



Pensar Academy

2023-2024 Pensar Academy
Personnel Handbook

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Section 1: Introduction

1.1 Introduction

For the benefit of all employees, we would like to acquaint you with the policies governing employment with Pensar Academy (“the School”). This manual sets out and explains the School’s basic employment policies and supersedes all previous manuals and written or implied policies.

Occasionally, it may become necessary to modify, change, update, revoke, replace or even terminate the policies outlined in this manual, and the school reserves the right to make changes at any time at its discretion. Generally, you will be informed about any changes, but changes can also be made without notice. The language contained in this manual is provided for informational purposes only. **It does not, nor is it intended to, create any contractual rights or obligations, and it is not a contractual agreement.** Although we hope that your employment here will be rewarding, both you and the school retain the right to end the employment relationship at any time and for any reason with or without cause or notice, however, a cost may be incurred if employee does not provide a 2 week notice. Please understand that no one except the Principal has the authority to enter into any agreement with you for employment for any specified period or to make any promises or commitments contrary to the foregoing, and any such agreement must be in writing and signed by all parties.

This manual applies to all employees of the school unless otherwise stated. At all times, the school remains solely responsible for the interpretation of this manual’s provisions and its application. In applying its policies and procedures, the school retains the right to make decisions based on the Administration’s assessment of its needs and consideration of the specific facts and circumstances presented by each situation. If you have any questions, please do not hesitate to contact the Principal.

1.2 Mission

Pensar Academy will develop middle school students with the essential skills to be agents of change in a 21st century global society.

Section 2: Recruiting, Hiring and Employment Policies

2.1 Hiring Practices

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

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

Immigration Law Compliance: Pensar Academy does not hire anyone that is not a citizen of the United States, or is not authorized to work in the United States under the Immigration Reform and Control Act of 1986. As a condition of employment, all employees must show valid proof that they are eligible to work in the United States. Pensar Academy will also comply with the provisions of Arizona Revised Statutes § 23-211 et seq. regarding employment of unauthorized workers and the use of the E-Verify program.

2.2 Interviewing and Hiring

Interviewing and Hiring: All interested applicants will interview with a school administrator. References will be required and checked. The Principal will conduct the hiring process and paperwork. The hire will complete the paperwork with the Director of Operations.

The recruiting process of candidates will be completed by the Principal and Admin

Tenure: Pensar Academy does not have tenure.

Discharge or termination: An employee of Pensar Academy is an at-will employee and can be terminated at any point by the administration.

Salary Administration: Pensar Academy will contract with an outside, independently insured payroll service for all salary distribution. The governing board will evaluate this contract annually. Documentation of authorized pay rates shall be maintained in the employee's personnel file. Personnel files shall be secured with access limited to authorized individuals. Personnel will be paid biweekly, by check. Personnel electing direct deposit will receive digital access to check stubs.

Discipline: Employees who face disciplinary action will be disciplined in accordance with the policies set forth in the Personnel Handbook and pursuant to state and federal law.

2.3 Accommodations to Disabilities

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

2.4 Employment Classifications

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

Full-time employees: Full time employees are those who are scheduled to work the full-academic year at a rate of more than 30 hours per week. All full-time employees are eligible to participate in the School's benefits program. Full time employees may be "exempt" or "non-exempt" as defined below.

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

Exempt Employees: Employees whose positions meet specific tests established by the Fair Labor Standards Act (FLSA) and state law and who are exempt from overtime pay requirements. Schools, professional employees (i.e. teachers), outside sales representatives, and administrative positions are typically, but not always, exempt.

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

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

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

Leased employees, independent contractors and freelancers are not employees of the school and are not entitled to any benefits. If an individual changes positions during employment as a result of a promotion, transfer or otherwise, that individual will be informed in writing by the Director of Operations of any

change in exemption status. Please direct any questions regarding employment classification or exemption status to the Director of Operations.

2.5 Problem Resolution Procedure

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

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

Employees are encouraged to take complaints involving a co-worker directly to that person for discussion and resolution. If the two employees are unable to resolve their differences, they may at any time request a mediation meeting with the Principal, where both employees are present. The resolution by the Principal shall be considered final. It is the policy of Pensar Academy to discourage gossip.

2.6 Harassment

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

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

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

Definition of Harassment: The School strongly supports the rights of all its employees to work in an environment free from all forms of harassment, including harassment on the basis of race, color, religion, gender, sexual orientation, national origin, age, disability, genetic information, or any protected category.

Harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of race, color, religion, gender, sexual orientation, national origin, age, disability, genetic information, or any other protected category, or that of the individual's relatives, friends or associates and that:

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

Harassing constitutes, but is not limited to:

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

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

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

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

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

- a. Unwelcome sexual advances - whether they involve physical touching or not;
- b. Sexual epithets, slurs, jokes, written or oral references to sexual conduct, gossip regarding one's sex life;
- c. Commenting on an individual's body or about an individual's sexual activity, deficiencies, or prowess;
- d. Displaying sexually suggestive objects, pictures, or cartoons;
- e. Leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;

- f. Sending or circulating, whether in print or electronic form, literature or communications (articles, magazines, or emails) of a sexual nature;
- g. Inquiries into one's sexual experiences; and
- h. Discussion of one's sexual activities.

Complaints of Harassment: Employees who experience any job-related harassment based on their sex, race, national origin, disability, or another factor protected by law, or believe that they have been treated in an unlawful, discriminatory manner, should report the incident to the Principal. This may be done in writing or in person.

Any employee who suspects that harassment is occurring must notify the Principal.

If an individual would like to file a complaint, that individual may do so by contacting the Principal. The Principal is also available to discuss any concerns an individual may have and to provide information to an individual about the School's policy on harassment and complaint process. In cases involving a Director/Administrator, an individual should contact the Chair of the Governing Board.

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

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

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

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

David Pearsall
6135 North Black Canyon Highway
Phoenix, AZ 85015

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

In addition to the above, if an individual believes he/she has been subjected to harassment, that individual may file a complaint with:

Equal Employment Opportunity Commission
3300 North Central Avenue, Suite 690
Phoenix, AZ 85012-2504

or

Arizona Attorney General's Office - Civil Rights Division
1275 W. Washington Street
Phoenix, AZ 85007

2.7 Mandated Reporter Policy

All School personnel are mandated reporters of suspected abuse and/or neglect of minors. Pensar Academy will provide annual training to all school personnel to facilitate identification of such potential reporting obligations. Mandated reporters are required to report suspected child maltreatment immediately when they have "reasonable cause to believe that a child who is 17 years of age or younger and known to them in a professional or official capacity has been harmed or is in danger of being harmed--physically, sexually, or through neglect--and that a caregiver either committed the harm or should have taken steps to prevent the child from harm." "Abuse" shall include, but not be limited to, the following:

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

Once an individual becomes aware that a student may be a victim of abuse or neglect, that individual MUST take the following steps:

1. Notify the Principal immediately of the situation
2. Call the Arizona Child Abuse Hotline: 1-888-767-2445 or local law enforcement
3. Complete and submit a written incident report to the entity notified in step numbers one and two that shall include:
 - Name, age, and gender of child and other family members
 - Address, phone numbers, and/or directions to child's home
 - Parents' place of employment
 - Description of suspected abuse or neglect

- Current condition of the child

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

2.8 Whistleblower Protection

Pensar Academy requires employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. Employees and representatives of the School are expected to practice honesty and integrity in fulfilling their responsibilities and are expected to comply with all applicable laws and regulations.

It is the responsibility of all employees to report violations of ethics or conduct or suspected violations in accordance with this Whistleblower Policy.

No employee who in good faith reports a violation shall suffer harassment, retaliation or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within the School prior to seeking resolution outside the School.

Anyone filing a complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

The Principal will notify the sender and acknowledge receipt of the reported violation or suspected violation within five business days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

Section 3: Schedules and Compensation

3.1 Salaries and Wages

Salaries and Wages are negotiated based on a potential employee's experience and education. All employees of Pensar Academy sign "at will" agreements which outline the base pay. If employee elects to terminate the at-will agreement prior to the end of the academic year, a \$1000 penalty will be incurred if 2 week notice is not given by employee.

3.2 Work Day Schedules

All staff are expected to arrive by 7:45 am, prior to when students are expected on campus and remain at school until at least 4:45 pm, unless a different schedule has been agreed upon and approved by the employee's supervisor. In certain cases, "flex time" may be approved, in advance, by the employee's supervisor to compensate for weekend or after-hours time that is required by the employee's job responsibilities. Typically, this flex time arrangement will have been detailed in the employee's job description.

If an employee plans to be out of the office for meetings or some other event, the employee is required to advise the Principal of the employee's whereabouts so that the school may contact that employee if it becomes necessary.

There may be occasions when employees need to arrive late or leave early. In such situations where there is an anticipated absence, staff should notify their direct supervisor or Principal in advance so that coverage can be arranged. A PTO form will be completed

In the event of an *actual emergency* that results in an unexpected absence, the employee must notify their direct supervisor, or cause the Principal to be notified as soon as reasonably practicable. Whether an event constitutes an actual emergency, and whether notification was given as soon as reasonably practicable to do so will be the determination of the Principal.

Regular attendance is an essential requirement of your employment at the school. In addition, absenteeism that is deemed excessive in the Principal's sole discretion may result in discharge. The School expects all employees to arrive to work each day on a timely basis. More than three (3) unexplained late arrivals in one (1) month may result in disciplinary action, up to and including termination. Two (2) consecutive days of absence without notification will constitute voluntary resignation from employment as of the last day worked.

3.3 Employee Time Clock Use Policy

Employees are required to clock-in and clock-out using the provided timekeeping system.

In order to ensure consistency of treatment for employees, the data recorded in the timekeeping system shall be considered as the "official" record of the workday. Any disputes over actual hours worked or attendance will be resolved by referring to the time card(s).

Utilizing the Clock In / Clock Out feature allows Pensar Academy to track their employees for payroll purposes related to Paid Time Off (PTO) Bonuses and bolsters accountability.

The employee's PTO Bonus will be reliant on the clock-in/clock-out system. Employees' bonus will be deducted for the exact time in which they "missed" minutes/hours of a work day, in accordance with the academic calendar and work day schedule - unless a different schedule has been communicated by the employee's supervisor.

If an employee forgets to "clock in" or "out" for their work day; it is the employee's responsibility to immediately inform their supervisor to explain the circumstances and to provide actual clock in or out information. The Supervisor will record the employee's time in the timekeeping system. Employees will be subject to disciplinary action up to and including termination for excessive failure to clock in or out without reasonable justification.

Any attempt to tamper with the timekeeping hardware or software will be considered a serious offense, subject to disciplinary action, up to and including termination. This includes, but is not limited to:

- Any attempt to tamper with timekeeping hardware or software
- Clocking in or out for another employee
- Interference with another employee's use of the timekeeping system
- Misrepresentation of clock-in/clock-out times when employee did not utilize the timekeeping system.

If any employee is unable to "Clock in" or "out" because of a time clock malfunction, it is the employee's responsibility to immediately inform his/her supervisor. In the event of time clock malfunction, supervisory personnel will clock employees in and out and will inform Administration of the problem.

All absences (scheduled and unscheduled) shall be documented on the PTO Request Form to detail Paid Time Off for payroll purposes related to employee's PTO Bonuses. These forms will be completed on a bi-weekly basis, to follow the pay schedule, a copy will be provided to the employee via email, and given to the Director of Operations for entry into the payroll system. A bi-weekly email update, following the pay schedule timeline, will be provided to the employee to report PTO usage and employees' respective PTO Bonus remaining balance.

The Director of Operations has the responsibility for the electronic transfer of time clock data into the payroll system as well as the interpretation, authorization and control of this policy. The Board of Directors has the ultimate authority of this policy.

3.4 Paycheck Policies

Generally, employees are paid every two weeks. For the convenience of the School's employees, the School has instituted an option of direct deposit for employee paychecks. All requisite contributions to benefits will be withheld on each paycheck. The standard salary pay schedule will be twenty-five (25) pay periods every year. However, this is subject to change due to start and end dates of at-will contracts. Alternate pay schedules may be selected during teacher orientation. At the employee's request, the

school will deposit the employee's paycheck directly to the bank of the employee's choice. To enroll in the direct deposit system, please complete a direct deposit application and return it to the Director of Operations. Withholding and deductions will be made for federal, state, and/or city taxes as well as for other authorized deductions such as health care plan costs, 403b contributions, etc.

3.5 Business Travel

Off-site travel must be pre-approved by the governing board, in writing, prior to travel. Upon return of off-site travel, evidence/documentation of travel must be submitted to the Director or Operations. This includes, but is not limited to: agendas of seminars/conferences, and certification of completion of activity.

Who is Reimbursed: Pensar Academy staff shall be reimbursed for expenses incurred while on Pensar Academy business.

Reimbursement Process: Pensar Academy will have a designated document to be used for requesting reimbursement and should be submitted within two weeks of completion of the trip or activity. Any unusual items or amounts should be explained in full. Receipts are required for all reimbursements. Allow at least two weeks after receipt at the School for reimbursement.

Per diem Rate: Teachers will be paid a per diem rate, \$200 per day, for each day on Pensar Academy business outside of the academic year, or work week, unless pay/stipend has been otherwise specified.

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

Reimbursable Expenses – Meals: Reimbursement of meals will be on the basis of reasonable costs up to a maximum of \$50 per day, inclusive of any tips. Meals purchased within the Phoenix/Glendale area are not reimbursable. Breakfast purchased when departing from home does not qualify as a reimbursable expense. Similarly, meals purchased once traveler has returned home are also not reimbursable.

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

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

Non-Reimbursable Expenses:

- First-class or any upgrades in air travel.
- When lodging accommodations have been arranged by the school and the traveler elects to stay elsewhere, reimbursement is made at an amount no higher than the rate negotiated by the school and reimbursement is not made for transportation between the alternate lodging and meeting site.
- If an individual accompanies the traveler, it is the responsibility of the traveler to determine the added cost for double occupancy and related expenses and to make the appropriate adjustment in the reimbursement request.

- Entertainment costs including movies, liquor, or bar costs.
- Any costs over \$25 that are not first cleared by the Principal.

Section 4: Time Off

4.1 School Vacations, Holidays and Vacations: Teachers and Instructional Aides

With the exception of personal days (which are described in more detail below) and school holidays, teachers and instructional aides do not receive vacation time. Typically, employment begins in the middle of July and ends on the last day of May. This schedule may vary slightly due to annual calendars, and will be provided to teachers and instructional aides by the end of the prior school year. Full-time teachers and instructional aides are not expected to work on days the school is closed for school vacations or holidays. However, teachers and instructional aides will continue to receive their salary during school vacations and holidays.

4.2 School Vacations, Holidays, Personal/Sick Time (Paid Time Off: PTO): Full-Time Administrators

School Vacations/Holidays: Full-time administrators are employed year-round with employment commencing on July 1st. However, full-time administrators are not expected to work on days the school is closed for school vacations:

- October Break, Thanksgiving Break, Winter Break, Spring Break, April Testing Break

And the following holidays/days, if not already included in the school vacations:

- Veterans Day, Thanksgiving and the day before and after Thanksgiving, Christmas Day, New Year's Day, Memorial Day, and 4th of July.
- Other days as agreed upon, specific to each administrator's at-will agreement with Pensar Academy.

All Administrators will continue to receive their salary during school vacations and holidays.

Personal/Sick Time (PTO): Full-time administrators are eligible for up to 20 personal/sick days during their contract. Ten personal/sick days will be given at the start of the new contract. The remaining ten personal/sick days will be given at the start of the new calendar year. A maximum of 10 days can be used from the day after the last day of school until the end of the contract year.

Once personal/sick days are used and an absence occurs, the employee's pay is docked at the employee's daily rate

All admin PTO requests will be made using a PTO Request Form and submitted to the Principal. Pensar Academy is required to track absences for legal compliance reasons. The amount of PTO used and available will appear on employee's paycheck stub.

4.3 Personal/Sick Days (Paid Time Off: PTO): Teachers and Instructional Aides

All salary staff are eligible for up to 8 personal/sick days during the school year: one day is equal to 8.5 hours. All personal/sick days will be released to the employee on the first day of employment. If a full-time teacher or instructional aide does not use all of his/her personal/sick days within the stated limits of their contract, s/he will receive compensation, at the end of the agreement term, through a PTO Bonus based on the hours/days of PTO not used. A bi-weekly email update, following the pay schedule timeline, will be provided to the employee to report PTO usage and employees' respective PTO Bonus remaining balance. *Employee is to refer to their individual Bonus Letter conditions for more details regarding their PTO Bonus

Requests for a personal/sick day will be made through the PTO Request Form submitted to the employee's direct supervisor. All PTO requests are subject to the approval of the employee's supervisor or the Principal.

PTO request may be subject to restrictions including, but not limited to, designated Blackout Days. Employees will not be allowed to take PTO days during Blackout Days and all requests will be denied for the purpose of adequately staffing Pensar Academy. Blackout periods are as follows: 9/05/2023, 10/16/2023, 11/16/2023, 11/27/2023, 12/21/2023, 1/16/2024, 2/13/2024, 2/20/2024, 3/18/2024, 4/2/2023, 4/4/2024, 4/09/2024, 4/11/2024, 4/16/2024, 4/18/2024, 4/23/2024, 4/25/2024.

Personal days of 3 consecutive days or more must be pre-approved. While efforts are made to accommodate consecutive day requests, these requests are subject to the approval of the employee's supervisor or Principal. Employees who miss more than 3 consecutive unscheduled days due to illness, may be required to present medical documentation for absences. Any employee who misses two consecutive days of work without notice to their supervisor may be considered as job abandonment and subject to termination.

If an employee is not able to report to work because of an illness, or illness of someone dependent on them for care such as a parent, spouse, partner, or child, it is expected that the employee will submit the absence through the PTO Request Form and contact their supervisor with as much advance notice as possible, and no later than 6:00 a.m. on the day of the absence in any event. If the day off is a result of an emergency (e.g. sudden illness), no advance notice will be required. A doctor/medical note may be required. If a personal/sick day needs to be taken at the last minute, employees must call or text their direct supervisor, e-mail alone is not sufficient. Employee will receive a confirmation call or text and email from their direct supervisor, and a loss in personal/sick day will be recorded. If an employee does not receive a confirmation call from their direct supervisor prior to the start of the school day, the employee is responsible for contacting the front office at the start of the school day. Within 48 hours of a last minute absence, employee must submit a PTO Request Form to their direct supervisor.

If an employee takes a personal/sick day without having the time available or the absence is denied or is a scheduled blackout day, the employee's pay will be docked at their daily rate with no exception. The absence will be recorded as Unpaid Time-Off.

Unused personal/sick days will be paid through the employee's PTO Bonus, based on his/her unused PTO time. If a salaried staff member leaves prior to the end of the academic year, he/she will not be eligible for his/her PTO Bonus to compensate unused personal/sick days. Once personal/sick days are used and

an absence occurs, pay is docked at the employee's daily rate/hourly rate, whichever is appropriate, per absence.

All PTO requests will be made using the PTO Request Form and submitted to the employee's direct supervisor or Principal. The direct supervisor will then submit the PTO Request Form to the Director of Operations for tracking purposes. Pensar Academy is required to track absences for legal compliance reasons. The amount of PTO used and available will appear on employee's paycheck stub.

4.4 Leaves of Absence

1. **Family and Medical Leave:** Pensar Academy is currently exempt from the Family and Medical Leave Act because it employs fewer than 50 people. Should this change the school will immediately put any necessary policies and benefits into place. As a result, all leave will be determined based on the needs of the School and at the sole discretion of the Principal.
2. **Military Leave:** If an employee is a member of the U.S. National Guard or the U.S. military services and is involuntarily called to duty or required to attend training camp, that employee will be allowed an unpaid leave of absence to comply. Employees should provide the Principal with copies of their military orders as far in advance as possible.

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

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

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

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

If an employee is away for less than 180 days, the rate the employee pays for benefits remains the same. If the employee is away for more than 180 days, the employee will have the opportunity to continue benefits for an additional 18 months at COBRA rates. If the leave is less than 30 days, the benefit premiums will be deducted from the first paycheck upon return. If the leave is more than 30 days, the employee must contact the Director of Operations to arrange for payment while on leave. Failure to make timely payments may result in cancellation of benefits. If an Employee elects to

discontinue coverage while on leave, the employee must submit a letter with military orders attached, stating that they have military coverage and want to cancel health benefits.

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

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

3. **Jury Duty:** If an employee is subpoenaed for jury duty, that employee will be given a leave of absence for the period served. Employees may be eligible to receive the difference between the jury pay received and the per diem pay rate. An employee must present a copy of the subpoena or notice from the court to the Principal as soon as the employee receives it. Employees summoned for jury duty should inform the Principal immediately so that alternative accommodations can be made. Employees are expected to return to work on any day or portion of a day they are released from jury duty.
4. **Bereavement:** Full-time employees are entitled to take up to three (3) consecutive days off, with pay, to attend to a family death. Employees may be granted additional time without pay or may use unused personal leave days for additional bereavement leave. For these purposes, family is defined as a spouse, domestic partner, child, parent, sibling, grandparent, or grandchild. Additional needs, such as for extended family, extenuating circumstances, etc. may be discussed with the Principal and is left to the sole discretions' of the Principal.
5. **Arizona State Victim's Leave:** Pensar Academy is committed to providing victim's leave to eligible employees in accordance with the Arizona State Victim's Leave Law ARS § 13-4439; § 8-420. This law authorizes employees who are victims of crimes to leave work to exercise the right to be present at legal proceedings related to the crime.

As defined in ARS § 13-4401, a "victim" is (1) a person against whom the criminal offense has been committed, or (2) if the person is killed or incapacitated, the person's immediate family (victim's spouse, parent, child, sibling, grandparent or lawful guardian) or other lawful representative (person who is designated by the victim or appointed by the court and who acts in the best interests of the victim), except if the person is in custody for an offense or is the accused.

Using Vacation Leave, Unpaid Leave of Absence, and Accrued Compensatory Time

When using victim's leave, the eligible employee may use accrued vacation leave, excused unpaid leave, or accrued compensatory time. While there is no maximum leave time allocated for victim's leave, the company reserves the right to limit the leave provided under the law if the leave creates an undue hardship to the school's business.

Eligibility

Any Pensar Academy employee is eligible for leave under this policy, except that the employee is not eligible if a family member is the victim and the employee is in custody for the offense or accused of the crime.

Request for Leave

Request for victim's leave must be made to the employee's immediate supervisor or Principal, providing as much notice as practical. In making this request, the employee shall provide

- a copy of the form provided to employee by the law enforcement agency, and
- a copy of the notice of each scheduled proceeding that is provided to the victim by the responsible agency.

Section 5: Employee Benefits

5.1 General

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

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

The School currently offers medical, dental, and life insurance at no cost for its full time employees. Vision is available ,100% employee paid. The school offers 50% pay for dependents for medical and dental Health insurance for the employees' other family members may be available at the employee's cost. For more information regarding the employee benefits program, please contact the Director of Operations.

5.2 Benefits

Medical and Dental Coverage: The School offers medical and dental insurance coverage to full time staff member at no out of pocket cost. Specifics will be presented to employees at the start of every school year. More information is available from the Director of Operations and through open enrollment.

Vision Coverage: The School offers vision insurance coverage to full time staff members. This insurance is optional and paid by the employee through payroll deductions.

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

Domestic Partner Policy: Pensar Academy offers domestic partner health and dental coverage along with individual and family plans.

Life Insurance: Pensar Academy offers \$25,000 life insurance to full time employees. Employees may elect to pay, through payroll deductions, for additional life insurance.

Workers Compensation: In addition to health and dental benefits, the school has worker's compensation insurance. All injuries suffered on the job, no matter how minor, must be reported immediately to your supervisor or Director of operations. If an employee suffers a serious work-related injury, the employee should contact the Director of Operations who will assist the employee in obtaining the worker's compensation insurance forms.

Short- and Long-Term Disability Coverage and insurance : The School does not directly offer short-term and long-term disability insurance coverage. However the school provides payroll deductions for any plan selected through Aflac. Identified, the details of this insurance benefit depend on what plan the employee selects. Eligibility requirements and benefit details for this insurance benefit are detailed separately in the insurance policy, and are subject to change if/when the insurance policy changes. More information is available from the Director of Operations.

Professional Development: At the start of each academic year, there will be 10 days of teacher orientation, paid at \$200 also per day rate. This is referred to as Bulldog Bootcamp. Professional development sessions will take place throughout the academic school year. The professional development sessions are an extension of the professional work expectations and are mandatory. Professional Development dates for 2023-2024 are as follows: 8/04/2023, 8/11/2023, 9/08/2023, 10/20/2023, 11/10/2023, 12/08/2023, 1/19/2024, 2/23/2024, 3/22/2024, 4/19/2024, 5/10/2024, 5/24/2024. Any absences on these identified professional development dates will constitute a decrease in PTO bonus.

Section 6: Technology

6.1 Laptop Policy

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

- Employees are expected to care for the laptop in a responsible manner and will assume liability for any damage to the laptop that occurs as a result of negligence. Teachers can allow students to use the laptop, but they then assume the risk for any damage that occurs to the laptop as a result of the student use.
- Employees assume responsibility for leaving the laptop in a secure place, both at school and away from school. Teachers are encouraged to lock their laptops when leaving their classrooms.
- Employees are asked not to install new software or hardware on the computer without the permission of the Principal.
- Employees are expected to return the laptop one week after the last day of school. Teachers who fail to return the laptops by that date will have \$750 deducted from their remaining paychecks. Returning teachers who have signed an employment contract for the subsequent school year will be allowed to check out their laptop again for a year period.
- Employees must sign the School's Technology Agreement Form each year.

Employees must periodically update and run virus detection software under the direction and guidance of the Principal.

Questions about the laptop policy or about technology in general should be directed to the Principal.

6.2 Email Accounts

Staff e-mails will be lastname@pensaracademy.org. For instance, the email address for John Smith would be smith@pensaracademy.org. If necessary, first initials will be used before last name in the event that employees possess the same last name or name previously used by another employee.

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

The School provides electronic mail (e-mail) for purposes of school communications.

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

6.3 Communications and Information Systems Policy

The School provides employees with computer equipment and online access to internal and external networks, including the Internet, so that employees may communicate more efficiently and accomplish the school's goals. The school's email and other computer applications are intended for use by employees

engaged in administrative or educational work. Employees who use these systems for personal communications are subject to the terms of this policy.

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

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

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

- Downloading data, information, images, and the like from an outside source increases the risks to the School's computers of viruses and other damaging agents. The employee should not retrieve material from outside sources, particularly from sources not known to the employee, unless said employee has good reason to do so. Any material downloaded from an outside source should be checked immediately for viruses and other damaging elements.

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

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

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

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

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

Relations Act (“NLRA”). The School has and always will comply fully with its obligations under the NLRA.

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

6.4 Computer Software

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

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

6.5 Social Media and Cell Phone Use A.R.S. § 15-203(A)(44)

Social Media and Cell Phone Use refers to communication between students and the School’s personnel, including administrators, teachers, coaches, and counselors. The School recognizes the increasing use and importance of technology in K-12 education. The School also recognizes the misuse of technology may be

potentially dangerous for students. As a result, this policy is intended to protect student safety while ensuring educators and students can continue to make use of the technology that is essential to learning and the workplace.

Social media is the use of web-based and mobile technologies to communicate through interactive dialogue. Social media technologies include but are not limited to; blogs, picture-sharing, vlogs, internet application wall-postings, instant and direct messaging, music-sharing, crowdsourcing, voice over IP (VoIP), Facebook, LinkedIn, My Space, Twitter, You Tube, SnapChat, Instagram, TikTok, communications through video games and any successor protocol to transmit information. Other digital communications covered include text messaging, email, audio calls, video calls, or any other electronic communication that is made directly to students. Technologies are any devices that: transmit sounds, images, texts, messages, videos, or electronic information; electronically records, plays, or stores information; or accesses the Internet, or private communication or information networks. Current examples are smartphones, smart devices, tablets and computers.

Educators will:

- A. Adhere to employer policies related to: technologies, including the use of employer technology, student and parental rights, the Family Educational Rights and Privacy Act (FERPA), staff ethics and staff-student relations.
- B. Only use school controlled and approved technologies when communicating with students or parents. Educators should not use personal devices to directly communicate with students unless it is through school-controlled and approved technologies.
- C. Ensure that technologies used to communicate with students and school staff are maintained separate from personal technologies used to communicate with others.
- D. Use technologies to enhance and add value to communications with all recipients and be respectful of those with whom they communicate.
- E. Include a parent, another educator, or supervisor on any communication with students that could be construed as inappropriate pursuant to these best practices. For example, if the educator is taking chaperones and students on a field trip and is required to stay in contact with the students throughout the trip, the educator should create a large group messaging thread with other adults in the conversation rather than messaging students directly.
- F. Only communicate with students regarding academic or extracurricular activities and should refrain from communication outside of academic and extracurricular scheduled hours. Communication with students should not be of a personal nature. Communication should not be subject to interpretation. For example, statements, pictures, videos, GIFs, or memes of sexual intent or sexual in nature. Comments on appearance or comments on educator's personal relationships in or out of school. Anything drug or alcohol related. Events, locations, or meet-ups outside of a school sponsored activity or sharing or asking about weekend, summer, or break plans.
- G. Follow school policies and state law by appropriately reporting communication received from a student of a serious nature (e.g. abuse, suicide, threats of self-harm, threats to other students/school, etc). Educators shall follow all mandatory reporting requirements (A.R.S. § 13-3620).
- H. Be responsible for the content of their posting on any form of technology through any form of communication. Immoral and unprofessional content may be subject to disciplinary action by the Board.
- I. Must be aware of his/her association with the education field and ensure the related content of any posting is consistent with how the educator wishes to present themselves to colleagues, community members, parents, students and the Board.

J. Not use school owned or provided technologies to endorse or promote a product, a cause, or a political position or candidate. Educators may be subject to a fine from the employer for such usage of employer owned technologies and may be subject to a fine from the Attorney General or county attorney (A.R.S. § 15-511). Educators who are fined by the Attorney General or county attorney may also be subject to discipline by the Board.

K. Immediately report all misuse, or suspected misuse, of technology to their direct supervisor/administrator. If the communication constitutes immoral or unprofessional conduct, it must be immediately reported to the Board's Investigative Unit.

Pensar Academy will:

A. Communicate the above and related policies to all employees, including substitute teachers, at the beginning of each school year and to newly hired employees as part of the hiring process. This communication should include the consequences, at the school, employer and state levels, for violating employer policies and state regulations.

B. Establish which technologies are approved for use by employees, including substitute teachers, to communicate with parents and students. Approved technologies shall be communicated to the local governing board members and employees prior to the start of every school year, to newly elected Board members prior to taking office, and to newly hired employees as part of the hiring process.

C. Provide access and oversight to school controlled technologies. As part of the oversight, Pensar Academy will regularly monitor and spot-check certain words and phrases throughout the school year to ensure approved technologies are used appropriately. The School will consider limiting which apps and/or websites are allowed to be accessed on the approved technology.

D. Maintain records of communications by employees to students and parents in an easily accessible manner, if requested by the employer, the Board's Investigative Unit, or law enforcement. Violations of these best practices shall be reported to the Board's Investigation Unit if the communication constitutes immoral or unprofessional conduct. The Board may discipline educators for engaging in immoral or unprofessional conduct, which may include a letter of censure, suspension or revocation of the educator's certification or Educator Identification Number.

*These practices do not apply to communications between immediate family members.

Cellphone Use: In an effort to balance employees' private personal use of such devices with their responsibilities to the school, the school has implemented the following guidelines regarding the use of such devices in the workplace.

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

6.6 Radio Use

Radio Use. Staff members must maintain a staff radio when on duty at the School.

Section 7: Workplace Safety and the Environment

7.1 Media Relations Policy

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

Main Contacts: Principal and Board of Directors

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

Background: Pensar Academy strives to advance its mission by communicating openly and honestly using consistent messages with its constituents, including the media. It is important for all Pensar Academy staff and board members to reinforce these messages by referring all calls and visits from any media source to the appropriate staff.

Procedure

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

For visits

1. Call the Principal for guidance, if possible.
2. Inform the media that the Principal is not on campus and therefore you are not able to conduct any interviews or allow any videotaping at this time.
3. Find out the reporter's name, station/media outlet, phone number, and deadline.
4. Find out the nature of the story ("Our Principal is the spokesperson for Pensar Academy. May I ask what kind of a story you are working on so that we can gather the information so that she will have all the facts in front of her when she calls you back?")
5. Let the reporter know that the Principal or another staff member will return the call by a stated time and date.

Pensar Academy seeks to provide informed responses to all questions by third parties, not just the press, and thus all such inquiries should be immediately directed to the Principal who will decide how to provide the most appropriate response.

Key Points To Remember When Dealing with Any Inquiries:

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

7.2 Personal Property and Workplace Searches

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

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

7.3 Use and Care of Equipment

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

7.4 Safety and Building Issues

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

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

In case of an emergency, parents or guardians should contact the Main Office either by phone or in person. Under no circumstances should parents or guardians contact students in their classrooms or attempt to

withdraw students from the building before 4:00 pm without notifying and receiving permission from staff members in the Main Office.

Fire Safety: If a staff member sees fire or smells smoke, he or she should close the door and pull the closest fire alarm. Upon hearing the alarm, school staff will assemble students in their rooms and proceed out of the building according to the fire evacuation plan posted in each room. Students should follow the direction of the staff, and lead students outside the building to the designated locations, where school staff will line up students by class and take attendance.

During the first week of school, and frequently throughout the school year, students and staff will participate in fire drills to ensure that the entire school community is familiar with the appropriate response in the event of an emergency. (See section 7.5 for more information.)

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

Facility Needs & Repair: Facility needs or repair requests should be made to the Director of Operations or Principal. It is extremely important that employees keep the facility clean and functioning smoothly, as this sends a strong message to all school community members about the extent to which the School values the work and workplace. Any graffiti, particularly in the bathrooms or on school desks, should and must be dealt with swiftly and severely, so should be reported immediately.

7.5 Emergency Drills

Fire Drill: During the first month of school and frequently throughout the school year, students and staff will participate in fire drills to ensure that the entire school community is familiar with the appropriate response in the event of an emergency. It is important for students to follow instructions quickly and quietly during an emergency drill. Procedures are as follows:

1. Everyone must respond immediately to the fire alarm.
2. All electrical equipment must be turned off before exiting a room.
3. All doors must be closed but not locked.
4. Exit quietly in a single file line.
5. Use either the primary or secondary exit.
6. Proceed to assigned area where attendance will be taken and absences reported to a school administrator.
7. Students should turn away from the building and remain quiet to listen for further directions.
8. Take attendance and hold up a GREEN (all students accounted for) or RED (missing student/s) card to signal administration. If red, administration will come to you for student names. Teachers are to stay with their class.
9. No one may return to the building until an "all clear" signal is given.

Lock Down Procedures: A school administrator or staff member who sees that there is an immediate need for an emergency lock down will initiate the following procedures:

- Notify the school office immediately upon observing a situation that may put children in imminent danger.
 - A school administrator will notify school personnel to lock down.
- At this time, teachers will complete the following steps as quickly as possible:
 - Lock their doors – once the door is locked, teachers are not to unlock it for any reason (not even to permit a student to enter);
 - Cover all the windows with paper or window coverings;
 - Have the students move away from all windows and sit silently on the floor;
- Take attendance and **send one email to the Principal, Assistant Principal, AND the Front Office Manager** with the following information:
 - If all students are in the classroom, send the following in the subject line:
Name of Class All Present
Example: FALCONS All Present
 - If any student(s) are absent or not physically in the class at that time, send the following in the subject line:
Name of Class Not Present (List of students not in the classroom)
Example: MULES Not Present Joe Wright, Tina Fog
- Under NO CIRCUMSTANCES are teachers to open their classroom doors until they hear the code word or are directed to do so by local law enforcement or fire officials.

Volunteers/guests must also follow the above procedures for a fire alarm and lock-down.

7.6 Animal Policy

In the event a staff member would like to bring in an animal for an educational purpose when there are students on campus, a request must be made to the Animal Committee for approval. The owner of the pet must have proof of personal liability insurance, current state registration, and current shot records (if applicable). In the event a teacher would like a class pet, the request must be approved by the Animal Committee. The school mascot has been approved to be present on campus on school event days only. On non-school days, staff may request permission to bring their pet onto campus at the sole discretion of the Principal.

Section 8: Employee Conduct

8.1 Code of Conduct, Discharge, and Other Discipline

As an integral member of the School, employees are expected to accept certain responsibilities, adhere to acceptable School practices, and exhibit a high degree of personal integrity at all times. This involves honesty, respecting the rights and feelings of others and refraining from any behavior that might be harmful to an individual, co-workers, students, and/or the School. All employees are expected to observe the highest standards of professionalism at all times.

These guidelines are fundamental in nature and are matters of judgment and common sense. Since it is impossible to list guidelines to cover every situation, the absence of an illustration from this list will not prohibit the School from taking disciplinary action, up to and including immediate termination, when the School believes, in its sole discretion, that such action is warranted. These guidelines do not in any way

alter the at-will employment relationship with the school. The School may terminate any employee's employment at any time and for any reason with or without cause or notice. The School expects all employees to follow rules of conduct that will protect the interests and safety of all students, employees and the School. Types of behavior and conduct the school considers inappropriate include, but are not limited to:

- Misconduct involving students;
- Falsifying employment or other School records;
- Violating the School's nondiscrimination and/or employee harassment policies, sexual or otherwise.
- Disclosing confidential information, including information protected by the Family Educational Records and Privacy Act (FERPA), and the Health Insurance Portability and Accountability Act (HIPAA);
- Excessive or patterned absenteeism or tardiness;
- Excessive, unnecessary, or unauthorized use of the School's supplies or telephones, particularly for personal purposes;
- Reporting to work intoxicated or under the influence of non-prescribed drugs, or the possession, use, distribution, manufacture, sale, or dispensation of any controlled substance or illegal drug;
- Fighting or using obscene, abusive, or threatening language or gestures;
- Stealing from the school or fellow employees, or misappropriation of School assets or failure to report knowledge of such acts;
- Possession of firearms or weapons on the school's premises or during the course of employment related activities;
- Disregarding safety or security regulations;
- Insubordination (i.e., failure to comply with a request from management);
- Failure to notify manager that employee will be absent from work in accordance with School policy;
- Defacing or damaging School property;
- Any action, whatsoever, that has the potential to negatively affect good relations between the school and its employees or between the school and any of its students; and
- Any violation of School policy.

Corrective Action: The School expects the highest quality performance from all employees. An employee's failure to meet these expectations may result in disciplinary action up to and including dismissal. All forms of substandard performance, work of unacceptable quality or quantity, excessive absenteeism or tardiness, violations of school policies or procedures, misconduct, insubordination, any other form of improper conduct, and conduct which presents even the appearance of impropriety may result in disciplinary action up to and including discharge.

8.2 Termination of Employment

1. **Termination:** Employment is "at-will" and may be terminated by the School or the employee at any time with or without cause.
2. **Resignation:** A resignation is a termination instituted by the employee. If employee elects to terminate the at-will agreement prior to the end of the academic year, a \$1,000 penalty will be incurred if 2 week notice is not given by employee.

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

8.3 Return of Property

Upon separation from the school, all files, documents, records, laptops, credit cards, door and file keys, computer access codes or discs, and instructional manuals and other physical or personal property which the employee has received, prepared, or helped prepare in connection with his/her employment with the School, and any copies, duplicates, reproductions or excerpts thereof must be returned by the employee on or before the last day of work. All non-returned items will be considered sold to the employee and the cost at purchase deducted from that employee's final paycheck.

8.4 Physical Contact Between Employees and Students at School and at School-Sponsored Functions

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

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

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

4. **Summary:** The School recognizes that this is a complex issue, and that some employees may deal with it by implementing a practice of never physically contacting or touching students. That is not the school's intent or objective. It is expected that any physical contact between an employee and a

student will have a legitimate purpose consistent with the School's role as educator and caretaker of minor children.

8.5 Tobacco-Free Workplace Policy

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

8.6 Drug-Free Workplace Policy

Pensar Academy is committed to protecting the safety, health, and well-being of all students, employees and other individuals in the workplace. The School recognizes that alcohol abuse and drug use pose a significant threat to the School's goals. The School has established a drug-free workplace program that balances our respect for individuals with the need to maintain an alcohol and drug-free environment. This organization encourages employees to voluntarily seek help with drug and alcohol problems.

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

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

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

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

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

Assistance: Pensar Academy recognizes that alcohol and drug abuse and addiction are treatable illnesses. The School also realizes that early intervention and support improve the success of rehabilitation. To

support employees, the School's drug-free workplace policy encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem. Treatment for alcoholism and/or other drug use disorders may be covered in whole or in part by an employee benefit plan. However, the ultimate financial responsibility for recommended treatment, however, belongs to the employee.

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

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

In addition, employees are encouraged to:

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

It is the supervisor's responsibility to:

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

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

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

8.7 Confidentiality of School Information

If during the course of employment an employee acquires confidential information or proprietary information about the School, its students, or its employees, such information is to be handled in strict confidence and not to be discussed with persons outside the School. Such confidential information includes, but is not limited to, the following examples: student records, student or employee health information, and building-security information. Employees are also responsible for the internal security of such information.

Email correspondence regarding a student or students should be handled with strict confidentiality. Neither first or last name of a student should be used within email correspondence.

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

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

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

8.8 Conflicts of Interest

As an employee of Pensar Academy, staff members are to be ever mindful of the need to conduct themselves both in and outside of the school in a manner that will not bring criticism to individuals and to the School. All employees have an obligation to conduct your affairs within guidelines that prohibit actual or potential conflicts of interest.

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

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

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

Personal gain may result in instances where you or your relative or person with a close personal relationship has a significant ownership in the vendor or firm with which Pensar Academy does business. As noted elsewhere, accepting a gift from a vendor or business doing business with the school is prohibited, except for widely distributed advertising items of nominal value. Pensar Academy recognizes

the right of employees to engage in activities outside of their employment which are of a private nature and unrelated to our educational mission. However, the employee must disclose any possible conflicts to the Principal, so that Pensar Academy may assess and prevent potential conflicts of interest from arising.

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

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

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

8.9 Dress Code

The School expects all staff to dress professionally in "business casual" attire may be requested to be worn by employee at designated School events. If a staff member chooses to wear jeans, then a staff shirt or college shirt must accompany.

The following items are considered inappropriate: Spaghetti Strap tops, flip-flops, skirts or dresses that fall midhigh, and revealing clothing. In addition, ripped or soiled clothing is always inappropriate. On field trips, staff will be required to wear a Pensar Academy shirt and either jeans or khaki/black bottoms. The fitness instructor will be required to wear a Pensar Academy t-shirt and athletic bottoms. Staff members who have outside duty (when the temperature exceeds 100 degrees), may also wear a school shirt and shorts. For in-house professional development, staff may dress in casual attire. Exceptions to this policy will be made on certain occasions at the sole discretion of the Principal.

8.10 Outside Employment

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

8.11 Instructional Expense Reimbursement

All employees must abide by the budget to maintain solid stewardship of public monies. Any curricular or classroom supplies eligible for reimbursement or purchase must be pre-approved by the Principal prior to purchase using the “Pre-Authorization Purchasing Form.” No requests for reimbursement will occur for retroactive purchases, meaning that if a purchase is not pre-approved by the Principal, then that expense is not reimbursable.

Section 9: Accountability

9.1 Performance Review and Evaluation

The School believes that in order to constantly improve as a school, staff members must continuously reflect upon and endeavor to improve their knowledge, skills, and approach to their work. Performance reviews and evaluations, both informal and formal, will be an integral part of every staff member’s professional development.

Informal Performance Reviews: Performance reviews may take place any number of times during the year, and may be in the form of a scheduled meeting or more informal talks during the school day. Performance reviews may be utilized as tools to improve employee performance with regard to management expectations. Employees should expect classroom observations and feedback as often as multiple times per day.

Formal Staff Evaluations: Formal evaluations will be made up of 2 teacher evaluations and scoring on a professionalism rubric; the mid-year review will occur during January.

Staff will be evaluated per the evaluation distributed during summer professional development every year. For the mid-year review, teachers will complete the performance evaluation as a self-evaluation and the Principal will complete the same checklist. The Principal will give a copy of his or her version of the teacher evaluation to the teacher at least 24 hours before the scheduled mid-year review meeting. The staff member is asked to give the Principal a copy of his or her self-evaluation at least 24 hours before the meeting as well. During the mid-year review meeting, the teacher and Principal will discuss areas of strength, areas of concerns, and areas of discrepancy. Teachers who require a formal follow-up based on the mid-year review may also receive an end-of-year review.

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

9.2 Open Door Policy

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

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

9.3 Teacher Bonus Pay

At Pensar Academy, the School believes that good teaching should be rewarded. Bonuses are not guaranteed. However, when the budget allows, returning staff will be eligible for bonuses. Bonus letters are issued at the start of employment and should be reviewed for further details.

ACKNOWLEDGMENT OF RECEIPT OF PERSONNEL HANDBOOK

This Personnel Manual covers employees who work for Pensar Academy, referred to through this Manual as the "School."

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

I understand that my employment is at-will and both the school and I are free at anytime to end it, with or without notice or cause. I understand I will incur a \$1,000 penalty if I elect to end the at-will agreement and do not provide Pensar Academy with a 2 week notice.

I understand and agree that I cannot and should not rely upon any statements contained in this Handbook as either creating or attempting to create any type of employment contract. I further understand that no manager or representative of the School, other than Principal or Director of Operation, has any authority to enter into any employment agreement with me for a specified period of time, or under any specific conditions, or to make any promises or commitments contrary to at-will employment.

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

I understand and agree that my role is of a professional nature; observing the highest level of professionalism with my co-workers, students, parents/guardians, and the School by upholding and respecting the rights and feelings of others and refraining from any behavior that is dishonest, causes emotional or physical harm, or lacking integrity.

Please sign and return to the Director of Operations.

Employee's Signature

Print Employee's Name

Date

EMPLOYEE HARASSMENT ACKNOWLEDGMENT FORM

I _____ have received and read the School’s Sexual and Other Unlawful Harassment Policy.

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

Please sign and return to the Director of Operations.

Employee’s Signature

Print Employee’s Name

Date

NON-COMPETE AND NON-SOLICITATION AGREEMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned Employee _____ (Employee), hereby agrees not to directly or indirectly compete with the business of Pensar Academy and its successors.

The Employee specifically agrees that for a period of one (1) year from the date that the Employee is no longer employed by Pensar Academy, the Employee will not take any actions to assist any other entity in recruiting any other employee(s) or student(s) who works for, attends, or is affiliated with Pensar Academy. This agreement shall also be in full force and effect during the period of employment.

Please sign and return to the Director of Operations.

Employee's Signature

Print Employee's Name

Date