPUTER USAGE / SOCIAL NETWORKING POLICY

Employees are expected to use Pyramid Lake Jr. /Sr. High School computers primarily for work-related activities. Personal use should be kept to an absolute minimum during work time. Inappropriate use of School computers includes any use by an employee that violates the company's goals or policies or that violates tribal law or federal law.

For the purposes of this policy, "social media" is defined as on-line media applications such as social networking sites, blogs, podcasts and other on-line information sources. Employees are expected to use good judgment in their use of social media to ensure that posts, photographs, videos and other content do not violate School policy, including harassment and/or discrimination policies, or the Employee Confidentiality Agreement. If Pyramid Lake Jr. /Sr. High School becomes aware of social media or any web content that violates this policy, the employee will be asked to remove the content. The employee may be disciplined depending on the facts and circumstances of the particular case.

Employees will not use Pyramid Lake Jr. /Sr. High School computers to solicit for commercial ventures, outside organizations or other non-job related solicitations. Employees will also not download any material from the Internet without authorization or share company files and materials without authorization.

Transmitting over School computers any sexually explicit comments or images, accessing pornography, racial epithets and slurs, or any comments or images that might offend a person based on their personal traits or characteristics are strictly prohibited. Unauthorized personal use of School computers for any purpose is prohibited.

Employees do not have an expectation of privacy in their use of School computers, Internet or email.

3.6 WHISTLEBLOWER

REPORTING SUSPECTED MISCONDUCT, DISHONESTY, OR FRAUD

Pyramid Lake Jr./Sr. High School strives to uphold the highest possible standards of ethical, moral and legal conduct. The School is committed to maintaining a workplace where Certified, Classified Employees and volunteers are free to raise concerns in good faith regarding our governance practices. Consistent with this commitment, this policy provides an avenue for Employees and Volunteers to report concerns about suspected misconduct, dishonesty, non-compliance with laws, or fraud without fear of retaliation.

This policy and reporting procedure is not intended for reporting of day-to-day matters, such as student disciplinary issues, employment issues, general complaints or other matters that are regularly handled through other policies and procedures.

SCOPE

The reporting procedure outlined in this policy should be used to report suspected misconduct, dishonesty, legal non-compliance, conflict of interest or fraud in the operation of the School (collectively referred to as "Suspected Violations"), including but not limited to:

1. Theft or other misappropriation of School assets.
2. Deliberate misstatements, falsification or other irregularities in School financial reports or records.
3. Non-compliance with state or federal laws.
4. Misuse of School resources.
5. Illegal activities.
6. Forgery or alteration of documents.
7. Violations of tribal, state or federal laws.
8. Any other form of fraud or malfeasance.

PROCEDURE

Reporting Suspected Violations: Employees and Volunteers may report suspected violations to the Human Resources Manager verbally or in writing. If the complaint is about the Human Resources Manager, the complaint may be made to the Principal or Finance Director.

Anonymous Reporting: Employees and Volunteers are encouraged to disclose their identity when reporting suspected violations because appropriate follow-up questions and investigation may not be possible unless the source of the information is identified. However, anonymous reports of suspected violations will be treated in the same manner as any other reports.

Timing: The earlier a Suspected Violation is reported; the easier it is to take effective action. Employees and Volunteers are therefore encouraged to make a report as soon as they become aware of a Suspected Violation.

Investigating a Suspected Violation: Once a Suspected Violation is reported the Human Resources Manager will initially assess the matter and recommend further action to the proper authority (i.e., Board Chairperson, Principal, etc.), if appropriate, which may include further investigation, corrective action, disciplinary action, reporting the matter to the proper authorities or other appropriate action. The Human Resources Manager may enlist employees of the school and/or outside legal, accounting or other advisors, as appropriate, to conduct the investigation. Investigations will be handled with sensitivity, discretion and confidentiality to the fullest extent.

If the investigation reveals that wrongdoing has taken place, prompt and effective remedial action will be taken. This may include disciplinary action, termination, legal action or other corrective measures to prevent further violations.

SAFEGUARDS

No Retaliation: An Employee or Volunteer who reports a Suspected Violation in good faith shall not suffer any harassment, retaliation or adverse employment consequences for making the report. Any person who participates in the investigation of a Suspected Violation shall not suffer any harassment, retaliation or adverse employment consequences. Any harassment, retaliation or adverse employment consequences should be reported to the Human Resources Manager. A Supervisor, Administrator or employee who retaliates against a person for reporting a Suspected Violation in good faith or for participating in the investigation of a Suspected Violation shall be subject to disciplinary action, up to and including termination of employment or other authorized sanction. This policy is intended to encourage and enable Employees and Volunteers to report suspected violations within the School prior to seeking resolution outside the School.

Additionally, no Employee or Volunteer shall be adversely affected because he or she refuses to carry out a directive which, in fact, constitutes misconduct, dishonesty or fraud, or which violates state or federal law.

Acting in Good Faith: Anyone reporting a Suspected Violation should be acting in good faith and have reasonable grounds for believing the information disclosed indicates misconduct, dishonesty, violation of a state or federal law, or fraud. Making allegations that prove not to be substantiated and that were made maliciously or with the knowledge that they were false will be viewed as a serious offense and will lead to disciplinary action up to and including termination.

INTERNAL PROCEDURES

The School will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower that believes he/she is being retaliated against must contact the Human

Resources Manager immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

Whistleblower protections are provided in two important areas: confidentiality and retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law, and to provide accused individuals their due process rights.

Individuals protected include

1. The employee, or a person acting on behalf of the employee, who reports to a designated Administrator or is about to report to a Board Member a matter of public concern; or
2. The employee who participates in a court action, an investigation, a hearing, or an inquiry held by the School Administration/Board on a matter of public concern.

The School may not discharge, threaten, or otherwise discriminate against an employee regarding the employee's compensation, terms, conditions, location, or privileges of employment.

The School may not disqualify an employee or other person who brings a matter of public concern, or participates in a proceeding connected with a matter of public concern, before the School or court, because of the report or participation, from eligibility to bid on contracts with the School; or receive another right, privilege, or benefit.

The provisions of this policy do not:

1. Require the School to compensate an employee for participation in a court action or in an investigation, hearing, or inquiry by an Administrator;
2. Prohibit the School from compensating an employee for participation in a court action or in an investigation, hearing, or inquiry by an Administrator;
3. Authorize the disclosure of information that is legally required to be kept confidential; or
4. Diminish or impair the rights of an employee under a collective bargaining agreement.

Limitation to protections

1. A person is not entitled to the protections under this policy unless he or she reasonably believes that the information reported is, or is about to become, a matter of public concern; and reports the information in good faith.
2. A person is entitled to the protections under this policy only if the matter of public concern is not the result of conduct by the individual seeking protection, unless it is the result of conduct by the person that was required by his or her employer.
3. Before an employee initiates a report to a designated Administrator on a matter of public concern under this policy, the employee shall submit a written report concerning the matter to the Human Resources Manager.

Relief and penalties

A person who alleges a violation of this policy may bring a civil action in a court of competent jurisdiction and the court may grant appropriate relief.

A person who violates or attempts to violate this policy is also liable for a civil fine in accordance with limits set within the Pyramid Lake Paiute Tribal Law & Order Ordinance and Tribal Court, which has jurisdiction over the Pyramid Lake Jr./Sr. High School.

PROCEDURES

If an employee has knowledge of or a concern of illegal or dishonest/fraudulent activity, the employee is to contact his/her immediate supervisor or the Human Resources Manager. The receiving Supervisor to the Human Resources Manager, who is responsible for investigating and coordinating any necessary corrective action, will promptly submit all reports or concerns of illegal and dishonest activities. Any concerns involving the Human Resources Manager should be reported to the Principal or Finance Director.

The whistleblower is not responsible for investigating the alleged illegal or dishonest activity, or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

Examples of illegal or dishonest activities include violations of federal, state, or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to disciplinary action.

3.7 TRAINING AND TRAVEL GUIDELINES

3.7.1 TRAINING

The Principal shall be responsible for the training and career development of the School employees. A Supervisor may recommend an employee's participation in job-related training during work hours. The employee is responsible to submit a written request and obtain necessary approval following the approved Training and Travel Guidelines.

If approved, the employee can attend training classes, conferences or seminars, and the School will pay for appropriate costs as allowed in the program budget. Only those employees considered on regular status may be recommended for training.

If the employee makes a request to take training classes, or attend conferences or seminars, the Principal may:

- A. Approve request and pay for the class in full, and allow administrative leave if the class is job-related.
- B. Approve request and allow employee to take administrative leave, but not pay for training.
- C. Approve request and pay for training, but require employee to use annual leave.

After the employee has attended training, a certificate of completion or report of grade must be provided to the Supervisor and a copy forwarded to the Human Resources Department for placement in the employee's personnel file.

If the training is a college course, the employee must receive a grade of "C" or better. If the employee receives less than a "C", the employee must reimburse the amount of costs incurred by the School.

3.7.2 PURPOSE

The School recognizes that certain amounts of travel are necessary for satisfactory performance and completion of program objectives. Control of travel ensures the effective and efficient use of the School funds and our employee's work hours. The purpose of this travel policy is to establish uniform travel guidelines and procedures for all School officials and employees. This travel policy shall apply to all official travel regardless of source of funds used to pay or reimburse the travel costs.

All individuals seeking reimbursement for authorized travel must be:

- A. A School employee within the scope of their assigned duties;
- B. A member of the Tribal Council or Board acting on behalf of the School;
- C. Any person approved by the Board to conduct business on behalf of the School.

3.7.3 AUTHORIZATION

The Board shall approve travel when approving a program's annual budget. The Board will approve travel of the Principal and Assistant-Principal. The Principal or the designated representative can approve other local School travel that is essential to conduct School business.

All travel authorized must follow the program guidelines as specified by the School's annual budget or regulations. All travel must have prior authorization as follows:

- A. Local Travel within the reservation, Fernley, and/or surrounding areas not requiring per diem or lodging as authorized by the Principal or Assistant-Principal. A Travel Authorization form is not required for local travel for mileage or meal reimbursement but the traveler must submit a Travel Statement upon completion of local travel (see Mileage) for review and approval with appropriate support documents attached.
- B. Off-Reservation travel within the State or areas requiring per diem or overnight travel as authorized by the Principal. The Board must also approve if the travel will extend beyond three (3) days. Traveler must complete a travel advance request form prior to travel.

- C. No individual may approve his/her own travel authorization or travel expense statement forms. If the Board has approved the Principal's travel request, the Finance Director may sign for approval of the request

3.7.4 TRANSPORTATION COSTS

Travelers must use the most economical and expeditious means available and every effort made to obtain the lowest rates possible.

The School requires all travelers to submit a Travel Expense Statement within five (5) working days after returning from a trip. Failure to submit the proper documentation will result in the deduction of advanced travel funds from the individual's payroll or stipend check. The Traveler's signature on the Travel Advance Request Form will serve as the authorization to deduct any travel funds owed to the School.

The School will not provide any additional funds to those individuals who fail to submit the required documentation or fail to provide reimbursement to the School for travel funds received.

A. Mileage

1. The Principal must determine that use of a personal vehicle will benefit the School before the individual will receive reimbursement for mileage. Payment is based on the traveler submitting an approved Travel Expense Statement and must include a short, written justification. For long trips, mileage reimbursement will not exceed the normal airfare that the traveler would have received.
2. All mileage claims must be recorded by odometer readings or substantiated by map mileage and includes the purpose of travel, the points of travel, dates and times of departure and return.
3. Mileage may be paid for travel from residence to place of destination on occasions when the traveler must leave directly from their place of residence to the place of destination, but not to their normal work site.
4. Parking fees are recognized as reimbursable expenses if required as a means to complete business tasks. Travelers assume all financial responsibility for traffic violations during any travel.
5. The mileage rate is included in the current published Federal Travel Regulations (FTR) and is updated at least annually. Following the FTR, mileage rates will depend on the availability of a School vehicle that may require a lower mileage rate if using a personal vehicle instead of the available School vehicle.
6. If two (2) or more persons travel in the same vehicle and to the same destination, only one (1) person shall receive mileage reimbursement. In special instances, more than one person may receive mileage reimbursement if travelers live in different areas or must conduct other School business before or after reaching their destination.
7. Individual drivers are expected to maintain adequate vehicle insurance coverage to protect them from liability resulting from an accident that may occur when using a privately owned vehicle to conduct official business.
8. Reimbursement will not be paid for gas purchases and mileage traveled for the same trip. The School will only provide mileage reimbursement and will not pay for gasoline expenses when a personal vehicle is used.
9. Travelers must submit an approved Travel Expense Statement before mileage reimbursement is processed. The School Finance Office must receive a Travel Expense Statement within five (5) working days of travel completion.

B. Public Transportation

1. Airfare vs. Mileage: If a private vehicle is utilized, the amount of travel reimbursement will not exceed the cost of the lowest available airfare. Travel on official business shall be reimbursed for the cost of coach

or tourist class airline accommodations. Travelers must attach a copy of the boarding pass stub, luggage check-in receipt or other documentation that would verify travel by air.

2. Taxi/Shuttle Bus, etc.: Available airport limousines or shuttles should be used unless schedules require faster modes of travel. Reimbursement will be given for cost of travel based on submitted receipts.
3. Rental Car: A rental car will be approved only if it is the most economical or only feasible means of transportation available. Unless there are extenuating circumstances, employees should request economy or compact cars. Other models are authorized if several persons are in the party or if an economy car does not meet some other business need.

C. Travel Expenses

1. Per Diem is an allowance paid to a traveler for meals, lodging, and incidental expenses to areas more than 80 miles from the worksite.
2. Requests for travel expenses/per Diem must be submitted to the Finance Department at least fifteen (15) days prior to the scheduled trip.
3. Checks for payment of travel expenses/per diem are not authorized to be released more than one (1) working day prior to the scheduled trip, unless extenuating circumstances exist that warrant release of the payment sooner, however, no more than three (3) working days prior to the scheduled trip.
4. The School will use the General Service Administration Federal Travel Regulations (GSA FTR) to calculate all travel expenses/per Diem.
5. The School may issue travel funds based on actual costs for travel that may require "per diem" for any students with the advisor or teacher in charge responsible for all expenses. A travel advance form must be completed based on the approved Field Trip form. This type of travel will follow the general guidelines of the Travel Policy. However, the Board may establish a separate meal rate for students and chaperones during a trip rather than the established per diem rates.

D. Travel Expenses/Per Diem: The School will issue travel expenses/per Diem according to the GSA FTR for maximum per diem rates allowable. The traveler will receive a meal rate for the first and last day of travel limited to three (3) quarters for each day. The traveler may receive a lodging rate based on the number of overnight stays.

1. Lodging: Payment for lodging will follow the GSA FTR for maximum lodging rates allowable. In the event it is more beneficial to a traveler to obtain lodging at a hotel/motel where the meeting, conference, workshop, etc. is being held, a higher lodging rate may be allowed as an exception to the GSA lodging allowed. Telephone costs to conduct School business may be reimbursed if the Department Head approves and the traveler submits a written request with the Travel Expense Statement. To confirm a traveler arrived safely, one telephone call not to exceed \$5.00 may be charged and reimbursed to confirm their safe arrival at the hotel.
2. For local travel within an 80 mile radius of the work site, the Department Head may approve lunch subsistence provided the meal allowance stays within the current local meal per diem rate. The travel must be for an all-day conference/training or meeting related to the job. The Traveler must attach meal receipts to the Travel Expense Statement.
3. Travel Advances. When a travel advance is received and if the trip is of less duration than originally estimated, the traveler shall refund the excess amount to the School. Any amount not refunded within fifteen (15) working days will result in the traveler not receiving any future advance until the amount due is paid. Failure to reimburse within the fifteen (15) day limitation will authorize an automatic payroll deduction or deduction from other funds due to the traveler from the School.

4. Reimbursements. Reimbursements requested for travel expenses, which exceed the amount of funds, advanced requires the submission of sufficient documentation and receipts before the traveler receives reimbursement.

3.7.5 REIMBURSEMENTS

- A. Statement of Travel Expense: Within five (5) working days following completion of any authorized travel, the traveler shall file with the Finance Department an approved Travel Expense Statement. This statement shall include the lodging and airfare receipts to support the payment of travel expenses with the Supervisor's approval. The Finance staff will review and reconcile the Travel Expense Statement. For student travel, the Advisor or Teacher in charge must submit all meal receipts or other allowable receipt to claim reimbursement.

If the traveler requests reimbursement for the lunch meal while attending an all-day session within the 80-mile radius, the traveler must include an itemized receipt. Reimbursement will not exceed the FTR approved meal allowance for area of training. If the cost of the conference or training includes food, reimbursement is not allowed.

This travel statement shall be required for all travel expenses incurred. Failure to file such a statement shall result in a suspension of travel advances and no additional advances can be given until the statement and any required documentation has been submitted. Any trips taken during the period of suspension will not be reimbursed.

The date and time for departure and arrival must be included. The traveler must submit documentation to verify that the trip was taken. The required documentation includes the following: statement of travel expense, lodging receipts, airline receipts, and incidental expenses such as taxi, shuttle, parking, etc. and must include a written trip report.

- B. Reimbursable Expenses: Approved expenses and costs, which are essential and specifically required to carry out the business of the School.

Non-reimbursable expenses: Expenses and costs incurred, which are not necessary to carry out business essential to the School, are not reimbursable. The following items are examples of non-reimbursable expenses:

1. Expenses of family members.
2. Items purchased for personal use such as clothing, recreation, pleasure, or entertainment.
3. Tips for any one meal.
4. The purchase of alcoholic beverages or other drugs.
5. Any costs associated as "entertainment costs".

3.7.6 USE OF CREDIT CARDS FOR TRAVEL PURPOSES

- A. Use of School Credit Card: The School's credit card shall be used to reserve or pay for lodging accommodations, car rentals and to purchase airline tickets in connection with official business. The credit card shall not be used for meals or other subsistence expenses or for gasoline or repairs of privately owned vehicles. The use of the credit card requires an approved requisition form. The Finance Department must receive all receipts for credit card purchases within five (5) working days after expenses have been incurred. Failure to submit receipts as required will result in the discontinuance of the use of a credit card.

In no event will the School's credit card be used to pay for travel expenses when a travel advance has been obtained for the trip or used for personal expenses. The School's credit card will be securely held in the Finance Department. The unauthorized and improper use of the credit card by any individual will result in credit card privileges being revoked permanently and appropriate disciplinary action.

- B. Personal Credit Cards: Reimbursements for use of personal credit cards for business related activities will be paid at the same rate as other travel where a travel expense/per diem would have been advanced prior to the trip under the same provisions contained herein. Reimbursements for personal expenses will not

be authorized. Claims for reimbursements must include the traveler's name and items purchased to document the payment.

3.7.7 UNUSUAL SITUATIONS

Unusual Expenses. Parking Tickets/Traffic Citations: Any individual, employee or School official who receives a parking ticket or traffic citation of any type while traveling to business related functions using either a School vehicle or personal vehicle will be responsible for payment of any fines imposed. The School will not be held liable for any penalties imposed on the individual.

3.7.8 TRAVEL REPORTS

All travelers are required to submit a written travel report with the Travel Expense Statement. Finance staff will prepare a monthly report of all outstanding travel advances more than thirty (30) days past due.

Upon termination of employment, any outstanding travel will be recovered by deduction from any payment to which the employee is entitled. Failure to comply with these procedures within a fifteen (15) working day time limit will result in a deduction from the traveler's next stipend or salary check or other payments due.

An employee who has been issued a non-refundable airline ticket and failed to travel as scheduled within one (1) year of issuance will be responsible for reimbursement to the School.

3.7.9 TRAVEL TIME UNDER THE FAIR LABOR STANDARDS ACT

Travel overnight and away from the home community, even though no work is performed, is considered work time because it is incurred during the employee's regular workday. The employee is viewed as substituting travel for other duties that would have been performed for the employer. Moreover, such travel time is not only hours worked on the employee's regular workdays but during the corresponding work hours on non-working days as well. Thus, if an employee's regular workday is from 8:00 a.m. to 4:30 p.m., Monday through Friday, travel time during these hours on Saturday and Sunday is work time as well. Regular meal period times and travel time outside the normal work day are considered non-work time in overnight travel away from home as a passenger on public or private transportation. This is also true if the employee is offered public transportation but requests and is permitted to drive his or her personal vehicle instead. The School will count as hours worked the time that would have been spent on public transportation when the traveler drives their personal vehicle.

3.8 ETHICS

It is essential that the conduct of the Board of Education members, School Administrator(s), and staff hold the respect and confidence of the students, other staff, tribal membership and community. Board Members and Administrators must avoid conduct, which is in violation of their public trust, or which creates a justifiable impression that such trust is being violated.

To ensure and preserve public confidence, Board Members, School Administrators, and staff members should have the benefit of specific standards to guide their conduct and of some disciplinary mechanism to ensure the uniform maintenance of those standards among them.

Conflict of Interest

- a. No school official or member of their immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity, which is in substantial conflict with the proper discharge of their duties in the public interest.
- b. No school official shall use or attempt to use their official position to secure unwarranted privileges, advantages or employment for themselves, members of their immediate family or others.
- c. No school official shall act in their official capacity in any matter where a member of their immediate family, or a business organization in which they have an interest, have a direct or indirect financial involvement that might reasonably be expected to impair their objectivity or independence of judgment. No school official shall act in their official capacity in any matter where they or a member of their immediate family has a personal involvement that is or creates some benefit to the school official or member of their immediate family.
- d. No school official shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice their independence of judgment in the exercise of their official duties.
- e. No school official, or member of their immediate family, or business organization in which they have an interest, shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other

thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing an official, directly or indirectly, in the discharge of their official duties.

- f. No school official shall use, or allow to be used, their public office or employment, or any information, not generally available to the members of the public, which they receive or acquire in the course of and by reason of their office or employment, for the purpose of securing personal financial gain, any member of their immediate family, or any business organization with which they are associated.
- g. No school official or business organization in which the School official has an interest shall represent any person or party other than the Board or School in connection with any cause, proceeding, application or other matter pending before the School in which the School official serves or in any proceeding involving the School in which the School official serves.
- h. No school official shall be deemed in conflict with these provisions if, by reason of their participation in any matter required to be voted upon, no material or monetary gain accrues to them as a member of any business, profession, occupation or group, to any greater extent than any gain could reasonably be expected to accrue to any other member of that business, profession, occupation or group.
- i. No elected member shall be prohibited from making an inquiry for information on behalf of a constituent, if no fee, reward or other thing of value is promised to, given to or accepted by the member or a member of their immediate family, whether directly or indirectly, in return therefor unless contrary to applicable laws/regulations.
- j. Nothing shall prohibit any School official, Administrators, and staff member or members of their immediate family, from representing themselves, in negotiations or proceedings concerning their own interests.
- k. Refer all written suggestions and complaints to proper school authorities and abstain from individual counsel and action.

Code of Ethics

In general, all school employees shall:

- 1. Comply with all Board policies and administrative regulations regarding standards of employee behavior or conduct.
- 2. Disclose all material facts in all matters for obtaining employment or licensure, and refrain from making false or misleading statements in connection therewith.
- 3. Avoid misrepresentation of his or her qualifications for employment or promotion.
- 4. Refrain from assisting persons in obtaining educational employment that he or she knows to be unqualified with respect to their character, education, or employment history.
- 5. Refrain from making false or misleading statements concerning the qualifications of anyone seeking employment or any type of contractual services with the School.
- 6. Refrain from permitting or assisting unqualified or unauthorized persons to obtain employment either as an employee or vendor with the School.
- 7. Avoid disclosure of personal, medical, or other confidential information about other employees or students to anyone, unless disclosure is required or authorized by law.
- 8. Avoid making false and derogatory statements about other employees or students.
- 9. Avoid conduct connected with the performance of official duties that is improper or illegal, or which creates the appearance of impropriety or illegality.
- 10. Become familiar with and abide by the Board's policies related to sexual harassment of employees, and avoid sexual harassment of any school employee, any school visitor, and anyone else whom he or she might encounter in the course of official duties, by any verbal or physical conduct of a sexual nature -- including unwelcome sexual advances or requests for sexual favors, and the use of any sexually-oriented jokes, innuendos, names, or references -- and avoidance of any possession, display, or distribution of sexually-oriented materials or information at school except any that is part of the curriculum.

11. Use educational facilities and property only for purposes related to the legitimate school-related business for which they are intended, consistent with applicable policy, law and regulation, and avoid use of school facilities or property to conduct personal business or personal affairs.
12. Avoid all outside employment which conflicts with school employment duties, or which uses confidential or privileged information obtained from public school employment, or that impairs the employee's physical ability to perform school employment duties.
13. Refrain from changing or altering, and from encouraging or assisting anyone else to change or alter, any record or document with the intent to conceal or confuse a fact in connection with:
 - official school duties
 - another person's official school duties
 - standardized or non-standardized testing
 - school application or disclosure process
 - submission to any state or federal regulatory authority
14. Avoid knowingly engaging in any conduct or making any statement that would:
 - breach the security of any standardized or non-standardized test
 - omit all or part of the testing instructions of any standardized or non-standardized test
 - assist students in obtaining services or benefits to which they do not qualify or are not entitled
15. Avoid engaging in violent, abusive, indecent, profane, boisterous, disruptive, unreasonably loud, or otherwise disorderly conduct that would tend to disturb the peace or interfere with or obstruct the lawful mission, processes, procedures or functions of the schools or the school while on school property, while present at a school activity, and during school transportation to or from such activities.
16. Refrain from violent, threatening, or unprofessional conduct toward other employees, supervisors, parents, students, members of the school community, members of the general public, and others with whom the employee has contact in connection with his or her duties.
17. Avoid engaging in any behavior prohibited by the criminal code of federal or tribal law, and in conduct that may result in criminal penalties, civil fines, or similar sanctions.
18. Respond in a prompt, direct, and professional manner to lawful directives, instructions, and requests from supervisors or administrators.
19. Refer to Computer Usage / Social Media Policy 3.51.
20. Board members will attend all meetings, discuss items presented on the agenda, and suggest other items for consideration, and vote and act upon motions and resolutions impartially for the good of the School.

If a violation by a School Board member is found the board shall, by majority vote, recommend a reprimand, withholding of stipend(s), suspension, or removal of the school official found to have violated this code of ethics.

If a violation by a School Administrator(s), Educator(s) or staff is found the Principal along with the immediate supervisor shall determine the appropriate discipline by reference to Personnel Discipline policy 3.31.

3.9 COVID-19 & OTHER INFECTIOUS DISEASES

FACILITY ENTRY PROCESS

- Authorized entries for staff are the main employee entrance (with enclosed glass entry & pin pad). All other entries are not permitted. Visitors must enter through the main front entrance. Students enter through the back entrance.
- Each employee will enter the facility through the employee entry door (with enclosed glass entry & pin pad) while wearing a protective face mask and will utilize the hand sanitizer before entering the facility.

- Employees who do not wear a mask may not enter the facility. Exceptions for those who should not wear a face covering include children younger than 2 years old or those who have a documented medical condition that prevents from wearing a mask.
- Employees will stand in front of the kiosk to have their picture and temperature taken. Your picture will only be taken one time for the kiosk facial recognition. If the kiosk is unavailable, the employee may ask someone to take their temperature for them, using a touchless thermometer.
- Temperatures will be taken on a daily basis before entry is granted or as requested.
- If your temperature is taken and is 99.4 or below you may enter the facility.
- If your temperature is above 99.4, you cannot enter the building. Once you have left the employee entrance you must contact your immediate supervisor. All employees are encouraged to stay home if they are not feeling well.
- All employees currently enrolled in health insurance may utilize the Pyramid Lake Health Clinic as a testing site for COVID-19. Or you may utilize your primary health care physician.

DAILY OPERATIONS

- Face masks are mandatory unless an exception is approved by the Principal.
- Each work station will have a protective shield. Additional PPE or cleaning supplies will be provided to suit employee needs. Supplies are located in the staff lounge.
- Facilities/maintenance staff will clean throughout the day, but each employee should also sanitize their work station on a daily basis with sanitizing wipes and disinfectant spray for extra precaution.
- Make face-to-face interaction with other employees only if necessary for work related issues. Social distancing is mandatory. Please stay at least 3 feet (about 1 arm length) from other people and please try not to gather in groups.
- Wash your hands frequently and use hand sanitizer as needed.
- Email use is strongly recommended for all communications to ensure social distancing. Each employee is encouraged to use their PLHS email or school phone instead of in person interaction.
- If you begin to experience COVID-19 related symptoms including: fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose (not associated with allergies), nausea, vomiting or diarrhea; please notify your immediate supervisor and go home to monitor your symptoms. The supervisor will notify HR. Please refer section CONFIRMED CASE.
- Seek immediate medical attention if you have trouble breathing, have persistent pain or pressure in the chest, new confusion, inability to wake or stay awake and bluish lips or face.
- Facilities/maintenance staff should clean daily and disinfect all areas (offices, bathrooms, and common areas), focusing especially on frequently touched surfaces (doorknobs, drinking faucets, keyboards, touchscreens, and hallway handrails).
- All staff should ensure that desk surfaces are cleared of items at the end of the day to facilitate custodial staff's ability to rapidly disinfect surfaces without having to remove staff possessions.
- Dirty surfaces shall be cleaned using a detergent or soap and water prior to disinfection.

FULLY VACCINATED EMPLOYEES:

Employees who have been boosted OR completed the primary series of Pfizer or Moderna. The close contact does not need to quarantine.

If an employee has been in close contact, they should monitor for symptoms, get tested 5-7 days after the exposure, and wear a mask indoors in public for 14 days or until they receive a negative test result.

Regardless of vaccination status, if a close contact develops symptoms, they should isolate and get tested immediately.

APPROVED EXEMPT, NON VACCINATED EMPLOYEES:

The close contact needs to quarantine.

The close contact should monitor for symptoms and get tested immediately and again 5-7 days after the exposure. The close contact should wear a mask if they must be around others.

A public health official will determine the length of the quarantine. CDC recommends a total of 14 days from the date of exposure.

Regardless of vaccination status, if a close contact develops symptoms, they should isolate and get tested immediately.

IF AN EMPLOYEE HAD COVID-19 WITHIN THE PAST 90 DAYS, COMPLETED ISOLATION & RECOVERED

The close contact does not need to quarantine

The close contact should monitor for symptoms, wear a mask indoors in public for 14 days, and speak with a public health official about testing recommendations.

Close contacts who had a prior infection in the past 90 days and who develop new symptoms should isolate immediately and consult a public health official for testing recommendations.

ADA CONFIDENTIALITY

May only disclose name of infected employee to a manager or supervisor and HR on a need-to-know basis.

May not disclose name of infected employee to co-workers.

Those who violate the ADA confidentiality may be subject to discipline or termination.

CONFIRMED CASE PROCESS

If you have tested positive with COVID-19 and advised by a public health official, you must self-quarantine for 5 days and notify your immediate supervisor. Supervisors will notify HR. Once you are cleared by your health care physician to return to work, please provide your doctor's note to HR.

Facilities/maintenance staff should close off areas used by the individuals with COVID-19 and wait as long as practical and ideally 24 hours before beginning to clean and disinfect to minimize potential for exposure to respiratory droplets. Open outside doors and windows to increase air circulation in the areas.

Facilities/maintenance staff should clean and disinfect all areas (offices, bathrooms, and common areas) used by the ill persons, focusing especially on frequently touched surfaces (doorknobs, drinking faucets, keyboards, touchscreens, and hallway handrails).

QUARANTINE

Quarantine separates and restricts the movement of people who might have been exposed to COVID-19 away from others and helps prevent the spread of the disease that can occur before a person knows they are sick or if they are infected with the virus without feeling symptoms.

1. Non vaccinated employees must quarantine for 5 days after the last close contact with someone who tested positive, whether they are symptomatic.
2. Monitor health for any possible COVID symptoms; and
3. Stay away from others including those at high risk for COVID-19 complications.

CLOSE CONTACT:

- Being within 3 feet of someone who has COVID-19 for at least 15 minutes in a 24 hour period (masked or unmasked)
- Having provided care at home to someone who is sick with COVID-19.
- Having had direct physical contact with a person who has COVID-19 (touched, hugged, or kissed them).
- Sharing, eating or drinking utensils with a person who has COVID-19.
- A person with COVID-19 sneezed, coughed, or somehow got respiratory droplets on you.

ISOLATION

Required of employees who have symptoms of COVID-19 and can recover at home, and of employees who have tested positive.

Employees should:

1. Monitor symptoms.
2. Stay in a separate room from other household members, if possible.
3. Avoid contact with other members of the household and pets.
4. Not share personal household items, like cups, towels, and utensils.
5. Wear a cloth face covering when around other people, if able.

Individuals with a confirmed COVID-19 diagnosis should remain in isolation for 24 hours fever-free, if respiratory symptoms have improved, and at least 5 days since symptoms first appeared.

Individuals with a positive COVID-19 test but no symptoms should remain in isolation for 5 days from the day of test.

COVID-19 Attendance, Punctuality & Pandemic Leave

Attendance & Punctuality Requirements:

Pyramid Lake Jr./Sr. High School shall require employees to report to work punctually and work all scheduled hours and any required overtime.

Well/Non-Symptomatic Employees: Employees who are well/non-symptomatic are expected to report to work as scheduled.

1. Well/Non-symptomatic employees are expected to report to work as scheduled unless they have been:
 - a. In contact or have been caring for immediate family with a confirmed case of COVID-19 or any of its variants, in which case they are required to self-isolate; or have been ,
 - b. Instructed to refrain from attending work by a public health official.

Sick/Symptomatic Employees: Employees who have symptoms of respiratory illness must stay home and not report to work until they are free of fever, and any other symptoms for at least 24 hours, without the use of fever-reducing or other symptom-altering medicines or cough suppressants. A fever is defined as a temperature of 100.4 degrees Fahrenheit or 38 degrees Celsius taken with an oral thermometer.

Employees should contact the Tribal Health Clinic or your primary health provider if they develop possible symptoms. If any employee presents themselves at work with symptoms of respiratory illness or a fever, the immediate supervisor and through Human Resources, at their discretion, may request that the employee leave work and seek medical attention. Employees may be required to provide a physician's note indicating that they have been released to return to full duty and are no longer contagious.

NOTICE: Employees shall, as soon as practicable, give notice to their supervisor that they are sick and unable to report to work. Based upon Section 3.0 Human Resources, 3.28 Work Hours.

COVID-19 LEAVE

An employee who is unable to work due to a need identified within this section: (1) are subject to a Federal, State, or local quarantine or isolation order related to COVID-19 or variant ; (2) have been advised by a health care provider to self-quarantine due to concerns related to COVID-19 or variant; or (3) are experiencing symptoms of COVID-19 or variant and are seeking medical diagnosis, will receive for each applicable hour up to 80 hours at their regular rate of pay. To utilize this leave, employees must complete the COVID-19 Request for Sick Leave Form and the form must be approved by your immediate supervisor.

This shall be in effect throughout the duration of the COVID-19 Pandemic period.

A. Eligibility for COVID-19 Leave

1. Employee Eligible employees shall:
 - a. Obtain a certificate of testing, medical diagnosis/care if the employee is experiencing the symptoms of COVID-19 or variant;
 - b. Comply with a recommendation or order by a public health official having jurisdiction or a health care provider on the basis that the employee's physical presence at the job would jeopardize the health of others because the employee has been exposed to or has symptoms of COVID-19 or variant;
2. Restrictions of Designated Time
 - a. Employee agrees during this time-period to stay home and not risk exposure to others.
3. Return to Work
 - a. If an employee has been confirmed to have COVID-19 or variant, Human Resources will require written medical clearance for the employee to return to work and that the employee is no longer contagious. This must be submitted prior to the employee returning to work. If the employee has not submitted a written medical clearance form and that employee returns to work, the immediate supervisor and Human Resources may ask that employee to leave from work.
4. Multiple Exposure
 - a. Employee Exposure
 1. Initial time will be compensated up to 80 hours;

2. Further instances will be credited to employee's accrued sick and if needed annual leave balance, if the employee is out of leave, the employee will utilize LWOP (leave without pay). Based upon Section 3.0 Human Resources, 3.29 LEAVE.
- b. Employee/Family Testing Positive
 3. Employee will utilize their available family sick leave, accrued annual and if needed LWOP. Based upon Section 3.0 Human Resources, 3.29 LEAVE.
- c. Employee Family Exposure
 4. Employee will utilize their available family sick leave, accrued annual and if needed LWOP. Based upon Section 3.0 Human Resources, 3.29 LEAVE.
5. Other Considerations
 1. Employees who have repeated exposures that inhibit or endanger services and/or students, fellow staff and the community will be addressed based upon Section 3.0 Human Resources, 3.31 Discipline.

MANDATORY VACCINATION POLICY OF PYRAMID LAKE PAIUTE TRIBE

PURPOSE

The Pyramid Lake Jr./Sr. High School is an entity established under the Pyramid Lake Paiute Tribe ("Tribe"). In accordance with the PLHS's duty to provide and maintain a workforce that is free of known hazards, we are adopting the Tribe's State of Emergency Supplementation: Mandatory Vaccination Policy Resolution No. 100-21 per PLHS Board Resolution No. 2021-02; to safeguard the health of our employees, students and their families, our customers, visitors and the community at large from infectious diseases, such as COVID-19 or influenza that may be reduced by vaccinations. PLHS will comply with all applicable laws and is based on guidance from the Centers for Disease Control and Prevention and local health authorities, as applicable.

AUTHORITY

PLHS will require all employees to receive vaccinations, to comply with the PLHS Board's Resolution No. 2021-02. PLHS employees not in compliance with this policy will be placed on unpaid leave until their employment status is determined by the PLHS School Board in conjunction with Human Resources.

PROCESS OF VERIFICATION/STATUS

PLHS employees will be notified by PLHS Human Resources Department as to the type of vaccination(s) covered by the PLHS policy and the timeframe(s) for having the vaccine(s) administered. Pyramid Lake Health Clinic will provide either onsite access to the vaccines or PLHS HR may provide a list of locations to assist employees in receiving the vaccine on their own. When not received in-house, vaccinations should be run through employees' health insurance where applicable.

All employees will be paid for time taken to receive vaccinations. For offsite vaccinations, employees are to work with their supervisors to schedule appropriate time to comply with this policy.

Employees will be required to provide proof of vaccination.

APPLICANTS FOR EMPLOYMENT ELIGIBILITY

PLHS will require all applicants for employment to provide proof of vaccination in the form of the official vaccination card. Verification will be discreet and consist of determination of eligibility only. All requirements will be applied across the board during recruitment of positions with PLHS and be the sole responsibility of the PLHS Human Resources Department.

REQUEST FOR ACCOMODATION: MEDICAL EXEMPTION OR RELIGIOUS EXEMPTION FROM VACCINATION

Requests for Medical OR Religious Exemptions from the vaccination shall require a fully completed form, which shall be verified. The Medical or Religious exemption forms may be obtained in the HR office. Please remember you are not required to share your information with anyone other than the HR office. All completed forms will remain confidential and filed. Each request for accommodation form states: "I certify that the information I have provided in connection with this request is accurate and complete. I understand the exemption may be revoked if any false information has been used to request an exemption. I understand that although the PLHS holds the health and safety of its community as paramount, there is no guarantee that I will not be exposed to or infected with COVID-19. I also understand that I may be at higher risk for severe complications from COVID-19 if I have particular conditions identified by the CDC. I have read and fully understand my obligations as described above and request this exemption related to the COVID-19 vaccine. I understand that the accommodation requested above may not be granted but that PLHS will attempt to provide a reasonable accommodation that does not create an undue hardship on the workplace. I further understand that I will be required to wear a facial covering at all times if my accommodation is approved."

