



**HAWKING STEAM CHARTER SCHOOLS, INC.
EMPLOYEE HANDBOOK**

2020-2021

ACKNOWLEDGMENT OF RECEIPT OF EMPLOYEE HANDBOOK

PLEASE READ THE EMPLOYEE HANDBOOK AND SUBMIT A SIGNED COPY OF THIS STATEMENT TO THE EXECUTIVE DIRECTOR.

EMPLOYEE NAME: _____

I ACKNOWLEDGE that I have received a copy of the Employee Handbook. I have read and understood the contents of the Handbook, and I agree to abide by its directions and procedures. I have been given the opportunity to ask any questions I might have about the policies in the Handbook. I understand that it is my responsibility to read and familiarize myself with the policies and procedures contained in the Handbook.

I understand that the statements contained in the Handbook are guidelines for employees concerning some of the School's policies and benefits, and are not intended to create any contractual or other legal obligations or to alter the at-will nature of my employment with the School. In the event I do have an employment contract which expressly alters the at-will relationship, I agree to the foregoing except with reference to an at-will employment status.

I understand that except for employment at-will status, any and all policies or practices can be changed at any time by the School.

I understand that other than the Board of the School, no person has authority to enter into any agreement, expressed or implied, for employment for any specific period of time, or to make any agreement for employment other than at-will; only the Board has the authority to make any such agreement and then only in writing signed by the Board President.

Employee's Signature: _____ Date: _____

Please sign/date, tear out, and return to the School.

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SECTION 1 – INTRODUCTION TO HANDBOOK

WELCOME TO HAWKING STEAM CHARTER SCHOOLS

We are happy to have you join us at Hawking STEAM Charter Schools (“HSCS” or “School”). We believe our School is truly unique. We serve a diverse group of talented and hardworking students and regard the work we do as being of the utmost importance. Therefore, we have very high expectations for professionalism and performance for each of our employees. All employees should treat all individuals, including students, teachers, administrators, volunteers, and family members, with respect, and approach all situations as opportunities to learn.

This Handbook is designed to help employees get acquainted with HSCS. It explains some of our philosophies and beliefs, and describes some of our employment guidelines in general terms. Although this Handbook is not intended to be an exclusive or comprehensive policies and procedures manual, we hope that it will serve as a useful reference document for employees throughout their employment at the School. Employees should understand, however, that this Handbook is not intended to create any legally enforceable obligations on the part of the School. In no way does the Handbook replace any official plan documents (e.g., health insurance, retirement plan, etc.) or insurance contracts, which will govern in all cases. This Handbook supersedes and replaces all previous personnel policies, practices, and guidelines.

Due to the fact that the School is a growing and changing organization, it reserves full discretion to add to, modify, or delete provisions of this Handbook, or the policies and procedures on which they may be based, at any time without advance notice. HSCS also reserves the right to interpret any of the provisions set forth in this Handbook in any manner it deems appropriate.

No individual other than the HSCS Board of Directors has the authority to enter into any employment or other agreement that modifies School policy. Any such modification *must* be in writing.

This Handbook is the property of the School, and it is intended for personal use and reference by employees of the School.

Employees must sign the acknowledgment form at the beginning of this Handbook, tear it out, and return it to the Executive Director. This will provide the School with a record that each employee has received this Handbook.

We welcome you and wish you great success and fulfillment at HSCS.

Sincerely,

Lorena Chavez
Executive Director

MISSION STATEMENT

Hawking STEAM Charter Schools prepare students for college and career readiness through an integrated project-based STEAM curriculum that includes social emotional awareness.

VISION STATEMENT

Hawking STEAM Charter Schools' vision is to ensure that Transitional Kindergarten through Grade 12 students are engaged in discovery, exploration, and problem-solving through rigorous Project-Based Learning activities, aligned to the Common Core State Standards ("CCSS") and the Next Generation Science Standards ("NGSS") that are STEAM-based. We strive to develop our students' academic, social, and emotional knowledge so they may engage in public discussions, presentations and pursue STEAM-focused careers.

ACADEMIC PHILOSOPHY

HSCS combines interdisciplinary projects, hands-on teaching, and an online-based approach for rigorous learning that directly links students with real-life challenges.

The overarching goal is to ensure pre-kindergarten through 12th grade students are engaged in exploration, discovery, and problem solving. Students gain extensive knowledge of math, science, the arts, and technology to:

- Engage in public discussions on related issues;
- Become careful consumers and distributors of scientific and technological information related to their everyday lives;
- Continue learning math and science outside of school; and
- Gain the skills to enter careers of their choice, including but not limited to math, science, the arts, and technology.

HSCS provides parents and students with expanded choices in the types of educational opportunities that are available within the public school system.

SECTION 2 – CONDITIONS OF EMPLOYMENT

EQUAL EMPLOYMENT OPPORTUNITY IS OUR POLICY

HSCS is an equal opportunity employer. It is the policy of the School to afford equal employment and advancement opportunity to all qualified individuals without regard to:

- Race;
- Color;
- Gender (including gender identity and gender expression);
- Sex (including pregnancy, childbirth, breastfeeding, and medical conditions related to such);
- Religious creed (including religious dress and grooming practices);
- Marital/registered domestic partner status;
- Age (forty (40) and over);
- National origin or ancestry (including native language spoken);
- Physical or mental disability (including HIV and AIDS);
- Medical condition (including cancer and genetic characteristics);
- Taking a leave of absence pursuant to the Family Medical Leave Act (“FMLA”), Pregnancy Disability Leave (“PDL”) law, Americans with Disabilities Act (“ADA”), California Family Rights Act (“CFRA”), or the Fair Employment and Housing Act (“FEHA”);
- Genetic information;
- Sexual orientation;
- Military and veteran status; or
- Any other consideration made unlawful by federal, state, or local laws.

This policy extends to all employees and to all aspects of the employment relationship, including the hiring of new employees and the training, transfer, promotion, compensation and benefits of existing employees.

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the School will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result.

Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact a School representative with day-to-day personnel responsibilities and request such an accommodation. The individual with the disability should specify what accommodation he or she needs to perform the job. HSCS then will conduct an investigation to identify the barriers that interfere with the equal opportunity of the applicant or employee to perform his or her job. HSCS will identify possible accommodations, if any, that will help eliminate the limitation. If the accommodation is reasonable and will not impose an undue hardship, the School will make the accommodation.

EMPLOYMENT AT-WILL

Except if stated expressly otherwise by a written employment contract, it is the policy of the School that all employees are considered “at-will” employees of the School. Accordingly, either the School or the employee can terminate this relationship at any time, for any reason, with or without cause, and with or without advance notice.

Nothing contained in this Handbook, employment applications, School policies or memoranda, or other materials provided to employees in connection with their employment shall require the School to have “cause” to terminate an employee or otherwise restrict the School’s right to release an employee from their at-will employment with the School. Statements of specific grounds for termination set forth in this Handbook or elsewhere are not all-inclusive and are not intended to restrict the School’s right to terminate at-will. No School representative, other than the Board of Directors or its designee, is authorized to modify this policy for any employee or to make any representations to employees or applicants concerning the terms or conditions of employment with the School that are not consistent with the School’s policy regarding “at-will” employment.

This policy shall not be modified by any statements contained in this Handbook or employee applications, School policies or memoranda, or any other materials provided to employees in connection with their employment. Further, none of those documents whether singly or combined, or any employment practices, shall create an express or implied contract of employment for a definite period, nor an express or implied contract concerning any terms or conditions of employment.

EMPLOYMENT APPLICATIONS

HSCS relies upon the accuracy of information contained in the employment application and the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

IMMIGRATION LAW COMPLIANCE

HSCS will comply with applicable immigration law, including the Immigration Reform and Control Act of 1986 and the Immigration Act of 1990. As a condition of employment, every individual must provide satisfactory evidence of his or her identity and legal authority to work in the United States. However, HSCS will not check the employment authorization status of current employees or applicants who were not offered positions with the School unless required to do so by law.

The School shall not discharge an employee or in any manner discriminate, retaliate, or take any adverse action (*e.g.*, threatening to report the suspected citizenship or immigration status of an employee or a member of the employee’s family) against any employee or applicant for employment because the employee or applicant exercised a right protected under applicable law. Further, the School shall not discriminate against any individual because he or she holds or

presents a driver's license issued per Vehicle Code § 12801.9 to persons who have not established their federally-authorized presence in the United States.

If you have any questions or need more information on immigration compliance issues, please contact the Executive Director.

CHILD ABUSE AND NEGLECT REPORTING

California Penal Code section 11166 requires any child care custodian who has knowledge of, or observes, a child in his or her professional capacity or within the scope of his or her employment whom he or she knows or reasonably suspects has been the victim of child abuse to report the known or suspected instance of child abuse to a child protective agency immediately, or as soon as practically possible, by telephone and to prepare and send a written report thereof within thirty-six (36) hours of receiving the information concerning the incident.

HSCS will provide annual training on the mandated reporting requirements, using the online training module provided by the State Department of Social Services, to employees who are mandated reporters. Mandated reporter training will also be provided to employees hired during the course of the school year. This training will include information that failure to report an incident of known or reasonably suspected child abuse or neglect, as required by Penal Code section 11166, is a misdemeanor punishable by up to six (6) months confinement in a county jail, or by a fine of one-thousand dollars (\$1,000), or by both that imprisonment and fine.

All employees required to receive mandated reporter training must provide proof of completing the training within the first six (6) weeks of each school year or within the first six (6) weeks of that employee's employment.

By acknowledging receipt of this Handbook, employees acknowledge they are child care custodians and are certifying that they have knowledge of California Penal Code section 11166 and will comply with its provisions.

CRIMINAL BACKGROUND CHECK

As required by law, all individuals working or volunteering at the School will be required to submit to a criminal background investigation. No condition or activity will be permitted that may compromise the School's commitment that the safety and the well-being of students takes precedence over all other considerations. Conditions that preclude working at the School include conviction of a controlled substance or sex offense, or a serious or violent felony. Additionally, should an employee, during his/her employment with the School, be convicted of a controlled substance or sex offense, or serious or violent felony, the employee must immediately report such a conviction to the Executive Director.

SUBSEQUENT ARREST NOTIFICATION SERVICE

All employees are subject to "Subsequent Arrest Notification Service" by the California Department of Justice ("DOJ") once they have been fingerprinted for HSCS. Any time an employee is arrested after his or her initial background clearance for the school, the DOJ will

notify the Human Resources Manager and send the school the new Criminal Offender Record Information (“CORI”) information. The Human Resources Manager will evaluate the new information and determine whether it justifies suspension or termination of the individual’s employment.

After the evaluation has taken place and a decision has been made regarding the individual’s suitability to continue employment, the CORI records received from the DOJ will be destroyed.

HSCS employees will receive confidential notification of any suspension or termination taken as a result to such an evaluation. Those individuals who are suspended or terminated as a result to such an evaluation may make a one-time appeal to the HSCS Board of Directors for reconsideration if they feel there has been an error in the review of their record. The decision of the Board of Directors is final.

TUBERCULOSIS TEST

All prospective employees of the School must submit written proof from a physician of a risk assessment examination for tuberculosis (“TB”) within the last sixty (60) days. If TB risk factors are identified, a physician must conduct an examination to determine whether the prospective employee is free of infectious TB. The examination for TB consists of an approved TB test, which, if positive, will be followed by an x-ray of the lungs, or in the absence of skin testing, an x-ray of the lungs. All current employees will be required to undergo TB risk assessments and, if risk factors are found, the examination at least once every four (4) years. Volunteers may be required to undergo a TB examination as necessary. The TB risk assessment and, if indicated, the examination is a condition of initial employment and continuing employment with the School, and the cost of the initial risk assessment and exam will be borne by the applicant and by employees thereafter.

Documentation of employees’ and volunteers’ compliance with TB risk assessments and examinations will be kept on file in the HR office. This requirement also includes contract food handlers, substitute teachers, and student teachers serving under the supervision of an educator. Any entity providing student services to the School will be contractually required to ensure that all contract workers have had TB testing that shows them to be free of active TB prior to conducting work with School students. Food handlers may be required to have annual TB exams.

CREDENTIAL REQUIREMENTS

Credentialed employees must provide copies of their credentials, transcripts, and test scores to the Executive Director or designee each year prior to the first day of actual work. Failure to provide these documents may delay the beginning of that employee’s work year.

Employees are also responsible for keeping required certificates, credentials, and registrations current and in good standing, for paying the costs associated with renewal, and for providing both the employee’s Principal and the School with verification of renewals. Failure to provide these updated documents to the School may result in suspension without pay until such time as the necessary documentation has been provided.

Employees who allow a credential, certificate, registration, or required course deadline to expire, or fail re-certification, training, or testing, will be removed from the work schedule until the employee meets the requirements or renews the credential.

FIRST-AID AND CPR TRAINING

All individuals working unsupervised with children or in a classroom setting (i.e. core teachers, advisors, coaches, non-core teachers, administrators) must receive, renew, and maintain basic first-aid and cardiopulmonary resuscitation (“CPR”) certification by the first day of school for students. HSCS will provide first aid and CPR training for teachers, assistants and staff. Any employee required to be first aid certified and hired after the beginning of the school year will be required to provide proof of completion of both First Aid and CPR training prior to the first day of work.

For additional information on the training required, please contact the Human Resources Manager.

STAFF/STUDENT INTERACTION POLICY

HSCS recognizes its responsibility to make and enforce all rules and regulations governing student and employee behavior to bring about the safest and most learning-conducive environment possible.

Corporal Punishment

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student.

For purposes of this policy, corporal punishment does not include an employee’s use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to property.

For clarification purposes, the following examples are offered for direction and guidance of School personnel:

- A. Examples of PERMITTED actions (NOT corporal punishment)
 - 1. Stopping a student from fighting with another student;
 - 2. Preventing a pupil from committing an act of vandalism;
 - 3. Defending yourself from physical injury or assault by a student;
 - 4. Forcing a pupil to give up a weapon or dangerous object;
 - 5. Requiring an athletic team to participate in strenuous physical training activities designed to strengthen or condition team members or improve their coordination, agility, or physical skills;

6. Engaging in group calisthenics, team drills, or other physical education or voluntary recreational activities.
- B. Examples of PROHIBITED actions (corporal punishment)
1. Hitting, shoving, pushing, or physically restraining a student as a means of control;
 2. Making unruly students do push-ups, run laps, or perform other physical acts that cause pain or discomfort as a form of punishment;
 3. Paddling, swatting, slapping, grabbing, pinching, kicking, or otherwise causing physical pain.

Acceptable and Unacceptable Staff/Student Behavior

This policy is intended to guide all School faculty and staff in conducting themselves in a way that reflects the high standards of behavior and professionalism required of School employees and to specify the boundaries between students and staff.

An important part of each staff member's mission at School is to model and teach students about what constitutes a healthy relationship with an adult and how to maintain proper boundaries with adults. Staff members must be especially careful to avoid engaging in behavior that, though well intentioned, sends the wrong message to students about appropriate boundaries in adult-child relationships and/or makes them more vulnerable to sexual predators in the future.

Although this policy gives specific, clear direction, it is each staff member's obligation to avoid situations that could prompt suspicion by parents, students, colleagues, or School leaders. One viable standard that can be quickly applied, when you are unsure if certain conduct is acceptable, is to ask yourself, "Would I be engaged in this conduct if my family or colleagues were standing next to me?"

For the purposes of this policy, the term "boundaries" is defined as acceptable professional behavior by staff members while interacting with a student. Trespassing the boundaries of a student/teacher relationship is deemed an abuse of power and a betrayal of public trust.

Some activities may seem innocent from a staff member's perspective, but can be perceived as flirtation or sexual insinuation from a student or parent's point of view. The objective of the following lists of acceptable and unacceptable behaviors is not to restrain innocent, positive relationships between staff and students, but to prevent relationships that could lead to, or may be perceived as sexual misconduct.

Staff must understand their own responsibility for ensuring that they do not cross the boundaries as written in this policy. Disagreeing with the wording or intent of the established boundaries will be considered irrelevant for disciplinary purposes. Thus, it is crucial that all employees learn this policy thoroughly and apply the lists of acceptable and unacceptable behaviors to their daily activities. Although sincere, competent interaction with students certainly fosters learning, student/staff interactions must have boundaries surrounding potential activities, locations and intentions.

Duty to Report Suspected Misconduct

When any employee becomes aware of another staff member having crossed the boundaries specified in this policy, he or she must speak to this staff member if the violation appears minor, or report the matter to School administrators. If the observed behavior appears to be a violation of this policy, it is the duty of every staff member to immediately report it to an administrator. All reports shall be as confidential as possible under the circumstances. It is the duty of the administrator to investigate and thoroughly report the situation. Employees must also report to the administration any awareness or concern of student behavior that crosses boundaries or where a student appears to be at risk for sexual abuse.

Examples of Specific Behaviors

The following examples are not an exhaustive list:

Unacceptable Staff/Student Behaviors (Violations of this Policy)

- (a) Giving gifts to an individual student that are of a personal and intimate nature.
- (b) Kissing of any kind.
- (c) Any type of unnecessary physical contact with a student in a private situation.
- (d) Intentionally being alone with a student away from the school.
- (e) Making or participating in sexually inappropriate comments.
- (f) Sexual jokes.
- (g) Seeking emotional involvement with a student for your benefit.
- (h) Listening to or telling stories that are sexually oriented.
- (i) Discussing inappropriate personal troubles or intimate issues with a student in an attempt to gain their support and understanding.
- (j) Becoming involved with a student so that a reasonable person may suspect inappropriate behavior.

Unacceptable Staff/Student Behaviors without Parent and Supervisor Permission

(These behaviors should only be exercised when a staff member has parent and supervisor's permission.)

- (a) Giving students a ride to/from school or school activities.
- (b) Being alone in a room with a student at school with the door closed.
- (c) Allowing students in your home.

Cautionary Staff/Student Behaviors

(These behaviors should only be exercised when a reasonable and prudent person, acting as an educator, is prevented from using a better practice or behavior. Staff members should inform their supervisor of the circumstance and occurrence prior to or immediately after the occurrence)

- (a) Remarks about the physical attributes or development of anyone.
- (b) Excessive attention toward a particular student.
- (c) Sending emails, text messages or letters to students if the content is not about school activities.

Acceptable and Recommended Staff/Student Behaviors

- (a) Getting parents' written consent for any after-school activity.
- (b) Obtaining formal approval to take students off school property for activities such as field trips or competitions.
- (c) E-mails, text, phone and instant messages to students must be very professional and pertaining to school activities or classes (Communication should be limited to school technology).
- (d) Keeping the door open when alone with a student.
- (e) Keeping reasonable space between you and your students.
- (f) Stopping and correcting students if they cross your own personal boundaries.
- (g) Keeping parents informed when a significant issue develops about a student.
- (h) Keeping after-class discussions with a student professional and brief.
- (i) Asking for advice from fellow staff or administrators if you find yourself in a difficult situation related to boundaries.
- (j) Involving your supervisor if a conflict arises with the student.
- (k) Informing the Executive Director about situations that have the potential to become more severe.
- (l) Making detailed notes about an incident that could evolve into a more serious situation later.
- (m) Recognizing the responsibility to stop unacceptable behavior of students or coworkers.
- (n) Asking another staff member to be present if you will be alone with any type of special needs student.
- (o) Asking another staff member to be present when you must be alone with a student after regular school hours.
- (p) Giving students praise and recognition without touching them.
- (q) Pats on the back, high fives and handshakes are acceptable.
- (r) Keeping your professional conduct a high priority.
- (s) Asking yourself if your actions are worth your job and career.

POLICY PROHIBITING UNLAWFUL HARASSMENT, DISCRIMINATION, AND RETALIATION

HSCS is committed to providing a work and educational atmosphere that is free of unlawful harassment, discrimination and retaliation. HSCS's policy prohibits unlawful harassment, discrimination and retaliation based upon: race; color; gender (including gender identity and gender expression); sex (including pregnancy, childbirth, breastfeeding, and related medical conditions); religious creed (including religious dress and grooming practices); marital/registered domestic partner status; age (forty (40) and over); national origin or ancestry (including native language spoken); physical or mental disability (including HIV and AIDS); medical condition (including cancer and genetic characteristics); taking a leave of absence authorized by law;

genetic information; sexual orientation; military and veteran status; or any other consideration made unlawful by federal, state, or local laws.

Employees, students, students' family members, volunteers, unpaid interns, individuals in apprenticeship programs, and independent contractors shall not be harassed, or discriminated or retaliated against, based upon the characteristics noted above.

HSCS does not condone and will not tolerate unlawful harassment, discrimination, or retaliation on the part of any employee (including supervisors and managers) or third party (including independent contractors or other person with which the School does business). Supervisors and managers are to report any complaints of unlawful harassment to the Executive Director or designee.

When HSCS receives allegations of unlawful harassment, discrimination, or retaliation, the Executive Director or designee (or the Board if a complaint is about the Executive Director) will conduct a fair, timely and thorough investigation that provides all parties an appropriate process and reaches reasonable conclusions based on the evidence collected. The investigation will be handled in as confidential a manner as possible, although complete confidentiality cannot be guaranteed. Complainants and witnesses shall not be subject to retaliation for making complaints in good faith or participating in an investigation. HSCS is committed to remediating any instances where investigation findings demonstrate unlawful harassment, discrimination, or retaliation has occurred.

Prohibited Unlawful Harassment

- Verbal conduct such as epithets or slurs, or derogatory jokes or comments;
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement, or interfering with work because of sex, race or any other protected basis;
- Retaliation for reporting or threatening to report harassment; or
- Disparate treatment based on any of the protected classes above.

Prohibited Unlawful Sexual Harassment

HSCS is committed to providing a workplace free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action, up to and including dismissal, of the offending employee.

As further detailed below, unlawful sexual harassment consists of sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature, regardless of whether or not the conduct is motivated by sexual desire, when: (1) submission to the conduct is either made explicitly or implicitly a term or condition of an individual's employment; (2) an employment decision is based upon an individual's acceptance or rejection of that conduct; (3) that conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

It is also unlawful to retaliate in any way against an employee who has articulated a good faith concern about sexual harassment against him or her or against another individual.

All employees will receive sexual harassment and abusive conduct prevention training within six (6) months of hire and will receive further training once every two (2) years thereafter. Supervisors will receive two (2) hours of training and non-supervisors will receive one (1) hour of training. Such training will address all legally required topics, including information about the negative effects that abusive conduct has on both the victim of the conduct and others in the workplace, as well as methods to prevent abusive conduct undertaken with malice a reasonable person would find hostile, offensive, and unrelated to an employer's legitimate business interests. Abusive conduct includes but is not limited to repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets; verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person's work performance. Supervisors shall also be trained on how to appropriately respond when the supervisor becomes aware that an employee is the target of unlawful harassment.

Each employee has the responsibility to maintain a workplace free from any form of sexual harassment. Consequently, should any individual, and particularly those with supervisory responsibilities, become aware of any conduct that may constitute sexual harassment or other prohibited behavior, immediate action should be taken to address such conduct. Any employee who believes they have been sexually harassed or has witnessed sexual harassment is encouraged to immediately report such harassment to the Principal and/or Executive Director. See **Appendix A** for the "Harassment/Discrimination/Retaliation Complaint Form." See **Appendix B** for the general "Internal Complaint Form."

Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:
 - Rape, sexual battery, molestation or attempts to commit these assaults and
 - Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, or poking another's body.
- Unwanted sexual advances, propositions or other sexual comments, such as:
 - Sexually oriented gestures, notices, remarks, jokes, or comments about a person's sexuality or sexual experience.
 - Preferential treatment or promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward or disparate treatment for rejecting sexual conduct.
 - Subjecting or threats of subjecting an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee's job more difficult because of the employee's sex.

- Sexual or discriminatory displays or publications anywhere at the workplace by employees, such as:
 - Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing to work or possessing any such material to read, display or view at work;
 - Reading publicly or otherwise publicizing in the work environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic; and
 - Displaying signs or other materials purporting to segregate an employee by sex in an area of the workplace (other than restrooms or similar rooms).

The illustrations of sexual harassment above are not to be construed as an all-inclusive list of prohibited acts under this policy. Moreover, please note that while in most situations a personal relationship is a private matter, these relationships are not appropriate in a professional setting, particularly where one of the parties has management or supervisory responsibilities. As such, even consensual relationships in the workplace may violate HSCS policy. Any HSCS employee engaged in a personal relationship (including romantic and/or sexual) must disclose the existence of that relationship promptly to the Human Resources Manager.

WHISTLEBLOWER POLICY

HSCS requires its directors, officers, employees, and volunteers to observe high standards of ethics in the conduct of their duties and responsibilities within the School. As representatives of the School, such individuals must practice honesty and integrity in fulfilling all responsibilities and must comply with all applicable laws and regulations. The purpose of this policy is to create an ethical and open work environment, to ensure that the School has a governance and accountability structure that supports its mission, and to encourage and enable directors, officers, employees, and volunteers of the School to raise serious concerns about the occurrence of illegal or unethical actions within the School before turning to outside parties for resolution.

All directors, officers, employees, and volunteers of the School have a responsibility to report any action or suspected action taken within the School that is illegal, unethical, or that violates any adopted policy of the School or any federal, state or local rule or regulation. Anyone reporting a violation must act in good faith, without malice to the School or any individual at the School and have reasonable grounds for believing that the information shared in the report indicates that a violation has occurred. A person who makes a report does not have to prove that a violation has occurred. However, any report which the reporter has made maliciously or any report which the reporter has good reason to believe is false will be viewed as a serious disciplinary offense. No one who in good faith reports a violation, or who, in good faith, cooperates in the investigation of a violation shall suffer harassment, retaliation, or adverse employment action as a result of such report. Further, no one who in good faith discloses, who may disclose, or who the School believes disclosed or may disclose, information regarding alleged violations to a person with authority over the employee or another employee who had

responsibility for investigating, discovering or correcting the purported violation shall suffer harassment, retaliation, or adverse employment action as a result of such disclosure.

CONFIDENTIAL INFORMATION

Employees may, in the course of their job duties, learn of certain confidential business matters and affairs of the School regarding its business practices, students, suppliers and employees. An employee's job duties may also place the employee in a position of trust and confidence with respect to certain trade secrets and other proprietary information relating to the business of the School and not generally known to the public or competitors. Such proprietary information includes student information, competitive strategies, marketing plans, personnel information and financial information. Employees shall not, either during their employment with the School or any time in the future, directly or indirectly disclose or furnish to any other person, firm, agency, corporation, client, business, or enterprise, any confidential information acquired during the employee's employment. Further, no employee shall, either during or subsequently following their employment with HSCS, utilize the School's confidential information for personal gain.

Upon termination of employment, employees are required to immediately return all School property in their possession in as good condition as when received (normal wear and tear excepted). Such property may include, but is not limited to, computers, files, records, documents, drawings, specifications, lists, equipment and supplies, promotional materials, and similar items relating to the business of the School.

CONFLICTS OF INTEREST

HSCS expects employees to devote their best efforts to the interests of our School. All employees must avoid situations that result in actual or even potential conflicts of interest. Personal, social and economic relationships with competitors, suppliers, customers, parents, or other HSCS employees that may impair an employee's ability to exercise good judgment on behalf of the School or which give the appearance of such impairment create an actual or potential conflict of interest.

Any employee involved in such situations or relationships must immediately and fully disclose the nature of the situation or relationship to the Executive Director. If an actual or potential conflict is determined, the School may take whatever corrective action appears appropriate under the circumstances. Failure to disclose facts shall constitute grounds for disciplinary action.

DRUG AND ALCOHOL POLICY

It is the intent of HSCS to promote a safe, healthy and productive environment for all employees, students, and their families. The School recognizes that the illegal and/or excessive use of drugs and/or alcohol is not conducive to safe working conditions, employees' health, or the School's efficient operations and continued success.

The School complies with all Federal and State regulations regarding drug use while on the job. This policy prohibits the use, possession, offering for sale, or being under the influence of illegal drugs or alcohol at any time while on School property or in the presence of pupils.

Employees taking any physician-prescribed medication that impairs the employee's job performance should not report to work. Employees taking physician-prescribed medication that will not impair their job performance may be required to present a statement from the prescribing physician to the employee's supervisor indicating the duration of the prescription and stating that the use of the prescription will not impair the employee's ability to perform his or her specific job duties. This policy does not require or request the prescribing physician or the employee to identify any prescription drug or the medical condition for which it is prescribed. No employee shall use or have in his or her possession on the School premises any prescription medication other than medications currently prescribed by that employee's treating physician.

SMOKING

All School buildings and facilities are non-smoking facilities. This includes nicotine and non-nicotine cigarettes (e.g., "clove" or "herbal" cigarettes), as well as e-cigarettes (e.g. "vape pens"). Smoking is prohibited within twenty (20) feet of a School building and within twenty-five (25) feet of a School playground.

SECTION 3 – THE WORKPLACE

EMPLOYEE CLASSIFICATIONS

Each HSCS employee is either a “full-time,” “part-time,” or “temporary” employee and either an “exempt” or “non-exempt” employee. Some of the policies and benefits described in this Handbook depend on whether the employee is full-time or part-time. Full-time employees are those employees regularly scheduled to work thirty (30) hours or more each week. Part-time employees are those regularly scheduled to work less than thirty (30) hours each week. Temporary employees are those employed for short-term assignments or in connection with a specific project or event. Temporary employees are not eligible for employee benefits, except those mandated by applicable law.

Every employee is designated as either a “certificated employee” or a “classified employee.” Some of the policies and benefits described in this Handbook vary depending on how the employee is designated.

Exempt employees: This category includes all employees who are determined by the School to be exempt from certain wage and hour provisions of state and federal laws. Exempt employees are paid a fixed salary that is intended to cover all of the compensation to which they are entitled, and so such employees are not entitled to additional compensation or time off in lieu of additional compensation for extra hours of work.

Non-exempt employees: This category includes all employees who are covered by certain wage and hour provisions of state and federal laws. Non-exempt employees are paid an hourly wage and are entitled to overtime, as well as meal and rest breaks, as prescribed by law.

Certificated Employee: Certificated employees are those employees hired by HSCS for the primary purpose of instructing students and whose positions require the employee to possess a valid credential or certificate issued by the California Commission on Teacher Credentialing.

Classified Employee: Classified employees are those employees hired by HSCS who do not primarily instruct students, such as administrative, maintenance, assistants and other operational employees.

WORK SCHEDULES

HSCS’s workweek is from Sunday at 12:00 A.M. through the following Saturday at 11:59 P.M.

Please refer to the current school calendar to see your annual work schedule.

Certificated Employees

The normal working hours for certificated employees at the school sites are from 8:00 a.m. to 4:00 p.m. Certificated employees may be required to work other than the normal hours and to take their lunch breaks on a rotating basis so that classes and student activities are always

covered. There will occasionally be activities that will require teacher participation outside of regular business hours such as instructional prep, evening and Saturday family workshops or special meetings.

The Executive Director must approve any exceptions to the regular work schedule for instructional employees.

Classified Employees

The Executive Director will determine the normal working hours for classified employees.

Exempt classified employees, including the Executive Director, Principal, Associate Principal, Human Resources Manager and Program Coordinator will be expected to work the number of hours necessary to complete their assigned responsibilities.

MEAL AND REST PERIODS

Non-exempt employees working at least five (5) hours are provided with a thirty (30) minute meal period, to be taken approximately in the middle of the workday. An employee may waive this meal period if the day's work will be completed in no more than six (6) hours, provided the employee and HSCS mutually consent to the waiver.

Non-exempt employees are also provided with a ten (10) minute rest period for every four (4) hours worked which should be scheduled towards the middle of the four (4) hour work period as practicable. An employee's supervisor must be aware of and approve scheduled meal and rest periods.

Employees are expected to observe assigned working hours and the time allowed for meals and rest periods. Employees may not leave the premises during rest periods but may leave the premises during the meal period.

LACTATION ACCOMMODATION

HSCS accommodates lactating employees by providing a reasonable amount of break time to any employee who desires to express breast milk for an infant child. The break time shall, if possible, run concurrently with any break time already provided to the employee. Any break time provided to express breast milk that does not run concurrently with break time already provided to the non-exempt employee shall be unpaid.

HSCS will make reasonable efforts to provide employees who need lactation accommodation with the use of a room or other private location that is located close to the employee's work area. Employees with private offices will be required to use their offices to express breast milk. Employees who desire lactation accommodations should contact their supervisor to request accommodations.

ATTENDANCE AND PUNCTUALITY

At HSCS, each position is critical to our success. Therefore, regular attendance and punctuality is considered an essential function of all positions. Employees who are unable to report for work on any particular day must email the Principal and Administrative Assistant by no later than an hour before the start of your work shift. Absent extenuating circumstances or a medical certification excusing the employee from work for a period of time, employees must email on any day the employee is scheduled to work and will not report to work.

The School understands that in some cases, advance notice is not possible. In these cases, notify the Executive Director personally at the earliest possible moment. If requested, you must provide verification of the reason for your absence.

More than three instances of tardiness by an employee during any twelve (12) month period is considered excessive. Any unexcused absence is considered excessive.

HSCS reserves the right to assign employees to jobs other than their usual assignment when necessary, provided the employee is capable of performing the essential functions of the alternate assignment. Non-exempt employees are not allowed to perform work at home or away from the School unless specifically authorized in writing for each occurrence by their supervisor. Non-exempt employees are not to work before or to continue working after their scheduled hours unless specifically assigned by the supervisor. Non-exempt employees are not allowed to work “off the clock.” Additionally, for non-exempt employees, attendance at school-sponsored functions is not compensated unless the supervisor has required attendance and work at the function. Employees violating these rules may be subject to disciplinary action up to and including termination.

If you fail to report for work without any notification to the Executive Director and the absence continues for a period of **two** (2) business days, the School will determine that you have abandoned your job and voluntarily terminated your employment.

TIME CARDS/RECORDS

By law, HSCS is obligated to keep accurate records of the time worked by non-exempt employees. Such employees shall be required to utilize the School’s timekeeping system.

Non-exempt employees must accurately clock in and out of their shifts as this is the only way the HR department knows how many hours each employee has worked and how much each employee is owed. The timekeeping system indicates when the employee arrived and when the employee departed. All non-exempt employees must clock in and out for arrival and departure, along with lunch and for absences like doctor or dentist appointments.

Non-exempt employees are solely responsible for ensuring accurate information on their time cards and remembering to record time worked. If an employee forgets to clock in or out or makes an error, the employee must notify the HR department by email at hr@hawkingcharter.org and copy the Principal to make the correction.

Non-exempt employees are not to begin work more than 3 minutes prior to the start of their shift or work beyond 3 minutes after the end of their shift without prior approval of the Principal.

Exempt employees must report full days of absence from work. Deductions from an exempt employee's salary will be made only in accordance with applicable law. Employees should immediately contact the Administrator with any questions concerning their pay so that inadvertent errors can be corrected.

ACADEMIC FREEDOM

Teachers must be free to think and to express ideas, free to select and employ materials and methods of instruction within the School's curriculum framework, and free to act within their professional group. Such freedom should be used judiciously and prudently to the end that it is in concert with established community standards, furthers the vision and mission of HSCS and its charter, and promotes the free exercise of intelligence and student learning.

Academic freedom is not an absolute. It must be exercised within the basic ethical responsibilities of the teaching profession. Those responsibilities include:

- An understanding of the School's academic vision and methods;
- A concern for the welfare, growth, maturity and development of students;
- The use of accepted scholastic methods; and
- Application of good taste and judgment in selecting and employing materials and methods of instruction.

HSCS retains sole discretion to determine whether any teacher's curriculum exceeds the permissible bounds of this policy.

PUBLIC RELATIONS

The success of HSCS depends upon the quality of the relationship between the School and its employees, students, parents/guardians, and the general public. The public impression of HSCS and its interest in our School will be formed, in part, by HSCS employees. Our employees are ambassadors. The more goodwill an employee promotes, the more students, parents and the general public will respect and appreciate the employee, HSCS and our School's place in the community.

Below are several things employees can do to help leave people with a good impression of HSCS. These are the building blocks for our continued success:

- Communicate with parents regularly;
- Act competently and deal with others in a courteous and respectful manner;
- Communicate pleasantly and respectfully with other employees at all times;
- Follow up on requests and questions promptly, provide business-like replies to inquiries and requests, and perform all duties in an orderly manner;
- Respond to internal and external email and voicemail within twenty-four (24) hours during the workweek; and

- Exhibit great pride in your work and show that you enjoy doing your very best.

All employees are expected to be prompt, polite, courteous and attentive to our stakeholders (students and their family members) and the public. We will absolutely not tolerate conduct toward our stakeholders or the general public that might be interpreted as unlawful discrimination or harassment. Any employee witnessing conduct in violation of this policy should immediately bring it to the attention of the employee's supervisor or the Executive Director.

PERSONAL APPEARANCE STANDARDS

Each employee must be neatly groomed and wear clothing that is professional and appropriate for the employee's position. The Executive Director will inform employees of any special clothing requirements. Employees will not be permitted to wear clothing or otherwise present an appearance that may cause disruption, be taken as offensive or reduce productivity. If an employee is assigned a School uniform, the uniform must be clean and presentable when reporting to work.

The Executive Director will be the final arbiter of what is considered to be inappropriate attire. You may be required to return home to change clothing if deemed necessary. Non-exempt employees will not be paid for time away from work to change attire. If management occasionally designates "casual days," appropriate guidelines will be provided.

Employees should consult their supervisor if they have any questions regarding appropriate attire.

COMPUTER, EMAIL AND INTERNET POLICY

Every employee is responsible for using the HSCS's computer system, including, without limitation, its electronic mail (email) system and the Internet, properly and in accordance with this policy. Any questions about this policy should be addressed to the Human Resources Manager.

The computers that employees use at work and the email system are the property of HSCS and are provided for use in conducting HSCS business. All communications and information transmitted by, received from, created, or stored in its computer system (whether through word processing programs, email, the Internet or otherwise) are HSCS records and property of HSCS. The computer system is to be used for school purposes only. Employees may, however, use HSCS technology resources for the following incidental personal uses so long as such use does not interfere with the employee's duties, is not done for pecuniary gain, does not conflict with HSCS business, and does not violate any HSCS policies:

- To send and receive necessary and occasional personal communications;
- To prepare and store incidental personal data (such as personal calendars, personal address lists, and similar personal data) in a reasonable manner;
- To use the telephone system for brief and necessary personal calls; and

- To access the Internet for brief personal searches and inquiries during meal times or other breaks, or outside of work hours, provided that employees adhere to all other usage policies.

No Expectation of Privacy

From time to time, HSCS may need to access its technology resources. HSCS has the right to monitor any and all of the aspects of its computer system, including, without limitation, reviewing documents created and stored on its computer system, deleting any matter stored in its system (including, without limitation, its email and word processing systems), monitoring sites visited by employees on the Internet, monitoring chat and news groups, reviewing material downloaded or uploaded by users to the Internet, and reviewing email sent and received by users. Further, HSCS may exercise its right to monitor its computer system for any reason and without the permission of or advance notice to any employee. Employee use of HSCS's computer system constitutes consent to all the terms and conditions of this policy.

Even if employees use a password to access the computer system (or any aspect thereof), the confidentiality of any message stored in, created, received, or sent from the School's computers is not assured. Use of passwords or other security measures does not in any way diminish the School's right to monitor and access materials on its system, or create any privacy rights of employees in the messages and files on the system. Any password used by employees must be provided to HSCS. Further, employees should be aware that deletion of any email messages or files will not truly eliminate the messages from the system. All email messages and other files may be stored on a central back-up system in the normal course of data management.

Employees should have no expectation of privacy in anything they create, store, send or receive on the School's computer or email systems.

Notwithstanding the foregoing, even though HSCS has the right to retrieve, read and delete any information created, sent, received or stored on its computer system, email messages should still be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or read any email messages that are not sent to them or by them. Any exception to this policy must receive the prior approval of the Executive Director.

Professional Use of Computer System Required

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

Offensive and Inappropriate Material

HSCS's policy against discrimination and harassment, sexual or otherwise, applies fully to HSCS's computer and email system, and any violation of that policy is grounds for discipline up to and including termination. Therefore, no email messages should be created, sent, or received

if they contain intimidating, hostile, or offensive material concerning race, color, religion, sex, age, national origin, disability or any other classification protected by law. Further, material that is fraudulent, harassing, abusive, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, unlawful, inappropriate, or offensive (including offensive material concerning sex, race, color, national origin, religion, age, disability, or other characteristic protected by law) may not be downloaded from the Internet or displayed or stored in HSCS's computers. Employees encountering or receiving this kind of material should immediately report the incident to the Human Resources Manager.

HSCS may use software to identify inappropriate or sexually explicit Internet sites. Such sites may be blocked from access by HSCS networks. Notwithstanding the foregoing, HSCS is not responsible for material viewed or downloaded by users from the Internet. The Internet is a worldwide network of computers that contains millions of pages of information. Users are cautioned that many of these pages include offensive, sexually explicit, and inappropriate material. In general, it is difficult to avoid at least some contact with this material while using the Internet. Even innocuous search requests may lead to sites with highly offensive content. In addition, having an email address on the Internet may lead to receipt of unsolicited email containing offensive content. Users accessing the Internet do so at their own risk. Employees who encounter inappropriate or sexually explicit material while browsing on the Internet should immediately disconnect from the site, regardless of whether the site was subject to HSCS's blocking software.

Solicitations

HSCS's computer system (including, without limitation, its email system) may not be used to solicit for political causes, commercial enterprises, outside organizations, or other non-job-related causes.

Licenses and Fees

Employees must first obtain the express written permission of the Executive Director before agreeing to a license or downloading any material over the Internet for which a registration fee is charged.

Games and Entertainment Software

Employees may not use an HSCS-provided Internet connection to download games or other entertainment software, or to play games over the Internet.

Confidential Information

Employees may not transmit information over the Internet or through email that is confidential or proprietary. Employees are referred to HSCS's "Confidential Information" policy, contained herein, for a general description of what HSCS deems confidential or proprietary. When in doubt, employees must consult their immediate supervisor and obtain approval before transmitting any information that may be considered confidential or proprietary.

Copyrights and Trademarks

HSCS's computer system may not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization from the Executive Director. Employees, if uncertain about whether certain information is copyrighted, proprietary, or otherwise inappropriate for transfer, should resolve all doubts in favor of not transferring the information and consult a supervisor.

Any HSCS-approved material that is posted or sent via its computer system should contain all proper copyright and trademark notices.

Maintenance and Security of the System

Employees must not deliberately perform acts that waste computer resources or unfairly monopolize resources to the exclusion of others. These acts include, but are not limited to, sending mass mailings or chain letters, spending excessive amounts of time on the Internet, playing games, streaming video or audio files, engaging in online chat groups, printing excessive copies of documents, or otherwise creating unnecessary network traffic. Since audio, video and picture files require significant storage space, files of this or any other sort may not be downloaded unless they are business-related. In addition, employees should routinely delete outdated or otherwise unnecessary Emails and computer files. These deletions will help keep the system running smoothly and effectively, as well as minimize maintenance costs.

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

Files obtained from sources outside HSCS, including: disks and drives brought from home; files downloaded from the Internet, news groups, bulletin boards, or other online services; files attached to email; and files provided by customers or vendors, may contain dangerous computer viruses that may damage HSCS's computer network. Employees should never download files from the Internet, accept email attachments from outsiders, or use disks/drives from non-HSCS sources, without first scanning the material with HSCS-approved virus checking software. If you suspect that a virus has been introduced into HSCS network, notify technology personnel immediately.

Violations of this Policy

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

SOCIAL MEDIA POLICY

HSCS has adopted the following policy with regard to teacher behavior on social networking sites as it pertains to both teacher and student initiated communication. If you wish to use

networking protocols as a part of the educational process, please work with your administrators and technology staff to identify and use a restricted, school-endorsed networking platform.

Teachers shall not accept students as friends on any personal social networking sites and are to decline any student initiated friend requests. Teachers are not to initiate “friendships” with students and must delete any students already on their “friends” list immediately. It is recommended that teachers not accept or initiate “friendships” with parents on social media unless they have created a page that is specific to professional work (for example a class page).

With regard to social networking content, teachers may not use commentary deemed to be defamatory, obscene, or proprietary with regard to any school-related business or policy, employee, student, or parent. Additionally, teachers will exercise caution with regards to exaggeration, obscenity, copyrighted materials, legal conclusions, and derogatory remarks or characterizations. Teachers will weigh whether a particular posting puts his/her effectiveness as a teacher at risk. HSCS encourages teachers to post only what they want the world to see. Imagine that students, their parents, or administrators will visit your site as most information is available to the general public even after it is removed from the site. Teachers may not discuss students or post images that include students.

Due to security risks, teachers must be cautious when installing the external applications that work with the social networking site. At a minimum, educators should have all privacy settings set to “Only Friends.” The settings “Friends of Friends” and “Networks and Friends” open your content to a large group of unknown people, including students.

Personal or Professional Blogs

If you are developing a website or writing a blog that will mention HSCS you must identify that the views expressed on the blog or web site are yours alone. Unless given permission by the Executive Director, you are not authorized to speak on behalf of HSCS or to represent that you do so. If you are developing a site or writing a blog that will mention HSCS, as a courtesy to the organization, please let the Executive Director know in advance of publication. The Executive Director may choose to visit your blog or social networking site from time to time.

You may not share information that is confidential and/or proprietary with regard to HSCS. If you have any questions about whether information has been released publicly or doubts of any kind, speak with the Executive Director.

When writing a blog or participating in any other social networking site, teachers will be required to speak respectfully about HSCS and our current and potential employees, students, parents, and competitors. Do not engage in name-calling or behavior that will reflect negatively on the organization's reputation. Note that the use of copyrighted materials, unfounded, harassing, libelous, or derogatory statements, or misrepresentation is not viewed favorably by HSCS and can result in disciplinary action, up to, and including termination.

All employees who engage in social networking are legally liable for anything they write or present online. Employees can be disciplined by HSCS for commentary, content or images that are defamatory, pornographic, proprietary, harassing, libelous, or that can create a hostile work

environment. Employees can also be sued by HSCS's employees, competitors, and any individual or company that views your commentary, content, or images as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile work environment.

Teachers may not comment on a student's blog or a student's other social networking commentaries.

Teachers or staff may not use trade names or logos belonging to the School without the prior express written permission of the Executive Director.

Failure to comply with HSCS's social media policy may result in disciplinary action up to, and including, immediate termination.

EQUIPMENT POLICY

HSCS attempts to provide all staff members with the equipment and supplies needed to do their job. Providing equipment is a great expense to the School. It is expected that everyone will protect and care for all equipment and supplies issued to them. Staff members are responsible for the cost of lost, stolen, or broken items issued to them including: keys, textbooks, teacher guides, laptops, and any other equipment that may be assigned to them or their classroom if the loss is due to willful misconduct or negligence.

LAPTOP COMPUTERS

Full-time exempt employees may receive a laptop computer for use in carrying out day-to-day functions such as lesson planning, email, enhancing classroom instruction, and using school-provided software for administrative duties (i.e. tracking attendance, logging grades, posting comments, etc.). School-issued laptops are property of HSCS. Employees are required to treat their laptops with great care. Laptops may never be left unattended or in unlocked classrooms. Employees are required to bring their laptop computers home with them each night. Upon termination of employment, employees understand and agree that they must promptly return their School-issued laptop to the School. Employees are responsible for reimbursing the School for the cost of lost or damaged laptops when the loss or damage is due to a violation of this policy or willful misconduct or negligence of the employee.

Employees acknowledge and understand that HSCS is the owner of the laptop and of all information contained on the laptop. Employees are discouraged from keeping personal information on their School-issued laptops or using the laptops for personal use. There should be no expectation of privacy with regard to a School-issued laptop and employees must return their laptops upon request by the School for regular maintenance.

CELL PHONE POLICY

The employee's undivided attention is expected during all work hours. Cell phones, smart phones, and similar devices are not allowed for personal use during work hours so that the activities or discussion are not disturbed. Employees should wait to make personal phone calls during breaks.

SOLICITATION/DISTRIBUTION POLICY

To minimize non-work-related activities that could interfere with providing quality education, teamwork, and safety, employees may not solicit other employees during the workday when either the person doing the solicitation or the person being solicited is engaged in or required to be performing work tasks. Further, employees may not distribute written materials of any kind during the workday when either the distributing employee or the employee receiving the materials is engaged in or required to be performing work tasks.

Employees may solicit other employees when both parties are on non-work time. Employees may distribute written materials in non-work areas during non-work time.

This policy shall not apply to charitable and community activities supported and approved by HSCS.

School bulletin boards are the only areas where any merchandise or notices may be placed, and only after receiving prior authorization. Such items must meet the guidelines established by the School. The Principal or Executive Director must approve any postings prior to posting.

HSCS reserves the right to discontinue any solicitation or distribution if the activities become disruptive to employees or the efficient operation of the School's business.

Employees are required to leave School premises and other work areas at the completion of their workday. Employees are not permitted to enter or remain on school premises or work areas unless the employee is on duty, scheduled for work, coming to or departing from scheduled work, or otherwise has specific authorization from the Principal or Executive Director.

For the purposes of this policy, the term "school premises" includes all property owned, leased, operated, managed or controlled by the School, including buildings, parking lots, and play areas that the school has the right to use exclusively or in common with others, vehicles owned or operated by the school, and any location where school-sponsored activities are taking place, such as restaurants, banquet halls, athletic facilities, parks or other recreational facilities. "Work areas" are all areas controlled by the school where employees are performing work, except cafeterias, employee break areas, and parking lots (non-work areas). "Work time" is any time when employees are engaged in or required to be performing work tasks. Work time does not include break periods, meal times, or other periods during the workday when employees are properly not engaged in performing their work tasks.

Any employee who needs to solicit and/or distribute materials on School premises must do so in compliance with this policy. Please direct any questions to the Principal or Executive Director. If solicitation or distribution is conducted within the parameters of this policy, the manner of activities must not harass or intimidate other employees. Any employee who is subjected to such behavior may report the activity to his or her supervisor. If solicitation or distribution occurs

while an employee is working, the activity should be reported to the Principal or Executive Director.

ANTI-NEPOTISM POLICY

Consistent with the principle that employees and prospective employees of HSCS shall be hired, evaluated, and advanced on the basis of individual merit, without reference to considerations of race, sex, religion, sexual orientation, or national origin, or any other factors not involving professional qualifications and performance, the following restrictions, designed to avoid the possibility of favoritism based on family or personal relationship, shall be observed with respect to personnel:

1. No one with supervisory responsibility shall hire or recommend for hire any related person.
2. All persons wishing to be considered for employment with the School shall disclose family and personal relationships with then-current the School employees or students.
3. With respect to proposed employment decisions which would result in the concurrent service of related persons within the same department, a person related to an incumbent employee may not be employed if the professional qualifications of other candidates for the available position are demonstrably superior to those of the related person.
4. With respect to the concurrent service of related persons within the same department, neither related person shall be permitted, either individually or as a member of the staff or as a member of a committee, to participate in the evaluation, advancement, or salary decisions of the other related person.
5. No member of the Board, HSCS administration or staff member shall engage in recommendations, discussions, or otherwise participate in any decision or recommendation relating to the appointment, promotion, retention, tenure, or employment of a related person.
6. In the event of a lack of candidates, a need for specialized skills, or other unique circumstances as determined on a case-by-case basis, the restriction against hiring related persons may be waived in the best interest of the School upon the approval of the Executive Director, subject to compliance with other applicable conflict of interest laws.
7. When other qualified candidates have not applied, assignments of short duration (generally less than sixty [60] working days), may be exempt from these guidelines, subject to compliance with other applicable conflict of interest laws.
8. This policy shall not supplant the application of applicable conflicts of interest laws to the School.

Definition of “Related Persons”

The following relationships create related persons:

- Parent and child;
- Siblings;
- Grandparent and grandchild;
- Aunt and/or uncle and niece and/or nephew;
- First cousins;
- Spouses and registered domestic partners;
- Guardian and ward;
- Any corresponding in-law, step, or adoptive relative, or anyone residing in a permanent basis in the home of a current School employee or student; and
- Persons engaged in amorous relationships, meaning a relationship in which two (2) persons voluntarily have a physical relationship or are engaged in a romantic courtship (e.g. dating or engaged) that may or may not have been consummated.

Policy Statement on Consensual Relationships

Consensual romantic or sexual relationships between supervisors and employees are potentially exploitative and are prohibited, and such relationships between other staff are not encouraged. They raise serious concerns about the validity of the consent, conflicts of interest, and unfair treatment of others. In addition, a supervisor will be prohibited from evaluating an employee's job performance if he/she is romantically/sexually involved with that employee. Any HSCS employee engaged in a personal relationship (including romantic and/or sexual) must disclose the existence of that relationship promptly to the Human Resources Manager.

The School's anti-nepotism policy precludes individuals from evaluating the work performance of others with whom they have intimate familial or personal relationships, or from making hiring, salary, or similar financial decisions concerning such persons. The same principles apply to supervisor-employee relationships in the context of work or academic evaluation.

Violations of this Policy Statement on Consensual Relationships, if proven, will result in the imposition of corrective actions and/or disciplinary sanctions, up to and including dismissal from employment.

BUILDING SECURITY/SCHOOL KEYS

All employees who are issued keys to the office and classrooms are responsible for their safekeeping. These employees will sign a "Building Key Disbursement" Form upon receiving the key.

Employees will be assigned all appropriate building keys needed to conduct their daily job responsibilities. The employee is responsible for all assigned keys. Duplication of any School key is not allowed and strictly prohibited. It is against School policy to loan or distribute assigned keys to another employee or non-employee of the School. If School keys are lost, misplaced, destroyed, or stolen, it must be reported immediately to the Principal.

At the end of each business day, the Lead Custodian or another employee designated by the Principal shall ensure that all doors are securely locked, the alarm system is armed, thermostats

are set on the appropriate evening and/or weekend setting, and all the appliances and lights are turned off (with the exception of the lights normally left on for security purposes).

INTERNAL INVESTIGATIONS AND SEARCHES

From time to time HSCS may conduct internal investigations pertaining to security, auditing, or work-related matters. Employees are required to cooperate fully with and assist in these investigations if required to do so.

Whenever necessary, in HSCS's discretion, employees' work areas (*i.e.* desks, file cabinets, lockers, etc.) and personal belongings (*i.e.* briefcases, handbags, etc.) may be subject to a search without notice. Employees are required to cooperate. Because even a routine search for HSCS property might result in the discovery of an employee's personal possessions, all employees are encouraged to refrain from bringing into the workplace any item of personal property that they do not wish to reveal to HSCS. HSCS will generally try to obtain an employee's consent before conducting a search of work areas and personal belongings, but it may not always be able to do so, and the School's failure to obtain such consent shall not be grounds for HSCS to delay its internal investigation.

VIOLENCE IN THE WORKPLACE

HSCS has adopted a policy prohibiting workplace violence. Consistent with this policy, acts or threats of physical violence, including intimidation, harassment, bullying, and/or coercion, which involve or affect HSCS or which occur on HSCS property will not be tolerated. Acts or threats of violence include conduct which is sufficiently severe, offensive, or intimidating to alter the employment conditions at HSCS or to create a hostile, abusive, or intimidating work environment for one or several employees. Examples of workplace violence include, but are not limited to, the following:

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

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

- Hitting or shoving an individual;
- Threatening an individual or his/her family, friends, associates, or property with harm;
- Intentional destruction or threatening to destroy HSCS property;
- Making harassing or threatening phone calls;
- Harassing surveillance or stalking (following or watching someone); and
- Unauthorized possession or inappropriate use of firearms or other weapons.

HSCS's prohibition against threats and acts of violence applies to all persons involved in HSCS's operation, including but not limited to all personnel, contract, unpaid interns, volunteers and temporary workers and anyone else, including parents on HSCS property. Violations of this

policy by any individual on HSCS property will lead to disciplinary action, up to and including termination and/or legal action as appropriate. All employees are encouraged to report incidents of threats or acts of physical violence of which they are aware to the Principal or Executive Director.

SECURITY

All employees are responsible for helping to maintain a secure workplace. Be aware of persons loitering for no apparent reason. Employees who are leaving late at night or are in any other situation that presents security concerns may seek the assistance of the Custodian on duty, other employees or call 911. Please report any suspicious persons or activities to the Executive Director. Employees are to secure the desk or work area at the end of the day or when called away from their work area for an extended length of time. Employees should not leave valuable and/or personal articles that may be accessible in or around your work area. Please report any problems with our security systems to the Principal or Executive Director.

PARKED VEHICLES

Employees are responsible for their own parked vehicles and the personal possessions within while parked on HSCS property. Vehicle break-ins are on the rise throughout California. Be cautious: keep personal possessions out of sight and lock your car. Employees are encouraged to insure their vehicle and personal property against loss and damage.

PERSONAL AUTOMOBILE & DRIVER SAFETY

Employees who use their own automobiles for travel on authorized School business will be reimbursed for mileage at the rate established by the Internal Revenue Services. Employees must have prior supervisory approval for the use of personal vehicles and must carry, at their own expense, insurance coverage which meets or exceeds the minimum standards required by law.

Employees must have a valid and current driver's license and current auto insurance meeting State minimum requirements to operate a personal vehicle while on company business.

Employees are expected to drive in a safe and responsible manner and to maintain a good driving record. All State and Local laws must be obeyed.

PERSONAL PROPERTY

HSCS cannot be responsible and will assume no liability for any loss or damage to employee personal property resulting from theft, fire, or any other cause on HSCS's premises, including the parking area, or away from School property while on HSCS business. HSCS employees are prohibited from using personal property for work-related purposes unless approved in advance by the Principal or Executive Director.

SAFETY POLICY

HSCS is firmly committed to maintaining a safe and healthy working environment. All employees of the School are expected to be safety conscious on the job at all times. All unsafe conditions or hazards should be corrected immediately. Report all unsafe conditions or hazards to your supervisor or the Principal or Executive Director immediately, even if you believe you have corrected the problem. If you suspect a concealed danger is present on School premises, or in a product, facility, piece of equipment, process or business practice for which the School is responsible, bring it to the attention of the Principal or Executive Director immediately. Supervisors should arrange for the correction of any unsafe condition or concealed danger immediately and immediately contact the Executive Director regarding the problem.

All workplace injuries and illnesses must be immediately reported to your supervisor and the Human Resources Manager.

HSCS has in place a written Injury and Illness Prevention Program as required by law. It is located in the main office for review.

ERGONOMICS

HSCS has invested in providing a work environment that is safe for all employees. To lessen the risk of ergonomic hazards, the School will make necessary adjustments to an individual's workstation, educate employees on ergonomic safety, and modify processes when deemed necessary to ensure the well-being and safety of our employees. Employees may report any ergonomic concerns they might have to the Human Resources Manager.

CHEMICAL EXPOSURE WARNING

Employees should be aware that work areas might contain chemicals known to the State of California to cause cancer or to cause birth defects or other reproductive harm. If any employee has any questions or concerns about possible chemical exposure in his or her work area, please contact the Human Resources Manager.

SECTION 4 - EMPLOYEE WAGES AND BENEFITS

COMPENSATION RATE

Several factors may influence an employee's rate of pay. Some of the items HSCS considers are the nature and scope of the employee's position, what other similar employers pay their employees for comparable jobs (external equity), what HSCS pays its employees in comparable positions (internal equity), the School's financial position, and individual performance. It is HSCS's goal to have a current Job Description on file for each employee that broadly defines the job responsibilities and essential functions for each position.

Wage or Salary Increases

Each employee's hourly wage or annual salary is typically reviewed at least once each year. The employee's review date will usually be conducted on or about the end of the school or fiscal year. Such reviews may be conducted more frequently for a newly created position, or based on a recent promotion.

Increases will be determined on the basis of performance, adherence to school policies, and procedures, ability to meet or exceed duties per job description, and achievement of performance goals.

Changes to the amount of an employee's wage or salary generally will become effective on the first regular pay period following the change or at the commencement of the new school/fiscal year.

PAYROLL WITHHOLDINGS

As required by law, the School shall withhold Federal Income Tax, State Income Tax, Social Security and Medicare (FICA) and State Disability Insurance from each employee's pay as follows:

1. Federal Income Tax Withholding: The amount varies with the number of exemptions the employee claims and the gross pay amount.
2. State Income Tax Withholding: The same factors which apply to federal withholdings apply to state withholdings.
3. Social Security/Medicare (FICA): The Federal Insurance Contribution Act requires that a certain percentage of employee earnings be deducted and forwarded to the federal government, together with an equal amount contributed by the School.
4. State Disability Insurance (SDI): This state fund is used to provide benefits to those out of work because of illness or disability.

In lieu of contributing to Social Security, employees participating in the State Teachers' Retirement System ("STRS") will withhold amounts from those employee's paychecks as contributions to STRS.

Every deduction from an employee's paycheck is explained on the check voucher. If an employee does not understand the deductions, he or she should ask the Human Resources Manager to explain them.

Employees may change the number of withholding allowances claimed for Federal Income Tax purposes at any time by filling out a new W-4 form online through the eServices Paychex portal.

All Federal, State, and Social Security taxes will be automatically deducted from paychecks. Federal Withholding Tax deduction is determined by the employee's W-4 form. The W-4 form should be completed upon hire and it is the employee's responsibility to report any changes in filing status to the Human Resources Manager and to fill out a new W-4 form.

At the end of the calendar year, a "withholding statement" (W-2) will be prepared and forwarded to each employee for use in connection with preparation of income tax returns. The W-2 shows Social Security information, taxes withheld and total wages.

OVERTIME PAY

Whether an employee is exempt from or subject to overtime pay will be determined on a case-by-case basis and will be indicated in the employee's job description. Generally, teachers and administrators are exempt. Non-exempt employees may be required to work beyond the regularly scheduled workday or workweek as necessary. Only actual hours worked in a given workday or workweek apply in calculating overtime for non-exempt employees. HSCS will attempt to distribute overtime fairly and accommodate individual schedules. All overtime work must be previously authorized by the Principal or Executive Director. HSCS provides compensation for all overtime hours worked by non-exempt employees in accordance with state and federal law as follows:

For employees subject to overtime, all hours worked in excess of eight (8) hours in one workday or forty (40) hours in one workweek shall be treated as overtime. Compensation for hours in excess of forty (40) for the workweek or in excess of eight (8) and not more than twelve (12) for the workday, and for the first eight (8) hours on the seventh consecutive day in one workweek, shall be paid at a rate of one and one-half times the employee's regular rate of pay. Compensation for hours in excess of twelve (12) in one workday and an excess of eight (8) on the seventh consecutive workday of the workweek shall be paid at double the regular rate of pay.

Exempt employees may have to work hours beyond their normal schedules as work demands require. No overtime compensation will be paid to exempt employees.

OFF THE CLOCK WORK

HSCS prohibits all non-exempt employees from working off the clock at any time. All time worked must be recorded on StratusTime. This includes the use of laptops, computers, PDAs or cell-phones to check work email, voicemail or to send text messages after hours.

PAYDAYS

Paydays at HSCS are the fifteenth (15th) and last day of each month. The Executive Director or their designee will distribute checks to those who do not have direct deposit. If a normally scheduled pay day falls on a weekend or holiday, paychecks will be distributed the preceding business day.

A written, signed authorization is required for mail delivery or for delivery of your paycheck to any other person. If you have an automatic deposit for your paycheck, your funds will be deposited to the financial institution you requested by the end of business on the scheduled payday. While an automatic deposit may actually credit to your account before your actual “payday,” the School is not responsible for automatic payments or withdraws dated prior to the scheduled payday. Employees should not depend on early pay deposits.

WAGE ATTACHMENTS AND GARNISHMENTS

Under normal circumstances, the School will not assist creditors in the collection of personal debts from its employees. However, creditors may resort to certain legal procedures such as garnishments, levies or judgments that require the School, by law, to withhold part of an employee’s earnings in their favor.

Employees are strongly encouraged to avoid such wage attachments and garnishments. If the School is presented a second garnishment request concerning an employee, the Human Resources Manager will discuss the situation with the employee.

EMPLOYEE EXPENSE REIMBURSEMENT

HSCS will reimburse employees for reasonably necessary business expenses incurred in the furtherance of HSCS business. Employees must follow the protocol set forth in the School’s policy regarding expenditures to be eligible for reimbursement. In general, the Principal or Executive Director must have previously approved all expenses. All receipts pertaining to the reimbursement must be original and detailed, and must be submitted to the Administrative Assistant for payment within two (2) weeks of the date the purchase was made.

MEDICAL BENEFITS

Full-time employees (as defined by law) are entitled to insurance benefits offered by HSCS. These insurance benefits will include medical, dental, and vision. The School will set a defined contribution towards the employee’s insurance premiums that are sponsored by HSCS. This amount will be determined on an annual basis. The employee’s portion of the monthly premiums will be deducted from the employee’s paycheck on a pre-tax basis.

Employees who go from part-time to full-time employment become eligible for full benefits on the first day of the month following the effective date of the change.

When Coverage Starts

Coverage will begin on the first day of employment or if hired mid-month it will start on the first day of the next month. Employee enrollment forms must be submitted to the Human Resources Director as soon as possible. This form serves as a request for coverage, and authorizes any payroll deductions necessary to pay for employee coverage.

COBRA BENEFITS

Continuation of Medical and Dental

WHEN COVERAGE UNDER THE SCHOOL'S HEALTH PLAN ENDS, EMPLOYEES OR THEIR DEPENDENTS MAY CONTINUE COVERAGE IN SOME SITUATIONS.

When coverage under the School's medical and/or dental plans ends, employees or their dependents can continue coverage for eighteen (18) or thirty-six (36) months, depending upon the reason benefits ended. To continue coverage, an employee must pay the full cost of coverage – the employee contribution and the School's previous contribution plus a possible administrative charge.

Medical coverage for an employee, his/her spouse, and eligible dependent children can continue for up to eighteen (18) months if coverage ends because:

- Employment ends, voluntarily or involuntarily, for any reason other than gross misconduct; or
- Hours of employment are reduced below the amount required to be considered a full-time employee or part-time, making an employee ineligible for the plan.

This eighteen (18) month period may be extended an additional eleven (11) months in cases of disability subject to certain requirements. This eighteen (18) month period may also be extended an additional eighteen (18) months if other events (such as a divorce or death) occur subject to certain requirements.

An employee's spouse and eligible dependents can continue their health coverage for up to thirty-six (36) months if coverage ends because:

- The employee dies while covered by the plan;
- The employee and his/her spouse become divorced or legally separated;
- The employee becomes eligible for Medicare coverage, but his/her spouse has not yet reached age sixty-five (65); or

- The employee's dependent child reaches an age which makes him or her ineligible for coverage under the plan.

Rights similar to those described above may apply to retirees, spouses and dependents if the employer commences a bankruptcy proceeding and those individuals lose coverage.

HSCS will notify employees or their dependents if coverage ends due to termination or a reduction in work hours. If an employee becomes eligible for Medicare, divorced or legally separated, deceased, or when a dependent child no longer meets the eligibility requirements, the employee or a family member are responsible for notifying the School within thirty (30) days of the event. HSCS will then notify the employee or his/her dependents of the employee's or family members' rights.

Health coverage continuation must be elected within sixty (60) days after receiving notice of the end of coverage, or within sixty (60) days after the event causing the loss, whichever is later.

There are certain circumstances under which coverage will end automatically. This happens if:

- Premiums for continued coverage are not paid within thirty (30) days of the due date;
- The employee (or his/her spouse or child) become covered under another group health plan which does not contain any exclusion or limitation with respect to any pre-existing condition the employee (or the employee's spouse or child, as applicable) may have;
- HSCS stops providing group health benefits;
- The employee (or the employee's spouse or child) become entitled to Medicare; or
- The employee extended coverage for up to twenty-nine (29) months due to disability and there has been a final determination that the employee is no longer disabled.

SECTION 5 – PERSONNEL RECORDS AND PERFORMANCE EVALUATIONS

PERSONNEL FILES AND RECORD KEEPING PROTOCOLS

Employees have the right to inspect documents in their personnel file, as provided by law, in the presence of a School representative, at a mutually convenient time. Employees also have the right to obtain a copy of their personnel file as provided by law. Employees may add their comments to any disputed item in the file. HSCS will restrict disclosure of personnel files to authorized individuals within the School. A request for information contained in a personnel file must be directed to the Executive Director or Human Resources Manager. Only the Executive Director or designee is authorized to release information about current or former employees. Disclosure of information to outside sources will be limited. However, the School will cooperate with requests from authorized law enforcement or local, state or federal agencies conducting official investigations or as otherwise legally required.

Credible complaints of substantiated investigations into or discipline for egregious misconduct will not be expunged from an employee's personnel file unless the complaint is heard by an arbitrator, administrative law judge, or the Board and the complaint is deemed to be false, not credible, unsubstantiated or a determination was made that discipline was not warranted.

CHANGES IN EMPLOYMENT

An employee is responsible for notifying the Human Resources Department about changes in the employee's personal information and changes affecting the employee's status (for example, name changes, address or telephone number changes, marriages or divorces, etc.). This notification by the employee must occur as close to the change as possible, but no later than thirty (30) days following the change.

PERFORMANCE EVALUATIONS

Administrative and Classified Staff

Performance evaluations are generally conducted annually to provide both employees and supervisors with the opportunity to discuss the employee's position, tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss methods for improving performance. The performance evaluations are intended to make employees aware of their progress, areas for improvement, and objectives or goals for future work performance. Favorable performance evaluations do not guarantee an increase in salary or promotion, or even continued employment. Salary increases and promotions are solely within the discretion of HSCS and depend upon many factors in addition to performance.

Teachers

At the start of each year, the Principal or designee will meet with teachers and go over the teacher observation and evaluation form in the Teacher Handbook. The Principal or designee will then evaluate the Teacher's performance formally at least once every other year and informally on an ongoing basis. The evaluation will be based on factors including the teacher's

job description, results from the formal and informal observation evaluations, the School's charter and standards for teaching performance developed by HSCS's Executive Director, Principals, Board of Directors, and /or other staff.

HSCS's evaluation system in no way alters the at-will employment relationship. In addition to these more formal performance evaluations, HSCS encourages employees to discuss their job performance with their supervisors on an ongoing basis.

SECTION 6 – HOLIDAYS AND LEAVES

SCHOOL HOLIDAYS

HSCS observes thirteen (13) paid holidays during the year:

- New Year's Day
- Martin Luther King Day
- Presidents' Day (Lincoln Day)
- Presidents' Day (Washington Day)
- Cesar Chavez Day
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Eve
- Christmas Day

Generally, HSCS employees will receive time off with pay at their normal base rate for each observed holiday. However, exempt employees who work only during the academic calendar, such as teachers, are not scheduled to work during many of the above-listed holidays, and therefore are not eligible for holiday pay if worked.

Recognized religious holidays may be taken off by an employee whose religion requires observance of the particular day. Employees must request the day off in advance by submitting a written notice to the Executive Director. The employee may use paid time off ("PTO") if the employee has unused PTO available; otherwise the holiday will be unpaid.

To qualify for holiday pay, all employees must work the last scheduled day before and the first scheduled day after the holiday unless the employee is absent:

- At their supervisor's request/approval;
- Due to closure of schools because of inclement weather;
- Due to sickness with a doctor's note verifying need for absence;
- Prior to or following Jury Duty or Bereavement Leave; or
- Due to a previously scheduled and approved PTO day.

Employees on a leave of absence are not eligible for holiday benefits that occur while on leave. Temporary and part time employees are not eligible to receive holiday pay, unless otherwise provided for by specific agreement in writing.

VACATION POLICY

While the School recognizes the importance of vacation time as a period of rest and rejuvenation away from the job, vacations must be scheduled with due consideration for “peak traffic periods” in the school. With this in mind, it is expected that vacation time will be taken when school is not in session.

Regular full-time employees are entitled to vacation based upon date of hire, length of service and status with the School. Full-time 260-day employees shall accrue fifteen (15) days of paid vacation each year (*i.e.*, full-time 260-day employees accrue 1.25 vacation days per month or 0.625 per pay period). Employees working on a part-time basis (less than full-time) and/or working less than 260 days a year shall not earn vacation days.

Any vacation time taken during the school year should be coordinated and cleared by the Principal subject to scheduling and seniority. No vacation time may be taken by staff when school is in session unless specifically authorized by the Principal.

As noted, vacation days should be taken when school is not in session. Employees are to take vacation time from the approved vacation days designated as such on the 260-day employee calendar. Vacation time is calculated based on a school year beginning July 1 to June 30 (fiscal year).

An employee whose employment terminates will be paid for accrued unused vacation days. All earned and unused vacation shall be paid out by no later than June 30 of each year.

UNPAID LEAVE OF ABSENCE

HSCS recognizes that special situations may arise where an employee must leave their job temporarily. At its discretion, the School may grant employees leaves of absence. Any unpaid leave of absence must be approved in advance by the School.

The granting of a leave of absence always presumes the employee will return to active work by a designated date or within a specific period.

For employees who are currently covered, medical, and dental coverage will remain in force during a medical or worker’s compensation leave of absence, provided the employee pays the appropriate premiums. Whether an employee is required to pay his or her own premiums will depend upon the length of your leave of absence. During a family/medical leave, the employee’s medical and dental benefits will remain in force provided the employee pays the appropriate premiums. Benefits are terminated the day any other type of leave begins. If an employee fails to return from leave and is subsequently terminated, the employee is entitled to all earned but unused vacation pay, provided that the vacation pay was earned prior to the commencement of leave. No vacation time is accrued during any type of unpaid leave of absence.

SICK LEAVE

To help prevent loss of earnings that may be caused by accident or illness, when the employee's place of business or child care provider/school is closed due to a public health emergency, or by other emergencies, HSCS offers paid sick leave to its employees. Sick leave may be taken to receive preventive care (including annual physicals or flu shots) or to diagnose, treat, or care for an existing health condition. Employees may also use sick leave to assist a family member (*i.e.*, children, parents, spouses/domestic partners, grandparents, grandchildren, or siblings) who must receive preventative care or a diagnosis, treatment, or care for an existing health condition. Employees may also take paid sick leave to receive medical care or other assistance to address instances of domestic violence, sexual assault, or stalking.

Paid sick leave is available to all HSCS employees who work for the School at least two (2) hours within the span of a single calendar year. All eligible full-time employees shall be credited with eighty (80) hours of sick leave at the beginning of each work year. All other eligible employees (including part-time, seasonal, and temporary employees) shall earn an hour of sick leave for every 30 hours worked.

Unused, accrued sick leave carries over from year-to-year up to a cap of eighty (80) hours.

Employees cannot use paid sick leave until the ninetieth (90th) calendar day following the employee's start date. Sick leave must be taken by eligible employees in increments of two (2) hours. HSCS does not pay employees in lieu of unused sick leave.

Employees who are absent longer than three (3) days due to illness must provide satisfactory medical evidence of their illness and/or medical certification of their fitness to return to work. HSCS will not tolerate abuse or misuse of its sick leave privileges. If HSCS suspects abuse of sick leave, HSCS may require a medical certification from an employee verifying the employee's absence.

Once an employee has exhausted sick leave, the employee may be eligible to continue on an unpaid medical leave depending upon the facts and circumstances of the employee's basis for leave beyond accrued sick leave. Employee requests for unpaid medical leave must be approved in advance by HSCS.

Personal Necessity Leave

Full-time employees may use up to twenty-four (24) hours of sick leave each year as personal necessity leave. Uses of personal necessity leave may include, but are not limited to, death or serious illness of a member of the employee's immediate family (this is in addition to Bereavement Leave), an accident involving the employee's person or property, or the person or property of an immediate family member, adoption of a child, the birth of a child making it necessary for an employee who is the parent of the child to be absent from their position during work hours, attendance at conferences, personal legal matters, religious observances, and business matters that cannot be conducted outside of the workday.

Employees must request approval from the Principal in advance of using sick leave for personal necessity purposes unless an emergency situation occurs.

FAMILY CARE AND MEDICAL LEAVE

This policy explains how the School complies with the federal Family and Medical Leave Act (“FMLA”) and the California Family Rights Act (“CFRA”), both of which require the School to permit each eligible employee to take up to twelve (12) workweeks (or twenty-six (26) workweeks where indicated) of FMLA leave in any twelve (12) month period for the purposes enumerated below. For purposes of this policy, all leave taken under FMLA or CFRA will be referred to as “FMLA leave.”

- **Employee Eligibility Criteria**

To be eligible for FMLA leave, the employee must have been employed by the School for a total of at least twelve (12) months and must have worked at least 1,250 hours during the twelve (12) month period immediately preceding the commencement of FMLA leave.

- **Events That May Entitle an Employee To FMLA Leave**

The twelve (12) week (or twenty-six (26) workweeks where indicated) FMLA allowance includes any time taken (with or without pay) for any of the following reasons:

1. To care for the employee’s newborn child or a child placed with the employee for adoption or foster care. Leaves for this purpose must conclude twelve (12) months after the birth, adoption, or placement. If both parents are employed by the School, they will be entitled to a combined total of twelve (12) weeks of leave for this purpose.
2. Because of the employee’s own serious health condition (including a serious health condition resulting from an on-the-job illness or injury) that makes the employee unable to perform any one or more of the essential functions of his or her job (other than a disability caused by pregnancy, childbirth, or related medical conditions, which is covered by the School’s separate pregnancy disability policy).
 - a. A “serious health condition” is an illness, injury (including, but not limited to, on-the-job injuries), impairment, or physical or mental condition of the employee or a child, parent, or spouse of the employee that involves either inpatient care or continuing treatment, including, but not limited to, treatment for substance abuse.
 - b. “Inpatient care” means a stay in a hospital, hospice, or residential health care facility, any subsequent treatment in connection with such inpatient care, or any period of incapacity. A person is considered an “inpatient” when a health

care facility formally admits him/her to the facility with the expectation that he/she will remain at least overnight and occupy a bed, even if it later develops that such person can be discharged or transferred to another facility and does not actually remain overnight.

- c. "Incapacity" means the inability to work, attend school, or perform other regular daily activities due to a serious health condition, its treatment, or the recovery that it requires.
- d. "Continuing treatment" means ongoing medical treatment or supervision by a health care provider.

- 3. To care for a spouse, domestic partner, child, or parent with a serious health condition or military service-related injury. When an employee is providing care to a spouse, son, daughter, parent, or next of kin who is a covered Armed Forces service member with a serious injury or illness, the employee may take a maximum of twenty-six (26) weeks of FMLA leave in a single twelve (12) month period to provide said care.
- 4. For any "qualifying exigency" because the employee is the spouse, son, daughter, or parent of an individual on active military duty, or an individual notified of an impending call or order to active duty, in the Armed Forces.

- Amount of FMLA Leave Which May Be Taken

- 1. FMLA leave can be taken in one (1) or more periods, but may not exceed twelve (12) workweeks total for any purpose in any twelve (12) month period, as described below, for any one, or combination of the above-described situations. "Twelve workweeks" means the equivalent of twelve (12) of the employee's normally scheduled workweeks. For a full-time employee who works five (5) eight-hour days per week, "twelve workweeks" means sixty (60) working and/or paid eight (8) hour days.
- 2. In addition to the twelve (12) workweeks of FMLA leave that may be taken, an employee who is the spouse, son, daughter, parent, or next of kin of a covered Armed Forces service member shall also be entitled to a total of twenty-six (26) workweeks of FMLA leave during a twelve (12) month period to care for the service member.
- 3. The "twelve month period" in which twelve (12) weeks of FMLA leave may be taken is the twelve (12) month period immediately preceding the commencement of any FMLA leave.
- 4. If a holiday falls within a week taken as FMLA leave, the week is nevertheless counted as a week of FMLA leave. If, however, the School's business activity has temporarily ceased for some reason and employees are generally not expected to report for work for one or more weeks, such as the Winter Break, Spring Break,

or Summer Vacation, the days the School's activities have ceased do not count against the employee's FMLA leave entitlement. Similarly, if an employee uses FMLA leave in increments of less than one (1) week, the fact that a holiday may occur within a week in which an employee partially takes leave does not count against the employee's leave entitlement unless the employee was otherwise scheduled and expected to work during the holiday.

- Pay during FMLA Leave

1. An employee on FMLA leave because of his/her own serious health condition must use all accrued paid sick leave at the beginning of any otherwise unpaid FMLA leave period. If an employee is receiving a partial wage replacement benefit during the FMLA leave, the School and the employee may agree to have School-provided paid leave, such as vacation or sick time, supplement the partial wage replacement benefit unless otherwise prohibited by law.
2. An employee on FMLA leave for child care or to care for a spouse, domestic partner, parent, or child with a serious health condition may use any or all accrued sick leave at the beginning of any otherwise unpaid FMLA leave.
3. If an employee has exhausted his/her sick leave, leave taken under FMLA shall be unpaid leave.
4. The receipt of sick leave pay or State Disability Insurance benefits will not extend the length of the FMLA leave. Sick pay accrues during any period of unpaid FMLA leave only until the end of the month in which unpaid leave began.

- Health Benefits

The provisions of the School's various employee benefit plans govern continuing eligibility during FMLA leave, and these provisions may change from time to time. The health benefits of employees on FMLA leave will be paid by the School during the leave at the same level and under the same conditions as coverage would have been provided if the employee had been continuously employed during the leave period. When a request for FMLA leave is granted, the School will give the employee written confirmation of the arrangements made for the payment of insurance premiums during the leave period.

If an employee is required to pay premiums for any part of his/her group health coverage, the School will provide the employee with advance written notice of the terms and conditions under which premium payments must be made.

The SchoolThe School may recover the health benefit costs paid on behalf of an employee during his/her FMLA leave if:

1. The employee fails to return from leave after the period of leave to which the employee is entitled has expired. An employee is deemed to have "failed to

return from leave” if he/she works less than thirty (30) days after returning from FMLA leave; and

2. The employee’s failure to return from leave is for a reason other than the continuation, recurrence, or onset of a serious health condition that entitles the employee to FMLA leave, or other circumstances beyond the control of the employee.

- Seniority

An employee on FMLA leave remains an employee and the leave will not constitute a break in service. An employee who returns from FMLA leave will return with the same seniority he/she had when the leave commenced.

- Medical Certifications

1. An employee requesting FMLA leave because of his/her own or a relative’s serious health condition must provide medical certification from the appropriate health care provider on a form supplied by the School. Absent extenuating circumstances, failure to provide the required certification in a timely manner (within fifteen (15) days of the School’s request for certification) may result in denial of the leave request until such certification is provided.

2. The School will notify the employee in writing if the certification is incomplete or insufficient, and will advise the employee what additional information is necessary in order to make the certification complete and sufficient. The School may contact the employee’s health care provider to authenticate a certification as needed.

3. If the School has reason to doubt the medical certification supporting a leave because of the employee’s own serious health condition, the School may request a second opinion by a health care provider of its choice (paid for by the School). If the second opinion differs from the first one, the School will pay for a third, mutually agreeable, health care provider to provide a final and binding opinion.

4. Re-certifications are required if leave is sought after expiration of the time estimated by the health care provider. Failure to submit required re-certifications can result in termination of the leave.

- Procedures for Requesting and Scheduling FMLA Leave

1. An employee should request FMLA leave by completing a Request for Leave form and submitting it to the Executive Director or Human Resources Department. An employee asking for a Request for Leave form will be given a copy of the School’s then-current FMLA leave policy.

2. Employees should provide not less than thirty (30) days' notice for foreseeable childbirth, placement, or any planned medical treatment for the employee or his/her spouse, domestic partner, child, or parent. Failure to provide such notice is grounds for denial of a leave request, except if the need for FMLA leave was an emergency or was otherwise unforeseeable.
3. Where possible, employees must make a reasonable effort to schedule foreseeable planned medical treatments so as not to unduly disrupt the School's operations.
4. If FMLA leave is taken because of the employee's own serious health condition or the serious health condition of the employee's spouse, domestic partner, parent or child, the leave may be taken intermittently or on a reduced leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition.
5. If FMLA leave is taken because of the birth of the employee's child or the placement of a child with the employee for adoption or foster care, the minimum duration of leave is two (2) weeks, except that the School will grant a request for FMLA leave for this purpose of at least one day but less than two (2) weeks' duration on any two (2) occasions.
6. If an employee needs intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment for the employee or a family member, the employee may be transferred temporarily to an available alternative position for which he or she is qualified that has equivalent pay and benefits and that better accommodates recurring periods of leave than the employee's regular position.
7. The School will respond to an FMLA leave request no later than five (5) days of receiving the request. If an FMLA leave request is granted, the School will notify the employee in writing that the leave will be counted against the employee's FMLA leave entitlement. This notice will explain the employee's obligations and the consequences of failing to satisfy them.

- Return to Work

1. Upon timely return at the expiration of the FMLA leave period, an employee (other than a "key" employee whose reinstatement would cause serious and grievous injury to the School's operations) is entitled to the same or a comparable position with the same or similar duties and virtually identical pay, benefits, and other terms and conditions of employment unless the same position and any comparable position(s) have ceased to exist because of legitimate business reasons unrelated to the employee's FMLA leave.
2. When a request for FMLA leave is granted to an employee (other than a "key" employee), the School will give the employee a written guarantee of reinstatement at the termination of the leave (with the limitations explained above).

3. Before an employee will be permitted to return from FMLA leave taken because of his/her own serious health condition, the employee must obtain a certification from his/her health care provider that he/she is able to resume work.
4. If an employee can return to work with limitations, the School will evaluate those limitations and, if possible, will accommodate the employee as required by law. If accommodation cannot be made, the employee will be medically separated from the School.

- **Limitations on Reinstatement**

1. The School may refuse to reinstate a “key” employee if the refusal is necessary to prevent substantial and grievous injury to the School’s operations. A “key” employee is an exempt salaried employee who is among the highest paid 10% of the School’s employees within seventy-five (75) miles of the employee’s worksite.
2. A “key” employee will be advised in writing at the time of a request for, or if earlier, at the time of commencement of, FMLA leave, that he/she qualifies as a “key” employee and the potential consequences with respect to reinstatement and maintenance of health benefits if the School determines that substantial and grievous injury to the School’s operations will result if the employee is reinstated from FMLA leave. At the time it determines that refusal is necessary, the School will notify the “key” employee in writing (by certified mail) of its intent to refuse reinstatement and will explain the basis for finding that the employee’s reinstatement would cause the School to suffer substantial and grievous injury. If the School realizes after the leave has commenced that refusal of reinstatement is necessary, it will give the employee at least ten (10) days to return to work following the notice of its intent to refuse reinstatement.

- **Employment during Leave**

No employee, including employees on FMLA leave, may accept employment with any other employer without the School’s written permission. An employee who accepts such employment without the School’s written permission will be deemed to have resigned from employment at the School.

PREGNANCY DISABILITY LEAVE

This policy explains how the School complies with the California Pregnancy Disability Act, which requires the School to give each female employee an unpaid leave of absence of up to four (4) months per pregnancy, as needed, for the period(s) of time a woman is actually disabled by pregnancy, childbirth, or related medical conditions.

- **Employee Eligibility Criteria**

To be eligible for pregnancy disability leave, the employee must be disabled by pregnancy, childbirth, or a related medical condition and must provide appropriate medical certification concerning the disability.

- Events That May Entitle an Employee to Pregnancy Disability Leave

The four (4) -month pregnancy disability leave allowance includes any time taken (with or without pay) for any of the following reasons:

1. The employee is unable to work at all or is unable to perform any one or more of the essential functions of her job without undue risk to herself, the successful completion of her pregnancy, or to other persons because of pregnancy or childbirth, or because of any medically recognized physical or mental condition that is related to pregnancy or childbirth (including severe morning sickness); or
2. The employee needs to take time off for prenatal care.

- Duration of Pregnancy Disability Leave

Pregnancy disability leave may be taken in one or more periods, but not to exceed four months total. “Four months” means the number of days the employee would normally work within four months. For a full-time employee who works five (5) eight (8) hour days per week, four (4) months means 693 hours of leave (40 hours per week times $17\frac{1}{3}$ weeks).

For employees who work more or less than forty (40) hours per week, or who work on variable work schedules, the number of working days that constitutes four (4) months is calculated on a pro rata or proportional basis. For example, for an employee who works twenty (20) hours per week, “four months” means 346.5 hours of leave entitlement (20 hours per week times $17\frac{1}{3}$ weeks). For an employee who normally works forty-eight (48) hours per week, “four months” means 832 hours of leave entitlement (48 hours per week times $17\frac{1}{3}$ weeks).

At the end or depletion of an employee’s pregnancy disability leave, an employee who has a physical or mental disability (which may or may not be due to pregnancy, childbirth, or related medical conditions) may be entitled to reasonable accommodation. Entitlement to additional leave must be determined on a case-by case basis, taking into account a number of considerations such as whether an extended leave is likely to be effective in allowing the employee to return to work at the end of the leave, with or without further reasonable accommodation, and whether or not additional leave would create an undue hardship for the School. The School is not required to provide an indefinite leave of absence as a reasonable accommodation.

- Pay during Pregnancy Disability Leave

1. An employee on pregnancy disability leave must use all accrued paid sick leave and may use any or all accrued vacation time at the beginning of any otherwise unpaid leave period.
2. The receipt of vacation pay, sick leave pay, or state disability insurance benefits, will not extend the length of pregnancy disability leave.
3. Vacation and sick pay accrues during any period of unpaid pregnancy disability leave only until the end of the month in which the unpaid leave began.

- Health Benefits

The School shall provide continued health insurance coverage while an employee is on pregnancy disability leave consistent with applicable law. The continuation of health benefits is for a maximum of four (4) months in a twelve (12) -month period. The School can recover premiums that it already paid on behalf of an employee if both of the following conditions are met:

1. The employee fails to return from leave after the designated leave period expires.
2. The employee's failure to return from leave is for a reason other than the following:
 - The employee is taking leave under the California Family Rights Act.
 - There is a continuation, recurrence or onset of a health condition that entitles the employee to pregnancy disability leave.
 - There is a non-pregnancy related medical condition requiring further leave.
 - Any other circumstance beyond the control of the employee.

- Seniority

An employee on pregnancy disability leave remains an employee of the School and a leave will not constitute a break in service. When an employee returns from pregnancy disability leave, she will return with the same seniority she had when the leave commenced.

- Medical Certifications

1. An employee requesting a pregnancy disability leave must provide medical certification from her healthcare provider on a form supplied by the School. Failure to provide the required certification in a timely manner (within fifteen (15) days of the leave request) may result in a denial of the leave request until such certification is provided.
 2. Re-certifications are required if leave is sought after expiration of the time estimated by the healthcare provider. Failure to submit required re-certifications can result in termination of the leave.
- Requesting and Scheduling Pregnancy Disability Leave
 1. An employee should request pregnancy disability leave by completing a Request for Leave form and submitting it to the Executive Director or Human Resources Department. An employee asking for a Request for Leave form will be referred to the School's then current pregnancy disability leave policy.
 2. Employee should provide not less than thirty (30) days' notice or as soon as is practicable, if the need for the leave is foreseeable. Failure to provide such notice is grounds for denial of the leave request, except if the need for pregnancy disability leave was an emergency and was otherwise unforeseeable.
 3. Where possible, employees must make a reasonable effort to schedule foreseeable planned medical treatments so as not to unduly disrupt the School's operations.
 4. Pregnancy disability leave may be taken intermittently or on a reduced leave schedule when medically advisable, as determined by the employee's healthcare provider.
 5. If an employee needs intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment, the employee may be transferred temporarily to an available alternative position for which he or she is qualified, which has equivalent pay and benefits that better accommodates recurring periods of leave than the employee's regular position.
 6. The School will respond to a pregnancy disability leave request within ten (10) days of receiving the request. If a pregnancy disability leave request is granted, the School will notify the employee in writing and leave will be counted against the employee's pregnancy disability leave entitlement. This notice will explain the employee's obligations and the consequences of failing to satisfy them.
 - Return to Work
 1. Upon timely return at the expiration of the pregnancy disability leave period, an employee is entitled to the same position unless the employee would not

otherwise have been employed in the same position at the time reinstatement is requested. If the employee is not reinstated to the same position, she must be reinstated to a comparable position unless one of the following is applicable:

- a. The employer would not have offered a comparable position to the employee if she would have been continuously at work during the pregnancy disability leave.
- b. There is no comparable position available, to which the employee is either qualified or entitled, on the employee's scheduled date of reinstatement or within sixty (60) calendar days thereafter. The School will take reasonable steps to provide notice to the employee if and when comparable positions become available during the sixty (60) day period.

A "comparable" position is a position that involves the same or similar duties and responsibilities and is virtually identical to the employee's original position in terms of pay, benefits, and working conditions.

2. When a request for pregnancy disability leave is granted to an employee, the School will give the employee a written guarantee of reinstatement at the end of the leave (with the limitations explained above).
3. In accordance with School policy, before an employee will be permitted to return from a pregnancy disability leave of three (3) days or more, the employee must obtain a certification from her healthcare provider that she is able to resume work.
4. If the employee can return to work with limitations, the School will evaluate those limitations and, if possible, will accommodate the employee as required by law. If accommodation cannot be made, the employee will be medically separated from the School.

- Employment during Leave

No employee, including employees on pregnancy disability leave, may accept employment with any other employer without the School's written permission. An employee who accepts such employment without written permission will be deemed to have resigned from employment.

MILITARY AND MILITARY SPOUSAL LEAVE OF ABSENCE

The School shall grant a military leave of absence to any employee who must be absent from work due to service in the uniformed services in accordance with the Uniformed Services Employment and Re-Employment Rights Act of 1994 ("USERRA"). All employees requesting military leave must provide advance written notice of the need for such leave, unless prevented from doing so by military necessity or if providing notice would be impossible or unreasonable.

If military leave is for thirty (30) or fewer days, the School shall continue the employee's health benefits. For service of more than thirty (30) days, the employee shall be permitted to continue their health benefits at their option through COBRA. Employees are entitled to use accrued vacation or paid time off as wage replacement during time served, provided such vacation/paid time off accrued prior to the leave.

Except for employees serving in the National Guard, the School will reinstate those employees returning from military leave to their same position or one of comparable seniority, status, and pay if they have a certificate of satisfactory completion of service and apply within ninety (90) days after release from active duty or within such extended period, if any, as required by law. For those employees serving in the National Guard, if he or she left a full-time position, the employee must apply for reemployment within forty (40) days of being released from active duty, and if he or she left part-time employment, the employee must apply for reemployment within five (5) days of being released from active duty.

An employee who was absent from work while fulfilling his or her covered service obligation under the USERRA or California law shall be credited, upon his or her return to the School, with the hours of service that would have been performed but for the period of absence from work due to or necessitated by USERRA-covered service. Exceptions to this policy will occur wherever necessary to comply with applicable laws.

The School shall grant up to ten (10) days of unpaid leave to employees who work more than twenty (20) hours per week and who are spouses of deployed military servicemen and servicewomen. The leave may be taken when the military spouse is on leave from deployment during a time of military conflict. To be eligible for leave, an employee must provide the Executive Director or Human Resources Department with (1) notice of intention to take military spousal leave within two (2) business days of receiving official notice that the employee's military spouse will be on leave from deployment, and (2) documentation certifying that the employee's military spouse will be on leave from deployment during the time that the employee requests leave.

INDUSTRIAL INJURY LEAVE (WORKERS' COMPENSATION)

The School, in accordance with State law, provides insurance coverage for employees in case of work-related injuries. The workers' compensation benefits provided to injured employees may include:

- Medical care;
- Cash benefits, tax-free to replace lost wages; and
- Vocational rehabilitation to help qualified injured employees return to suitable employment.

To ensure you receive any worker's compensation benefits to which you may be entitled, an employee must :

- Immediately report any work-related injury to the Executive Director or Human Resources Department;
- Seek medical treatment and follow-up care if required;
- Complete a written Employee's Claim Form (DWC Form 1) and return it to the Executive Director or Human Resources Department; and
- Provide the Executive Director or Human Resources Department with a certification from the employee's health care provider regarding the need for workers' compensation disability leave as well as the employee's eventual ability to return to work from leave.

It is the School's policy that when there is a job-related injury, the first priority is to insure that the injured employee receives appropriate medical attention. The School, with the help of its insurance carrier has selected medical centers to meet this need. Each medical center was selected for its ability to meet anticipated needs with high quality medical service and a location that is convenient to the School's operation.

- If an employee is injured on the job, he/she is to go or be taken to the approved medical center for treatment. If injuries are such that they require the use of emergency medical systems ("EMS") such as an ambulance, the choice by the EMS personnel for the most appropriate medical center or hospital for treatment will be recognized as an approved center.
- All accidents and injuries must be reported to the Executive Director and to the Human Resources Department. Failure by an employee to report a work-related injury by the end of his/her shift could result in loss of insurance coverage for the employee. An employee may choose to be treated by his/her personal physician at his/her own expense, but he/she is still required to go to the School's approved medical center for evaluation. All job-related injuries must be reported to the appropriate State Workers' Compensation Bureau and the insurance carrier.
- When there is a job-related injury that results in lost time, the employee must have a medical release from the School's approved medical facility before returning to work.

CATASTROPHIC ILLNESS or INJURY LEAVE

A "catastrophic illness" or "injury" means an illness or injury that is expected to incapacitate the employee for an extended period of time, or that incapacitates a member of the employee's family which incapacity requires the employee to take time off from work for extended periods of time to care for that family member, and taking extended time off work creates a financial hardship for the employee because s/he has exhausted all of his/her sick leave and other paid time off.

"Members of the employee's family" shall be limited to mother, father, grandmother, grandfather, or grandchild of the employee or the spouse of the employee, and the domestic

partner (as identified by appropriate paperwork), son, son-in-law, daughter, daughter-in-law, brother or sister of the employee or any relative living in the immediate house of the employee.

1. Employees may donate up to two (2) sick leave day per fiscal year to a sick leave bank for employees suffering a catastrophic illness; however, each employee must retain at least six (6) sick leave days for his/her own account before donating.
2. Catastrophic leave requests must be submitted in writing to the School. Any employee who received eligible sick leave credits under this program shall first exhaust all paid leave he/she has accrued.
3. The Executive Director shall determine whether to grant a request for catastrophic leave based on verification by a medical doctor as to the nature of the illness or injury, anticipated length of absence, and the prognosis for recovery. There is no right to receive catastrophic leave donations. The Executive Director may in his/her unreviewable discretion decline an employee's request for catastrophic leave benefits for any reason.
4. The number of sick days that can be received by an employee from the Catastrophic Leave bank is limited to forty-five (45) days per fiscal year.
5. If an employee is also receiving any form of disability benefits, which is paid on a weekly basis, the total amount of catastrophic leave pay the employee may receive on a weekly basis, when added to the amount of disability benefits the employee is receiving, shall not exceed the employee's total weekly salary. Employees must disclose to the School whether they are receiving any such disability benefits.
6. Any reinstatement rights for employees utilizing catastrophic leave shall be in accordance with applicable law.
7. Participation in this program is voluntary. Recipient employees shall not offer anything of value to another employee in exchange for donating leave. Likewise, donating employees shall not receive anything of value from another employee in exchange for donating leave. All solicitations for donation and participation in this program shall come from school administrators, and no person shall engage in any other form of solicitation.

BEREAVEMENT LEAVE

The School provides full-time employees up to three (3) days paid bereavement leave, beyond sick or personal time, due to the death of an immediate family member. This includes a parent (including an in-law and step-parent), spouse, domestic partner, dependent, sibling, stepsibling, grandparent or grandchild. If a funeral is more than five hundred (500) miles from your home, you may receive paid leave for five (5) days with prior approval from your supervisor.

JURY DUTY LEAVE

For all exempt employees, the School will pay for time off if an employee is called to serve on a jury provided the employee continues to perform work duties as assigned. Non-exempt employees may take an unpaid leave of absence to serve on a jury.

TIME OFF TO VOTE

If an employee does not have sufficient time outside of working hours to vote in an official state-sanctioned election, the employee may take off enough working time to vote. Such time off shall be taken at the beginning or the end of the regular working shift, whichever allows for more free time and the time taken off shall be combined with the voting time available outside of working hours to a maximum of two (2) hours combined. Under these circumstances, an employee will be allowed a maximum of two (2) hours of time off during an election day without loss of pay. When possible, an employee requesting time off to vote shall give the Principal or Executive Director at least two (2) days' notice.

SCHOOL APPEARANCE AND ACTIVITIES LEAVE

As required by law, the School will permit an employee who is a parent or guardian (including a stepparent, foster parent, or grandparent) of school children, from kindergarten through grade twelve (12), or a child enrolled with a licensed child care provider, up to forty (40) hours of unpaid time off per child per school year (up to eight (8) hours in any calendar month of the school year) to participate in activities of a child's school or child care. If more than one (1) parent or guardian is an employee of HSCS, the employee that first provides the leave request will be given the requested time off. Where necessary, additional time off will also be permitted where the school or child care provider requires the employee(s) appearance.

The employee requesting school leave must provide reasonable advanced notice of the planned absence. This leave is unpaid but the employee may choose to use sick or vacation leave .

When requesting time off for school activities, the employee must provide verification of participation in an activity as soon as practicable. When requesting time off for a required appearance, the employee(s) must provide a copy of the notice from the child's school or child care provider requesting the presence of the employee.

CRIME VICTIM LEAVE

Employees are allowed to be absent from work to attend judicial proceedings related to a crime if they are:

- A victim of a crime;
- An immediate family member (including adopted or step-child) of a victim; or

A spouse or registered domestic partner of a victim.

An employee must give reasonable advance notice to the School by providing documentation of the proceeding. Documentation may be any of the following:

- Notice from the court or government agency setting the hearing;
- The district attorney or prosecuting attorney's office; or
- The victim/witness assistance office advocating on the victim's behalf.

This leave is unpaid but the employee may choose to use sick or vacation leave. Employees will not be discharged or discriminated against for taking a leave of absence pursuant to this policy.

DOMESTIC VIOLENCE LEAVE/SEXUAL ASSAULT LEAVE

Employees who are the victims of domestic violence may take unpaid time off to obtain or attempt to obtain judicial relief, such as obtaining restraining orders, to help insure their health, safety or welfare or that of their child(ren). Employees must give the School reasonable notice (unless advance notice is not feasible) and provide certification that the employee is seeking such assistance.

Certification may be sufficiently provided by any of the following:

- A police report indicating that you were a victim of domestic violence or sexual assault;
- A court order protecting or separating you from the perpetrator of an act of domestic violence or sexual assault, or other evidence from the court or prosecuting attorney that you appeared in court; or,
- Documentation from a medical professional, domestic violence advocate, health care provider, or counselor that you are undergoing treatment for physical or mental injuries or abuse resulting in victimization from an act of domestic violence or sexual assault.

The School will, to the extent allowed by law, maintain the confidentiality of an employee requesting leave under this provision. The School will not discharge, discriminate or retaliate against an employee who takes an unpaid leave of absence pursuant to this policy. Domestic violence, sexual assault and stalking victim's leave for medical treatment does not exceed or add to the unpaid leave time that FMLA/CFRA allows. This leave is unpaid but the employee may choose to use sick or vacation leave.

ALCOHOL AND DRUG TREATMENT OR REHABILITATION LEAVE

The School will attempt to reasonably accommodate employees with chemical dependencies (drugs or alcohol) if they voluntarily wish to seek treatment and/or rehabilitation, unless the accommodation imposes an undue hardship on the School's operations. The School's support for treatment and rehabilitation does not obligate the School to hire or employ any person who violates the School's drug and alcohol abuse policy or who, because of current use of drugs or alcohol, is unable to perform his or her duties or cannot perform the duties in a manner that would not endanger his or her health or safety or the health or safety of others.

ORGAN DONOR / BONE MARROW DONOR LEAVE

As required by law, eligible employees who require time off to donate bone marrow to another person may receive up to five (5) workdays off in a 12-month period. Eligible employees who require time off to donate an organ to another person may receive up to thirty (30) workdays off in a twelve (12) month period.

To be eligible for bone marrow or organ donation leave (“Donor Leave”), the employee must have been employed by the School for at least ninety (90) days immediately preceding the Donor Leave.

An employee requesting Donor Leave must provide written verification to the Executive Director or Human Resources Department that he or she is a donor and that there is a medical necessity for the donation of the organ or bone marrow.

An employee must first use his or her earned but unused sick leave for bone marrow donation and two (2) weeks’ worth of earned but unused sick leave for organ donation. If the employee has an insufficient number of sick days available, the leave will be considered unpaid.

Employees returning from Donor Leave will be reinstated to the position held before the leave began, or to a position with equivalent status, benefits, pay and other terms and conditions of employment. The School may refuse to reinstate an employee if the reason is unrelated to taking a Donor Leave. A Donor Leave is not permitted to be taken concurrently with an FMLA/CFRA Leave.

VOLUNTEER CIVIL SERVICE LEAVE

Employees are allowed to take an unpaid leave of absence from work to engage in volunteer emergency duty as a volunteer firefighter, reserve police officer or emergency rescue personnel. This is an unpaid leave but the employee may use any sick or vacation leave.

RETURNING FROM LEAVE OF ABSENCE

Employees cannot return from a medical leave of absence without first providing a sufficient doctor’s return to work authorization.

When School operations require, the job of an employee on leave may be filled by a temporary or regular replacement. An employee should give the Executive Director or Human Resources Department thirty (30) days’ notice before returning from leave. Whenever the School is notified of an employee’s intent to return from a leave, the School will attempt to place the employee in their former position or in a comparable position with regard to salary and other terms and conditions for which the employee is qualified. However, re-employment cannot always be guaranteed. Employees may obtain further information regarding Leaves of Absence from the Human Resources Department.

SECTION 7 – DISCIPLINE AND TERMINATION OF EMPLOYMENT

RULES OF CONDUCT

Our primary concern at HSCS is, at all times, the physical and emotional health, safety and well-being of the students we serve. No conduct by any employee that unnecessarily jeopardizes the welfare of a student will be tolerated by the School.

In addition, the following conduct is prohibited and will not be tolerated by the School. This list of prohibited conduct is illustrative only and applies to all employees of the School; other types of conduct that threaten security, personal safety, employee welfare and the School's operations also may be prohibited. Further, the specification of this list of conduct in no way alters the at-will employment relationship as to at-will employees of the School. If an employee is working under a contract with the School which grants procedural rights prior to termination, the procedural terms in the contract shall apply.

1. Insubordination - refusing to perform a task or duty assigned or act in accordance with instructions provided by an employee's supervisor or proper authority.
2. Inefficiency - including deliberate restriction of output, carelessness or unnecessary wastes of time or material, neglect of job, duties or responsibilities.
3. Unauthorized soliciting, collecting of contributions, distribution of literature, written or printed matter is strictly prohibited on School property by non-employees and by employees. This rule does not cover periods of time when employees are off their jobs, such as lunch periods and break times. However, employees properly off their jobs are prohibited from such activity with other employees who are performing their work tasks.
4. Damaging, defacing, unauthorized removal, destruction or theft of another employee's property or of School property.
5. Fighting or instigating a fight on School premises.
6. Violations of the School drug and alcohol policy.
7. Using or possessing firearms, weapons or explosives of any kind on School premises.
8. Gambling on School premises.
9. Tampering with or falsifying any report or record including, but not limited to, personnel, absentee, sickness or production reports or records, specifically including applications for employment and time cards.
10. Use of profane, abusive or threatening language in conversations with other employees and/or intimidating or interfering with other employees.
11. Conducting personal business during business hours and/or unauthorized use of telephone lines for personal calls.
12. Excessive absenteeism or tardiness (whether excused or unexcused).
13. Posting any notices on School premises without prior written approval of the Principal or Executive Director.
14. Immoral or indecent conduct on School premises.
15. Conviction of a criminal act.
16. Engaging in sabotage or espionage (industrial or otherwise).
17. Violations of the School sexual harassment policy.
18. Failure to report a job-related accident to the employee's supervisor or Human Resources Department, or failure to take or follow prescribed tests, procedures or treatment.

19. Sleeping during work hours.
20. Release of confidential information without authorization.
21. Any other conduct detrimental to other employees or the School's interests or its efficient operations.
22. Refusal to speak to supervisors or other employees.
23. Dishonesty.
24. Failure to possess or maintain the credential/certificate required of the position.

OFF-DUTY CONDUCT

While the School does not seek to interfere with the off-duty and personal conduct of its employees, certain types of off-duty conduct may interfere with the School's legitimate educational and operational interests. For this reason, employees are expected to conduct their personal affairs in a manner that does not adversely affect the School or its own integrity, reputation, or credibility. Illegal or immoral off-duty conduct by an employee that adversely affects the School's legitimate business interests or the employee's ability to perform his or her work will not be tolerated.

While employed by the School, employees are expected to devote their energies to their jobs with the School. For this reason, second jobs are strongly discouraged. The following types of additional employment elsewhere are strictly prohibited:

- Additional employment that conflicts with an employee's work schedule, duties, and responsibilities at our School.
- Additional employment that creates a conflict of interest or is incompatible with the employee's position with our School.
- Additional employment that impairs or has a detrimental effect on the employee's work performance with our School.
- Additional employment that requires the employee to conduct work or related activities on the School's property during the employer's working hours or using our School's facilities and/or equipment; and
- Additional employment that directly or indirectly competes with the business or the interests of our School.

Employees who wish to engage in additional employment that may create a real or apparent conflict of interest must submit a written request to the School explaining the details of the additional employment. If the additional employment is authorized, the School assumes no responsibility for it. The School shall not provide workers' compensation coverage or any other benefit for injuries occurring from or arising out of additional employment. Authorization to engage in additional employment can be revoked at any time.

TERMINATION OF EMPLOYMENT

Should it become necessary for an employee to terminate his or her at-will employment with the School, the employee should notify the Executive Director or Human Resources Manager regarding their intention as far in advance as possible. At least two (2) weeks' notice is expected whenever possible.

Employees terminating their at-will employment will be entitled to all earned but unused vacation pay. Employees participating in the medical and/or dental plan will be provided information on their rights under COBRA.

EXIT INTERVIEWS

All employees who leave employment at HSCS will be asked to take part in an exit interview with the Human Resources Manager to communicate their challenges and growth while employed at HSCS. Information shared during an exit interview will be treated as confidential.

VERIFICATION AND REFERENCE POLICY

All requests for employment verification, references or personal information verification or disclosures must be directed to the Human Resources Manager. Only the Human Resources Manager is authorized to provide verifications or references, or disclose personal information, pertaining to current or former employees.

With respect to verification requests, HSCS will disclose only the dates of employment and the title of the last position held. HSCS will verify or disclose additional information about the employee only if the employee provides written authorization for HSCS to provide the information. However, HSCS will provide information about current or former employees as required by law or court order. HSCS will not provide any letters of reference for current or former employees. Please refer all questions about this policy to the Human Resources Manager.

SECTION 8 – INTERNAL COMPLAINT REVIEW

OPEN COMMUNICATION POLICY

HSCS strongly encourages employee participation in decisions affecting their employment and their daily professional responsibilities. Our greatest strength lies in our employees and our ability to work together. We encourage open communication about all aspects of our school and organization. Employees are encouraged to openly discuss with their supervisors any problems or suggestions they believe would make our organization better and stronger. HSCS is interested in all our employee's success and fulfillment. We welcome all constructive suggestions and ideas.

Employees who have work-related concerns or complaints are encouraged to discuss them with the Human Resources Manager. Employees are encouraged to raise their work-related concerns as soon as possible after the events that cause concern. HSCS will attempt to keep the employee's concerns and complaints and any resulting investigation confidential to the extent feasible. However, in the course of an investigation and/or in resolving the matter, some dissemination of information to others may be necessary, appropriate, and/or required by law.

INTERNAL COMPLAINT REVIEW POLICY

The purpose of the "Internal Complaint Review Policy" is to afford all employees of the School the opportunity to seek internal resolution of their work-related concerns. All employees have free access to the Executive Director and Human Resources Manager to express their work-related concerns.

Specific complaints of unlawful harassment, discrimination, and retaliation are addressed under the School's "Policy Prohibiting Unlawful Harassment, Discrimination, and Retaliation."

Internal Complaints (Complaints by Employees Against Employees)

This section of the policy applies when a School employee raises a complaint or concern about a co-worker.

If reasonably possible, internal complaints should be resolved at the lowest possible level, including attempts to discuss/resolve concerns with the immediate supervisor. However, in the event that an informal resolution may not be achieved or is not appropriate, the following steps will be followed by the Executive Director or designee:

1. The complainant will bring the matter to the attention of the Executive Director or Human Resources Manager as soon as possible after attempts to resolve the complaint with the immediate supervisor have failed or if not appropriate; and
2. The complainant will reduce his or her complaint to writing, indicating all known and relevant facts. The Executive Director or Human Resources Manager will then investigate the facts and provide a solution or explanation;

3. If the complaint is about the Executive Director, the complainant may file his or her complaint in a signed writing to the President of the School's Board of Directors, who will then confer with the Board and may conduct a fact-finding or authorize a third party investigator on behalf of the Board. The Board President or investigator will report their findings to the Board for review and action, if necessary.

This policy cannot guarantee that every problem will be resolved to the employee's satisfaction. However, the School values each employee's ability to express concerns and the need for resolution without fear of adverse consequences to employment.

Policy for Complaints Against Employees (Complaints by Third Parties Against Employees)

This section of the policy applies when a non-employee raises a complaint or concern about a School employee.

If complaints cannot be resolved informally, complainants may file a written complaint with the office of the Executive Director or Board President (if the complaint concerns the Executive Director) as soon as possible after the events that give rise to the complainant's concerns. The written complaint should set forth in detail the factual basis for the complaint.

In processing the complaint, Executive Director shall abide by the following process:

1. The Executive Director (or their designee) shall use their best efforts to talk with the parties identified in the complaint and to ascertain the facts relating to the complaint.
2. In the event that the Executive Director finds that a complaint against an employee is valid, the Executive Director may take appropriate disciplinary action against the employee. As appropriate, the Executive Director may also simply counsel/reprimand employees as to their conduct without initiating formal disciplinary measures.
3. The Executive Director's decision relating to the complaint shall be final.

General Requirements

1. Confidentiality: All complainants will be notified that information obtained from the complainants and thereafter gathered will be maintained in a manner as confidential as possible, but in some circumstances absolute confidentiality cannot be assured.
2. Non-Retaliation: All complainants will be advised that they will be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.

SECTION 9 – AMENDMENT TO EMPLOYEE HANDBOOK

This Employee Handbook contains the employment policies and practices of the School in effect at the time of publication. The School reserves the right to amend, delete or otherwise modify this Handbook at any time provided that such modifications are in writing and duly approved by the employer. Any written changes to the Handbook will be reflected in the version posted on the School’s web site under “Staff Resources” (www.hawkingschools.org/staff-resources). No oral statements can in any way alter the provisions of this Handbook.

APPENDIX A

HARASSMENT/DISCRIMINATION/RETALIATION COMPLAINT FORM

It is the policy of the School that all of its employees be free from harassment, discrimination, and retaliation. This form is provided for you to report what you believe to be harassment, discrimination, or retaliation so that the School may investigate and take appropriate disciplinary or other action when the facts show that there has been harassment, discrimination, or retaliation.

If you are an employee of the School, you may file this form with the Executive Director or Human Resources Manager (or the Board President if the Complaint relates to the Executive Director).

Please review the School's policies concerning harassment, discrimination, and retaliation for a definition of such unlawful conduct and a description of the types of conduct that are considered unlawful.

The School will undertake every effort to handle the investigation of your complaint in a confidential manner. In that regard, the School will disclose the contents of your complaint only to those persons having a need to know. For example, to conduct its investigation, the School will need to disclose portions of your factual allegations to potential witnesses, including anyone you have identified as having knowledge of the facts on which you are basing your complaint, as well as the alleged offender.

In signing this form below, you authorize the School to disclose to others the information you have provided herein, and information you may provide in the future. Please note that the more detailed information you provide, the more likely it is that the School will be able to address your complaint to your satisfaction.

Charges of harassment, discrimination, and retaliation are taken very seriously by the School both because of the harm caused by such unlawful conduct, and because of the potential sanctions that may be taken against the offender. It is therefore very important that you report the facts as accurately and completely as possible and that you cooperate fully with the person or persons designated to investigate your complaint.

Your Name: _____

Date(s) of Alleged Incident(s): _____

Name of Person(s) you believe harassed, or discriminated or retaliated against, you or someone else:

List any witnesses that were present: _____

Where did the incident(s) occur? _____
Please describe the events or conduct that are the basis of your complaint by providing as much factual detail as possible (*e.g.*, specific statements; what, if any, physical contact was involved; any verbal statements; what did you do to avoid the situation) (Attach additional pages, if needed):

I acknowledge that I have read and that I understand the above statements. I hereby authorize the School to disclose the information I have provided as it finds necessary in pursuing its investigation.

I hereby certify that the information I have provided in this complaint is true and correct and complete to the best of my knowledge and belief.

Signature of Complainant

_____ Date: _____
Print Name

Received by:
_____ Date: _____

APPENDIX B

INTERNAL COMPLAINT FORM

Your Name: _____

Date(s) of Alleged Incident(s): _____

Name of Person(s) you have a complaint against: _____

List any witnesses that were present: _____

Where did the incident(s) occur? _____

Please describe the events or conduct that are the basis of your complaint by providing as much factual detail as possible (i.e. specific statements; what, if any, physical contact was involved; any verbal statements; what did you do to avoid the situation, etc.) (Attach additional pages, if needed):

I hereby authorize the School to disclose the information I have provided as it finds necessary in pursuing its investigation. I hereby certify that the information I have provided in this complaint is true and correct and complete to the best of my knowledge and belief. I further understand providing false information in this regard could result in disciplinary action up to and including termination.

Signature of Complainant

Date: _____

To be completed by School:

Received by: _____

Date: _____