

URBAN ACADEMY CHARTER SCHOOL

EMPLOYEE HANDBOOK

2023 - 2024



INTRODUCTION.....	6
WELCOME	6
FORWARD.....	6
DESIGNATED PERSONNEL	6
EMPLOYMENT PRACTICES.....	8
AT-WILL EMPLOYMENT	8
EQUAL EMPLOYMENT OPPORTUNITY POLICY	8
CLASSIFICATION OF EMPLOYMENT	8
Position Classification.....	8
Position Status.....	9
Position FLSA	9
AMERICANS WITH DISABILITIES ACT	9
CONFIDENTIALITY	10
CONFLICTS OF INTEREST.....	10
Outside Employment	10
Financial Interest in Other Business	10
Acceptance of Gifts.....	11
EMPLOYMENT OF RELATIVES	11
PERSONNEL RECORDS	11
TEACHER LICENSURE RECORDS.....	11
RELEASE OF EMPLOYMENT INFORMATION	12
PROFESSIONAL DEVELOPMENT.....	12
PERFORMANCE EVALUATIONS.....	12
ADVANCEMENT AND PROMOTIONS	14
AGREEMENT RENEWAL/INTENT TO RETURN	14
SEPARATIONS	14
Resignation	14
Lay Offs.....	14
Exit Interviews.....	14
Return of School Property	15
Benefits	15
Final Paycheck	15
EMPLOYEE CONDUCT	16
GUIDELINES FOR APPROPRIATE CONDUCT	16
VIOLENCE IN THE WORKPLACE POLICY	17
WHISTLEBLOWER POLICY	17
Complaint and Investigative Procedure.....	18
ANTI-HARASSMENT POLICY	19

Complaint and Investigative Procedure.....	19
WEAPONS PROHIBITION.....	20
WORKPLACE GAMBLING.....	20
DRUG AND ALCOHOL USAGE.....	20
TOBACCO-FREE ENVIRONMENT.....	21
PERSONAL RELATIONSHIPS & FRATERNIZATION.....	21
MALTREATMENT OF A STUDENT.....	21
Types of Abuse.....	21
Reporting Procedures.....	22
Investigation.....	22
EMAIL AND INTERNET USAGE.....	23
Acceptable Use of the Internet.....	23
Unacceptable Use of Email and the Internet.....	23
School's Right to Monitor and Consequences.....	24
Questions Regarding the Use of the Internet or E-mail.....	24
DISCIPLINARY ACTION.....	24
COMPLAINT RESOLUTION PROCEDURE.....	25
MINNESOTA CODE OF ETHICS FOR TEACHERS.....	25
SUBPART 1. SCOPE.....	25
SUBPART 2. STANDARDS OF PROFESSIONAL CONDUCT. The standards of professional conduct are as follows:.....	26
SUBPART 3. STATUTORY ENFORCEMENT OF CODE: COMPLAINTS, INVESTIGATION, AND HEARING.....	26
SUBD. 1. RECEIPT OF COMPLAINT.....	26
SUBD. 2. INVESTIGATION AND HEARING.....	26
SUBD. 3. DISCOVERY; SUBPOENAS.....	27
SUBPART 4. COMPLAINTS HANDLED BY BOARD.....	27
SUBPART 5. ENFORCEMENT PROCEDURES.....	27
COMPENSATION.....	28
HOURS OF OPERATION.....	28
LUNCH AND BREAKS.....	28
ABSENTEEISM AND TARDINESS.....	28
DETERMINATION OF PAY.....	29
PAYMENT OF SALARY.....	29
OVERTIME PAY.....	29
TIME RECORDS.....	30
EXEMPT EMPLOYEE REDUCTION OF SALARY.....	30
HOLIDAYS & LEAVE PLANS.....	32
HOLIDAYS.....	32

SICK LEAVE	32
Coverage & Eligibility	32
Recordkeeping.....	33
PERSONAL LEAVE.....	33
Coverage & Eligibility	33
Recordkeeping.....	33
FAMILY AND MEDICAL LEAVE ACT (FMLA)	33
Eligibility	33
Situations Covered by FMLA.....	34
Length of Leave	34
Employee Notification Requirements.....	34
Concurrent Leave and Benefits	35
Job Restoration.....	35
UNPAID PERSONAL LEAVE.....	36
JURY DUTY LEAVE	36
BEREAVEMENT LEAVE.....	36
MILITARY LEAVE.....	36
TIME OFF TO VOTE	37
MINNESOTA SCHOOL CONFERENCE AND ACTIVITIES LEAVE	37
MINNESOTA BONE MARROW DONATION LEAVE	37
MINNESOTA CIVIL AIR PATROL LEAVE.....	37
SAFETY & BENEFITS.....	38
HEALTH & RETIREMENT BENEFITS	38
Health Insurance	38
Retirement Insurance	38
CONTINUATION OF HEALTH INSURANCE UNDER COBRA.....	38
PROTECTED HEALTH INFORMATION	39
WORKPLACE ACCIDENTS AND WORKERS' COMPENSATION INSURANCE...	39
BLOOD BORNE PATHOGENS	40
Preventing Exposure	40
Exposure to Blood.....	40
OPERATIONS	41
CULTURE	41
BACKGROUND AND REFERENCE CHECKS	41
Background Checks.....	41
Drug Testing.....	41
Reference Checks.....	42
PERSONAL APPEARANCE.....	42
WORK APPEARANCE	42

CLEAN LANGUAGE	42
SCHOOL COMMUNICATION.....	42
MEETINGS	43
CHILDREN OF STAFF MEMBERS.....	43
CELL PHONE USE.....	43
SOLICITATIONS AND DISTRIBUTION OF LITERATURE	44
PERSONAL PROPERTY	44
COMPANY PROPERTY	44
PERSONAL VEHICLE USE	44
REIMBURSEMENTS FOR MILEAGE AND OTHER EXPENSES	44
JOB DUTIES	45
EMERGENCY PLANS	45
NOTICE OF RIGHTS REGARDING PERSONNEL RECORD.....	45
FORMS	45
EMPLOYEE HANDBOOK ACKNOWLEDGEMENT FORM.....	46

INTRODUCTION

WELCOME

Thank you for joining Urban Academy Charter School. We hope you agree that you have a great contribution to make to the team, and that you will find your employment at Urban Academy a rewarding experience. We look forward to the opportunity of working together to create a more successful organization. Urban Academy appreciates the services performed by all staff members on behalf of our students. We know that only through their efforts and dedication will we continue to provide an excellent educational and working environment.

FORWARD

The Urban Academy Mission is to work in partnership with urban parents to guarantee that every child exceeds grade level in basic academic and life skills by utilizing research proven methods in a safe, structured and respectful community.

Urban Academy will provide a quality education for urban students in grades K-6. We believe that a quality education will lead to a productive future and to the opportunity for our children to end the cycle of poverty in their lives. We also believe that strong community based values have been lost to a number of children in the inner city, and Urban Academy will work toward re-instilling such values as non-violence, respect, responsibility, accountability and social responsibility to our children.

Under no circumstances will vandalism, destructive acts, intimidation, extortion, malicious disturbances, use of controlled substances, sexual, racial and religious harassment, bias, discrimination and violence, or any other violations of the law be tolerated, condoned or excused. Immediate steps will be taken to investigate and/or discipline anyone involved in such behavior.

A primary responsibility of all personnel in Urban Academy is to create a stimulating learning experience in a safe and wholesome environment for its students. School personnel are responsible for dealing with students and each other in a fair and honest manner, for treating all students and each other with the courtesy and respect due any human being and for ensuring that each student treats fellow students in a similar manner

DESIGNATED PERSONNEL

Throughout this book references are made to specific personnel by their title. The titles are used to guide staff in what position is responsible for certain roles and tasks.

- School Board – Elected representatives and the Executive Director
- Superintendent/Executive Director – Dr. Mongsheer Ly
- Executive Assistant – Christina James
- Director of Human Resources – Dr. Elizabeth Sommerville
- Principal – Joseph Thompson
- Director of Academics – Harold (Tony) Lang
- Technology Representative – Ronsoie Xiong

This booklet is intended as a general guide to the policies and procedures of Urban Academy (herein referred to as "School.") It does not attempt to cover all School practices, policies or procedures in detail nor is it intended as an employee contract. This booklet should be seen as an informational guide only. Any deviation from the policies and/or practices stated in this handbook is within the sole discretion of the

School and shall not be construed to constitute precedent that would affect any future action, nor shall any such deviation alter the employment at-will relationship. Should any applicable local, state, or federal law or judicial decision render any of the School's policies or practices invalid or inoperative, it shall not invalidate any other of School's personnel policies or practices.

Nothing within this book is intended to imply or guarantee any specified or minimum term of employment. Nothing in this handbook or in any other written or unwritten policies or practices of the School creates or is intended to create, an express or implied contract, covenant, promise, or representation between the School and the employee. For those employees who have a written agreement with the School, the terms of that agreement supersede any conflicting provisions contained in this handbook. Where the agreement is silent on a particular issue, the provisions of this handbook will generally apply.

Employment with the school is at will. This means that neither the employee nor the School has entered into a contract regarding the duration of employment. This handbook does not modify or limit the employment at-will relationship.

The policies and procedures outlined in this booklet may be eliminated, revised, augmented, or changed at any time, with or without notice.

In all other situations, this employee handbook supersedes and replaces any and all previously or contemporaneously stated policies or practices, oral and written representation, or statements of the school, including but not limited to, those contained in any manuals, handbooks, correspondence, memoranda or oral discussions, which are hereby expressly revoked.

EMPLOYMENT PRACTICES

AT-WILL EMPLOYMENT

Employees are free to terminate their working relationship with the School at will. Similarly, the School reserves the right to terminate its working relationship with an employee at its discretion for any reason, with or without notice, as permitted by law. This employment relationship is known as “employment at will.” These rights to terminate employment may be exercised at any time. No manager, supervisor, or representative of the School other than its Executive Director has authority to enter into any agreement to the contrary. No such agreement may be made, nor is valid unless in writing signed by the Executive Director. This handbook does not modify or limit the employment at-will relationship.

EQUAL EMPLOYMENT OPPORTUNITY POLICY

The School is an equal opportunity employer. It is the policy of the School to prohibit discrimination of any type and to afford equal employment opportunities to employees and applicants, without regard to race, color, religion, sex, national origin, age, disability, veteran status, or sexual orientation. The School will conform to the spirit as well as the letter of all applicable laws and regulations. The School will take action to employ, advance in employment and treat qualified veterans and disabled veterans without discrimination in all employment practices.

The policy of equal employment opportunity and anti-discrimination applies to all aspects of the relationship between the School and its employees, including recruitment, employment and subsequent placement, training, promotion, compensation, continuation, probation, working conditions, discharge, and other terms and conditions of employment over which the School has jurisdiction.

The policies and principles of equal employment opportunity also apply to the selection and treatment of independent contractors, personnel working on our premises who are employed by temporary agencies and any other persons or Schools doing business for or with School.

The Executive Director will be responsible for the dissemination of this policy. The Executive Director is responsible for the School's overall compliance and shall maintain personnel records in compliance with applicable laws and regulations.

CLASSIFICATION OF EMPLOYMENT

For purposes of determining the applicability of various policies, practices, and benefits, employees are classified by the nature of the position to which they are primarily assigned and by their normal work schedule. Accordingly, School classifies employees as follows:

Position Classification

- **School-Year Employees:** Employees who are hired to work during the school year and who follow a specific, pre-established schedule of work days determined by the annual school district

calendar. Such employees may be considered “full-time,” “part-time,” or “temporary” as well as either “exempt” or “non-exempt” as defined below.

- **Year-Round Employees:** Employees who are hired to work an 11-month or year-round schedule. Such employees may be considered “full-time,” “part-time,” or “temporary” as well as either “exempt” or “non-exempt” as defined below.

Position Status

- **Regular, Full-Time Employees:** Employees intended to be part of ongoing operations that are regularly scheduled to work 32 or more hours per week. Such employees may be considered “school-year” or “year-round” employees as well as “exempt” or “non-exempt” as defined below. Although “regular” employees are entitled to be part of continuing operations, there is no guarantee that the job will continue. Any position may be eliminated at any time at the discretion of the School Director.
- **Regular, Part-Time Employees:** Employees intended to be part of ongoing operations that are regularly scheduled to work less than 32 hours per week. Such employees may be considered “school-year” or “year-round” employees as well as “exempt” or “non-exempt” as defined below. Although “regular” employees are entitled to be part of continuing operations, there is no guarantee that the job will continue. Any position may be eliminated at any time at the discretion of the School Director.
- **Temporary Employees:** Employees not necessarily intended to be part of continuing operations that are hired to work on a full-time or part-time basis with the understanding that their employment will be terminated upon completion of a specific assignment. Employees hired to be on-call to fill-in as needed are also considered temporary employees. Such employees may be considered “school-year” or “year-round” employees as well as “exempt” or “non-exempt” as defined below.

Position FLSA

- **Non-Exempt Employees:** Employees who are required to be paid a minimum wage and overtime at the federal or state prescribed wage rate, whichever is higher. Such employees may be considered “full-time,” “part-time,” or “temporary” as well as either “school-year” or “year-round” as defined above.
- **Exempt Employees:** Employees who are not required to be paid a minimum wage and overtime, in accordance with applicable federal wage and hour laws, for work performed beyond forty hours in a workweek. Executives, professional employees, outside sales representatives, certain computer programmers and employees in some administrative positions are typically exempt. Such employees may be considered “full-time,” “part-time,” or “temporary” as well as either “school-year” or “year-round” as defined above.

AMERICANS WITH DISABILITIES ACT

The Americans with Disabilities Act (ADA) prohibits employers from discriminating against qualified individuals with disabilities in all aspects of the application process and the employment relationship. It also requires that employers provide reasonable accommodations to qualified individuals when necessary, unless doing so would cause an undue hardship on the organization. Reasonable accommodations involves making adjustments or modification in the work, job application process, work environment, job structure, equipment, employment practices or the way that job duties are performed so that an individual can perform the essential functions of the job. Accommodations vary per person depending upon the needs of the individual applicants and employees.

If an employee requires an accommodation or has any ADA-related concerns, contact the Executive Director or the Director of Human Resources for assistance.

CONFIDENTIALITY

All information concerning employees, students, clients, donors, and organizations with which the School does business is to be considered privileged and maintained in strict confidence. All employees are responsible for protecting the confidentiality of such information at all times by not discussing the information with anyone outside the organization and by only discussing the information with individuals in the organization who are entitled to know it. Violation of confidentiality will be grounds for disciplinary action, up to and including termination.

CONFLICTS OF INTEREST

Employees are expected to act ethically, honestly and with the highest standard of personal integrity at all times in the performance of their job responsibilities. In all situations, all employees are expected to conduct the School's business in accordance with applicable laws and regulations.

Employees should not engage in any activity, practice or conduct which conflicts with, or appears to conflict with the interest of the School, its students and their parents, or their vendors. As in all job duties, employees dealing with vendors, competitors, contractors, or any person doing or seeking to do business with the School are to act in the best interests of the School regardless of personal preference and must not create the perception of personal advantage. Examples of situations where potential conflicts of interest may exist include the following:

Outside Employment

In order for the School to continue to provide the best education to our students, we request the full attention and efforts of our talented employees. The School's focus on shared values, purpose and vision precludes the endorsement of employees seeking outside employment.

Any employee holding a job with another organization must notify the Executive Director in writing in advance of taking the position, and the employee will be expected to always demonstrate satisfactory performance in his or her job responsibilities with the School. All employees will be judged by the same performance standards and will be subject to the School's scheduling demands, regardless of any existing outside work requirements.

If the School determines that an employee's outside work interferes with performance or the ability to meet the requirements of the School as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with the School.

Outside employment will present a conflict of interest if it has any type of negative impact or a potentially negative impact on the School.

Financial Interest in Other Business

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 the employee or for a relative as a result of the School's business dealings. For the purpose of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

The mere existence of a relationship with outside firms does not necessarily create a conflict of interest. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose the existence of the relationship to the Executive Director so that safeguards may be established to protect all parties.

Acceptance of Gifts

No employee shall solicit or accept for personal use, or for the use of others, any gift, favor, loan, gratuity, reward, promise of future employment, or any other thing of monetary value that might create a conflict or appear to create a conflict, or that might influence, or appear to influence the judgment or conduct of the employee in the performance of his or her job.

Employees can accept occasional unsolicited courtesy gifts or favors (such as business lunches, tickets to sporting events or cultural events, holiday baskets, flowers, etc.) so long as the gifts or favors have a market value under \$30, are customary in the industry, and do not influence or appear to influence the judgment or conduct of the employee. Any exceptions to this amount should be discussed with the Executive Director.

EMPLOYMENT OF RELATIVES

The School permits the employment of qualified relatives of employees so long as the employment does not, in the opinion of the School, create actual or perceived conflicts of interest. To protect against such conflicts of interest, an employee may not be hired into a position which is directly supervised by a relative who has or may have a direct effect on the individual's progress or performance, nor will the employee be permitted to work in any position in which an inherent conflict of interest may exist. For this policy "relatives" are defined as spouses, children, parents, siblings, grandparents, grandchildren, aunts, uncles, first cousins, and the corresponding in-law or "step" relations.

PERSONNEL RECORDS

Personnel records for all employees are maintained by the School. Because it is important to have current and updated information in each personnel file, employees are asked to notify the Director of Human Resources of all changes to name, address, telephone number, education, or other information needed for accurate employment records.

Each employee has the right, to the extent permitted by law, to examine his or her personnel file in the presence of authorized personnel. These records may be viewed upon written request to the Director of Human Resources. All original employee records remain the property of the School. However, employees are entitled to copies of certain personnel documents as provided by law. If an employee disagrees with any information contained in his or her personnel records, he or she may submit a written statement which the Director of Human Resources will then attach to the disputed portion of the personnel records.

In the instance that a disciplinary action occurs, the event and resulting discipline will be documented by the Executive Director and retained in the employee's file. After a one-year period the employee may submit a written request to the Executive Director that the disciplinary documentation be removed from the file. If no other violations occur in the one-year period, the Executive Director may choose to remove the documentation from the employee's file.

TEACHER LICENSURE RECORDS

The Minnesota Department of Education requires that all teachers be licensed to teach in the state of Minnesota. Because of this, all teachers are expected and required to keep their licenses current. If variances are required in order to perform the position, teachers are expected and required to obtain the necessary variances. A copy of the Minnesota Teacher's Certificate must be on file in the personnel file. Assistance is available from the Director of Human Resources for OFP, pilot program licensing, etc.

RELEASE OF EMPLOYMENT INFORMATION

Information requests under the public records law shall be in writing and submitted to the Executive Director, who shall serve as the legal custodian of the records. The School will allow individuals to have access to the records in accordance with state law and established procedure. The legal custodian shall safely keep and preserve the public records of each authority and shall have full legal power to render decisions and carry out duties related to those public records. The legal custodian may deny access to records in accordance with state law.

Employment verifications or reference requests on current and former employees must be made in writing with the request signed by the current or former employee authorizing the release of the information. All requests will be answered by the Director of Human Resources. Authorization For Release of Information MUST be hand signed and NOT computer generated. This is for your safety.

PROFESSIONAL DEVELOPMENT

The School expects that employees will engage in continuous learning to further develop their professional skills and personal growth. The School strives to support the employee development by providing in-school training opportunities, supporting employees who attend workshops and conferences designed to enhance work performance, and by encouraging the development of new internal programs when appropriate.

All development and training opportunities that leave the employee unable to perform their job responsibilities for a time must be approved in writing by his or her supervisor and will be dependent upon factors such as budget allowances and the relevance of the activity to the performance of job duties.

PERFORMANCE REVIEWS and OBSERVATIONS

To ensure that all employees perform their jobs to the best of their ability, the School will conduct formal Performance Reviews once per year. On going informal and formal Observations will be conducted throughout the school year.

Informal Observations occur when the supervisor observes or learns of information related to employees' performance and provides them with specific feedback or action to take. Formal Observations occur when the supervisor creates a written record documenting his or her evaluation of the employees' overall performance and shares the results with them. During any evaluation, the supervisor's focus will be on both the areas of the employees' performance in which they excel and on the areas of the employees' performance requiring improvement.

Teachers may be randomly observed in a teaching situation by a designee of the administration. The purpose of these observations is to improve the teacher's instruction and personal growth.

The goal of Performance Reviews and Observations is to enhance the employee's job performance while establishing good communication channels between the employee and the supervisor. A positive Performance Review or Observation does not guarantee either an increase in compensation or continued employment.

Classroom Teacher Key responsibilities:

The purpose of this document is to clarify expectations for Urban Academy classroom teachers. The key instructional responsibilities are:

1. To provide clear evidence of progress toward grade level standards for our school and community members.
2. To continue fostering our shift from what is being taught to evidence of what the students are learning.
3. To meet or exceed the expectations in reading and math by the direction of the principal.
Example:
 - **To make sure students “own” and become proficient in the Big 5 Reading skills and the Big 5 Math skills.**
 - **To use weekly data on student achievement to identify gaps in student learning.**
 - **Use MCA benchmark testing to identify which concepts and skills students are finding most challenging and to share ideas with other teachers for helping students master them.**
 - **Give weekly tests (modify as necessary)**
 - **Score the tests and examine the results, and write a summary of what students are finding difficult and what is working to help the students. Turn in a summary, student work, and the student data summary to the AC/LC by Monday at 7:00 A.M.**
 - **Participate in weekly PLC meetings to share results and share ideas to help struggling students; and model strategies for other teachers.**
4. To discuss individual student progress and identified areas where students needed additional at **grade level meetings** and **other staff meetings**.
5. To share common engagement strategies, and share effective instructional practices to teach certain standards and concepts with other teachers.
6. To develop common assessments and coordinate curriculum pacing, data collection and evaluation; record an individual and class list of goal, intervention and assessment score (all grade levels recording are aligned).
7. Analyze and use data to create flexible groupings based on identified student needs and identify specific strategies to differentiate instruction.
8. Have SMART (specific, measurable, attainable, results oriented, and time bound) goals for each student.
9. Make sure to have content and language objectives for each lesson, communicate those objectives to students prior to teaching each lesson, and have a formal or informal assessment at the end of each lesson to make sure objectives were met.
10. Manage a successful classroom – set clear expectations for student behavior, teach procedures, monitor student behavior at all times, and handle all misbehaviors according to PBIS procedures.
11. **Willingly participate in important school initiatives and cooperate with school leadership to achieve important school goals.**
12. **Take initiative and be responsible for your own professional growth.**
13. **Turn in all appropriate information in a timely fashion to the principal and school office regarding your schedule, sub folder, and any other important student or classroom information that is requested.**

ADVANCEMENT AND PROMOTIONS

Employees are encouraged to explore career development opportunities at the School. All employees are encouraged to gain the necessary skills, training, and work experience needed to qualify for advancement opportunities. The School believes in internal staff development and promotion from within whenever possible and practicable. In all cases, the best-qualified candidate for the position will be selected as determined by the Executive Director and the hiring supervisor.

AGREEMENT RENEWAL/INTENT TO RETURN

Notifications of intent to return for appointment or rehire are due by the end of May. The signing of teacher agreements and other employment agreements begin in the month of June. The Executive Director will schedule the dates and times with staff members for the signing of these documents.

SEPARATIONS

An employee may be separated from employment either voluntarily or involuntary for a number of reasons, such as retirement, resignation, lack of work, or termination.

Resignation

As a common courtesy, employees are encouraged to notify the School as soon as is practical or at least a minimum of two weeks in advance when the decision has been made to resign. Failure to provide such notice may result in the employee not being eligible for rehire.

Employees are expected to submit their resignation in writing to their immediate supervisor. The employee's supervisor will forward a copy of the written resignation to the Director of Human Resources for processing and record keeping purposes.

An employee's last day must be a regularly scheduled workday. Accrued time off cannot be used in lieu of notice.

An employee who is absent without notice for three consecutive workdays is considered to have resigned without proper notice.

Lay Offs

Schools are run as a business, and when business conditions change to the point that there is not enough work or money to retain all current staff, a number of employees may need to be laid off. The School has several satellite sites that receive specific funding that is subject to changes. When a situation like this arises, layoffs will be determined based on the skill level and ability of the current staff at each location to perform the required work with a minimum of retraining. Length of service and non-medically-related absences or tardiness may also be considered where relative ability is equal.

Exit Interviews

The School may conduct an exit interview to discuss the employee's reasons for leaving. Employees are encouraged to provide candid comments and suggestions for improvement for the School and for their particular positions. The insights will be considered and may ultimately contribute to making the School a better place to work.

Return of School Property

All School property issued to an Employee must be returned including, but not limited to software, computer equipment, files, cell phones, keys, and school credit cards. The employee will be responsible for any lost or damaged items. All outstanding debts to the School must be paid or arrangements made for payment on or before the employee's last day.

Benefits

Some benefits may end on the last day of employment; others may end on the last day of the month following the termination date. Employees should review the summary plan description for each plan or contact the Executive Director or Director of Human Resources to determine the exact end dates of each benefit plan. An employee, unless dismissed for gross misconduct, has the option to convert to individual life insurance, and/or to continue Medical/Dental Benefits in accordance with the Consolidated Omnibus Budget Reconciliation Act ("COBRA") regulations.

Final Paycheck

If an employee resigns from the School, the final paycheck made to the employee will be issued on the next regular pay cycle as accorded by state law. If an employee is terminated, the School will issue a check by the date agreed upon in writing between the School and the employee or as dictated by state and federal law.

EMPLOYEE CONDUCT

GUIDELINES FOR APPROPRIATE CONDUCT

Although the School supports the theory of corrective discipline, the Executive Director or School Board retains discretion to take disciplinary action appropriate to the particular circumstances. Violations of rules or policies may result in disciplinary measures that may, depending upon the circumstances and at the discretion of the School, include verbal or written warnings, suspension (with or without pay), or immediate termination. These disciplinary measures do not constitute an exclusive list of possible actions and may be taken in any order. This list is intended merely as a guide to the employee and is not intended to create a contract or modify the employment-at-will relationship.

For the benefit of employees and to protect the efficiency and productivity of the School, certain rules must be observed by all employees. Engaging in any of the following examples of unacceptable conduct may result in any of the disciplinary actions discussed above. These examples are intended only as a guide and are not all inclusive. They are for the information of all employees. Employees are encouraged to observe the highest standards of professionalism at all times.

- Violation of any School rule;
- Any action that is detrimental to the School's efforts to operate effectively;
- Discourteous treatment of others, students, staff, or visitors;
- Violation of state, federal or local laws and regulations;
- Negligence or unsafe conduct by failing to use ordinary and reasonable care in the performance of school related duties, which results or may result in injury, property damage or financial loss to the school;
- Using, selling, possessing, manufacturing, distributing, or being under the influence of alcohol or marijuana controlled substances (other than those used for bona fide medical purposes in which case a note from the prescribing physician is required for the employee's file) while working (including while on lunch or other breaks) or while on School premises or during school functions;
- Unauthorized possession of weapons;
- Engaging in criminal conduct or acts of violence, or making threats of violence toward anyone on school premises or when representing the School; fighting, provoking a fight, or disorderly conduct detracting from the efficient operation of the School;
- Insubordination or refusing to obey instructions properly issued by an Administrator or Supervisor pertaining to the employees' work; refusal to help out on a special assignment;
- Threatening, intimidating or coercing fellow employees on or off the premises at any time, for any purpose;
- Theft or unauthorized possession of School property or the property of fellow employees; unauthorized possession or removal of any School property, including documents, from the premises without prior permission from management; unauthorized use of School equipment or property for personal reasons; using School equipment for personal gain;
- Dishonesty; falsification, or misrepresentation on the application for employment or other work records; falsification of reason for a leave of absence or other data requested by the School;

alteration of School records or other School documents; falsification of student attendance or other student records.

- Sexual, Racial, Religious harassment or abuse;
- Disclosure of confidential information or breach of confidentiality;
- Working another job while absent;
- Failure to perform assigned work in a manner consistent with School standards of quality and quantity of work;
- Conviction for criminal offenses affecting the employee's ability to adequately perform his or her job;
- Failure to promptly report an absence to the designated person; excessive unexcused absences or lateness;
- Obscene or abusive language toward any manager, employee, vendor, or client; indifference or rudeness towards a client, fellow employee, or vendor; any disorderly/antagonistic conduct on School premises;
- Failure by employees to use timesheets; alteration of their own timesheets, records or attendance documents so that they do not accurately reflect hours worked; alteration of another employee's timesheet or records; or coercing someone else to inappropriately alter timesheets or records.

Before or during imposition of any discipline, employees may be given an opportunity to relate their version of the incident or problem at issue and provide any explanation or justification they consider relevant.

WHISTLEBLOWER POLICY

The Minnesota whistleblower law, the Minnesota False Claims Act, allows whistleblowers to file “qui tam” lawsuits if they know of persons or entities who knowingly present false or fraudulent claims for payment to the state, misappropriate state property, or deceptively conceal or avoid binding obligations to pay the state, among other violations.

The Minnesota False Claims Act protects whistleblowers who suffer employment retaliation because of their whistleblowing. Protection under the Minnesota whistleblower law includes:

- Reinstatement with the same seniority status that the whistleblower would have had but for the retaliation
- Two times the amount of back pay
- Interest on the back pay
- Compensation for any special damages sustained as a result of the retaliation

For more detailed information, please see **Minn. Stat. § 15C.01**.

VIOLENCE IN THE WORKPLACE POLICY

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

The School expects all employees to conduct themselves in a non-threatening, non-abusive manner at all times. No direct, conditional or veiled threat of harm to any person or to the School property will be considered acceptable behavior. Acts of violence or intimidation of others will not be tolerated. Any

employee who commits or threatens to commit a violent act against any person while on any of the School's premises may be subject to immediate discharge. If an employee, while engaged in School business off the premises, commits or threatens to commit a violent act, that employee may be subject to immediate termination.

Examples of workplace violence include, but are not limited to, the following:

- All threats or acts of violence occurring on any of the School's premises, regardless of the relationship between the School and the parties involved.
- All threats or acts of violence occurring off the School's premises involving someone who is acting in the capacity of a representative of the School.

Specific examples of conduct that may be considered threats or acts of violence include, but are not limited to, the following:

- Causing physical injury to another person.
- Making threatening remarks to or about an individual or his or her family, friends, associates, or property.
- Intentional destruction or threatening to destroy School property.
- Demonstrating aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress.
- Making harassing or threatening phone calls.
- Harassing surveillance or stalking (following, tracking, filming or watching someone).
- Unauthorized possession or inappropriate use of firearms or weapons.

Complaint and Investigative Procedure

If an employee believes that he or she has been subjected to this type of harassment by another employee, a supervisor/manager, a client or any other person whom the employee encounters in the course of employment, or if an employee observes such harassment, and the employee does not wish to deal with the problem directly, the employee should report the conduct to his or her Supervisor, the Executive Director, the Director of Human Resources, or the School Board Chair. The Supervisor or Administrator who receives the information should report it to the Executive Director or Director of Human Resources.

Any such claims will be investigated by the Executive Director, unless another individual is more appropriate. If the facts appear to support a violation of this policy, appropriate action will be taken which may include termination of employment.

A situation cannot be investigated and resolved until the School is aware of the harassment, therefore employees are encouraged to document the event AND notify the appropriate individuals within forty-eight hours of the incident.

If the harassment reoccurs, it should be immediately reported to any of the individuals listed above. The School does not tolerate any retaliation or intimidations directed towards anyone who makes a complaint or who is requested by the School to participate in an investigation of a complaint.

This policy applies to each and every employee of the School.

ANTI-HARASSMENT POLICY

All employees are entitled to work in an environment free from sexual, racial, or religious harassment. This policy reflects the desire of the School to protect employees from sexual, racial, or religious harassment in the workplace and the School's refusal to tolerate this type of behavior.

Some forms of harassment may also be prohibited by law. These may include verbal or physical conduct that denigrates, shows hostility, or aversion toward an individual because of his or her race, creed, color, religion, sex, national origin, age, marital status, disability, sexual orientation, status with regard to public assistance, membership or activity in a local commission, or any other protected class status defined by applicable law, and that: (1) has the purpose or effect of creating an intimidating, hostile, or offensive work environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities.

Harassment is a form of discrimination and violates this policy. Prohibited sexual harassment is defined as unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature when:

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

Harassment may also consist of epithets, slurs, threatening or intimidating acts, as well as written or graphic material. This may include acts that purport to be jokes or pranks.

Violations of this policy, regardless of whether or not an actual law has been violated, will not be tolerated. The School will investigate every issue that is brought to its attention in this area and will take appropriate disciplinary action, up to and including termination of employment.

Complaint and Investigative Procedure

If an employee believes that he or she has been subjected to harassment by another employee, a supervisor/manager, a client or any other person whom the employee encounters in the course of employment, or if an employee observes such harassment, and the employee does not wish to deal with the problem directly, the employee should report the conduct to his or her supervisor, the Executive Director, the Director of Human Resources or the School Board Chair. The Supervisor or Administrator who receives the information should report it to the Executive Director or the Director of Human Resources or other appropriate individual.

Any such claims will usually be investigated by the Executive Director, unless another individual is more appropriate. If the facts appear to support a violation of this policy, appropriate action will be taken which may include termination of employment.

If the harassment reoccurs, it should be immediately reported to any of the individuals listed above. The School does not tolerate any retaliation or intimidations directed towards anyone who makes a complaint or who is requested by the School to participate in an investigation of a complaint.

This policy applies to each and every employee of the School.

WEAPONS PROHIBITION

The School is committed to providing a work environment that is free of hazardous or potentially dangerous situations. For this reason the School expressly forbids the possession of firearms on School property. No student or non-student, including adults and visitors, shall possess, use or distribute a weapon when in a School location. The School will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school employee, volunteer, or member of the public who violates this policy.

A “weapon” is defined as any object, device or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury.

It is also unacceptable for a person to possess, use or distribute any object, device or instrument having the appearance of a weapon. This may include, but are not limited to, broken or non-functional weapons, look-alike guns; toy guns; and any object that is a facsimile of a real weapon. Other articles designed for other purposes (i.e., lasers or laser pointers, belts, combs, pencils, files, scissors, etc.), to inflict bodily harm and/or intimidate, and such use will be treated as the possession and use of a weapon and will not be tolerated.

Employees are also prohibited from keeping, storing, carrying and/or possessing handguns or other weapons at any time during the course and scope of their employment with the School. This means that employees may not carry handguns or weapons of any other type, on or off School premises while they are on-the-job, whether or not the employee is licensed to do so, unless a specific legal exemption applies. Merely having a handgun permit or license is not a legal exemption to these policy requirements. These on-the-job activities include, but are not limited to: driving school vehicles at any time; driving privately-owned vehicles used in the course of conducting School business, and participating in any School-sponsored activity, whether education-related or not.

Any employee who violates the above will be subject to immediate disciplinary action, up to and including termination.

WORKPLACE GAMBLING

Most forms of gambling are prohibited in the workplace, including professional or organized gambling activities. Exceptions to the prohibition include office or department-sanctioned pools, raffles, friendly wagers or School sponsored events supporting a cause.

Employees are required to seek approval prior to engaging in any gambling activities. All inquiries should be directed to the Executive Director for approval. Failure to comply with this policy may result in disciplinary action, including termination.

The Executive Director is required by state law to ensure that the School is in compliance with all applicable gambling laws.

DRUG AND ALCOHOL USAGE

The School is committed to creating an educational environment free of alcohol and illegal use of controlled substances. The illegal use of controlled substances or any use of alcohol on School property will not be tolerated. Employees are expected to report for work and remain at work in condition to perform assigned duties free from the effects of alcohol and drugs.

Using, possessing, selling, soliciting, transferring, or manufacturing drugs or alcohol while an employee is working, or is anywhere on school premises for any reason (including parking lots, or while operating school machinery, equipment, or vehicles) is strictly prohibited. Being under the influence of illegal drugs (except properly used and obtained medications) or alcohol is similarly prohibited while an employee is working or is anywhere on school premises or is operating school machinery, equipment, or vehicles.

The School reserves the right to search school property and to search employee property on School premises, including employee vehicles, upon reasonable suspicion that an employee has violated this policy. Such a search of School or personal property, based upon reasonable evidence of a violation, may be conducted with or without prior notice to the employee. If the employee is asked to cooperate in a search, refusing to cooperate may constitute ground for discipline, up to and including termination of employment. Employees who bring personal property onto School buildings or grounds are implicitly consenting to such a search.

All aspects of this policy apply to marijuana even in light of recent legislation making marijuana legal in Minnesota. IF an employee is prescribed controlled substances or medical marijuana, a note from the prescribing physician is required for the employee's file. This Note should be given to our Superintendent, Dr. Mongsher Ly.

TOBACCO-FREE ENVIRONMENT

The School is committed to maintaining a learning and working environment that is tobacco free. It shall be a violation of this policy for any student, teacher, administrator, other school personnel of the School or person to use tobacco or tobacco-related devices in the School. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that the School owns, leases, rents, contracts for, or controls. This prohibition includes all school district property and all off-campus events sponsored by the School. Smoking should not be done in the presence or view of students.

PERSONAL RELATIONSHIPS & FRATERNIZATION

The School desires to avoid misunderstandings that may arise from employees having personal relationships with other co-workers. A personal relationship is defined as a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. Although personal relationships are not prohibited, the School reserves the right to take prompt action if an actual or potential conflict of interest arises concerning individuals who occupy positions at any level (higher or lower) in the same line of authority that may affect employment decisions. Supervisors are prohibited from dating subordinates and may be disciplined for such actions, up to and including termination.

Dating students, regardless of their age, is strictly prohibited by all employees and the employee may be disciplined for such actions, up to and including termination and a complaint filed with Minnesota Department of Education ~ Teacher Disciplinary Board.

MALTREATMENT OF A STUDENT

It is the policy of School to fully comply with Minnesota Statutes 626.556 requiring school personnel to report suspected child neglect or physical or sexual abuse. All School personnel who become aware of an instance of child neglect or of any physical or sexual abuse to a child, either occurring now or in the last three years, are required to immediately (within a maximum of 24 hours) report that abuse to both the Executive Director and the local welfare agency or police department.

Types of Abuse

- **Neglect** - Neglect includes failure by a person responsible for the child's care to supply a child with necessary food, clothing, shelter or medical care when reasonable to do so; failure to protect a child from conditions or actions that imminently and seriously endanger the child's physical or mental health when reasonably able to do so; failure to provide medical treatment to the child; or failure to take steps to ensure that the child is educated in accordance with the law.
- **Physical Abuse** - Physical Abuse includes any physical or mental injury or threatened injury inflicted by a person responsible for the child's care, on a child other than by accidental means, or any physical injury that cannot be reasonably explained by the child's history of injuries. (Mental injury is defined as an injury to the psychological capacity or emotional stability of the child as evidenced by an observable or substantial impairment in the child's ability to function within a normal range of performance and behavior with due regard to the child's culture.)
- **Sexual Abuse** - Sexual Abuse includes the subjection of a child by a person responsible for the child's care, or by a person in a position of authority to any act which constitutes a violation of Minnesota statutes prohibiting criminal sexual conduct. Such acts include sexual penetration as well as sexual contact. Sexual abuse also includes any act involving a minor which constitutes a violation of Minnesota statutes prohibiting prostitutions or use of a minor in a sexual performance. Sexual abuse includes threatened sexual abuse as well (a statement, overt act, condition, or status that represents a substantial risk of physical or sexual abuse or mental injury.)

Reporting Procedures

1. Anyone in a school building who has reason to believe a child is being neglected or is physically or sexually abused, or has been neglected or abused within the last three years, becomes a "mandated reporter" under the state statutes and is required by law to report this information to the local welfare agency or police department within 24 hours of learning of the neglect or abuse.
2. If the immediate report has been made orally, by telephone or otherwise, the oral report shall be followed by a written report within 72 hours (exclusive of weekend and holidays) to the appropriate police department or local welfare agency. The written report shall identify the child, any person believed to be responsible for the abuse or neglect of the child if the person is known, the nature and extent of the abuse or neglect, and the name and address of the reporter.

A person, mandated by Minnesota law and this policy to report, who knows or has reason to believe that a child is neglected or physically or sexually abused, as defined by Minnesota law and this policy, or has been neglected or physically or sexually abused within the preceding three years, and fails to report is guilty of a misdemeanor, and such a failure to report in disciplinary action within the School.

Submission of a good faith report under Minnesota law and this policy will not adversely affect the reporter's employment, or the child's access to School.

Any persons who knowingly or recklessly make a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury, and the reckless making of a false report may result in disciplinary action within the school.

Investigation

The responsibility for investigating reports of suspected neglect or physical or sexual abuse rests with the appropriate welfare agencies. The investigating agency may interview the child at school. The interview may take place outside the presence of a school official. The investigating agency, not the school, is responsible for either notifying or withholding notification of the interview to the parent, guardian or person responsible for the child's care. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notification or any other related information regarding the interview in writing by the local welfare or law enforcement agency that the investigation or assessment has been concluded.

When the alleged perpetrator is believed to be a school official or employee, the Minnesota Department of Education will conduct an investigation into the incident.

EMAIL AND INTERNET USAGE

Access to the Internet has been provided to staff members and students for the benefit of the School. It allows employees to connect to information resources around the world. Every staff member has a responsibility to maintain and enhance the School's public image and to use the Internet in a productive manner and to ensure that E-mail and Internet policies are enforced with students. The policies are as follows:

Acceptable Use of the Internet

Employees and students accessing the Internet are representing the School. Employees and students are expected to be courteous to other users of the system and always to conduct themselves in a professional manner. It is not necessary to use "Reply All" when replying to the sender of a group staff email.

E-mails are sometimes misdirected or forwarded and may be viewed by persons other than the intended recipient. Users should write E-mail communications with no less care, judgment and responsibility than they would use for letters or internal memoranda written on School letterhead.

Unacceptable Use of Email and the Internet

- School e-mail may not be used to send "blast" e-mails. Blast e-mails are considered by the School to contain either business specific information not to be disseminated outside of the School or to contain inflammatory statements that are sent out via e-mail to one or more persons regardless of whether a School employee or an outside person is the recipient. Any staff person found to be sending "blast" e-mails via the Schools e-mail or the employees personal e-mail may be subject to disciplinary measures up to and including termination. All broadcasting types of e-mails must be forwarded to the Executive Director for approval and dissemination.
- School Internet and e-mail access may not be used for transmitting, retrieving or storing of any communications of a defamatory, discriminatory or harassing nature or materials that are obscene or X-rated. Transmission of messages that contain derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes or sexual preference will not be tolerated. Harassment of any kind is prohibited.
- Disparaging, abusive, profane, or offensive language; materials that would adversely or negatively reflect upon School or be contrary to School best interests; and any illegal activities -- including piracy, cracking, extortion, blackmail, copyright infringement, and unauthorized access to any computers on the Internet or e-mail -- are forbidden.
- Copyrighted materials belonging to entities other than School may not be transmitted by employees on the school's network. All employees obtaining access to other companies' or individual's materials must respect all copyrights and may not copy, retrieve, modify or forward copyrighted materials, except with permission or as a single copy to reference only. If an employee finds something on the Internet that may be interesting to others, do not copy it to a network drive. Instead, give the URL (uniform resource locator or "address") to the person who may be interested in the information and have that person look at it on his or her own.
- The Internet is full of useful programs that can be downloaded, but some of them may contain computer viruses that can extensively damage our computers. Be sure to virus-check downloaded files immediately. Instructions on how to check for viruses are available through the technology representative. Also, many browser add-on packages (called "plug-ins") are available

to download. There is no guarantee that such will be compatible with other programs on the network and such may cause problems; therefore, downloading such plug-ins is not permitted.

- Each employee is responsible for the content of all text, audio or images that he or she places or sends over the School's Internet and e-mail system. No e-mail or other electronic communications may be sent which hides the identity of the sender or represents the sender as someone else. Also, be aware that School's name is attached to all messages so use discretion in formulating messages.
- E-mail is not guaranteed to be private or confidential. All electronic communications are School's property. Therefore, School reserves the right to examine, monitor and regulate e-mail messages, directories and files, as well as Internet usage. Also, the Internet is not secure so don't assume that others cannot read -- or possibly alter -- employee messages.
- Internal and external e-mail messages are considered school records and may be subject to discovery in the event of litigation. Be aware of this possibility when sending e-mail within and outside the School.

School's Right to Monitor and Consequences

All School-supplied technology, including computer systems and company-related work records, belong to School and not the employee. The School routinely monitors usage patterns for its e-mail and Internet communications. Although encouraged to explore the vast resources available on the Internet, employees should use discretion in the sites that are accessed.

Since all the computer systems and software, as well as the e-mail and Internet connection, are School-owned, all School policies are in effect at all times. Any employee who abuses the privilege of the School's facilitated access to e-mail or the Internet, may be denied access to the Internet and, if appropriate, be subject to disciplinary action up to and including termination.

Questions Regarding the Use of the Internet or E-mail

Any questions regarding the appropriate use of the Internet or E-mail should be directed to the Executive Director or technology representative.

DISCIPLINARY ACTION

Where appropriate, employee discipline other than termination may be applied by supervisors. Examples of employee discipline include:

- **Verbal Reprimand** – A verbal warning to an employee that his or her conduct is unacceptable, and that repeated or continued failure to conform conduct or performance to the School standards will result in more severe disciplinary action. A record of the notice of the verbal reprimand may be made and retained in the employee's personnel file.
- **Written Reprimand** – A written documentation of the unacceptable conduct or performance of the employee and specifies needed changes or improvements. A copy of the written reprimand generally will be retained in the employee's personnel file.
- **Suspension** – Suspension of the employee's employment may, at the sole discretion of the School, be used prior to termination. The length of the suspension will vary based upon such factors as the severity of the offense, the employee's performance, and the employee's

disciplinary record. An employee may be suspended for repeated instances of minor misconduct, failure to conform his conduct or performance to the standards of his position, or for a single serious offense. A record of the suspension generally will be retained in the employee's personnel file.

- **Termination** – If an employee fails to conform his or her conduct or performance to the standards required by the School, the School may, in its sole discretion, terminate the employee's employment.

Notwithstanding the potential for less severe discipline before termination, the School reserves the right to administer discipline in such a manner as it deems appropriate to the circumstances, and may, in its sole discretion, terminate an employee without prior discipline.

COMPLAINT RESOLUTION PROCEDURE

To foster sound employee-employer relations through communication and reconciliation of work-related problems, the School provides employees with an established procedure for expressing employment-related concerns. To ensure effective working relations, it is important that such matters be resolved before serious problems develop. Most incidents resolve themselves naturally; however, in situations where employees feel a complaint is in order, the following steps should be taken:

1. If an employee believes that he or she has a legitimate work-related complaint, the employee is encouraged to first attempt to resolve the issue(s) through discussions with his or her immediate supervisor.
2. If the situation is not resolved within five working days from the time the complaint is discussed with the employee's immediate supervisor, barring extenuating circumstances, it should be brought to the attention of the Executive Director with written documentation.

The School will attempt to resolve the complaint within a reasonable period of time while preserving the confidentiality and privacy of those involved to the extent feasible.

The School does not tolerate any form of retaliation against employees availing themselves of this procedure. The procedure should not be construed, however, as preventing, limiting, or delaying the School from taking disciplinary action against any individual, up to and including termination, in circumstances (such as those involving problems of overall performance, conduct, attitude, or demeanor) where the School deems disciplinary action appropriate.

MINNESOTA CODE OF ETHICS FOR TEACHERS

The School believes in and follows the Minnesota Code of Ethics for Teachers and will enforce all aspects of this code. Violation of the Minnesota Code of Ethics for Teachers may result in disciplinary measures up to and including termination with the School, as well as the any enforcement by the Board of Teaching. The Minnesota Code of Ethics for Teachers, created by MN State Legislature, is given below:

MN STATUTE 8700.7500 (found online at: <https://www.revisor.leg.state.mn.us/rules/?id=8700.7500>) **SUBPART 1. SCOPE**

Each teacher, upon entering the teaching profession, assumes a number of obligations, one of which is to adhere to a set of principles which defines professional conduct. These principles are reflected in the following code of ethics, which sets forth to the education profession and the public it serves standards of professional conduct and procedures for implementation. This code shall apply to all persons licensed according to rules established by the Board of Teaching.

SUBPART 2. STANDARDS OF PROFESSIONAL CONDUCT. The standards of professional conduct are as follows:

- A. A teacher shall provide professional education services in a nondiscriminatory manner.
- B. A teacher shall make reasonable effort to protect the student from conditions harmful to health and safety.
- C. In accordance with state and federal laws, a teacher shall disclose confidential information about individuals only when a compelling professional purpose is served or when required by law.
- D. A teacher shall take reasonable disciplinary action in exercising the authority to provide an atmosphere conducive to learning.
- E. A teacher shall not use professional relationships with students, parents, and colleagues to private advantage.
- F. A teacher shall delegate authority for teaching responsibilities only to licensed personnel.
- G. A teacher shall not deliberately suppress or distort subject matter.
- H. A teacher shall not knowingly falsify or misrepresent records or facts relating to that teacher's own qualifications or to other teachers' qualifications.
- I. A teacher shall not knowingly make false or malicious statements about students or colleagues.
- J. A teacher shall accept a contract for a teaching position that requires licensing only if properly or provisionally licensed for that position.

SUBPART 3. STATUTORY ENFORCEMENT OF CODE: COMPLAINTS, INVESTIGATION, AND HEARING.

- A. The enforcement of the provisions of the code of ethics for Minnesota teachers shall be in accord with Minnesota Statutes, section 214.10, complaints; investigations and hearing.

SUBD. 1. RECEIPT OF COMPLAINT.

The executive secretary of a board, a board member or any other person who performs services for the board who receives a complaint or other communication, whether oral or written, which complaint or communication alleges or implies a violation of a statute or rule which the board is empowered to enforce, shall promptly forward the substance of the communication on a form prepared by the attorney general to the designee of the attorney general responsible for providing legal services to the board. Before proceeding further with the communication, the designee of the attorney general may require the complaining party to state the complaint in writing on a form prepared by the attorney general. Complaints which relate to matters within the jurisdiction of another governmental agency shall be forwarded to that agency by the executive secretary. An officer of that agency shall advise the executive secretary of the disposition of that complaint. A complaint received by another agency which relates to a statute or rule which a licensing board is empowered to enforce shall be forwarded to the executive secretary of the board to be processed in accordance with this section.

SUBD. 2. INVESTIGATION AND HEARING.

The designee of the attorney general providing legal services to a board shall evaluate the communications forwarded by the board or its members or staff. If the communication alleges a violation of statute or rule which the board is to enforce, the designee is empowered to investigate the facts alleged in the communication. In the process of evaluation and investigation, the designee shall consult with or seek the assistance of the executive secretary or, if the board determines, a member of the board who has been designated by the board to assist the designee. The designee may also consult with or seek the assistance of any other qualified persons who are not members of the board who the designee believes will materially aid in the process of evaluation or investigation. The executive secretary or the consulted board member may attempt to correct improper activities and redress grievances through education, conference, conciliation, and persuasion, and in these attempts may be assisted by the designee of the attorney general. If the attempts at correction or redress do not produce satisfactory results in the opinion of the executive secretary or the consulted board member, or if after investigation the designee providing legal services to the board, the executive secretary or the consulted board member believes that the communication and the investigation suggest illegal or unauthorized activities warranting board action, the designee shall inform the executive secretary of the board who shall schedule a disciplinary hearing in accordance with Minnesota Statutes, chapter 14. Before the holding of a disciplinary hearing may be directed, the designee or executive secretary shall have considered the recommendations of the consulted board member. Before scheduling a disciplinary hearing, the

executive secretary must have received a verified written complaint from the complaining party. A board member who was consulted during the course of an investigation may participate at the hearing but may not vote on any matter pertaining to the case. The executive secretary of the board shall promptly inform the complaining party of the final disposition of the complaint. Nothing in this section shall preclude the board from scheduling, on its own motion, a disciplinary hearing based upon the findings or report of the board's executive secretary, a board member or the designee of the attorney general assigned to the board. Nothing in this section shall preclude a member of the board or its executive secretary from initiation a complaint.

SUBD. 3. DISCOVERY; SUBPOENAS.

In all matters pending before it relating to its lawful regulation activities, a board may issue subpoenas and compel the attendance of witnesses and the production of all necessary papers, books, records, documents, and other evidentiary materials. Any person failing or refusing to appear or testify regarding any matter about which the person may be lawfully questioned or produce any papers, books, records, documents, or other evidentiary materials in the matter to be heard, after having been required by order to the board or by a subpoena of the board to do so may, upon application to the district court in any district be ordered to comply therewith. The chair of the board acting on behalf of the board may issue subpoenas and any board member may administer oaths to witnesses, or take their affirmation. Depositions may be taken within or without the state in the manner provided by law for the taking of depositions in civil actions. A subpoena or other process or paper may be served upon any person named therein, anywhere within the state by any officer authorized to serve subpoenas or other process or paper in civil actions, with the same fees and mileage and in the same manner as prescribed by law for service of process issued out of the district court of this state. Fees and mileage and other costs shall be paid as the board directs.

SUBPART 4. COMPLAINTS HANDLED BY BOARD.

When oral complaints alleging violations of the code of ethics are received, the executive secretary of the Board of Teaching shall request the complaining party to submit the complaint in writing within ten days. Upon receipt of a complaint in writing alleging violations of the code of ethics, the teacher named in the complaint shall be notified in writing within ten days of the receipt of the complaint. The teacher shall be entitled to be represented by the teacher's own counsel or representative at each stage of the investigation and hearing.

SUBPART 5. ENFORCEMENT PROCEDURES.

The Board of Teaching may impose one or more of the following penalties when it has found a violation of the code of ethics. These actions shall be taken only after all previous efforts at remediation have been exhausted.

- A. The Board of Teaching may enter into agreements with teachers accused of violating the code of ethics which would suspend or terminate proceedings against the teacher on conditions agreeable to both parties.
- B. A letter of censure from the Board of Teaching may be sent to the person determined to be in violation of the standards of the code of ethics. A copy of the letter shall be filed with the Board of Teaching. Such letters shall be kept on file for a period of time not to exceed one calendar year.
- C. A teacher who has been found to have violated the code of ethics may be placed on probationary licensure status for a period of time to be determined by the Board of Teaching. The board may impose conditions on the teacher during the probationary period which are to be directed toward improving the teacher's performance in the area of the violation. During this period, the teacher's performance or conduct will be subject to review by the Board of Teaching or its designee. Such review will be directed toward monitoring the teacher's activities or performance with regard to whatever conditions may be placed on the teacher during the probationary period. Before the end of the probationary licensure status or to take further disciplinary actions as are consistent with this rule.
- D. The license to teach of the person determined to be in violation of the standards of the code of ethics may be suspended for a period of time determined by the Board of Teaching.
- E. The license to teach of the person determined to be in violation of the standards of the code of ethics may be revoked by the Board of Teaching.

COMPENSATION

HOURS OF OPERATION

While school is in session, it is vital that employees are present and ready to respond to student needs. The core hours of operation vary per site, and all employees are expected to be present and available to work at the start of their shift each scheduled day.

Unless approved by the Executive Director, flexible, telework, and/or compressed work schedules will not be permitted.

LUNCH AND BREAKS

All employees are allowed time to take an unpaid lunch period each day. No formal rest breaks for staff are scheduled. Non-exempt employees are required to take an unpaid lunch break of 30 minutes, at the very minimum, for every 8 hours they are scheduled to work.

ABSENTEEISM AND TARDINESS

The absence of any employee, including arriving late or leaving early, adversely affects the school and results in additional work for other employees. Therefore we expect all employees to assume diligent responsibility for their attendance and promptness. Continued dependability, quality and pride of service are factors over which each employee can influence. If an employee is absent and cannot perform the duties on time, or if the employee produces substandard work due to excessive absenteeism then the students pay the price.

It is extremely important that employees be punctual in their arrival for work at the beginning of the workday or shift to which they are assigned. If an employee knows that he or she will be absent or late arriving for work, they should notify the designated person as soon as possible or at least 30 minutes before the shift begins. Teachers are requested to notify the designated person the night before so that substitutes can be arranged to cover class. When employees are sick they are expected to call the designated person by 2 p.m. that day to notify the School whether they will be returning the next day.

Absences from work other than sick days, approved leaves or personal days scheduled on the school calendar will not be paid.

If an employee is absent for three or more consecutive workdays, a statement from a physician may be required before the employee will be permitted to return to work. In such instances the School also reserves the right to require that the employee submits to an examination by a physician designated by the School at its discretion.

Unexcused or excessive absenteeism or tardiness may be grounds for disciplinary action, up to and including termination. If an employee is absent for three or more consecutive business days and fails to properly report the absences, this will be considered a resignation of the position and the employee will be terminated for job abandonment.

DETERMINATION OF PAY

Teachers will be typically paid in accordance with the approved compensation plan. Education and experience are both factors in determining pay. Transcripts are required for determining education. Experience is calculated by counting any regular, full-time teaching experience at School as one year and experience of at least half a year from any other school. Experience must be TRA-eligible to be considered. Pay may be frozen or the plan may be modified at any time by the School Board.

The pay of all other positions is determined based on the experience and education level required of the position, the difficulty involved in filling the position, the budget of the School, and the experience and abilities of the selected candidate.

PAYMENT OF SALARY

All employees will be paid semi-monthly on the 15th and 30th of the month. **For paydays falling on a weekend or a holiday, employees will be paid on the following business day.** Although direct deposit is an option for all employees, if an employee is absent on payday and someone else is to pick up the check, it will not be released without a signed note from the employee authorizing the named person to pick it up. The person designated to pick up the check will be asked to produce identification that is satisfactory to management or the check will not be released.

If an employee resigns from the School, the final paycheck made to the employee will be issued on the next regular pay cycle as accorded by state law. If an employee is terminated, the School will issue a check by the date agreed upon in writing between the School and the employee or as dictated by state and federal law.

Employees are responsible for promptly notifying the Director of Human Resources of any changes to or errors in their deductions. Any necessary adjustments are usually made on the employee's next paycheck.

OVERTIME PAY

It is the decision of the School that employees will not be permitted to work overtime without the express, written permission of both the supervisor and Executive Director. At the supervisor's discretion, an employee's work schedule may be adjusted during a workweek to avoid overtime. Employees working overtime without approval will be subject to disciplinary action.

When a non-exempt employee does work over 40 hours per workweek, the employee will receive overtime pay at a rate of one and one-half times their regular pay for the excess time worked in accordance with the Federal Labor Standards Act (FLSA). Approved paid absences, including but not limited to sick leave, holiday leave, FMLA, military leave, jury and witness duty, funeral/bereavement leave, and voting time off are not counted as time worked for the purposes of computing overtime.

Exempt employees are not entitled to overtime pay.

The School does not allow the accrual of compensatory time for either non-exempt or exempt employees.

TIME RECORDS

The timesheet is used for payroll records that must be maintained accurately at all times. Pay periods run from the 1st to the 15th, and the 16th through the end of the month.

Non-exempt, hourly employees are required to complete a timesheet for each pay period on a semi-monthly basis. Arrival and departure times should be recorded, as well as time taken for unpaid lunch breaks.

Non-exempt, salary employees are required to complete a timesheet for each pay period on a semi-monthly basis. Arrival and departure times should be recorded, as well as time taken for unpaid lunch breaks. The employee's salary is based on the employee working the approved calendar schedule; any work completed outside of the approved calendar schedule will be paid at the employee's hourly rate.

Exempt employees are not required to identify their sign in or out times on the timesheet; however, business trips, scheduled absences, sick and personal days must be recorded on the attendance sheet by the employee designated to monitor attendance. Eleven-month employees must also identify which days were not worked in accordance with their position's approved calendar.

The attendance records are official School records so care must be exercised in accurately recording the hours worked, overtime hours, and absences. Employees are expected to accurately reflect their work schedule and not to sign in or out for other employees. Violations of this policy may result in appropriate disciplinary action, up to and including termination.

EXEMPT EMPLOYEE REDUCTION OF SALARY

In accordance with the Fair Labor Standards Act regulations, exempt employees who are required to be paid on a salary basis may not have their pay reduced for variations in the quantity or quality of work performed. Their salary may be reduced only in the following circumstances:

1. Employees who are absent from work for at least a full day for personal reasons other than sickness or disability will not be paid for that day unless they have the appropriate accrued leave time under the School's approved leave policies. Their salary will not be reduced for less than a full day.
2. Employees who are absent from work for at least a full day for sickness or disability will not be paid for that day unless they have the appropriate accrued leave time under the School's approved leave policies. Their salary will not be reduced for less than a full day.
3. Employees who are absent from work for jury duty, attendance as a witness, or military leave may have their salary reduced by the amount of payment they receive in the form of jury fees, witness fees, or military pay. Their salary will not be reduced by the number of hours or days they are absent unless they perform no work during a given week.
4. If an employee violates a safety rule of major significance, his or her salary may be reduced in an amount to be determined by the School as a penalty for that violation.
5. Employees may be suspended without pay for other types of workplace misconduct, but only in full day increments. This refers to suspensions imposed pursuant to a written policy applicable to all employees regarding serious misconduct including but not limited to workplace harassment, violence, drug and alcohol violations, legal violations, etc. The possibility of such unpaid suspensions is hereby incorporated into all such policies.
6. Employees who work less than forty hours will be paid a proportionate part of their full salary for the time actually worked.

7. Employees who take leave under the Family Medical Leave Act will not be paid for that time unless they have accrued leave time available to them under the School's applicable leave policies. Their salary will be reduced by the hours missed, even if it is for less than a full day.

HOLIDAYS & LEAVE PLANS

HOLIDAYS

The following holidays are recognized as paid holidays for regular full-time employees (pro-rated for part-time employees who work a minimum of 20 hours a week), provided they work the last regularly scheduled work day immediately before and after the holiday:

- New Year's Day
- Martin Luther King Day
- Presidents' Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Day After Thanksgiving
- Christmas Eve Day
- Christmas Day
- New Year's Eve Day

National holidays are celebrated on the day designated by common business practice. In general, if a holiday falls on a Saturday, the preceding Friday will be taken as the holiday; if a holiday falls on a Sunday, the following Monday will be taken as the holiday.

SICK LEAVE

Please note that all previous PTO policies for time off are no longer valid for pay out at termination! Any previously accrued, unused paid time off will be rolled over to use, up to the maximum amount of reserve for accrual.

Sick leave may be used by the employee for any reason. Sick leaves of three (3) days or more must be scheduled in advance and are subject to supervisory approval, staffing needs, and established procedures. Sick leaves due to illness or injury of three (3) or more days must have a doctor's note excusing the employee from work for those days.

Coverage & Eligibility

The established sick leave period is from July 1 through June 30. All full-time regular employees and part-time regular employees who work a minimum of 20 hours a week are eligible for sick leave benefits. Sick leave will be pro-rated based on the number of hours an employee was hired to work in a week and the

number of days worked in the established sick leave period of July 1 through June 30. Sick leave will begin to accrue on the first day of employment each fiscal year.

- Full-Time, Regular School Year Employees – 80 hours (10 days) available. (Page 7)
- Full-Time, Regular Year-Round Employees – 80 hours (10 days) available. (Page 8)

Sick days may be carried over from the previous year and accrued up to a maximum of 500 hours. Accrued, unused sick leave will not be paid out upon termination.

Recordkeeping

Employees are accountable and responsible for recording their own sick leave hours to allow for adequate reserves if there is a need to cover future personal needs that will take the employees away from work.

PERSONAL LEAVE

Coverage & Eligibility

The established personal leave period is from July 1 through June 30. All full-time regular year round employees and part-time regular year round employees who work a minimum of 20 hours a week are eligible for personal leave benefits. Personal leave will be pro-rated based on the number of hours an employee was hired to work in a week and the number of days worked in the established personal leave period of July 1 through June 30. Personal leave accrual will begin to accrue on the first day of employment each fiscal year and the maximum amount of accrual will be set by the number of full years of employment with URBAN ACADEMY.

Personal leave days may be carried over from the previous year and accrued up to a maximum of 216 hours. **Personal leave time will not be paid out upon termination.**

Recordkeeping

Employees are accountable and responsible for recording their own sick leave hours to allow for adequate reserves if there is a need to cover future personal needs that will take the employees away from work.

FAMILY AND MEDICAL LEAVE ACT (FMLA)

FMLA enables eligible employees to take unpaid leaves of absences for certain family, medical and military events. The law provides these eligible employees with up to 12 weeks of unpaid leave and allows them to return to their job or an equivalent position after the leave has expired.

Eligibility

Eligible employees are those who have:

- Been employed with the School at least 12 months, and
- Worked at least 1250 hours during the 12-month period immediately proceeding the commencement of leave.

Situations Covered by FMLA

The following situations are covered by FMLA:

- **Family Leave** – Used for the birth of a child, to care for the newborn child, or the placement with the employee of a child for adoption or state-approved foster care. The School may require a statement of family relationship to verify legitimacy.
- **Medical Leave** – Used for serious health conditions; either an employee's own serious health condition that makes it impossible to perform the functions of the job or to care for a spouse, child, or parent with a serious medical condition. The School will require a certification be issued by the health provider for the serious health condition and potentially a statement of family relationship to verify legitimacy.
- **Active Duty Family Leave** – Used by an employee whose spouse, child or parent is on active military duty, or has been notified of an impending call to active military duty to deal with any "qualifying exigency" arising from the call to active military duty. Qualifying exigencies are the need to make necessary arrangements related to the departure of the service person. The School may require that a request for the Active Duty Leave be supported by a certification stating the call to active duty.
- **Injured Service Member Family Leave** – Used by the spouse, child, parent, or "next of kin" (defined as "nearest blood relative") of a member of the Armed Forces (including a member of the National Guard or Reserves) so the employee can care of the service member who is undergoing inpatient or outpatient medical treatment, recuperation, therapy, or otherwise on the temporary disability retired list, because of a "serious illness or injury" incurred during active duty. The School may require that a certification be issued by the health provider of the service member. Qualifying employees are entitled to a combined total of 26 weeks of (12 weeks of traditional FMLA leave and an additional 14 weeks for injured service member family leave) in a 12-month period, as opposed to the usual 12 weeks.

Length of Leave

An employee may take up to 12 weeks of FMLA leave per 12-month period (with the exception of an Injured Service Member Family Leave which is up to 26 weeks) in the following forms:

- As twelve (12) consecutive weeks.
- On an intermittent basis when medically necessary. While not required by law, the School may allow an employee to take FMLA leave on an intermittent basis for the birth, adoption or placement of a child. The employee must attempt to schedule intermittent leave so as to not disrupt normal School operations.
- On a part-time work schedule when medically necessary or when mutually agreed upon by the School and the employee.
- An employee on an FMLA leave will not have time counted against their FMLA allowance when the employer's activities temporarily cease for one or more weeks and employees are generally not expected to report for work.

Employee Notification Requirements

If an employee expects to take FMLA leave, the employee must notify the Director of Human Resources of the intention to take leave at least 30 days in advance of the expected leave. Following proper notification, the employee must complete the Leave of absence Request form and provide any required medical certification.

If the need for leave is not foreseeable, the employee must provide notification of leave to the Executive Director or Director of Human Resources as soon as is practicable under the circumstances. An

employee's failure to provide 30 days advance notification for foreseeable leave may result in a delay of leave.

Concurrent Leave and Benefits

- **Concurrent Leave** - An employee taking FMLA leave must substitute all accrued leave banks before continuing leave on an unpaid basis. All leaves run concurrently. Once all paid leave banks have been exhausted, the remainder of the leave will be unpaid. Any family and medical leave, whether paid, unpaid, or a combination thereof, will be counted toward the 12-week leave entitlement.
- **Benefits** – The same health care benefits coverage provided to an employee on the day prior to taking FMLA leave will be maintained for up to the 12-weeks or as required by law, provided the employee continues to pay any required contribution for benefits. Employees who are on leave are responsible for making their periodic payment of the required contribution to the School Director or Director of Human Resources.

Upon completion of the 12-week leave, or if an employee fails to return to work at the end of the leave, a loss of coverage will occur, and continuation of health care coverage would be offered through COBRA. An employee who does not return from leave may be required, under certain circumstances provided by the Act, to reimburse the School for any employee contributions paid by the School while the employee was on unpaid leave.

While on leave, an employee must continue to pay the employee's contributions or loan payments for any applicable benefits which would otherwise be automatically deducted from the employee's wages. Director of Human Resources for details regarding employee contributions and/or loan repayments.

- **Workers' Compensation** – With some exceptions, an absence related to a workers' compensation injury is not counted against an employee's FMLA entitlement. If an employee, who was injured on the job and as a result suffered a "serious health condition," declines the offer of a medically-approved "light duty" position, the employee should notify the School Director or Director of Human Resources that he or she chooses to exercise his or her FMLA rights, if eligible. If the employee accepts the "light duty" position in lieu of any FMLA leave or returns to work within 12 weeks after the date of the injury, the employee will retain his or her right to be restored to the same or an equivalent position until 12 weeks have passed, unless a decision or event not related to the employee's leave of absence occurs which results in the termination of the employee or the elimination of the job position.

Job Restoration

The School will comply with FMLA requirements regarding an employee's reinstatement either to the same position held when FMLA leave began or to a position with equivalent pay, benefits and other terms and conditions of employment. Under this FMLA policy, the School cannot guarantee that the employee will be returned to the original job. In cases where the employee cannot be returned to the former position, the determination as to whether a position is an "equivalent position" will be made by the School.

An employee who does not return to work at the end of an authorized leave is subject to termination of employment. In the event an employee's position is affected by a decision or event not related to the employee's leave of absence (example – job elimination due to a reduction in force), the employee will be affected to the same extent as if he or she was not on leave.

Certain "key employee" as defined under the FMLA may not be eligible to be restored to the same or an equivalent position after leave if doing so would cause substantial and grievous economic injury to the operations of the School. The School will notify such employees of their "key employee" status and the conditions under which job restoration will be denied, if applicable.

UNPAID PERSONAL LEAVE

An unpaid leave for personal reasons may be granted at the complete and sole discretion of the School. Leave can be granted for a period of up to 12 weeks, but the extent of any such leave, and the position made available to the employee at the end of the leave will depend on the needs of the School, as determined by the Executive Director, in its sole discretion. Where possible, such leave should be requested at least 30 days in advance.

Employees on personal leave will be required to use all accrued personal leave on an unpaid basis. All leaves run concurrently. Once the leave has been exhausted, the remainder of the leave will be unpaid.

Employees on an authorized personal leave of absence may not perform work for any other employer that is considered by the School to be an actual or potential conflict of interest.

While on leave, an employee must continue to pay the employee's contributions or loan payments for any applicable benefits which would otherwise be automatically deducted from the employee's wages. Contact the Executive Director or Director of Human Resources for details regarding employee contributions and/or loan repayments.

Upon completion of the leave, or if an employee fails to return to work at the end of the leave, a loss of coverage will occur, and continuation of health care coverage would be offered through COBRA. An employee who does not return from leave will be required to reimburse the School for any employee contributions paid by the School while the employee was on unpaid leave.

Employees returning from a personal leave due to an illness or injury must provide a job-related release indicating their ability to perform the functions of their job. Any restrictions must be noted on the release.

JURY DUTY LEAVE

Time off for jury duty is not considered as personal leave. The School will continue to pay salary for an employee who is serving on a jury. However, checks received as pay for jury duty must be surrendered to the School. An employee called for jury duty must promptly inform the Executive Director, must provide the Executive Director with a copy of the summons to jury duty, and must cooperate with the School to ensure that work is adequately covered during the period of jury duty. On days when jury duties end before 12:00 p.m., the employee is expected to report to work for the duration of the work day.

BEREAVEMENT LEAVE

The School provides up to three (3) days of funeral leave for the death of an immediate family member and one (1) day of funeral leave in the event of the death of a non-immediate family member or close friend. Funeral leave days are paid days of leave and will not be counted against an employee's personal leave. Immediate family members include spouse, children, siblings, and parents, including parents-in-law, brothers-in-law, sisters-in-law and stepchildren. If an employee requires an extended period of time due to a death in the family, personal leave may be used. If no personal leave remains, an unpaid leave of absence may be granted at the sole discretion of the School.

MILITARY LEAVE

Employees who are inducted into the U.S. Armed Forces or who are reserve members of the U.S. Armed Forces or state militia groups will be granted leaves of absence for military service, training or other obligations in compliance with state and federal laws. These employees may use PTO but are not

required to do so. At the conclusion of the leave, employees generally have the right to return to the same position held prior to the leave or to positions with equivalent seniority, pay and benefits.

Employees are requested to notify the Executive Director as soon as they are aware of the military obligation.

Questions regarding the School's military leave policy, applicable state and federal laws, and continuation of benefits should contact the Executive Director.

TIME OFF TO VOTE

An employee eligible to vote in an election may take time off from work on the day of a state primary or general election, an election to fill a vacancy in the Congress, or a presidential primary to vote in such election. The employee must report for work immediately before and/or after voting in any such election. There is no pay deduction for exercising the right to vote according to this policy.

MINNESOTA SCHOOL CONFERENCE AND ACTIVITIES LEAVE

An employer must grant an employee leave of up to a total of 16 hours during any 12-month period to attend school conferences or school-related activities related to the employee's child, provided the conferences or school-related activities cannot be scheduled during non-work hours. If the employee's child receives child care services, or attends a pre-kindergarten regular or special education program, the employee may use the leave time provided in this section to attend a conference or activity related to the employee's child, or to observe and monitor the services or program, provided the conference, activity, or observation cannot be scheduled during non-work hours. When the leave cannot be scheduled during non-work hours and the need for the leave is foreseeable, the employee must provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave so as not to disrupt unduly the operations of the employer. The leave is not paid; except that an employee may substitute any accrued paid vacation leave or other appropriate paid leave for any part of the leave under this section.

MINNESOTA BONE MARROW DONATION LEAVE

Employees who work an average of 20 or more hours per week and want to donate bone marrow may receive a paid leave of absence for that purpose. School reserves the right to require verification by a doctor of the purpose and length of each leave. Combined bone marrow leave may not exceed 40 hours. The employee will receive regular pay, in accordance with Minnesota State law, up to 40 hours.

MINNESOTA CIVIL AIR PATROL LEAVE

Unless the leave would unduly disrupt the operations of the School, an employee who works an average of 20 or more hours per week may take an unpaid leave of absence for time spent rendering service as a member of the Civil Air Patrol on the request and under the authority of the State of Minnesota or any of its political subdivisions.

SAFETY & BENEFITS

HEALTH & RETIREMENT BENEFITS

Employee benefits offered by School are designed to be competitive with those offered in the industry.

Outlined below is a brief summary of the types of employee benefits currently available through School. It is not intended, nor is it to be interpreted to, create an express or implied contract, covenant, promise, or representation between School and the Employee. In the event of any discrepancy between the benefits outlined below and the plan itself, the plan will govern. Any questions about employee benefits should be directed to the Director of Human Resources.

Health Insurance

The School provides a variety of group insurance benefits for eligible employees and their dependents, including, but not limited to, medical, dental, disability, accidental death & dismemberment, and basic life insurance.

Eligibility requirements may vary from benefit to benefit, and employees and the employer may share the cost of some of these insurance benefits. Participation in these benefit plans is usually limited to regular full-time employees. Employees must maintain the minimum required hours to participate in School sponsored insurances.

Please see the Director of Human Resources for a Summary Plan Description for any of the benefits listed above.

Retirement Insurance

As a public employer, all eligible employees are enrolled in the Public Employer Retirement Association (PERA) or the Teachers Retirement Association (TRA). The contribution percentages for employees and employers are dictated by Minnesota law.

The School has adopted a 403(b) Retirement Benefit Plan and Trust. The purpose of this plan is to reward eligible employees for service by providing them with benefits that accrue with taxes deferred. To enroll certain eligibility and participation requirements must be met. These requirements, as well as the requirements that must be satisfied in order to obtain a benefit under the plan, are outlined in a summary plan description that is distributed by the School to all eligible employees. Each employee should review the summary plan description carefully and discuss any questions they may have with the plan administrator.

CONTINUATION OF HEALTH INSURANCE UNDER COBRA

Under the Consolidated Omnibus Budget Reconciliation Act of 1985, better known as COBRA, if an employee terminates employment with the School, the employee is entitled to continue participating in the School's group health plan for a prescribed period of time, usually 18 months. (In certain circumstances, such as an employee's divorce or death, the length of coverage period may be longer for qualified dependents.)

Under the Uniformed Services Employment and Reemployment Rights Act of 1994, better known as USERRA, an employee who is out on a military leave of absence will retain their health insurance coverage for the first 31 days of uniformed service. Employees out on a military leave of absence which extends beyond the 31 days will be eligible for COBRA benefits for up to 24 months.

If a former employee chooses to continue group benefits under COBRA, he or she must pay the total applicable premium. Coverage will cease if the former employee fails to make premium payments as scheduled, becomes covered by another group plan that does not exclude pre-existing conditions or becomes eligible for Medicare.

For detailed information or questions on COBRA, employees are requested to check with the Director of Human Resources.

PROTECTED HEALTH INFORMATION

The School takes the privacy of our students and staff seriously. Our privacy policies and procedures are designed to strengthen that commitment to maintaining the confidentiality of personal health information. All employees are expected to comply with the privacy policies and procedures established by the School. Failure to do so may result in disciplinary action, up to and including termination. In addition, employees should be aware that the HIPAA law provides for fines and criminal penalties for violations. If an employee has any questions about the school's privacy policies, contact the Executive Director or the Director of Human Resources.

WORKPLACE ACCIDENTS AND WORKERS' COMPENSATION INSURANCE

Maintaining a safe work environment requires the continuous cooperation of all employees. The School strongly encourages employees to communicate with fellow employees and their supervisor regarding safety issues.

All accidents, injuries, potential safety hazards, safety suggestions, and health and safety-related issues must be reported immediately to the Executive Director and/or Director of Human Resources so that appropriate medical attention can be given.

The School is covered under Occupational Safety and Health Administration (OSHA) and statutory state Workers' Compensation Laws. Should a work-related injury or illness occur, the employee should immediately notify the Executive Director or Director of Human Resources so it can be properly documented as required and workers' compensation benefits can be requested.

No matter how insignificant an injury may seem at the time of occurrence, the incident should be reported. This ensures that the School can help obtain appropriate medical treatment. An employee's failure to follow this procedure may result in the appropriate workers' compensation report not being filed timely in accordance with the law, which may delay or jeopardize the right to benefits in connection with the injury or illness.

In the case of an emergency, the employee should go immediately to the nearest hospital emergency room for treatment.

BLOOD BORNE PATHOGENS

OSHA mandated the need for all employees to know the importance of avoiding blood contact and what to do if exposure occurs. The diseases of main concern are Hepatitis B and HIV. Hepatitis B (an inflammation of the liver) is very common and transmits easily through blood. There is now a vaccine available and if an employee is exposed there is treatment that can be obtained if done immediately after exposure. HIV is a virus that attacks the immune system and can lead to AIDS. There is no cure for AIDS.

Preventing Exposure

To prevent exposure to blood, all employees must:

- Wear gloves when handling any person or object with visible blood;
- Encourage children to help care for their own injuries (hand them the tissues for their bloody nose, have them wash their own cuts/scrapes when practical);
- Protect themselves even when gloves are not available by using something as a barrier such as a plastic bag, a bunch of paper towels or a piece of clothing;
- Notify the office of any necessary cleaning of any blood spill.

Exposure to Blood

When an employee does come into contact with blood, the employee must:

- Wash area immediately with soap and water or flush mucous membranes with running water;
- Determine if it was a “true exposure incident.”

A “true exposure incident exists when one of the following occurs:

- Blood in the eyes, nose or mouth;
- Blood contact with broken skin (less than 24 hours old) this includes cuts, open skin rashes or any break in the skin;
- Penetration of skin by a blood contaminated object (glass, needle, teeth).

If the Blood Contact meets one of the above criteria notify the nurse immediately. The employee should be seen by a clinic with expertise in occupational health so appropriate follow-up can be made (this may include the administration of the Hepatitis vaccine and/or, Hepatitis Immune Globulin and blood testing.

OPERATIONS

CULTURE

Teachers, administrators, students, parents, and support staff create the culture of a school. The culture of School is one that promotes mutual respect between teachers, students, and administrators; fosters an atmosphere of caring manifesting in both children and adults where everyone is comfortable; professionalism is modeled consistently; and high student achievement is cultivated. The culture drives student achievement and the success of the school. Everyone involved with operation of the school must commit themselves to maintaining the best and most positive school culture. Comments, attitudes, or practices that conflict with the desired culture will be addressed openly and then resolved. Challenges that may arise in regard to school culture will be handled immediately by the administration.

BACKGROUND AND REFERENCE CHECKS

Background Checks

The School requires a criminal check for all new employees once a conditional offer of employment has been extended by the hiring manager and upon renewal of the employment agreement each year.

Although a disqualification is possible, in accordance with federal and state laws a previous conviction does not automatically disqualify an applicant from consideration for employment with the School. Depending on a variety of factors (for example, the nature of the position, the nature of the conviction, age of the candidate when the illegal activity occurred), the candidate may still be eligible for employment with the School.

However, if an applicant attempts to withhold information or falsify information pertaining to previous convictions, the employee will be disqualified from further employment consideration in any position with the company due to falsification of an application.

Drug Testing

Urban Academy may request or require that any Urban Academy employee or job applicant, other than an employee or applicant whose position requires a commercial driver's license, submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in Minn. Stat. § 181.950 through 181.957.

Failure to receive a negative drug test result for new employees will result in a withdrawal of the conditional offer of employment. Failure to receive a negative drug test result for renewal of the employment agreement for previous staff will result in mandatory enrollment in a drug and/or alcohol treatment and counseling program that is paid for by the employee through their medical benefits or personal arrangement. A program must be entered into within 15 business days of receiving notification of failing a negative drug test in order to continue employment. Failure to complete the program can result in termination.

Questions on this policy should be directed to your supervisor, the School Director, or the human resource representative.

Reference Checks

To ensure that individuals who join the School are well-qualified and have a strong potential to be productive and successful, the School may check the employment references of the selected applicant prior to extending a job offer.

The Director of Human Resources is designated to respond to reference check inquiries from other employers. All calls, contacts and written inquiries concerning current or former employees should be referred to the or Director of Human Resources. It is the policy of the School to provide neutral references concerning former employees. Responses to such inquiries will confirm dates of employment, wage rates and the title of position held.

PERSONAL APPEARANCE

All employees are expected to represent School in an appropriate and professional manner. This includes appearance and attire. All employees are required to report for work in clean attire and maintain good grooming and personal hygiene. Although pressed and clean professional casual clothes without holes are permitted, professional casual is preferred during school hours. Clothing which is not acceptable at any time are items that are sloppy or unkempt, halter tops, shorts, bathing suits, tank tops or T-shirts, warm-up/wind suits, sweat suits leggings, T-shirt/legging pant suits, shirts with inappropriate language and dirty or badly worn clothes. Similar items of casual attire are not permitted. Wearing of suggestive attire is not permitted. Appropriate undergarments are required and hair should be clean, combed, and neatly trimmed or arranged.

Staff members are to dress up for all school functions such as Open House Nights, Conferences, Parent Nights or any event where parents will be present.

WORK APPEARANCE

Everything in and about the School must be kept clean and in good order. Each employee is responsible to maintain the condition of the part of the School in which he or she works. Employees shall cooperate, as part of their job responsibilities, in helping to maintain the general orderliness and cleanliness of the School. Doing so is critical to the School's public image.

CLEAN LANGUAGE

The School will not tolerate the use of swear words, vulgar, or crude language, or sexual references in the workplace, or out of the workplace if the employee is conducting School business. Such language reflects poorly on the School and on the individual using the language.

Not only is such language offensive, it may violate the sexual harassment policy.

Consequently, use of such language is strictly prohibited, and employees found to have violated this policy will be subject to discipline up to and including termination of employment.

SCHOOL COMMUNICATION

Employees are expected to check mailboxes, voice mails, emails and/or bulletin boards daily to ensure that all communications are received. Memos should be read immediately and phone calls should be returned within 24 hours.

In the interest of good communications and minimal environmental impact, the School will use electronic mail as much as possible for communication for communication. Most documents will be distributed by email. The standard applications needed by all employees are Microsoft Word, Microsoft Excel, and Adobe Reader.

MEETINGS

Participating in parent events, conferences, staff meetings, and in-service days are part of employee job duties. Staff and department meetings are mandatory meetings that provide an opportunity to exchange ideas, convey information and gather input. Teachers are required to be present at staff, department, and curriculum meetings. Attendance is also required at special education meetings as scheduled by the Executive Director or Special Education staff.

CHILDREN OF STAFF MEMBERS

Staff members who have children that attend School are to function as employees and not parents during their workday. It is inappropriate for a staff member to become involved in any situation concerning their child during their scheduled work hours unless it is an emergency. If a staff member has a concern regarding their child it is necessary that they schedule an appointment with the appropriate party during their non-work hours as any other parent must do.

As a rule, children, grandchildren, or relatives of any nature of staff members that do not attend School should not be brought to school during the school day. Children of staff members are not to be brought to school unless there is a special occasion and the Executive Director has granted permission.

CELL PHONE USE

Although personal cell phones are permitted in the School, employees are expected to refrain from using them for personal use during work hours.

Employees whose job responsibilities include regular or occasional driving and who use a cell phone for business use are expected to refrain from using their phone while driving except as described below. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are strongly encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is unavoidable and pulling over is not an option, employees are expected to keep the call short, use hands-free options if available, refrain from discussion of complicated or emotional discussions and keep their eyes on the road. Special care should be taken in situations where there is traffic, inclement weather or the employee is driving in an unfamiliar area.

Employees whose job responsibilities do not specifically include driving as an essential function, but who use a cell phone for business use, are also expected to abide by the provisions above. Under no circumstances are employees allowed to place themselves at risk to fulfill business needs.

Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.

Violations of this policy will be subject to the highest forms of discipline, including termination.

SOLICITATIONS AND DISTRIBUTION OF LITERATURE

Personal decisions regarding the purchase of goods or services, charitable contributions, or membership in an organization should not create negative feelings or detract from an employee's effectiveness at work. Although it is permissible to place information in internal public meeting spaces (not in areas accessible by students and visitors), it is not acceptable to actively approach other employees for solicitations or to personally distribute literature. Non-employees are not allowed to distribute literature or solicit for any purpose at any time on School premises.

PERSONAL PROPERTY

The School will not be liable for loss or damage to the property of employees while on school premises (including the parking lot). This includes all personal property used in an employee's work area and all other personal property while anywhere on school premises, in school vehicles, or while being transported on school business. For this reason, employees should maintain appropriate insurance on valuable personal property, including but not limited to, cars or other motor vehicles.

COMPANY PROPERTY

Equipment, hardware, software, books, magazines and other reference materials must be checked out and returned in a timely fashion. Employees may borrow certain School property provided they have explicit permission from the Executive Director.

Employees who borrow School property are personally liable to cover the cost of replacing such lost or stolen property and for the reasonable cost of repair of such damaged property.

PERSONAL VEHICLE USE

Employees may use their personal vehicles on official School business provided prior approval has been obtained by the Executive Director. A mileage rate based on acceptable and current School guidelines will be paid to an employee who uses his personal vehicle on official School business. Mileage between home and the office is excluded per IRS regulations.

Minimum insurance requirements as specified by the School's insurance carrier must be in effect at the time the employee's personal vehicle is used and the employee may be required to provide proof of insurance. It is up to the employee to comply with this policy; the School will not be responsible for any damage that occurs to an employee's personal vehicle.

Employees are not permitted to transport students in their personal vehicles.

REIMBURSEMENTS FOR MILEAGE AND OTHER EXPENSES

Employees eligible to receive expense and mileage reimbursement for work-related travel must complete an appropriate reimbursement form. This form should be submitted to the accounting department within 30 days after the employee has incurred the expenses. Reasonable lodging, school supplies, and meal expenses will be reimbursed at actual cost and mileage will be reimbursed at the IRS allowable rate. All receipts must be attached to the expense form prior to submitting it to accounting.

JOB DUTIES

Employees may sometimes be asked to help with other work important to the successful operation of the School in addition to or in place of their normal daily job assignment. From time to time, employees may also be given additional responsibilities, work or training outside of their normal work hours, or they may be transferred to a position other than the one to which they were originally assigned. Employees may be directed to perform additional duties. When directed to participate, compliance is expected.

EMERGENCY PLANS

Employees must watch for fire hazards or other possible safety problems and report them promptly to the Executive Director. All employees should learn where fire extinguishers are located and become familiar with their operation. If an emergency arises that requires assistance from outside of the School, call 911.

Employees should be familiar with fire and disaster plans detailing exit routes and the specific responsibilities of employees in the event of fire or other disaster, especially as such procedures relate to student safety. Employees should report to management any blocked passageways or doors. Fire exit doors must remain open so that people can exit from the inside during any hours the School is in use. Finally, employees must always properly store flammable materials. Any questions or suggestions concerning fire or disaster plans should be referred to the Executive Director.

NOTICE OF RIGHTS REGARDING PERSONNEL RECORD

The Minnesota Law requires employers to provide written notice to new hires of the rights and remedies provided in sections 181.960 to 181.965 (the personnel records statutes) of the Minn.Stat. Section 181.9631.

Employees have the right, with a written request, to review his/her personnel records once every six months and once in the 12 months following termination.

FORMS

All important forms used by staff at the School are available in the designated personnel's office.

EMPLOYEE HANDBOOK ACKNOWLEDGEMENT FORM

I have received a copy of the Employee Handbook for the School. I acknowledge my obligation to read and understand its contents, and further acknowledge and agree that:

The handbook is only intended to provide a general overview of School personnel policies and does not necessarily represent all such policies or practices in force at any particular time.

This handbook supersedes and replaces any previously or contemporaneously stated written policies or practices covering the same or similar subjects or matters, including but not limited to, those contained in any manuals, handbooks, correspondence, memoranda, or oral discussions.

Neither this handbook, nor any other written or unwritten policy or practice is intended to create an express or implied contract, covenant, promise, or representation between School and the employee.

I understand that I am free to resign at any time, and the School may terminate me at any time.

I understand that the School reserves discretion to add, change or rescind any policy or practice at any time, with or without prior notice, and that any such addition, revocation, or modification shall not alter the employment at-will relationship.

No employee or representative of the School other than its Executive Director has authority to enter into any written or oral employment agreement for any specified period of time, or to make any other binding agreement different than what is stated above.

I have read and will abide by the Anti-Harassment, Email and Internet Usage, and the No Weapons Policy, as well as all other policies in the handbook.

Employee Name (print)

Employee Signature

Date

Please sign and date the form and return the form into the front office.