



Employee Handbook

Revised Summer 2020

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<p>The Village Charter School is excited about the upcoming school year and the beginning of new era for our great school. We are pleased that you have chosen to partner with us as we seek to make the difference in the lives of children and families. Committed to bring excellence to our employees and staff, we seek a Win-Win relationship that offers balance and effectiveness in the work place. Desiring to be a place that values its employees, the TVCS Board is implementing structure and definition in areas that will allow the school to commit to moving forward for a bright future. ....</p>	
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## Introduction

The Village Charter School is excited about the upcoming school year and the beginning of new era for our great school. We are pleased that you have chosen to partner with us as we seek to make the difference in the lives of children and families. Committed to bring excellence to our employees and staff, we seek a Win-Win relationship that offers balance and effectiveness in the work place. Desiring to be a place that values its employees, the TVCS Board is implementing structure and definition in areas that will allow the school to commit to moving forward for a bright future.

In the pages of this handbook, you will find the resolves the TVCS board feel are vital to the success of this institution. As we move forward in our forever home, The Village Charter School looks forward to serving the TEAM of teachers and staff that serve our students. Thank you for joining with us as we work to create the Leaders for Tomorrow.

TVCS Board and Administration

Fall of 2020

## Section 1: General Overview

### 1.1 About this Handbook

This handbook is designed to familiarize you with TVCS and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by TVCS to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee handbook can anticipate every circumstance or question about policy. As TVCS continues to grow, the need may arise to revise, supplement, or rescind any policies or portion of the handbook from time to time, as TVCS deems appropriate. TVCS reserves the right to do so at its sole and absolute discretion. Employees will, of course, be notified of such changes to the handbook as they occur.

This handbook is not intended to create, nor shall it be construed as creating, an expressed or implied contract, cause of action, or a guarantee of employment for any term.

### 1.2 Philosophy and Objectives

The **Vision** of TVCS is to cultivate students' individual gifts and abilities, equipping them to discover meaningful value and purpose in the world.

Our **Mission** of TVCS is to provide a high quality free public education for our students enriching knowledge through a challenging and engaging curriculum, hands on experience, real world application and creative methods. Each student is given the opportunity to achieve their full potential in a safe, supportive, loving environment preparing them for higher education, satisfying employment, and responsible citizenship. Our village includes passionate, innovative and encouraging teachers, administrators, parents and community members all working together to support our students.

Our **Goal** is to have a school-wide goal to reach every student helping them feel successful and confident. Our school environment is calm, welcoming, fun, and sometimes loud, encouraging a love of learning and creativity. We encourage students to explore, learn and follow their dreams. Consistency is a fundamental value in order to provide a safe, structured and engaging atmosphere. TVCS has high expectations for moral and ethical conduct. All employees, parents, and visitors are expected to follow the same standards that are set for our students.

TVCS believes:

- when students feel safe, accomplished, loved, engaged and challenged, they are more likely to succeed.
- students come first and safety is of the utmost importance.
- students play an integral role in our village community.
- every student has individual gifts and talents to be discovered and cultivated.

## **Section 2: Employment and Hiring**

### **2.1 Equal Employment Opportunity**

TVCS shall provide equal employment opportunities to all persons, regardless of their race, color, religion, creed, national origin, sex, age, ancestry, marital status, military status, citizenship status, pregnancy, use of lawful products while at work, physical or mental handicap or disability, if otherwise able to perform the essential functions of the job with reasonable accommodations, and other legally protected categories.

TVCS will make reasonable accommodation for an individual with a disability known to the School, if the individual is otherwise qualified for the position, unless the accommodation would impose an undue hardship upon TVCS. All employees are obligated to follow and complete their job description duties.

Inquiries regarding discrimination should be directed to the Title IX Coordinator, Candie Massey, Business Office. Specific written complaints should follow the Uniform Grievance Procedure.

## 2.2 Hiring Process and Criteria

The Principal is responsible for recruiting personnel, and making hiring recommendations to the Board. Educational personnel applicants are initially screened by the principal. TVCS shall hire highly qualified personnel, consistent with budget and staffing requirements, and shall comply with Board policy and state law on equal employment opportunities. All applicants must complete a Village Charter School application form in order to be considered for employment.

Each person hired by TVCS will undergo a criminal history check consistent with Idaho law. Each newly hired employee must complete an Immigration and Naturalization Service form, as required by federal law.

### Certification of Professional Personnel

TVCS shall require that its contracted certificated staff hold a valid Idaho certificate endorsed for the role and responsibilities for which they are employed. All certificated professional employees must be employed on a written letter of intent in the form approved by the Board.

Upon receipt of a proposed letter of employment for the ensuing school year, the person shall deliver the signed intent to TVCS within 10 (days) of receipt of the same. **(Note: Cannot be less than 10 days.)** Delivery of a letter of intent may be made only in person, email, or by certified mail, return receipt requested. Should any person refuse to acknowledge receipt of intent or not return a signed intent to TVCS within the time period set forth herein, TVCS may declare the position vacant and offer a letter to another person.

The personnel office will retain a copy of each certificated employee's valid certificate in the employee's personnel file.

Legal Reference:	I.C. § 55-512	Governance of schools
	I.C. § 33-130	Criminal history checks for school district employees or applicants for certificates
	I.C. § 33-513	Professional personnel

### **2.3 Letter of Intent**

Teachers and staff will be offered letter of intent before June 1 for returning to The Village Charter School. Notice for employees who will not be returning to TVCS will be given by May 15. It is the intent for The Village Charter to offer ample time for employees to find new employment.

The Intent to return will be issued in February for employees to determine their intentions to remain at The Village Charter. All staff will be treated with equal opportunity for in-house job possibilities. The Village Charter prefers to hire from within, but is not obligated to only consider current employee applications. All applicants will be considered for all open positions.

A grievance can be filed at any time in conjunction to employment matters. The process for that to occur is found in the Grievance section of this handbook.

#### **Delivery of Employment Letter**

Delivery of a letter of intent may be made only in person, by email or by certified mail, return receipt requested. If delivery is made in person, the delivery must be acknowledged by a signed receipt.

#### **Return of the Employment Letter**

A person who receives a proposed letter of intent from TVCS shall have 10 days (no less than ten days) from the date of delivery to sign and return the intent.

#### **Failure to Accept or Acknowledge**

Should a person willfully refuse to acknowledge receipt of the letter of intent or the letter of intent is not signed and returned to the admin within the designated time period, the admin may declare the position vacant. The board has final say in all re-hires and new hires.

## 2.4 Certified Personnel Resignation (Release from Employment Letter)

Applicants for teaching positions with TVCS who are issued a letter of intent and employees who are on contract should recognize that their contract with the Charter School carries responsibilities. Certified personnel will be expected to fulfill the terms of their employment unless (1) there are clearly compelling, mitigating circumstances which prevent the certified or exempt individual from doing so; and (2) until such time as the Board releases the certified individual from the terms of their employment upon the recommendation of the Principal.

Employees (including those employees who have just signed their letter of intent) will not be released from teaching duties during the school year or within 45 days of the start of the school year unless a suitable replacement can be found. The Board may make exceptions to this rule for serious health problems or if a replacement can be found to fill the position being vacated.

The Employee may make a written request for release from their intent during the school year or immediately prior to the start of the school year, stating the date of requested release. The request should be submitted to the Charter School Administrative office so that a search for a suitable replacement can be initiated. The request for release will be submitted to the Board by the administration. The Charter School office will also give the person making the request the opportunity to hold the request until finding a suitable replacement is imminent at which time the resignation would then be submitted to the Board. (If no time is specified for the request to be submitted to the Board, it will be submitted when the administration feels that finding a suitable replacement is imminent. The person making the request will be advised of that action.)

### Personnel

Classified Employees not under letter of intents are expected to give due written notice that will permit the Charter School to conduct a search for a suitable replacement. Generally speaking, the Board expects a two-week notice from all personnel wishing to leave their assigned duties.

All resignations should be in writing. Requests for resignation shall be transmitted to the Board as part of the regular personnel report.

## 2.5 Employee Reference and Background Checks

All requests for information on current and former employees must be referred to the Administrative Office. Information given by phone or in writing will be limited to verification of employment dates and position title. Documentation of any employee reference checks will be documented, signed and placed in the employee file.

It is the policy of TVCS not to employ or to continue the employment of classified, professional or administrative personnel who may be deemed unsuited for service by reason of arrest and/or criminal conviction. While an arrest or conviction of a crime, in and of itself, may not be an automatic bar to employment, if an arrest or conviction relates to suitability of the individual to perform duties in a particular position, such person may be denied employment or in the case of current employees, may face disciplinary action, up to and including termination.

It is the policy of this Village Charter School to perform criminal history checks as required by Idaho law and to perform other types of background checks on employees or volunteers including, but not limited to:

1. Contacting prior employers for references;
2. Contacting personal references; and/or
3. Contacting other persons who, in the discretion of TVCS, could provide valuable information to TVCS.

Where a prior conviction is discovered, TVCS will consider the nature of the offense, the date of the offense, and the relationship between the offense and the position for which application is sought, or the person is employed. Any individual convicted of a felony offense listed in I.C. § 33-1208(2) shall not be hired.

If an applicant or employee makes any misrepresentation or willful omissions of fact regarding prior criminal history, such misrepresentation or omission shall be sufficient cause for disqualification of the applicant or termination of employment.

### Initial Hires

In order to protect the health, safety and welfare of the students of TVCS, Idaho law requires the following employees to subject to criminal history checks:

1. Certificated and non-certificated employees;
2. All applicants for certificates;
3. Substitute staff;
4. Individuals involved in other types of student training such as practicums and internships; and
5. All individuals who have unsupervised contact with students.

A criminal history check shall be based on a complete ten (10) finger fingerprint card or scan and include, at a minimum, the following:

1. Idaho bureau of criminal identification;
2. Federal bureau of investigation (FBI) criminal history check; and

### 3. Statewide sex offender register.

Employees will be required to undergo a criminal history check within five (5) days of starting employment or unsupervised contact with students, whichever is sooner.

**The fee charged to an employee shall be forty dollars (\$40.00).** All criminal history check records will be kept on file at the state department of education. A copy of the records will be given to the employee upon request.

### **Employee Arrest or Conviction**

All employees shall have the continuing duty to notify TVCS of any arrest or criminal conviction that occurs subsequent to being hired by TVCS. In the event that any employee, whether full-time or part-time, probationary or non-probationary, classified or certified, is arrested, charged or indicted for a criminal violation of any kind, whether misdemeanor or felony, with the exception of minor traffic infractions, he/she is required to report such arrest promptly to the employee's supervisor or department head within one (1) business day unless mitigating circumstances exist. This reporting requirement applies regardless of whether such arrest has occurred on-duty or off-duty. Failure to comply with this reporting requirement shall be grounds for disciplinary action, up to and including termination.

Additionally, if an employee has a protection order served against him/her, the employee shall follow the same reporting requirements as outlined above.

Supervisors or department heads shall contact the Principal or designee upon receiving notification that an employee has been arrested or has a protection order served against him/her. TVCS reserves the right to determine appropriate disciplinary action in such cases, up to and including termination, depending upon the facts and circumstances surrounding the incident.

It is the discretion of TVCS to terminate or take other action against any employee that has either been convicted of one (1) or more of the felony offenses set forth in I.C. § 33-1208 or made a material misrepresentation or omission on their job application.

### **Substitute teachers**

The State Department of Education shall maintain a statewide list of substitute teachers. To remain on the statewide substitute teacher list, the substitute teacher shall undergo a criminal history check every five (5) years. If a substitute teacher has undergone a criminal history check within five (5) years as a result of employment with another Charter School, the Charter School, may in its sole discretion, not require a substitute to undergo a criminal history check. If TVCS does desire substitute teacher who has undergone a criminal history check within the last five (5) years to undergo an additional criminal history check, TVCS will pay the costs of such check.

### **Other employees**

TVCS may require that any employee be subjected to criminal history checks. If required, TVCS will pay the costs of such checks.

## Volunteers

All volunteers who have access to students will undergo the free Idaho Repository Check by the school secretary to be approved to volunteer. The school secretary will maintain a list of approved volunteers.

Any volunteer in TVCS who has regular unsupervised access to students, as determined by the Principal or the Principal's designee, shall submit to a fingerprint criminal background investigation conducted by the appropriate law enforcement agency prior to consideration for volunteering in the schools of this Village Charter School.

Any requirement of a volunteer to submit to a fingerprint background check shall be in compliance with the Volunteers for Children Act of 1998 and applicable federal regulations. If a volunteer has any prior record of arrest or conviction by any local, state, or federal law enforcement agency for an offense other than a minor traffic violation, the facts must be reviewed by the Principal, who shall decide whether the volunteer is suitable to be in the presence of the students in TVCS. **Arrests resolved without conviction shall not be considered in the hiring process unless the charges are pending.**

## Contractors

TVCS maintains a safe environment for students by developing a system that cross-checks all contractors or other persons who have irregular contact with students against the statewide sex offender register.

## Confidentiality

Outstanding warrants, criminal charges and/or protective orders may be confidential. An employee who is provided access to such information relating to another employee shall ensure that the information remains confidential. If an employee discloses such information without authorization, the employee shall be subject to disciplinary action which could be termination.

## Legal Reference

I.C. § 33-130 Criminal history checks for school district employees or applicants for certificates  
 I.C. §33-512 Governance of schools  
 I.C. §9-340(C) Records Exempt from Disclosure  
 Public Law 105-251, Volunteers for Children Act

## 2.6 Termination of Employment

Non-certified employees may be terminated with or without cause and with no further obligation other than to pay wages due, according to state law.

Termination of certified staff may be in accordance to their letter of employment and job expectations. Upon termination, whether voluntary or involuntary, employees are required to return all TVCS property including, but not limited to, photo identification badge, keys, manuals, equipment, etc., to their supervisor or designee. The value of any property not returned will be deducted from the employee's final paycheck.

### Resignation

An employee who leaves TVCS voluntarily is expected to give his or her supervisor a written notice of resignation at least two weeks in advance of the last working day.

### Employment "At-Will"

All non-certified employment with TVCS is "at-will," meaning that both the employee and TVCS remain free to terminate the employment relationship at any time, for any reason, with or without cause. The following will not alter the "at-will" nature of employment with TVCS:

1. Oral, written statements or representations, whether before or after hiring, except a written agreement that is signed by an employee and an authorized representative of TVCS;
2. Practices or procedures of TVCS or its supervisory personnel;
3. Any written material, including recruitment materials, employment applications, policies, rules, guidelines, descriptions of benefits, and this handbook;
4. Conferral of "regular" status.

## 2.7 Accommodating Individuals with Disabilities

Individuals with disabilities shall be provided a reasonable opportunity to participate in all school-sponsored services, programs, or activities on an equal basis to those without disabilities and will not be subject to illegal discrimination. The Charter School will provide auxiliary aids and services where necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity.

Each service, program, or activity operated in existing facilities shall be readily accessible to, and useable by, individuals with disabilities. New construction and alterations to facilities existing before January 26, 1992, will be accessible when viewed in their entirety.

The Principal is designated the Americans with Disabilities Act, Title II Coordinator and, in that capacity, is directed to:

1. Oversee the Charter School's compliance efforts, recommend necessary modifications to the Board, and maintain the Charter School's final Title II self-evaluation document and keep it available for public inspection.
2. Institute plans to make information regarding Title II's protection available to any interested party.

Individuals with disabilities should notify the Principal or building principal if they have a disability which will require special assistance or services and, if so, what services are required. This notification should occur as far as possible before the school-sponsored function, program, or meeting.

Legal Reference: Americans with Disabilities Act, 42 U.S.C. §§ 12111, et seq., and 12131, et seq.; 28 C.F.R. Part 35.

## 2.8 Immigration Compliance

TVCS is committed to employing only United States citizens and aliens who are authorized to work in the United States. The Village does not unlawfully discriminate based on citizenship or national origin.

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

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Principal.

## 2.9 Employee Classifications and Exemptions

TVCS classifies employees into the following groups:

- Certified Educational Personnel
- Classified Educational Personnel
- School Administrative Personnel
- School Support Personnel

### Status Classifications

Within each employee group and depending upon the position held, length of employment, and/or number of hours worked, each employee shall fall into one of the following employment status classifications: temporary or regular. Under each of these employment status classifications an employee will be designated as either full-time or part-time and exempt or non-exempt. A definition of these employment status classifications follows:

- ***Full-Time Employees*** - Regular full-time employees work at least 32 hours per week and are employed for a non-specific period of time or project. These employees are eligible for benefits.
- ***Part-Time Employees*** - Part-time employees work less than 31 hours per week and are employed for a non-specific period of time or project. These employees are not eligible for benefits.
- ***Temporary Employees*** - Temporary employees work for a specified period of time or project period. This is not limited to grant funded positions, but also refers to state and locally funded positions as well. These employees are not eligible for benefits. At any time their employment can be concluded.

Employees at TVCS are classified into the following two broad categories: Exempt Employees (Administrative/Professional, A/P, and Clerical) and Non-Exempt (Para & Teacher Support Staff) Employees.

- **Exempt (Administrative/Professional, A/P, Clerical)** Employees are those whose job assignments meet the federal and state requirements for overtime Exemption as defined by the Fair Labor Standards Act (FLSA) of 1938 that allowed for Exemptions from minimum wage and overtime pay requirements for executive, administrative, professional and outside sales staff. Exempt Employees are compensated on a salary basis and are not eligible for overtime pay. Generally, executive, administrative, and professional positions are overtime Exempt. Your employment letter will inform you if your status is Exempt (A/P).
- **Nonexempt (Support Staff, SS)** Employees are covered by the overtime provisions of the FLSA and are therefore compensated on an hourly basis for actual hours worked in the performance of the job. Non-Exempt Employees will be paid time and one-half compensation for all hours worked in excess of 40 in one workweek and as otherwise required by state and federal law. Your employment letter will inform you if your status is Non-Exempt (SS).

## 2.10 Job Descriptions

There shall be written job descriptions for all positions and for all employees of the Charter School. The "job description" will describe the essential characteristics, requirements, and general duties of the job or position. All personnel shall be subject to the requirements delineated in the job descriptions so that they may effectively contribute to the goals and purposes for the Charter School. The descriptions shall not be interpreted as complete or limiting definitions of any job, and employees shall continue in the future, as in the past, to perform duties assigned by the Board, supervisors, or other administrative authority.

Once each year or as provided by Idaho Code, the supervisors of all employees shall confer with each person under his or her supervision to review the individual's work.

The evaluation shall be documented by use of the Charter School evaluation form for classified or certified personnel. No evaluation should be signed before it is fully discussed by both the employee and the supervisor. One signed copy will be given to the employee and one signed copy will be given to the Principal to be maintained in the employee's personnel file.

### Section 3: Policies and Procedures

#### **3.1 Board Goal/Personnel**

The human resources of the Charter School are valuable and significant in creating an effective educational program and learning environment. Schools function most efficiently and successfully when highly qualified individuals are employed to staff the needs of the Charter School. Opportunities for staff development should be provided periodically. Supervision is a necessary, ongoing function of the Charter School's leadership. The board seeks to promote an efficient and positive school climate in all educational endeavors, in order that students may work toward their greatest potential, and the community will be proud of its investment.

Nothing contained in the policies or administrative procedures included herein is intended to limit the legal rights of the Board or its agents except as expressly stated.

Should any provision of Board policy or administrative procedure be held to be illegal by a court of competent jurisdiction, all remaining provisions shall continue in full force and effect.

### 3.2 Personal Conduct

Employees are expected to maintain high standards of honesty, integrity and impartiality in the conduct of Charter School business and required to comply and **conform to the Idaho law and the Code of Ethics of the Idaho Teaching Profession.**

In addition to the conduct enumerated in Idaho law and the Code of Ethics of the Idaho Teaching Profession, an employee should not dispense or utilize any information gained from employment with the Charter School, accept gifts or benefits, or participate in business enterprises or employment which create a conflict of interest with the faithful and impartial discharge of the employee's Charter School duties. A Charter School employee may, prior to acting in a manner which may impinge on any fiduciary duty, disclose the nature of the private interest which creates a conflict. Care should be taken to avoid using, or avoid the appearance of using, official positions and confidential information for personal advantage or gain.

Further, employees should hold confidential all information deemed to be not for public consumption as determined by law and Board policy. Employees shall also respect the confidentiality of people served in the course of the employee's duties and use information gained in a responsible manner. Discretion should be employed even within the school system's own network of communication.

Administrators and supervisors may set forth specific rules and regulations governing an employee's conduct on the job within a particular building.

Legal Reference:

Code of Ethics of the Idaho Teaching Profession

### 3.3 Professional Standards Commission (PSC) Code of Ethics

This version of the Code of Ethics for Idaho Professional Educators was revised (2009) by the Professional Standards Commission and approved by both the State Board of Education and the Idaho legislature (IDAPA08.02.02.076).

The Idaho Code of Ethics consists of Ten (10) Principles. Below is a summary of those principles – please refer to the complete document for details.

#### Code of Ethics: The Ten Principles (Summary)

- **Principle I:** A professional educator abides by all federal, state, and local laws and statutes.
- **Principle II:** A professional educator maintains a professional relationship with all students, both inside and outside the classroom.
- **Principle III:** A professional educator refrains from the abuse of alcohol or drugs during professional practice.
- **Principle IV:** A professional educator exemplifies honesty and integrity in the course of professional practice.
- **Principle V:** A professional educator entrusted with public funds and property honors that trust with a high level of honesty, accuracy, and responsibility.
- **Principle VI:** A professional educator maintains integrity with students, colleagues, parents, patrons, or business personnel when accepting gifts, gratuities, favors, an additional compensation.
- **Principle VII:** A professional educator complies with state and federal laws and local school board policies relating to the confidentiality of student and employee records, unless disclosure is required or permitted by law.
- **Principle VIII:** A professional educator fulfills all terms and obligations detailed in the contract with the local board of education or education agency for the duration of the contract.
- **Principle IX:** A professional educator reports breaches of the Code of Ethics for Idaho Professional Educators, and submits reports as required by Idaho Code.
- **Principle X:** A professional educator demonstrates conduct that follows generally recognized professional principles with the right to exercise academic freedom.

Under Idaho Code §§ 33-1208; 33-1208A and 33-1209, a violation of the Code of Ethics of the Idaho Teaching Profession **may** lead to a letter of reprimand, suspension, revocation, or denial of a certificate.

Legal Reference:	IDAPA 08.02.02.076	I.C. § 33-1208A
	I.C. § 33-1208	I.C. § 33-1209



### 3.4 Harassment and Discrimination

TVCS shall do everything in its power to provide employees an employment environment free of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communications constituting sexual harassment, as defined and otherwise prohibited by state and federal law.

School employees shall not make sexual advances or request sexual favors or engage in any conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of substantially interfering with the individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment prohibited by this policy includes verbal or physical conduct. The terms "intimidating", "hostile", or "offensive" include, but are not limited to, conduct which has the effect of humiliation, embarrassment, or discomfort. Sexual harassment will be evaluated considering all the circumstances.

A violation of this policy may result in discipline, up to and including discharge. Any person making a knowingly false accusation regarding sexual harassment will likewise be subject to disciplinary action, up to and including discharge.

Aggrieved persons who feel comfortable doing so, should directly inform the person engaging in sexually harassing conduct or communication, that such conduct or communication is offensive and must stop.

Employees who believe they may have been sexually harassed or intimidated should contact the Title IX coordinator or an administrator, who will assist them in filing a complaint. An individual with a complaint alleging a violation of this policy shall follow the Uniform Grievance Procedure.

Legal Reference: Title VII of the Civil Rights Act, 42 U.S.C. §§ 2000(e), et seq., 29 C.F.R. § 1604.11  
 Title IX of Education Amendments, 20 U.S.C. §§ 1681, et seq.  
 I.C. § 67-5909 Acts Prohibited

### 3.5 Staff Complaints and Grievances

It is the Board's desire that administrative procedures for settling staff complaints and grievances be an orderly process within which solutions may be pursued. Further, that the procedure provides prompt and equitable resolution at the lowest possible administrative level. Additionally, it is the Board's desire that each employee be assured an opportunity for orderly presentation and review of complaints without fear of reprisal.

#### Grievance Procedure

All staff should use this grievance procedure if they believe that the Board, its employees or agents have violated their rights guaranteed by the State or federal constitution, State or federal statute, or Board policy.

The School will endeavor to respond to and resolve complaints without resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably. The right of a person to prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies, and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies.

#### Level 1: Informal

A staff member with a complaint is encouraged to first discuss it with the teacher, counselor, or building administrator involved, with the objective of resolving the matter promptly and informally. An exception is that complaints of sexual harassment should be discussed with the first line administrator that is not involved in the alleged harassment.

#### Level 2: Administrator

If the complaint is not resolved at Level 1, the grievant may file a written grievance stating:

- 1) the nature of the grievance
- 2) the remedy requested.

It must be signed and dated by the grievant. The written grievance must be filed with the principal within thirty (30) days of the event or incident, or from the date the grievant could reasonably become aware of such occurrence.

If the complaint alleges a violation of Board policy or Administrative procedure, the administrator shall investigate and attempt to resolve the complaint. If either party is not satisfied with the administrator's decision, the grievance may be advanced to Level 3 by requesting in writing that the Board review the principal's decision. This request must be submitted to the Board Clerk within fifteen (15) days of the principal's decision.

If the complaint alleges a violation of Title IX, Title II, Section 504 of the Rehabilitation Act, or sexual harassment, the Administrator shall turn the complaint over to the Nondiscrimination Coordinator (Tony Richard) who shall investigate the complaint. The School has appointed Nondiscrimination Coordinators to

assist in the handling of discrimination complaints. The Coordinator will complete the investigation and file the report with the Administrator within thirty (30) days after receipt of the written grievance. The Coordinator may hire an outside investigator if necessary. If the Administrator agrees with the recommendation of the Coordinator, the recommendation will be implemented.

### Level 3: The Board

The Board is the policy-making body of the school, however, and appeals to that level must be based solely on whether policy has been followed. Any individual appealing a decision of the Administrator to the Board bears the burden of proving a failure to follow Board policy.

Upon receipt of a written appeal of the decision of the Administrator and assuming the individual alleges a failure to follow Board policy, the matter shall be placed on the agenda of the Board for consideration no later than their next regularly scheduled meeting. A decision shall be made and reported in writing to all parties within thirty (30) days of that meeting. The decision of the Board will be final.

### 3.6 Child Abuse and Reporting

The personal safety and welfare of each child is of paramount concern to the Board of Trustees, employees and patrons of the Charter School. It is of particular importance that employees within the Charter School become knowledgeable and thoroughly educated as to their legal and ethical responsibilities on observation and reporting of suspected child abuse, child abandoned or child neglect. The supervisor shall review with staff the legal requirements concerning suspected child abuse at the commencement of each year.

"Abuse" is defined in I.C. § 16-1602 of the Idaho Code as any case in which a child has been the victim of conduct or omissions resulting in skin bruising, bleeding, malnutrition, burns, fracture of any bone, subdural hematoma, soft tissue swelling.....sexual conduct including rape, molestation, incest, prostitution, obscene or pornographic photographing, filming or depiction for commercial purposes, or other similar forms of sexual exploitation harming or threatening the child's health or welfare or mental injury to the child abandonment or neglect.

"Abandoned" means the failure of the parent to maintain a normal parental relationship with his child including, but not limited to, reasonable support or regular personal contact. Failure to maintain this relationship without just cause for a period of one (1) year shall constitute prima facie evidence of abandonment. I.C. § 16-1602(2).

"Neglected" means a child: Who is without proper parental care and control, or subsistence, education, medical or other care or control necessary for his well-being because of the conduct or omission of his parents, guardian or other custodian or their neglect or refusal to provide them; .... See I.C. § 16-1602(25).

A Charter School employee who has reasonable cause to suspect that a student may be an abused, abandoned or neglected child or who observes a child being subjected to conditions which would reasonably result in abuse, abandonment or neglect shall report or caused to be reported such a case to local law enforcement or the Department of Health and Welfare within twenty-four (24) hours.

The Charter School employees of the shall notify their supervisor immediately of the case. The supervisor shall immediately notify the Principal or the Principal's designee, who shall in turn report or caused to be reported the case to local law enforcement or the Department of Health and Welfare.

Any person who has reason to believe that a child has been abused, abandoned or neglected and, acting upon that belief, makes a report of abuse, abandonment or neglect as required in Idaho Code § 16-1605 shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any person who reports in bad faith or with malice is not entitled to immunity from any civil or criminal liability that might otherwise be incurred or imposed. I.C. § 16-1606.

In addition, "any person who makes a report or allegation of child abuse, abandonment or neglect knowing the same to be false or who reports or alleges the same in bad faith or with malice shall be liable to the party or parties against whom the report was made for the amount of actual damages sustained or statutory damages of five hundred dollars (\$500), whichever is greater, plus attorney's fees and costs of suit. If the court finds that the defendant acted with malice or oppression, the court may award treble actual damages or treble statutory damages, whichever is greater." I.C. § 16-1607

Any Charter School employee who fails to report a suspected case of abuse, abandonment or neglect to the Department of Health and Welfare or local law enforcement, or who prevents another person from doing

so, may be civilly liable for the damages proximately caused by such failure or prevention, and is guilty of a misdemeanor. The employee will also be subject to disciplinary action up to and including termination.

Legal Reference:

I.C. § 16-1605 Reporting of Abuse, Abandonment or Neglect  
I.C. § 16-1606 Immunity  
I.C. § 16-1607 Reporting in Bad Faith-Civil Damages  
I.C. § 16-1602 Definitions

### 3.7 Tobacco and Drug Free Workplace Policy

TVCS is committed to a safe working environment, to making adequate provisions for the safety and health of its employees at their place of employment, and to the safety and health of the students we serve as well as the general public.

The Charter School maintains tobacco free buildings and grounds. Use of tobacco will not be allowed in any buildings or grounds nor will employees be allowed to use tobacco while on duty. New employees of the Charter School will be hired with the understanding that they will be directed not to use tobacco in school buildings or grounds. Limitations or prohibitions on tobacco use are applicable to all hours.

The use of illegal drugs, the abuse of alcohol, and the misuse of prescription drugs is unacceptable.

Employees must be provided with a statement notifying them of the prohibitions pertaining to controlled substances, consequences of violations, and compliance with the drug-free policy as a condition of employment.

All School workplaces are drug- and alcohol-free workplaces. All employees are prohibited from:

1. Unlawful manufacture, dispensing, distribution, possession, use, or being under the influence of a controlled substance while on School premises or while performing work for the Charter School;
2. Distribution, consumption, use, possession, or being under the influence of alcohol while on School premises or while performing work for the Charter School.

As a condition of employment, each employee shall:

1. abide by the terms of the Charter School policy respecting a drug- and alcohol-free workplace; and
2. notify his or her supervisor of his or her conviction under any criminal drug statute for a violation occurring on the School premises or while performing work for the Charter School, no later than five (5) days after such a conviction.

#### Definitions as Used in This Policy

1. "Illegal use of drugs" means the use of drugs, the possession or distribution of which is unlawful. Such term does not include the use of a drug taken under the supervision by a licensed health care professional.
2. "Drug" or "illegal drug" means a controlled substance as defined in Schedules I through V of Section 202 of the Controlled Substances Act.
3. "Conviction" means a finding of guilt, including a plea of no-contest, or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
4. "Criminal Drug Law" means a federal or non-federal criminal statute involving the manufacture, distribution, dispensing, possession, or use of any controlled substance.

5. Controlled Substance – means any drug or substance that is: 1. not legally obtainable; 2. being used in a manner different than prescribed; 3. legally obtainable, but has not been legally obtained; or 4. referenced in federal or state controlled substance acts.

### **Confidentiality**

Records that pertain to the Charter School's employee required substance screens are recognized to be private and sensitive records. They shall be maintained by the Business Office in a secure fashion to insure confidentiality and privacy and be disclosed to the Principal only to the extent necessary to address any work-related safety risks occasioned by either the drug or alcohol use. The Business Office shall maintain any such records in a secure fashion to insure confidentiality and privacy. Medical records, and information relating directly thereto, shall be maintained in accordance with provisions of Idaho law and used with the highest regard for employee privacy consistent with law and the purpose of achieving and maintaining a drugfree workplace. All Personnel records and information regarding referral, evaluation, substance screen results, and treatment shall be maintained in a confidential manner and no entries concerning such shall be placed in an employee's personnel file.

### **Pre-Employment Testing**

All applicants being considered for employment positions may be required to submit to a urinalysis test for the detection of the illegal use of drugs, as part of the currently required post-offer, pre-employment physical. Applicants for positions which require testing shall be given a copy of this Policy in advance of the post-offer, pre-employment physical.

Applicants must acknowledge having read or had this Policy explained to them and should understand that as a condition of employment they are subject to its contents. Applicants shall sign an acknowledgment prior to substance screening, permitting the summary result to be transmitted to the Principal and Business Office. An applicant refusing to complete any part of the drug testing procedure shall not be considered a valid candidate for employment with the Charter School, and such will be considered as a withdrawal of the individual's application for employment. The applicant shall not be permitted to reapply for employment with the Charter School for at least twelve (12) months and not until the applicant shows proof of successful completion of a drug rehabilitation program or proof that the applicant has otherwise rehabilitated successfully and is no longer engaging in illegal drug use.

If substance screening shows a confirmed positive result for which there is no current physician's prescription, a second confirming test may be requested by the Principal and/or Business Office. If the first or any requested second confirming test is positive, any job offer shall be revoked.

Legal Reference: I.C. § 39-5501 et seq. Clean Indoor Air Act

### 3.8 Safety and Security

To assist in providing a safe and healthy work environment for employees and visitors, TVCS has established a workplace safety program. This program is a top priority for TVCS. Its success depends on the alertness and personal commitment of all.

Employees are expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to their supervisor.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify their supervisor and/or the principal. Such reports are necessary to comply with laws and to initiate insurance and workers' compensation benefits procedures. All necessary paperwork can be found in the business office for employee safety.

#### **Workplace Violence**

TVCS does not tolerate violence or threats of violence in the workplace. This includes violence and threats of violence on TVCS premises, at TVCS events or while conducting TVCS business. Prohibited conduct or behaviors include, but are not limited to, provoking violence, using threatening words (delivered in person or by phone, mail, email, text, or other forms of social media), participating in or encouraging violent or threatening acts, destroying property, and any other violent or threatening behavior that reasonably could be interpreted as conveying an intent to engage in violence or to cause injury or harm to a person or property.

All employees are responsible for creating and maintaining an environment that is free from violence or threats of violence. Any employee who engages in workplace violence may be subject to immediate termination of employment.

If an employee observes a display of workplace violence, the employee should immediately inform the Administrator or Safety Officer. An employee who believes he or she may be in immediate danger should remove himself or herself from the situation if they can do so safely, and should immediately contact local law enforcement authorities.

### 3.9 Solicitation and Distribution

In order to maintain and promote efficient operations and security TVCS has established rules applicable to all employees, which govern solicitation, distribution of written material and entry into premises and work areas.

No employee shall solicit or promote support for any cause or organization (e.g., fundraisers) during his or her working time and/or during the working time of the employee or employees at whom such activity is directed without authorization from the principal. Meals and breaks do not constitute working time.

No employee shall distribute or circulate any printed or written, non-work material in work areas at any time during his or her working time and/or during the working time of the employee or employees at whom such activity is directed.

Under no circumstances will employees be permitted to solicit or distribute written materials for any purpose on the school's premises without prior authorization.

### 3.10 Political Activity - Staff Participation

The Board recognizes its individual employees' rights of citizenship, including, but not limited to, engaging in political activities. An employee of the Charter School may seek an elective office, provided that the staff member does not campaign on school property during working hours, and provided all other legal requirements are met. The Charter School assumes no obligation beyond making such opportunities available.

No person may attempt to coerce, command or require a public employee to support or oppose any political committee, the nomination or election of any person to public office, or the passage of a ballot issue.

No Charter School employee may solicit support for, or opposition to, any political committee, the nomination or election of any person to public office, or the passage of a ballot issue while on the job or at his place of employment. However, nothing in this section is intended to restrict the right of a Charter School employee to express his personal political views.

Legal Reference: 5 USC 7321, et seq. Hatch Act

### 3.11 Personnel Files

The Charter School maintains a complete personnel record for every employee (certificated and classified). Much of the information contained in employee personnel files is confidential and access to such files should be limited to the Principal, the employee, the employee's designee or representative or Business Office.

A log of those persons other than the Principal or other administrative staff, will be kept indicating the date and time of inspection, name of person requesting access, description of the records copies, if any, and the initials of the person providing the access and/or copies requested records.

In accordance with federal law, the Charter School shall release information regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals to parents upon request, for any teacher or paraprofessional who is employed by a school receiving Title I funds, and who provides instruction to their child at that school. Access to other information contained in the personnel records of Charter School employees is governed by Policy 4340.

#### Certificated Employees

The Charter School may maintain the following files for employees:

1. Charter School File (Official); and
2. Building File

An employee's official file shall be kept in the administrative office. It should contain the following records:

1. Application materials;
2. Letter of Employment
3. Communication from the administration

The building file may contain performance evaluations, notes, and observations. Letters of recommendation will not be kept in employee personnel files, but will be kept in a separate file maintained by the Principal. Personal notes of supervisors need not be placed in the building file, but may be maintained in the supervisor's own file(s).

Each certificated employee will be provided written notice of all materials placed in an employee's personnel file. Notice shall be provided within ten (10) days of placement of information in the employee's file. An employee will have the opportunity to attach a rebuttal to any information placed in the employee's personnel file. An employee will have 10 days (from the date written notice of placement) to attach a statement or notification of rebuttal.

Upon request, an employee or the employee's designee or representative will have access to the employee's personnel file and will be provided copies, upon request within a reasonable period of time.

## Employees

Prior to the placement of any information in the personnel file of an employee, the employee shall review and sign any records made to his/her personnel file. Should an employee refuse to sign any entry or record in her/her personnel file, a notation shall be placed in the file documenting such refusal. A employee cannot prevent the placement of information in his/her file by refusing to sign any document.

### Record Keeping Requirements Under the Fair Labor Standards Act

In addition to the information to be placed in an employee's personnel file set forth herein above, any and all payroll information required by the Fair Labor Standards Act shall also be kept for each employee as follows:

1. Records required for ALL employees:
  - Name in full (same name as used for Social Security);
  - Employee's home address, including zip code;
  - Date of birth if under the age of 19;
  - Sex (may be indicated with Male/Female, M/F, Mr./Mrs./Miss);
  - Time of day and day of week on which the employee's work week begins;
  - Basis on which wages are paid (such as \$5/hour, \$200/week, etc.);
  - Any payment made which is not counted as part of the "regular rate";
  - Total wages paid each pay period.
2. Additional records required for non-exempt employees:
  - Regular hourly rate of pay during any week when overtime is worked;
  - Hours worked in any work day (consecutive twenty-four(24)-hour period);
  - Hours worked in any work week (or work period in case of 207[k]);
  - Total daily or weekly straight-time earnings (including payment for hours in excess of forty (40) per week, but excluding premium pay for overtime);
  - Total overtime premium pay for a work week;
  - Date of payment and the pay period covered;
  - Total deductions from or additions to wages each pay period;
  - Itemization of dates, amounts and reason for the deduction or addition, maintained on an individual basis for each employee;
  - Number of hours of compensatory time earned each pay period;
  - Number of hours of compensatory time used each pay period;
  - Number of hours of compensatory time compensated in cash, the total amount paid and the dates of such payments;
  - The collective bargaining agreements which discuss compensatory time, or written understandings with individual non-union employees.

Access to information contained in the personnel records of Charter School employees is governed by Policy 4130.

Legal Reference:                      29 USC 201, et seq.      Fair Labor Standards Act  
   I.C. § 33-517      Non-certificated Personnel  
   I.C. § 33-518      Employee personnel files

### **3.12      Personal Information Disclosure to External Parties**

Financial institutions and residential property managers routinely contact employers requesting information on a former or current employee's employment status and/or salary. All such requests of this type should be referred to and completed by the Business Office. For written requests, information will be provided on the form only when a form signed by a former or current employee authorizes TVCS to release the information. The written form will be returned directly to the requesting party.

### 3.11 Confidential Information

Information that is confidential may be acquired during the course of work. This information is not to be discussed outside the facility and should only be discussed with other TVCS employees when necessary to complete work. Be particularly careful about your conversation in eating places and other public gathering places. FERPA and HIPPA violations can occur and carry federal consequences.

## **Section 4: Workplace Responsibilities**

### **4.1 Schedules, Attendance and Punctuality**

The work week shall consist of five consecutive days during a period of seven days. A regular work week is Monday through Friday and begins at midnight Saturday and ends at midnight the following Saturday. Prior approval from a supervisor is required when a non-exempt employee works in excess of 40 hours per work week. Teacher contract time is:

Monday-Thursday 7:15 am to 4:15 pm for 6-8 plus specials and 7:45 am to 4:45 pm for K-5 staff; Fridays from 8:30-12:30 pm.

Attendance is required for some evening school events such as Meet the Teacher, Back to School Night, Curriculum events, New Parent Information Evenings and conferences. Employees will be notified prior to a mandatory evening attendance event.

## 4.2 Attendance and Punctuality

When employees expect to be late to work or are unable to work as scheduled, they are expected to notify their supervisor or the office. Employees should give their supervisor as much advance notice as possible when they intend to take leave (including sick leave, personal leave, or vacation leave).

Employees taking leave should make certain that their job duties are covered by reporting it to their administrative supervisor by reporting their absence before 6:30 am; (e.g., have lesson plans available, etc.)

Employees have the responsibility to inform their supervisor when seeking a leave of absence and otherwise communicate directly with their supervisor about their work. If this absence is known prior, please inform supervisor prior to 11 PM the evening before.

### **Protocol for securing a substitute:**

Administration will secure the substitute. All staff needs to report their absence in a timely manner: night before by 11 PM or by 6:30 AM the morning of the absence. Current teacher specialists and paraprofessionals are eligible to substitute when it does not interrupt their current job responsibilities. This will be assigned by the Lead Administrator handling the securing of the substitute.

### 4.3 Weather Related Closings and Delayed Openings

In the event of inclement weather, the Principal will make every attempt to render a prompt decision regarding school schedule.

**School closing or delayed start:** Decisions will be based on weather forecasts and the conditions surrounding the school and in relation to Boise and West Ada Districts closings. Once a decision has been made, the information will be placed on local news channels under TVCS and will indicate whether classes are canceled or if school will have a 2-hour delay. This information will also be posted on the school website and sent out via the school email and text notification system.

Weather related early dismissal decisions will be based on weather forecasts and the conditions surrounding the school. Once a decision has been made, the teachers will be notified of the early dismissal procedures and time. The school will post the information on local news channels, the school website and sent out via the school email and text notification system to notify parents of the change in schedule. Administrative staff will be the last to leave the building upon weather related early dismissal to make sure all students and personnel have safely exited the building.

#### 4.4 Dress Code Policy

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the image that TVCS presents to parents, students, and visitors of the school. Faculty should have an appearance that is appropriate and professional while working in the school.

Professional standards apply and everyone is required to dress appropriately while in the school and during school hours.

- Men are expected to wear pants and shirts that are appropriate to a professional setting. In some cases, men may be required to wear a tie during school hours and a jacket may be required for all assemblies and other special occasions such as parent nights, graduation, etc.
- Women are expected to wear pants/Capri or skirts that have a length that is appropriate to a professional setting. Dresses or skirts should be no shorter than just above the knee. If the skirt is seen through a slip **MUST BE** worn under it.
- Visitors are often in the school and each employee's appearance does make a lasting impression on them. Employees are expected to present a professional, clean, and neat appearance throughout the year.
- Below are examples of attire that are **not** acceptable:
  - Blue Jeans or shorts, unless they are required for the position and job duties
  - Beachwear, flip flops, or river shoes.
  - Tank tops even on spirit/free dress days
  - **Spandex, leggings or other form-fitting pants.** Leggings may be worn under a dress or skirt.
  - Offensive or revealing clothes

Body-piercing jewelry should only be worn in the ear. Nose studs are acceptable. No other areas of the body should be visible with body-piercing jewelry. TVCS reserves the right to ask an employee to remove body-piercing jewelry of any kind regardless of where it is worn.

Tattoos must be appropriate in content and in keeping with a professional image. TVCS reserves the right to ask an employee to cover a tattoo at any time.

Employees should consult the Lead Administrator with any questions as to what constitutes appropriate attire.

The Lead Administrator can make individual decisions for specialized activities and roles that require clothing items outside the normal dress code.

An employee at any time is eligible to wear a collared school shirt or school dress shirt and slacks.

#### **4.5 Personnel Data Changes**

It is the responsibility of the employee to notify TVCS promptly of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishment, and other such status reports should be accurate and current at all times. If an employee has any personnel data changes, he/she should complete an Employee Information Change Form with the appropriate documentation and turned into the Business Manager. Any changes will take 5 to 10 business days to be input and updated in all systems when it impacts payroll and benefits.

#### **4.6 Personal Belongings**

Purses and other valuables should not be left unattended. TVCS will not be responsible for personal items lost or stolen. Any teachers who choose to bring their own furniture and supplies should label each item and have a personal inventory of all your items. This will assist the school when TVCS does their yearly asset inventory report. TVCS is not responsible for any loss or damage to any personal furniture or supplies the teacher chooses to use in their classroom.

#### 4.7 Evaluation of Certificated Personnel

The Charter School has a firm commitment to performance evaluation of Charter School personnel, whatever their category and level, through the medium of a formalized system. The primary purpose of such evaluation is to assist personnel in professional development and in achieving Charter School goals. The procedures outlined in this document apply to certificated personnel, unless a negotiated procedure in a collective bargaining agreement provides otherwise.

##### Objectives and Criteria

The formal performance evaluation system is designed to:

- Maintain or improve each employee's job satisfaction and morale by letting him/her know that the supervisor is interested in his/her job progress and personal development.
- Serve as a systematic guide for supervisors in planning each employee's further training.
- Assure considered opinion of an employee's performance and focus maximum attention on achievement of assigned duties.
- Assist in determining and recording special talents, skills, and capabilities that might otherwise not be noticed or recognized.
- Assist in planning personnel moves and placements that will best utilize each employee's capabilities.
- Provide an opportunity for each employee to discuss job problems and interests with his/her supervisor.
- Assemble substantiating data for use as a guide, although not necessarily the sole governing factor, for such purposes as wage adjustments, promotions, disciplinary action, and termination.

##### Responsibility

The **Administrator** has the overall responsibility for the administration of the Performance Evaluation Program and will ensure the fairness and efficiency of its execution, including:

- The distribution of proper forms in a timely manner.
- Ensuring completed forms are returned for file by a specified date.
- Reviewing forms for completeness.
- Identify discrepancies.
- Ensuring proper safeguard and filing of completed forms.

The **Immediate Supervisor** (Evaluator) is the employee's "evaluator" and has the responsibility for:

- Continuously observing and evaluating an employee's job performance.
- Holding periodic counseling sessions with each employee to discuss job performance.
- Completing Performance Evaluation Forms as required.

TVCS has the right to evaluate any staff member at any time with or without notification.

Legal Reference:

I.C. § 33-514 Issuance of Annual Contracts – Support programs  
– Categories of Contracts – Optional Placement  
I.C. § 33-514A Issuance of Limited contract  
I.C. § 33-515 Issuance of Renewable Contracts  
IDAPA 08.02.02.120 Local District Evaluation Policy

#### 4.8 Professional Development and Continuing Education

Teachers are urged to invest in their professional development through courses and workshops that will enhance their teaching abilities and/or increase the effectiveness or efficiency of their instruction. If TVCS determines that funds are available, TVCS will reimburse teachers for costs of approved courses and workshops that relate to education and teaching. To receive reimbursement, a teacher must follow the following procedure:

Before a teacher enrolls in a course or workshop, he or she must complete a form provided by the TVCS Administrator and provide the course name, a course description, the course dates and times, and the cost of the course. To be eligible for reimbursement the teacher must receive written approval from the Administrator on the form provided. Discretion to approve reimbursement for a course or workshop rests solely with the Lead Administrator. The Lead Administrator may deny the request or agree to reimbursement for some or all of the costs of the course or workshop. Grounds for denial include, but are not limited to: funds are not available for the course or workshop due to lack of grant funding or budgetary constraints; failure of the teacher to submit necessary course or workshop information; potential interference with the teacher's job duties; course content does not address an area of need for the teacher or TVCS; or the teacher needs to correct an area of unsatisfactory performance before enrolling in the course or workshop.

The teacher must complete the course or workshop that was identified on the approval form and receive a passing grade or score if the course or workshop is graded.

After completing the course, the teacher must submit to the Business Office proof of course completion, proof of the teacher's grade or score for the course or workshop, and receipts for all expenses incurred by the teacher for the course or workshop.

Available funds for continuing education and professional development will typically be allocated on a first come, first serve basis. However, TVCS may, at its discretion, set a maximum amount of reimbursement that an individual teacher may receive for a school year or limit the amount or requests that a teacher may submit.

#### **4.13 Return of School Property**

Employees are responsible for all property, materials, or written information issued to them or in their possession or control. Employees must return all TVCS property immediately upon request or upon termination of employment. Where permitted by applicable laws, TVCS may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. TVCS may also take all action deemed appropriate to recover or protect its property.

## **Section 5: Compensation**

### **5.1- Pay Days**

Employees are paid on a monthly basis. All employees will supply a bank account for direct deposit. TVCS pays employees on the 25<sup>th</sup>. TVCS does its best to pay all employees prior to the Christmas holidays; however, the early pay is subject to state payment dates and when the school receives its EFA funding. In the event a regularly scheduled payday falls on a holiday, employees will be paid on the last day of work before the regularly scheduled payday.

### **5.2- Pay Corrections**

TVCS takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Business Office so that corrections can be made as quickly as possible.

When payroll changes have been requested via an Employee Information Change form, employees need to provide 5 to 10 business days for those changes to be input into the appropriate systems.

### **5.3- Pay Deductions and Setoffs**

The law requires that TVCS make certain deductions from every employee's paycheck. Among these are applicable federal, state, and local income taxes. TVCS also must deduct Social Security taxes on the employee's earnings up to a specified limit that is called the Social Security "wage base." TVCS matches the amount of Social Security taxes paid by the employee. TVCS offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs. Pay setoffs are pay deductions taken by TVCS to help pay off a debt or obligation to TVCS or others. If an employee has questions concerning deductions from the paycheck or how they are calculated, the employee should consult the Business Office.

### **5.4 Time Keeping Procedures**

Non-Exempt Employees must record their actual time worked for payroll and benefit purposes. Non-Exempt Employees should record either the time work begins and ends or the total hours worked in a day. Non-Exempt Employees must also record any departure from work for any network-related reason. Failure to report hours may result in disciplinary action. Altering, falsifying, and tampering with time records, or recording time on another Employee's time record is prohibited and subject to disciplinary action, up to and including termination of employment.

Exempt Employees may also be required to record their time worked and report full days of absence from work for reasons such as personal time off, leaves of absence, or sick leave. Please see Business Manager for further clarification. It is your responsibility to ensure the accuracy of all time recorded. Any errors in time recorded should be reported immediately to your Supervisor, who will attempt to correct legitimate errors.

## 5.5 Overtime

When operating requirements or other needs cannot be met during regular working hours, you may be scheduled to work overtime. Your Supervisor must authorize all overtime work in advance on an overtime approval form. Working overtime without prior authorization may result in disciplinary action. Non-Exempt (hourly) Employees will be paid time and one-half compensation for all hours worked in excess of 40 in one workweek and as otherwise required by state and federal law. For the purposes of calculating overtime for Non-Exempt Employees, the workweek begins Sunday 12:00 am to Saturday 11:59pm. Exempt (salaried) Employees are expected to work as much of each workday as is necessary to complete their job responsibilities. No overtime or additional compensation is provided to Exempt Employees.

## **Section 6: Computing & Electronic Resources**

### **6.1 Employee Electronic Mail and Online Services Usage**

Electronic mail (“e-mail”) is defined as a communications tool whereby electronic messages are prepared, sent and retrieved on personal computers. On-line services (i.e., the Internet) are defined as a communications tool whereby information, reference material and messages are sent and retrieved electronically on personal computers.

Because of the unique nature of e-mail/Internet, and because of the Charter School’s desire to protect its interest with regard to its electronic records, the following rules have been established to address e-mail/Internet usage by all employees:

The Charter School e-mail and Internet systems are intended to be used for educational purposes only. No Charter School employee may use the Charter School’s e-mail or Internet systems for the promotion of election or political campaigns, issues dealing with private or charitable organizations or foundations or ballot issues, however, use for other informal or personal purposes is permissible within reasonable limits. All e-mail/Internet records are considered Charter School records and should be transmitted only to individuals who have a need to receive them. Additionally, Charter School records, e-mail/Internet records are subject to disclosure to law enforcement or government officials or to other third parties through subpoena or other process. Consequently, employees should always ensure that the educational information contained in e-mail/Internet messages is accurate, appropriate and lawful. E-mail/Internet messages by employees may not necessarily reflect the views of the Charter School. Abuse of the e-mail or Internet systems, through excessive personal use, or use in violation of the law or Charter School policies, will result in disciplinary action, up to and including termination of employment.

While the Charter School does not intend to regularly review employees’ e-mail/Internet records, employees have no right or expectation of privacy in e-mail or the Internet. The Charter School owns the computer and software making up the e-mail and Internet system and permits employees to use them in the performance of their duties for the Charter School. E-mail messages and Internet records are to be treated like shared paper files, with the expectation that anything in them is available for review by the Principal.

Cross Reference: 5290 Political Activity-Staff Participation

Legal Reference: Idaho Constitution Article VIII, Section 21  
Idaho Attorney General Opinion No. 95-07  
Board of County Commissioners v. Idaho Health Facilities  
Authority, 96 Idaho 498 (1975)

## **6.2 Employee Use of Social Media Sites, Including Personal Sites**

Because of the unique nature of social media sites, including personal sites, and because of the Charter School's desire to protect its interest with regard to its electronic records, the following rules have been established to address social media site usage by all employees:

### **Protect Confidential and Proprietary Information**

Employees shall not post confidential or proprietary information about the Charter School, its employees, students, agents or others. The employee shall adhere to all applicable privacy and confidentiality policies adopted by the Charter School. Please be aware of FERPA policies. You are responsible for knowing the privacy laws.

### **Do Not Use Charter School Name, Logos, or Images**

Employees shall not use the Charter School logos, images, iconography, etc. on personal social media sites. Nor shall employees use the Charter School name to promote a product, cause or political party or political candidate.

### **Respect Charter School Time and Property**

Charter School computers and time on the job are reserved for Charter School-related business. Employees shall not use Charter School time or property on personal social media sites.

### **On Personal Sites**

If you identify yourself as a Charter School employee online, it should be clear that the views expressed, posted or published are not necessarily those of the Charter School.

### **6.3 Employee Use of Electronic Communications Devices**

The Board recognizes that employees may carry electronic communications devices either Charter School-issued or personally owned and hereby adopts this policy.

#### **School-Issued Communications Devices**

Communication devices issued by the Charter School may include, for example, cellular telephones, walkie-talkies, personal digital assistants (PDA's) or laptop computers with "beaming capabilities," citizens band radios, either installed in vehicles or hand-held, and pagers/beepers.

Employees in receipt of School-issued equipment shall be held responsible for the safekeeping of the equipment and exercise reasonable efforts to see that the equipment is not lost, stolen, or damaged. Reckless or irresponsible use of Charter School equipment, resulting in loss or damage may result in the employee having to reimburse the Charter School for any associated costs of replacement or repair.

Any such devices issued shall be with the expectation that they are to be used, almost exclusively, for Charter School-related business purposes and are not intended for personal use except in emergencies involving employee health or safety.

Charter School-issued equipment shall be used in a manner that does not disrupt instruction and should not be used during school-sponsored programs, meetings, in-services, or other events where there exists a reasonable expectation of quiet attentiveness unless there is a reason of personal health or safety involved.

Any Charter School-issued equipment is to be surrendered back to the Charter School immediately upon request.

#### **Personally-Owned Communications Devices**

Employees may carry and use personally-owned cellular telephones, pagers/beepers, and PDA's or laptops with "beaming capabilities" during the school day on school property.

Personally, owned hand-held citizens band radios, portable police scanners, and long or short-range walkie-talkies should not be used or carried by employees on school property during the school day unless by specific permission of their immediate supervisor based on a personal health or safety need.

Cellular telephones and pagers/beepers should not be used during the employee's normal duty times to send/receive messages of a personal nature, but such use is allowable during normal break times, lunch times, and preparation times. Use of cellular telephones or audible pagers/beepers should be curtailed during instructional time or at school-sponsored programs, meetings, in-services, parent/guardian conferences, or any other time when there would be a reasonable expectation of quiet attentiveness.

Any employee violating the above rules may be subject to disciplinary action.

#### **6.4 Penalties**

An employee who violates the terms of this policy shall be subject to discipline, up to and including termination. Employees will be held responsible for the disclosure, whether purposeful or inadvertent, of confidential or private information, information that violates the privacy rights or other rights of a third party, or the content of anything posted on any social media network.

Violations of state or federal laws may subject the employee to criminal prosecution. Destruction and/or vandalism of computer systems and unauthorized access of systems are criminal violations.

## **Section 7: Employment Leave Policies and Procedures**

### **7.1 Types of Leave**

TVCS offers a variety of leave options should an employee have a situation that requires the employee to be away from work. Questions regarding applicable leaves should be directed to the Business Office.

#### **Bereavement Leave**

If an employee wishes to take time off for the death of an immediate family member, the employee should notify the Administrator in charge of scheduling substitutes immediately. TVCS defines “immediate family” as the employee’s spouse, parent, child, sibling; the employee’s spouse’s parent, child, or sibling; the employee’s child’s spouse; grandparents or grandchildren; or anyone else who permanently resided in the same household as the employee immediately before the death. Special consideration may be given for any other person whose association with the employee was similar to any of the above relationships. Full-time employees will be paid up to a maximum of three regularly scheduled workdays lost between the date of death and the day after the funeral. Part-time employees will be paid up to a maximum of **three** regularly scheduled workdays lost, on a prorated basis, for each of the three days between the date of death and the day after the funeral. Any employee may, with the supervisor’s approval, use **any** available paid leave for additional time off, as necessary. TVCS reserves the right to request evidence of death, relationship to deceased, or both.

#### **Military Leave**

Any employee who is a member of a Reserve or National Guard unit of the Armed Forces of the United States will be granted a leave of absence for training and/or military service. As soon as the employee is informed of the dates of the military training or service, the employee should notify his or her supervisor/principal and request a leave of absence. Employee benefits and compensation will be provided in accordance with applicable federal, state and local laws.

#### **Jury Duty Leave**

TVCS encourages employees to fulfill their civic responsibilities by serving on jury duty when required. If the employee is full-time and is required to be absent for jury duty, he or she will be granted time off with pay. To be eligible for jury duty pay, the appropriate supervisor/principal must be provided with a copy of the jury certificate or court order. TVCS or the employee may request an excuse from jury duty if, in TVCS’s judgment, the employee’s absence would create significant operational difficulties such as state testing dates etc. In no event, will anyone be entitled to be paid for a period in excess of 10 scheduled workdays. If employees are required to serve jury duty beyond this period, they may request an unpaid jury duty leave of absence. If the employee is not required to serve as juror on a particular day, the supervisor must be contacted and he or she should report to work as soon as possible. TVCS will continue to provide health insurance benefits for the full term of the absence for jury duty. Vacation, sick, and holiday leave benefits will continue to accrue during jury duty leave.

## 7.2 Notification of Absence

When employees expect to be late to work or are unable to work as scheduled, they are expected to notify their supervisor or the office. Employees should give their supervisor as much advance notice as possible when they intend to take leave (including sick leave, personal leave, or vacation leave). 6:30 AM

Employees taking leave should make certain that their job duties are covered in their absence; (e.g. arrange for substitutes, have lesson plans available, etc.)

Employees have the responsibility to inform their supervisor when seeking a leave of absence and otherwise communicate directly with their supervisor about their work.

### Protocol for securing a substitute:

Administration will secure a substitute. Please see the policy in full on page 36.

## 7.7 Sick Leave

At the beginning of the new employment school year, any full time, certified employee shall receive one sick leave day per projected month (teachers -10 days, administrators-12 days) up to a maximum of 12 sick days per year. Any regular, permanent full-time non-certified employee or contract employee who works at least 20 hours weekly per week shall accrue one sick day per month worked up to a maximum of 12 sick days per year with non-certified employees who work less than 20 hours per week are not entitled to sick leave. For non-certified employees, sick days may be calculated proportionate to the average work hours worked per day. Up to three days of sick leave may be used for personal reasons each year.

An employee absent from work due to his or her personal illness, injury/disability, bereavement, and/or family illness shall be paid his or her regular hourly wage or salary, not to exceed the amount of sick leave accumulated. Family members include employee's or spouse's parents, foster parents, children, siblings, grandparents, grandchildren, aunts, uncles, or employee's spouse. A TVCS administrator or designee has the discretion to expand the definition of family. Up to three days of this leave may be used for personal reasons each year.

## 7.8 Emergency Leave

After an employee, has exhausted his/her personal leave, up to (2) two days of emergency leave may be granted by an TVCS administrator or designee. Such leave shall be for absences for substantial and reasonable cause which prevents the employee from reporting to work. In the event a substitute is required; the employee shall pay the cost of the substitute for any of the additional days of emergency leave.

In the event of an injury incurred on the job covered by Worker's Compensation, the employee shall be given the choice of either:

- 1) Non-paid status while receiving Workers' Compensation income benefits; or

- 2) Utilizing a portion of accrued sick leave, personal leave, and/or vacation leave to supplement Workers' Compensation to maintain his or her regular salary.

TVCS may require medical certification for absences for an employee to be eligible for sick leave pay and reserves the right to require medical certification to verify that the employee is medically able to return to work. If an employee is unable to work resulting from an illness or injury that continues more than 10 consecutive days, the employee must submit a signed statement from a licensed physician attesting to the employee's inability to work.

Any employee, who has used all available vacation leave, personal leave, or sick leave and is no longer receiving wages or benefits in lieu of wages, will not be eligible to accumulate any leave days or vacation leave benefits. Non-paid sick leave is subject to approval of the supervisor.

Unused sick leave shall be accumulated from year to year as long as the employee remains continuously in the service of TVCS. Employees hired by TVCS with unused sick leave balances from another PERSI employer, may carryover that leave to TVCS, however under state law, only certificated staff may count that transferred sick leave as part of the state authorized PERSI retirement benefits.

**Acknowledgment of Employee Handbook**

I acknowledge receiving a copy of the TVCS Handbook and I agree to comply with it. I understand that this handbook is a guide to the practices and policies of TVCS. I also acknowledge that if TVCS does not enforce a policy, guideline or rule it does not mean TVCS has waived its ability to enforce any policy, guideline or rule in the future. I acknowledge that any delay or failure by TVCS to enforce any of its policies or rules will not constitute a waiver of TVCS's right to enforce its policies, guidelines and rules in the future. In order to retain flexibility in its policies and procedures, I understand TVCS can change, modify or delete guidelines, rules, policies, practices and benefits in this handbook without prior notice at any time.

I further understand this handbook supersedes all prior versions of the handbook and that those prior handbooks are specifically revoked and no longer in effect.

I acknowledge that on this date \_\_\_\_\_, that I was provided with the opportunity to review it and ask questions.

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_