

(Nothing in this Policy shall conflict with Minnesota Law. If there is a conflict, the provisions of Minnesota law will prevail)

If any of the policies that follow are found to be in conflict with the Employee's At-Will status of employment, the Minnesota law regarding At-Will employment shall prevail.

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P01- Purpose

The School has adopted certain employment policies and procedures, which are contained in this document. The policies in this document are a source of information for employees who have questions about the School's personnel practices. These policies are not contractual in nature and may be unilaterally rescinded, revised, or added to by the School from time to time. The provisions of these policies have control over any contrary statements, representations, or assurances by any supervisory personnel.

This document is the property of the School. All employees and trainees will be provided with a copy of the handbook and will be required to read and abide by it. While the Academy intends to notify employees whenever there has been a significant modification or addition to any of the policies in this document, the policies are subject to change at any time, with or without notice, at the School's sole discretion.

Nothing contained in this handbook is intended nor should be construed to alter the at-will employment status of any employee.

P02- Confidentiality

When the School receives confidential information identified to be confidential or mandated as confidential by applicable law, the School will maintain the confidentiality of said information and prohibit its unauthorized disclosure.

School officials and employees are prohibited from disclosing or using without appropriate authorization any confidential information acquired in the course of their official duties.

Such confidential information includes, but is not limited, to the following examples:

- Student Data
- Special Education Records
- Student and Parent lists
- School Financial information
- Conversations, letters, or memos regarding students, employees, parents, alumni, etc.
- Any conversation regarding the above that may have been inadvertently overheard.
- Employee Records

Any employee who discloses confidential School or student information will be subject to disciplinary action up to and including possible discharge. Maintaining the confidentiality of the Academy's student and School information is an obligation which also continues after an employee's termination.

P03- Conflicts of Interest

Employees have an obligation to avoid actual or potential conflicts of interest. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee, or for a relative, as a result of the Academy's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

If an employee has any influence on transactions involving purchases, contracts, or leases, it is imperative that he or she disclose to the Academy School Board, as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the Academy does business but also when an employee or relative receives any gift or special consideration as a result of any transaction or business dealings involving the Academy.

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The materials, products, designs, plans, ideas, and data of the Academy are the property of the School and should never be given to an outside firm or individual except through normal channels and with appropriate authorization. Any improper transfer of material or disclosure of information, even though it is not apparent that an employee has personally gained by such action, constitutes unacceptable conduct. Any employee who participates in such a practice will be subject to disciplinary action, up to and including immediate employment termination and/or possible legal action.

P04- Personnel Records

It is necessary for the orderly operation of the School to prepare a personnel information system for the retention of appropriate papers bearing upon staff hired by the School.

The Board requires that the Executive Director to keep sufficient records to insure an employee's qualifications for the job held, compliance with Federal, State and local benefit programs, if any, conformance with School rules and evidence of completed evaluations. Such records will be kept in compliance with applicable Federal and State law.

Upon request, the employee will be allowed to inspect his or her own file. Under state law an employee has the right to copy his/her file, except for pre-employment recommendations and records and such other information as may be privileged under law and not subject to employee inspection.

Employees who wish to review their own personnel file shall: request access in writing; review the record in the presence of the administrator designated to maintain said records or a designee; make no alterations or additions to the record nor remove any material therefrom.

Authorized management company employees will have access to all personnel records.

P05- Public Records

The School recognizes its responsibility to maintain the public records of the School and to make such records available to residents of Ohio for inspection and reproduction.

The School will utilize the following procedures regarding availability of public records. "Public records" are any records that are kept by the Board that: (1) are stored on a fixed medium, (2) created, received, or sent under the Board's authority and (3) documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office, except medical records, trial preparation records, records protected by attorney-client privilege or prepared in anticipation of litigation, confidential law Federal and Minnesota law.

Any person may inspect and copy the public records of the School during the regular business hours of the office in which such records are maintained provided that advance notice of such intended inspection has been given the custodian of the records not less than five (5) working days before the inspection.

A viewer may purchase copies of the School's public records upon payment of a fee not to exceed the cost for reproduction and handling.

No public record may be removed from the office in which it is maintained except by a Board officer or employee in the course of the performance of his/her duties.

Nothing in this policy shall be construed as preventing a Board member from inspecting, in the performance of official duties, any record of the School.

The Board authorizes the Executive Director to dispose of, on a daily basis, routine messages transmitted by means of voice mail or E-mail, provided the messages do not alter existing School records.

P06- Social Media Use

Social networking through the use of Internet-based and other electronic social media tools is integrated into everyday life. Use of Facebook, LinkedIn, My Space, Twitter, Flickr, YouTube, blogging, wikis and

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other online social media vehicles are commonplace. This document is intended to provide School employees with guidelines to eliminate any confusion concerning the use of social media both professionally and personally.

1. Sharing of information:

Keep in mind that posts are visible by all with online access and are permanent in nature. Employees do not have permission to reveal any information that violates or compromises School policy.

Employees are responsible for all comments/information you publish online. However, use of social media for personal use during School time or on School equipment is prohibited. Employees must consider the following guidelines while sharing information.

- A. Refrain from posting items that could reflect negatively on the School or otherwise embarrass the organization, including comments or other posts about drug or alcohol abuse, profanity, off color or sexual humor, and other inappropriate conduct. Do not use personal insults, obscenity, or engage in any conduct that would not otherwise be acceptable in the workplace.
- B. Refrain from “friending” or connecting personally online with students or parents
- C. Show proper respect for people’s privacy and for topics that may be considered objectionable or inflammatory, like politics and religion.
- D. Respect the law, including those laws governing defamation, discrimination, harassment, copyright, and fair use.
- E. Do not use the School logo, unless specifically authorized to do so.
- F. All content sent or received using a School email account becomes School property.
- G. Do not disclose the School’s confidential or other proprietary information such as current or anticipated research, processes, techniques, software, or other technical data.
- H. Get permission from the owner prior to sharing or publishing their intellectual property.
- I. Do not reference School staff, members, students, or vendors, without their approval.
- J. Employees are not authorized to make statements or offer opinions on behalf of the School unless they have received explicit permission. If they publish content to any website outside of the School and it includes work performed or subjects associated with the School, use a disclaimer such as: “The postings on this site are my own and don’t necessarily represent the School’s positions, strategies, or opinions.”
- K. Ensure the social networking conduct is consistent with the policies contained in the School’s employee handbook.
- L. Make sure that your online activities do not interfere with your job performance.

2. Understand You Represent the School:

As in all interactions, whether in the built or virtual environment, you are a representative of the School and a public employee. As a representative of the School, your profile and all content on your social networks should project a professional image and should not have a negative impact on your ability to maintain the respect of colleagues, parents and students. Employees should not use their School e-mail address for communications on public social media networks that have not been approved by the School.

3. School Employee Guidance

At any time, if an employee feels that their social network has compromised their professional experience, they are unsure, or wish to seek guidance in proper media usage, please contact the School Leader immediately with questions or concerns.

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P08- Student Records

The educational interests of the Student require the collection, retention, and use of information about individual Students. At the same time, the Student's right of privacy and other rights mandate careful custodianship and limitations on access to Student records.

The School is responsible for the records of all Students who attend or have attended the School. Only records mandated by the State or Federal government and necessary and relevant to the function of the School or specifically permitted by the School Board may be compiled by the School.

In all cases, permitted, narrative information in Student records shall be objectively-based on the personal observation or knowledge of the originator.

Student records shall be available only to Students and their Parents, adult Students, and designated School officials and personnel who have a "legitimate educational interest" in the information or as otherwise permitted by law. Both Parents shall have equal access to Student records unless stipulated otherwise by court order or law.

In the case of adult Students (eighteen (18) and older), Parents may be allowed access to the records without the Student's consent, providing the Student is considered a dependent under Section 152 of the Internal Revenue Code and has not graduated from the School.

"Legitimate educational interest" shall be defined as a direct or delegated responsibility for helping the Student achieve one (1) or more of the educational goals of the School.

The Board authorizes the administration to:

- forward education records on request to a school in which a Student of the School seeks or intends to enroll;
- provide "personally-identifiable" information to appropriate parties in connection with an emergency if such knowledge is necessary to protect the health and safety of the Student or other individuals; and
- request each person or party requesting access to a Student's record to abide by Federal regulations and State laws concerning the disclosure of information.

The School will comply with a legitimate request for access to a Student's records within a reasonable period of time but not more than forty-five (45) days after receiving the request. Upon the request of the viewer, a record shall be reproduced, unless said record is copyrighted, or otherwise restricted, and the viewer may be charged a fee equivalent to the cost of handling and reproduction.

The School shall maintain a record of those persons to whom information about a Student has been disclosed. Such disclosure records will indicate the Student, person viewing the record, information disclosed, and the date of disclosure.

Only "directory information" regarding a Student shall be released to any person or party, other than the Student or his/her Parent, without the written consent of the Parent; or, if the Student is eighteen (18) years of age or older, the written consent of the Student, except those persons or parties stipulated by the School's policy and administrative guidelines and/or those in the law.

The Board is authorized to scan, use the microfilm process or electromagnetic processes of reproduction for the recording, filing, maintaining, and preserving of records.

P09- Whistleblower

The whistleblower policy of the School is intended to provide a mechanism for the reporting of illegal activity or the misuse of the School assets while protecting employees who make such reports from retaliation.

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Questionable Conduct

This policy is designed to address situations in which an employee or volunteer suspects that another employee or volunteer has engaged in illegal acts or questionable conduct involving District assets. This conduct might include outright theft (of equipment or cash), fraudulent expense reports, misstatements of any accounts to any District employee with managerial authority or to the District auditors, or a conflict of interest that results in actual or potential financial harm to the District. The District encourages employees and volunteers to report questionable conduct and has established a reporting system that allows them to do so anonymously.

Making a Report

If an employee or volunteer suspects another of engaging in illegal acts or conduct involving misuse of the District assets, he or she may report such conduct, anonymously if desired, and the reporting individual will be protected against any form of harassment, intimidation, discrimination, or retaliation for making such a report in good faith.

Reports can be made to the Executive Director or to the Chairperson of the School Board. The District will promptly conduct an investigation into matters reported, keeping the informant's identity as confidential as possible consistent with the obligation to conduct a full and fair investigation.

In the event that the subject of a proposed complaint is the Executive Director or the Chairperson of the School Board, a report may be made to the School sponsor.

No Retaliation

An individual who has made a report of suspicious conduct and who subsequently believes he or she has been subjected to retaliation of any kind is directed to immediately report such retaliation to the Executive Director or the Chairperson of the School Board.

Reports of retaliation will be investigated promptly in a manner intended to protect confidentiality as much as practicable, consistent with a full and fair investigation. The party conducting the investigation will notify the individual subject to the alleged retaliation of the results of the investigation.

The District strongly disapproves of and will not tolerate any form of retaliation against those who report concerns in good faith regarding District operations. Any employee who engages in retaliation will be subject to discipline up to and including termination.

Reporting Procedures

The reporting procedure is intended to describe the process through which concerns about the possible misuse of District assets are handled pursuant to the District whistleblower policy.

1. A report of suspected misuse of District assets is made by reporting to the Executive Director or the Chairperson of the School Board, or to the School Authorizer, if appropriate.
2. The report shall be promptly reviewed by the Executive Director or the Chairperson of the School Board, or to the School Authorizer, to determine whether the report constitutes a district complaint or a non-district complaint.
 - a. A district *complaint* means any report involving (i) questionable accounting, auditing, financial reporting, or internal controls; (ii) suspected fraud, theft, or improper use of District assets; (iii) a violation of the District conflict-of-interest policy that results in a financial harm to the District; or (iv) a claim of retaliation against any employee making a good-faith report regarding any of the preceding matters.
 - b. A *non-District Complaint* means a report of any other matter not involving a misuse of the District assets.
3. If the report is deemed to be a district complaint, it will be promptly investigated and forwarded to the Executive Director or the Chairperson of the School Board, or to the School Authorizer. If the

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report is deemed to be a non- district complaint, it will be referred to the appropriate executive for follow-up. Some non- district complaints may involve serious matters and may require prompt investigation, but may nevertheless not involve misuse of District assets.

4. Each complaint shall be fully investigated, and as far as possible handled so as to protect the privacy of the employee making the complaint. A written report of the outcome of each investigation shall be prepared and delivered to the School Board.
5. The School Board shall determine whether the report involves a matter that is 'material' for audit purposes.

P10- Code of Ethics

An effective educational program requires the services of men and women of integrity, high ideals, and human understanding. To maintain and promote these essentials, the School expects all professional staff members to maintain high standards in their working relationships, and in the performance of their professional duties, to:

- A. recognize basic dignities of all individuals with whom they interact in the performance of duties;
- B. represent accurately their qualifications;
- C. exercise due care to protect the mental and physical safety of students, colleagues, and subordinates;
- D. understand and apply the knowledge and skills appropriate to assigned responsibilities;
- E. keep in confidence legally confidential information they may encounter;
- F. ensure that their actions or those of another on their behalf are not made with specific intent of advancing private economic interests;
- G. refrain from using their position or public property, or permitting another person to use an employee's position or public property for partisan political or religious purposes. (This will in no way limit constitutionally or legally protected rights as a citizen.); and avoid accepting anything of value offered by another for the purpose of influencing judgment.

P11- Child Abuse Neglect / Mandated Reporter

Educators play an important role in child protection: School teachers, school authorities, and school employees are among those professionals mandated by State law to report any suspicion of child abuse and/or neglect. Their personal commitment to the well-being of children adds weight to their role in child protection.

State Law requires every school employee to immediately report when abuse and/or neglect is suspected. To promote prompt reporting, the following guidelines should be followed for Child Abuse and Neglect Reporting:

Two basic forms of child maltreatment are recognized: The abuse of a child and the neglect of a child.

- ✚ "Abuse" is an act of commission, and is generally characterized in three categories:
 - Physical Abuse - Non-accidental injury of a child.
 - Sexual Abuse - Any act of a sexual nature upon or with a child. The act may be for the sexual gratification of the perpetrator or a third party.
 - Emotional Abuse - Chronic acts which interfere with the psychological and/or social development of a child.
- ✚ "Neglect" is a failure to act on behalf of a child. It is an act of omission and is characterized in two categories:

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- Physical Neglect - Failure to meet the requirements basic to a child's physical development, such as supervision, housing, clothing, medical attention, nutrition, and support.
- Emotional Neglect - Failure to provide the support and/or affection necessary to the child's psychological and social development.

Report Immediately

Any school employee who has reason to believe that a child is being, or has been, abused and/or neglected shall immediately make an oral report of that suspicion to the Local Public Children Service Agency (PCSA).

The oral report should include:

- Name and address of the child.
- Name of person(s) with whom the child resides.
- Name and address(es) of parent(s), if different from above.
- Names and ages of other children in the home.
- The reason for suspecting abuse and/or neglect, including the nature and extent of the child's condition, injuries, and other previous injuries of which he or she is aware.
- Any information which may be considered relevant, including names of other professionals who may be able to contribute additional information.
- If the situation is believed to be an emergency requiring immediate intervention.

Immediately after making the report, the school employee shall notify Executive Director that a report has been made.

Since it is the responsibility of the Children's Protective Services worker to investigate suspected abuse and/or neglect, the faculty or staff shall not pressure the child to divulge information regarding specific circumstances or the identity of the perpetrator.

Reports of suspected child abuse and/or neglect are confidential. Any person, who permits, encourages or disseminates information contained in the report, except in authorized situations, is guilty of a misdemeanor of the fourth degree.

An employee who makes a good faith report of suspected child abuse or neglect will be free from any form of harassment or administrative penalty resulting from the report.

P12- Student Supervision and Welfare

Professional and support staff members are required to discharge their duties and responsibilities in a manner that safeguards the welfare of all students at all times.

Each staff member shall maintain a standard of care for supervision, control, and protection of Students commensurate with assigned duties and responsibilities.

A staff member should not voluntarily assume responsibility for duties s/he cannot reasonably perform. Such assumption carries the same responsibilities as assigned duties.

A staff member shall provide proper instruction in the safety matters presented in assigned curriculum guides.

Each staff member shall immediately report to the Executive Director or any Board member any accident or safety hazard s/he detects.

A staff member shall not send Students on any personal errands.

A staff member shall not associate with Students, particularly those of the opposite sex, at any time in a manner which gives the appearance of impropriety, including, but not limited to, the creation or

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participation in any situation or activity which could be considered abusive or sexually suggestive or involve illegal substances such as tobacco, alcohol, or drugs. Any sexual conduct with a student by an employee of the School is strictly prohibited and subjects the offender to criminal liability and discipline up to and including termination of employment. This provision should not be construed as precluding a professional or staff member from associating with Students in private for legitimate or proper reasons.

If a Student comes to a staff member to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/or family relationships, the staff member may help the Student make contact with certified or licensed individuals in the community or the facility who specialize in the assessment, diagnosis, and treatment of the Student's problem. Under no circumstances should a staff member attempt, unless properly licensed and authorized to do so, to counsel, assess, diagnose, or treat the Student's problem or behavior.

A Student shall not be required to perform work or services that may be detrimental to his/her health.

P13- Transportation by Private Vehicle

The Board authorizes the transportation of students by private vehicles when such transportation is approved in advance by the Executive Director.

The parent(s) of the student(s) will be given, upon request, the name of the driver and the description of the vehicle.

Any person who does not hold adequate automobile liability and personal injury insurance shall not be permitted to transport students. Any private vehicle used for the transportation of students must be owned by the approved driver or the spouse of the approved driver and must conform to the registration requirements of the State.

P14- Criminal Background Checks

To more adequately safeguard Students and staff members, the Board requires an inquiry into the background of each applicant being seriously considered for employment by the Board. This requirement includes all substitutes, persons employed on a part-time basis such as coaches, artists, actors, performers, or activity supervisors who may have care, custody, or control of Students. All applicants must cooperate with the School and complete all forms or other steps necessary to obtain the criminal records check.

The Executive Director shall obtain a records check that complies with the law and ensures that, at the time of the initial application, the applicant is properly informed of the requirement to obtain the criminal background checks, both at the state level and federal level.

Any information and records obtained from such inquiries are confidential and shall not be released or disseminated except with Board authorization and/or as permitted or required by law.

Should it be necessary to employ a person prior to receipt of the criminal history records, the Board may employ the person on a conditional basis until the report is received. If the results of the criminal records check indicate that the applicant does not qualify for employment, the Executive Director shall release the applicant from employment.

P15- Employee Classification and Overtime

Employees working 30 hours or more in a week are considered full time employees. Employees working less than 30 hours per week are considered part time employees.

Staff that is entitled to overtime as allowed by law includes secretaries, custodians, lunch workers, security, nurse and any other non-teaching staff positions in accordance with the law. All other employees

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are exempt from overtime pay.

Advance approval from a supervisor is required for overtime work that will result in additional compensation. Unauthorized use of compensated overtime hours may result in disciplinary action. Exceptions are granted for advance approval if the overtime is in support of unforeseeable or emergency circumstances and approval is obtained within one working day of the event.

Payment for hours worked in excess of 40 hours per week is made at a rate equal to time and a half. If the scheduled workweek is less than 40 hours, extra hours up to 40, are paid at the regular rate.

It is the School's policy and intention to comply with all overtime laws and compensate employees properly and fairly for all hours worked, including authorized overtime. It is employees' responsibility to check their pay stub and make sure that the pay issued was proper for the hours worked. If they notice a discrepancy, they need to notify the School Executive Director immediately. Any verified inaccuracies will be corrected immediately in the next pay period.

P16- Garnishments, Attachments and Judgments

The School is not required to assist creditors with the collection of employees' personal debts. However, under certain legal procedures known as garnishments, levies, judgments, etc., the School is compelled by law to take action.

If an employee's wages legally are attached by a creditor, the School is required by law to withhold a specified amount from the employee's earnings each payday until the debt is settled. If the employee has any creditor problems or anticipate legal action resulting from indebtedness, it is recommended that the employee talk it over with his/her supervisor without delay.

P17- Teacher Coverage / Substitute Hours

Any faculty member who volunteers his or her free periods to stand in for an absent colleague upon request from administration shall be entitled to receive additional stipend compensation as follows:

- The faculty member shall be compensated at a taxable rate of \$20 per period, if substitution is not included in his/her workload.
- If substitution is included in his/her workload established at the beginning of the school year, he/she shall not be entitled to an additional stipend.

Workload is defined for each teacher by the administration at the beginning of the school year. Upon completion of the substitution, the faculty member shall fill out the "Extra Hours" form.

P18- Saturday School

Faculty members with Saturday schools assignments or after hours teaching assignments will be entitled to receive a stipend of \$20 per period, not to exceed \$100 per day. Upon completion of the assignment, the faculty member shall fill out the "Extra Hours" form.

P19- Other School Functions

If a faculty member works for other school events such as open house, enrollment etc., on days that are not contracted working days; he/she shall be entitled to receive a stipend of \$15 per hour not to exceed \$150 per day. Staff members will be paid a stipend of \$15 per family visit. Upon completion of the task, the faculty member shall fill out the "Extra Hours" form.

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P20- Worker's Compensation

All School employees are covered by the Workers' Compensation Act. If you are proven to have been injured in the course of your employment, this incident will be considered an industrial accident and will be processed under Workers' Compensation system. On allowed claims, Workers' Compensation pays for the lost time, medical bills, and disability claims by a formula set by State law.

It is expected that employees will exercise caution to protect themselves as well as their fellow workers, students and visitors from injury. Employees injured on the job must report the injury immediately to their supervisor and fill out an injury report as soon as possible. An employee's failure to promptly report an injury in the workplace may render the injury non-compensable. Employees who witness an injury to a student, employee or visitor should promptly complete a witness report.

P21- Pension

Employees who enter the School as members of the State Teachers Retirement System or the State Employment Retirement System will continue their participation, if permitted pursuant to current law. The employees will contribute at the rate established by the State Retirement Systems. The School will also make all employer contributions as required by the State Retirement Systems. The School will also make normal contributions for workers compensation insurance, unemployment insurance, and all other payroll obligations of an employer.

P22- Health Insurance

All employees who work thirty (30) hours or more per week will be eligible for health and dental insurance benefits offered by the School. Under the present plan, the School will pay 60% of the health and dental insurance premium for each employee. The employee is responsible for paying the remaining 40% of the premium through payroll deduction. If the employee discontinues the payroll deduction for the insurance premiums, the School will cease its contribution towards the insurance premiums. Details regarding insurance coverage should be available in the materials distributed regarding each plan. The School reserves the right to modify its plans and benefits at any time.

P23- Continuing Health Care Coverage (COBRA)

Under federal law, employees and their dependents have the option of continuing health insurance coverage at their own expense upon the occurrence of certain qualifying events. Those events include: the death of the employee; termination of the employee (including voluntary termination and leaves of absence, but not including discharge for gross misconduct); divorce or legal separation of the covered employee from his or her spouse; the employee's becoming entitled to Medicare coverage, or cessation of dependent child coverage under the terms of the insurance policy. In the case of divorce or legal separation or cessation of dependent child coverage, you must notify the Executive Director or designated person in order for your spouse or dependents to exercise their option of continued coverage. For more information on COBRA contact the Executive Director or designated person.

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P24- Employee Leave

Whenever teachers or other school employees are going to be absent, they are to notify their supervisor as soon as possible so that appropriate substitute arrangements can be made. All teachers are required to have an updated substitute folder on file in the main office.

P25- Travel

The Executive Director shall authorize all trips involving out of School travel (on school days) by school employees or official school groups. Any employee or group expecting reimbursement of travel expense must have approval of the School office prior to incurring expenses.

P26- Jury Duty

An employee summoned to serve as a juror shall give reasonable notice to the Executive Director prior to starting service as a juror. Any school employee who is officially called to serve on a jury will be compensated for the difference between his/her regular salary and the stipend paid for jury duty. On his/her return, the employee must provide official documentation of his/her jury duty.

P27- Professional Leave

Whenever a school employee is excused by authorized officials to attend any educational meetings, no deduction shall be made in the employee's salary for absence from school for attending such meeting. Teacher's requests to attend workshops and conferences at the School expense and during the regular school term should be planned in cooperation with the Executive Director. Approval will be given to as many teachers as possible, funds permitting, to attend workshops and conferences in areas of their interest.

Parent-teacher conferences are considered as work days. Any absenteeism on such days will be considered personal/sick day.

P28- Sick and Personal Leave

Each full time employee will be allowed eight days of paid sick or personal leave per full contract year. Full time employees who have worked for the Academy for a total of 200 or more days during the contract year will be allowed nine days of paid sick or personal leave. Full time employees who have worked for the Academy 210 or more days during the contract year will be allowed ten days of paid sick or personal leave.

Absences for one or more full days may result in a reduction of pay if available leave time is exhausted, in accordance with the law. Any sick and personal time taken beyond allowed (eight/nine/ten) days will be deducted in the employee's next appropriate paycheck at a rate of employee's daily salary. Full time employees, who are employed for the entire contract period and who do not use all of their sick and personal days, will be compensated \$125.00 for each unused sick and personal day. Days not used during the year will not be carried over to the next school year. Sick and Personal Time may be used in increments of 1 hour or more. The Executive Director may consider special requests for time off outside of these parameters.

(Nothing in this Policy shall conflict with Minnesota Law. If there is a conflict, the provisions of Minnesota law will prevail)

Personal leave may be used for compelling personal obligations which cannot reasonably be conducted outside of the employee's workday. Personal leave days shall not be used to extend a holiday, vacation, or school recess period. The personal leave day will not be granted during the first or last week of the year, on protected workdays (parent-teacher conference day and in-service day), and on the day before or after holidays (long weekends or scheduled school recess period). Personal leave day requests during the month of May and June will be limited based on the number of requests and availability of substitutes. Requests must be received at least five days in advance.

Full time employees terminating employment during the contract year will be paid for the accrued personal and sick days by the above-mentioned rate. Part-time and full-time employees must request time off from work at least two working days in advance using the Employee Leave Form, except for emergencies or illness. The Executive Director reserves the right to deny requests for time off in his or her sole discretion.

P29- Maternity Leave

A full-time female employee is entitled to thirty (30) calendar days of paid leave during the postpartum period where she is incapacitated as a result of having given birth. The paid leave shall start immediately following childbirth and shall run for thirty (30) consecutive calendar days. This policy applies to full-time female employees only. Any leave taken shall run concurrently with any leave available under the Family & Medical Leave Act (to the extent applicable to the School).

Parental Leave: A full-time employee who becomes a new parent is entitled to three (3) days of paid parental leave. This policy applies to full-time employees only. Any leave taken shall run concurrently with any Maternity Leave available (if applicable) and with any leave available under the Family & Medical Leave Act.

P30- Family and Medical Leave without Compensation (FMLA)

Eligible Employee

An active, full-time or part-time employee of the School is eligible for family and medical leave under The United States Family and Medical Leave Act of 1993 ("the Act") provided that on the date the employee requests leave, the employee:

1. has been employed by the School for at least 12 months; and
2. has worked at least 1,250 hours during the 12-month period immediately preceding the commencement of leave.

Purpose of Leave

The School grants family and medical leaves of absence to such "eligible employees" for the following:

1. the birth of an employee's child or to care for the newborn child;
2. the placement of a child with the employee for adoption or state-approved foster care;
3. the care of an employee's spouse, child, or parent ("family member") who has a serious health condition; or
4. the employee's own serious health condition (as defined in the Act).

Length of Leave

An eligible employee is entitled to a total of 12 work weeks of unpaid leave within a 12-month period. Leave taken for the care of a newborn child or placement for adoption or foster care must be taken as an

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uninterrupted, continuous leave of absence and must be taken within 12 months of the birth or placement of the child. If both a husband and wife are employed by the School, and are eligible for leave, except for leave due to the employee's serious health condition, the two may take a combined total of 12-weeks. Intermittent leave or a reduced schedule may be approved for the employee's serious health condition or a family member's serious health condition where medically necessary and where the need for such leave is best accommodated through such scheduling. Available leave will be calculated by determining the amount of leave used by an employee for the twelve (12) months prior to each day for which leave is requested and subtracting that number from the total of days equal to twelve (12) work weeks. This is referred to as the "rolling method" of calculation. Leave time may be affected by special rules which apply to instructional employees who request or take leaves near the end of the school term and/or who take intermittent or reduced leave. The School may require an instructional employee to continue a leave until the end of the school term in certain situations permitted under the FMLA regulations.

Substitution of Paid Leave

An employee FMLA leave due to the employee's serious health condition must substitute all accrued sick leave, unused paid vacation, personal leave and paid time off, if applicable, before continuing leave on an unpaid basis. An employee taking leave for reasons other than an employee's own serious health condition must exhaust all accrued unused paid vacation, personal leave and paid time off before continuing leave on an unpaid basis. Any FMLA leave, whether paid, unpaid, or a combination thereof, will be counted toward the 12-week leave entitlement. When it is necessary to make per diem deductions to an employee's salary due to days not worked and taken off without compensation, the following formula will be used:

Annual Salary / Days in Official Calendar = Per Diem Salary

"Official Calendar" means the annual period employees are required to work and may mean different periods for administrative, instructional and staff employees.

Employee Notification Requirements

If an employee expects to take FMLA leave, the employee must notify the School's Executive Director of the intention to take leave at least 30 days in advance of the expected leave. Following proper notification, the employee must complete a Leave of Absence Request form and provide any required medical certification. If the need for leave is not foreseeable, the employee must provide notification of leave to the School's Executive Director as soon as is practicable under the circumstances. An employee's failure to provide 30 days advance notification for foreseeable leave may result in a delay of leave.

Medical Certification

An employee who takes leave for the employee's serious health condition or to care for a family member with a serious health condition must submit to the School's Executive Director written medical certification of the need for such leave from the applicable health care provider. Failure to provide the certification in a timely manner may result in a delay of leave. The School may request a second or third medical opinion at the School's expense for verification of an employee's serious health condition. The opinion of the third health care provider, who is approved jointly by School and the employee, shall be final and binding on the School and the employee. In addition, while the employee is on leave, the School may require the employee to provide periodic recertification of the employee's medical condition (not to exceed once every 30 days) and the School may inquire as to the employee's intentions to return to work. An employee on uninterrupted, continuous leave due to the employee's own serious health condition will be

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required to provide a job-related medical certification of fitness before the employee is allowed to return to work. Failure to provide this certification may result in the delay or denial of job restoration.

Benefits Continuation

The same health care benefits coverage provided to an employee on the day prior to taking FMLA leave will be maintained for up to the 12-weeks or as required by law, provided the employee continues to pay any required contribution for benefits. Employees who are on leave are responsible for making this periodic payment of the required contribution to the School (in care of its Executive Director) at the School's regular address. Upon completion of the 12-week leave, or if an employee fails to return to work at the end of the leave, a loss of coverage will occur, and continuation of health care coverage would be offered through COBRA. An employee who does not return from leave may be required, under certain circumstances provided by the Act, to reimburse School for any employee contributions paid by School while the employee was on unpaid leave.

Special Rules for Educators

The FMLA has special rules affect the taking of intermittent leave or leave on a reduced leave schedule, or leave near the end of an academic term (semester), by instructional employees. "Instructional employees" are those whose Executive Director function is to teach and instruct students in a class, a small group, or an individual setting. This term includes not only teachers, but also athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. It does not include, and the special rules do not apply to, teacher assistants or aides who do not have as their Executive Director job actual teaching or instructing, nor does it include auxiliary personnel such as counselors, psychologists, or curriculum specialists. It also does not include cafeteria workers, maintenance workers, or bus drivers. In all instances, the School will comply with the law in accordance with the leave allowed and taken. Any questions about intermittent, reduced schedule, or near end-of-the-academic-year FMLA leave should be addressed to the School's Executive Director.

Service Member Leave

A qualifying employee who is the spouse, son, daughter, parent or next of kin of a covered service member may be entitled to up to 26 work weeks of uncompensated leave relative to the care of a service member ("service-member FMLA.") All such leave shall be in strict accordance with the FMLA, shall be allowed upon the same "rolling" calendar for purposes of calculation, and combined "standard" and "service member" FMLA leave shall not exceed 26 workweeks in a 12 month period.

Job Restoration

An employee will be returned to the same or an equivalent position when the employee returns from family and medical leave, with no loss of benefits accrued prior to leave. An employee who does not return to work at the end of an authorized leave is subject to termination of employment. In the event an employee's position with School is affected by a decision or event not related to the employee's leave of absence, e.g., job elimination due to a reduction in force, the employee will be affected to the same extent as if he was not on leave.

Voluntary Relinquishment of Employment

Leave time is limited to the unpaid time allowed under this policy. An employee who fails to return to work when leave time has been exhausted may be determined to have voluntarily relinquished their position with the School.

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P31- Funeral Leave

For the death and burial of an immediate relative of the teacher (employee) or the teacher's (employee) husband or wife, three (3) days of paid funeral leave may be allowed. Absence beyond three days shall be covered by any remaining sick and personal time or at full loss of pay if no sick and personal time is available to use. The Executive Director reserves the right to grant special permission to an employee experiencing a unique situation.

P32- Reimbursement for Professional Development

The School is aware of the fact that improving quality of the education is highly related to continuous professional development of its faculty members. The School, therefore, encourages its employees to continue their education towards Master's Degree, and attend as many seminars, workshops, and lectures as possible to extend their professional knowledge. In order to support professional development of its teachers and staff, the School adopts the following rules as its Reimbursement Policy for Professional Development:

If a full-time employee wants to pursue a Master's Degree or certification in job related areas and take classes for that purpose then the School will reimburse the employee 75% of the tuition up to \$3,000 (per school year) with the condition that the employee completes the course (or courses) with a grade of B or above.

If a School Administrator (Executive Director, Assistant Executive Director, Dean of Students, and Instructional Coordinator) wants to pursue a Master's Degree in Educational Leadership, then the School will reimburse the Administrator 100% of his/her tuition up to \$5,000 (per school year) with the condition that the employee completes the course.

Employees must have the Executive Director's approval prior to signing up for the classes. The Executive Director will approve a Requisition form subject to availability of the funds.

In order to receive reimbursement, employees are supposed to fill out a Reimbursement Form after the courses are completed. Employees will also provide the proof of payment and grades for the credits earned.

The credits/courses need to be job and career related.

Employees need to be employed at School during the course term in order to earn the reimbursement. If a reimbursement is requested for a summer course, the teachers must have signed a contract for the next school year either with the School or another Concept School. The reimbursement will be applied towards the fiscal year in which the course is completed. Fiscal year ends on June 30th. If an employee terminates the contract for the next school year after the employee gets reimbursed, the reimbursement amount will be deducted from the remaining wages or otherwise the employee will have to return the reimbursement.

If an employee is requested to attend a training, a seminar, etc., or take a college course by the School Executive Director, then the School will pay or reimburse the employee for the full tuition or fees. The School does not reimburse for credits towards PhD.

Any exceptions to this policy must be approved by the School Board.

P33- Reimbursement for Travel Expenses

Professional staff members are expected to exercise the same care incurring travel expenses that a prudent person would exercise if traveling on personal business and expending personal funds. Unauthorized costs and additional expenses incurred for personal preference or convenience will not be reimbursed.

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The Academy will reimburse *45 cents/per mile* for travels with personal vehicles within a 200 mile radius in state and out-of-state. Whenever feasible, rental vehicles or air travel should be preferred for trips over 200 miles. If a staff member has frequent flyer advantage card, it is required to return all gained benefits from that card to the School.

The school will also reimburse the employees for accommodations and meals based on the following:

- Up to \$40.00 per day for meals and up to \$100.00 per night per room for accommodations.

Employees shall only be reimbursed for work-related travel that is related to and within the scope of the employee's work responsibilities.

The School will not reimburse unauthorized expenses. Unauthorized expenses include but are not limited to alcohol, movies, supplemental insurance on rental cars, fines for traffic violations, and the entertainment / meals / lodging of spouses or guests.

Accrual of personal frequent-flyer miles, hotel "bonus points", credit card "rewards," or any other reward under similar affinity programs (including credit points or rewards directed to non-profit organizations) is strictly prohibited.

No district employee shall be reimbursed for travel and related expenses without prior written approval (Reimbursement Form) of the Executive Director and any proper documents (i.e., itemized receipts).

This policy does not address every issue, exception, or contingency that may arise in the course of travel. Any exceptions to this policy must be approved by the School Executive Director.

P34- Moving Expenses

All new full-time employees who move from a distance over 50 miles as a result of a job-related relocation are entitled to reimbursement for moving expenses up to \$2,000.

P35- Performance Based Compensation

All teachers will receive a summative evaluation every year. All teacher evaluations shall be completed by the first day of June and each teacher subject to this policy shall be provided with a written copy of the evaluation results by the end of June. Each evaluation will result in an effectiveness rating of "Exceeds" "Meets", "Partially Meets" or "Does Not Meet". An effectiveness rating is based on the following two categories:

1. Teacher Performance
2. Student Growth Measures.

Fifty-percent (50%) of the evaluation will be attributed to teacher performance and fifty-percent (50%) will be attributed to multiple measures of student growth. Teacher Performance and Student Growth Measures ratings shall be combined to reach the summative teacher effectiveness rating.

The School will offer compensation in the form of salary increases for the following school year for teachers based on performance. Teachers are offered two types of incentives based on their summative evaluation.

\$2,000.00 will be given to a teacher who receives an effectiveness rating of "Exceeds" on the teacher's summative evaluation.

\$1,000.00 will be given to a teacher who receives an effectiveness rating of "Meets" on the teacher's summative evaluation.

This policy does not apply to the superintendent, assistant superintendent(s), business manager, treasurer or "other administrator" as defined by State Law. This policy also does not apply to substitute teachers. A substitute teacher is a person who teaches a school class when the regular teacher is

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unavailable.

Any and all compensation awarded will be added to the employee's salary, and paid through regular payroll in the next school year. Accordingly, re-employment is required to realize the performance-based compensation incentive.

P36- Attendance / Punctuality

The Academy needs the combined effort of all employees to ensure an uninterrupted, efficient school day. Absenteeism and tardiness place a burden upon your co-workers and is unfair to students. Employees who are absent or tardy must notify the Executive Director as soon as they are aware that they will not be reporting at their normal starting time. They should explain the reason for the absence or tardiness, and the estimated date or time they expect to return to work.

Excessive absenteeism or tardiness, as determined by the School's Administration, may result in disciplinary action or even an employee's dismissal. The employees are required to sign in and out every day and that sign in-out sheet will be used to determine the total sick days used by the employee.

The School Executive Director should be notified at least one week in advance of any requested leave period.

P37- Attendance at Staff Training and Special Meetings

The staff at the School is required to attend all training sessions, open houses and school functions unless excused by the Executive Director. The Executive Director will schedule each employee for training based upon his or her position and experience at the School. In addition, attendance at special meetings arranged by the Executive Director is required, unless excused by the Executive Director. An example of a special meeting is one that is held in August prior to the start of school. The Executive Director will provide advance notice of all training and special meetings.

Staff members are unable to take off work on Professional Development Days. This includes Teacher Institute, CS Annual Conference, and Regional PD. If a staff member takes off one of these days their absence will be considered unexcused and they will not get paid for the day.

A day of training or a special meeting missed will count the same as a missed day of school.

A training day or special meeting absence will be deducted from the available sick and personal days each year and will affect the calculation for the attendance bonus program.

P38- Equal Employment Opportunity

It is the policy of the School to maintain a working environment free of all forms of unlawful discrimination. The School affords equal opportunity to all employees and prospective employees without regard to race, color, sex, religion, age, marital status, disability, veteran status, or national origin in all terms and conditions of employment, including: recruitment, hiring, placement, transfer, promotion, demotion, selection for training, layoff, termination, determination of service, rate of pay, benefit plans, compensation, and other personnel actions.

The school will not tolerate discrimination and will take appropriate disciplinary action, including but not limited to reprimands, suspension, probation, and/or termination, of any person determined to have engaged in unlawful conduct under this policy. The School will not retaliate or discriminate against any employee or applicant because he or she has opposed any unlawful employment practice or filed a charge of employment discrimination, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing related to employment practices.

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The Executive Director is the Compliance Officer whose responsibility it will be to ensure that Federal and State regulations are complied with and that any complaints are dealt with promptly in accordance with law. S/He shall also ensure that proper notice of nondiscrimination rights under applicable laws is provided to applicants and employees.

P39- Accommodations for Disabilities

No employee or candidate for employment shall be discriminated against in recruitment, employment, promotion, training, or transfer because of a disabling condition that does not prevent performance of essential job functions, either with or without a reasonable accommodation.

No candidate for employment shall be required to answer a question regarding a disabling condition in violation of the law.

Reasonable modifications in scheduling and the allocation of duties, not directly affecting the instructional program, shall be made to accommodate employment conditions to the needs of individuals with disabilities in accordance with the law.

If you have a disability which affects your ability to perform your essential job duties, please contact the Executive Director to discuss what reasonable accommodations we might make for you to safely and effectively perform your job. A statement from your physician describing the extent of your disability and limitations will be necessary in order for us to assess whether we can reasonably accommodate your condition.

P40- Harassment

It is the policy of the School to maintain a work and educational environment that is free from discrimination, including sexual and other unlawful harassment. In keeping with this policy, the School prohibits any form of unlawful harassment based on race, color, religion, sex, age, national origin, ancestry, disability, handicap, citizenship, veteran or other legally protected status, by any of its employees, supervisors, managers, visitors, or others in the work and educational environment.

Unlawful harassment is verbal or physical conduct that is unwelcome and is based on race, color, religion, sex, age, national origin, ancestry, disability, handicap, citizenship, veteran or other legally protected status. It occurs when:

- submission to the unwelcome conduct is made either an explicit or implicit condition of an individual's employment;
- submission to or rejection of the unwelcome conduct is used as a basis for an employment decision that results in a tangible job detriment, such as hiring, firing, reducing hours or responsibilities, failing to promote, or reassignment to a position with significantly different responsibilities; or
- the unwelcome conduct unreasonably interferes with the employee's work performance or is sufficiently severe or pervasive to constitute a hostile, intimidating, or offensive work environment.

Unlawful sexual harassment includes unwelcome sexual advances, requests for sexual favors, derogatory jokes, display of pornographic or sexually suggestive materials, and other verbal or physical conduct of a sexual nature.

A violation of this policy will subject an individual to discipline, which may include termination. The type of discipline (if any) that is warranted will depend on all the circumstances, including the nature of the conduct and the context in which it occurred.

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If you feel you have been discriminated against or harassed, or if you observe conduct that you believe constitutes harassment, you should immediately report your concern to the Executive Director or a member of the Board.

No form of reprisal will be taken or permitted against any person who in good faith reports an incident of harassment or provides information during the investigation of a complaint. The Executive Director, Member of the Board or their designee will conduct a prompt and thorough investigation of allegations, document the findings, and make recommendations to the Board of Trustees or its designee. If the Board or its designee determines that unlawful discrimination or harassment occurred, it will take prompt corrective action calculated to eliminate the discrimination or harassment.

P41- Drug-Free Workplace

It is the policy of the School to maintain a workplace that is free of illegal drugs and alcohol.

The use, sale, purchase, manufacture, distribution, dispensation, possession, and/or transfer of an illegal drug and/or alcohol, or being under the influence of an illegal drug and/or alcohol, during work time or at any time while on property owned, leased or utilized by the School, is prohibited.

An "illegal drug" means any narcotic, depressant, stimulant, hallucinogen, cannabinoid, or other substance subject to the federal Controlled Substance Act, which is not lawfully prescribed to or lawfully obtained by an employee. "Alcohol" includes, but is not limited to, distilled spirits, liquor, beer, wine, malt liquor, or any other intoxicant used as a beverage. The "property of the School" includes, but is not limited to, premises owned, leased, or used by the School and vehicles or equipment owned, leased, or operated by the School.

Any employee who violates this policy will be subject to disciplinary action up to and including termination of employment. The disciplinary sanction may include the satisfactory completion of an appropriate rehabilitation program.

Employees needing help in dealing with drug or alcohol use or dependency are encouraged to contact a member of the Board.

Employees must, as a condition of employment, abide by the terms of this policy and report to the Executive Director any conviction under a criminal drug statute, for violations occurring on the School's premises or property or while conducting School business. A report of a conviction must be made within five days after the conviction. This requirement is mandated by the Drug Free Workplace Act of 1988.

The Executive Director, the School or the Board may condition any offer of employment upon the applicant passing a drug/alcohol test. Any applicant subjected to drug/alcohol testing shall complete a consent form upon request. The Board shall reject for hire any applicant who fails or refuses to complete a consent form or submit to testing upon request, or who fails to pass a post-offer drug/alcohol test when such a test is required.

P42- Solicitation And Distribution

There will be no solicitation of employees by other employees or any person anywhere on School property unless prior approval is obtained in writing from the Executive Director. This includes selling and delivery of merchandise (e.g., Girl Scout cookies, Tupperware, or tickets to fundraising events) and/or the distribution of literature, petitions, etc.

P43- Use of Tobacco on School Premises

The use of tobacco presents a health hazard which can have serious consequences both for the user and

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the nonuser and is, therefore, of concern to the Board.

For purposes of this policy, "use of tobacco" shall mean all uses of tobacco, including a cigar, cigarette, pipe, snuff, or any other matter or substances that contain tobacco.

In order to protect Students and staff who choose not to use tobacco from an environment noxious to them, and because the Board cannot, even by indirection, condone the use of tobacco, the Board prohibits the use of tobacco in School buildings and School vehicles at all times. "School buildings" includes buildings owned, leased or used by the School, and "School vehicles" includes vehicles owned, leased, used or operated by the School.

P44- Religion and Free Speech Limits

The School's approach to religion is strictly academic. It is not devotional. While the School may expose students to a variety of religious views relevant to course content, it will not endorse or impose any particular view or engage in religious instruction. The teaching staff is required to be neutral in carrying out teaching responsibilities. Employees are not allowed to pray with or in the presence of students during the school day. Employees must also refrain from using their position in the School to promote outside religious activities. Employees are subject to the Establishment Clause of the First Amendment and must conduct themselves by the limitations it imposes on their own traditional free speech rights while carrying out their duties.

P45- Intellectual Property Rights

Any materials created by staff members for use by the School, or produced using the staff or resources of the school, are works-for-hire and all intellectual property rights are vested in the school.

P46- Internet Use

The Internet is a powerful communications tool and a valuable source of information. However, an employee's improper use of Internet services can waste time and resources and potentially create legal liability and embarrassment for both the School and the employee.

An Internet service includes, but is not limited to: e-mail, web browsing and newsgroups. This policy applies to any Internet service that is:

- Accessed on or from the School's premises; and/or
- Accessed using office computer equipment or via School-paid access methods.

Internet services are provided by the School for School use. Incidental use of Internet services for personal, non-work-related purposes is acceptable. However, personal use must be infrequent and must not:

- Involve any prohibited activity, i.e., any activity that is prohibited by this handbook or by the application of state or federal law;
- Interfere with the productivity of the employee or his/her co-workers;
- Consume system resources or storage capacity on an ongoing basis; or
- Involve large file transfers or otherwise deplete system resources available for business purposes.

Employees should not expect privacy with respect to any of their activities using School -provided Internet access or services like school provided email account. The School reserves the right to search, review, or monitor any files, messages, or communications sent, received or stored in school provided email account or on the School's computer systems without advance notice and may also limit the use of the

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Internet service in part or whole.

Employees violating this policy are subject to discipline, up to and including termination of employment. Employees using the computer system for defamatory, illegal, or fraudulent purposes are also subject to civil liability and criminal prosecution. All computer resources including content are the property of the School and employees will be held personally responsible for their activities.

- Employees are strictly prohibited from using Internet services in connection with any of the following prohibited activities:
- Engaging in illegal, fraudulent or malicious conduct;
- Working on behalf of other organizations;
- Sending or receiving offensive, obscene or defamatory material;
- Annoying or harassing other individuals;
- Sending uninvited e-mail of a non-work-related nature;
- Monitoring or intercepting the files or electronic communications of employees or third parties;
- Obtaining unauthorized access to any computer system (including but not limited to unauthorized use of codes or passwords);
- Using another individual's account or identity without explicit authorization;
- Attempting to test, circumvent, or defeat security or auditing systems of the School or any other organization without prior authorization; or
- Distributing chain letters, jokes, solicitations, offers to buy or sell goods, or other non-business material of a trivial or frivolous nature.

P47- Workplace Violence

Violence or threats of violence will not be tolerated. If you feel such conduct has occurred, please report it immediately to the Executive Director.

The matter will be investigated, and where investigation confirms the allegation, appropriate action will be taken. Any employee engaging in what the School deems to be violent or threatening behavior will be subject to disciplinary action, up to and including discharge.

The premises of the School constitute a school safety zone as defined by State Law, on which the possession of a deadly weapon or dangerous ordnance is strictly prohibited. As part of this policy, the Academy will not tolerate the possession of weapons or any other device designed to inflict serious bodily harm by any employee of the Academy while on school property, on a school vehicle or at a school sponsored event.

Any employee found in possession of such a device on School property, in a School vehicle, or at a School-sponsored event, will be disciplined (up to and including possible termination) and will be reported to the appropriate law enforcement agency if appropriate.

An employee who is authorized by the School and by the law to serve as a security officer or to carry a weapon under controlled circumstances is exempt from this policy.

The following are examples of prohibited conduct under this policy:

- Injuring another person physically
- Engaging in behavior that creates reasonable fear of injury to another person
- Possessing, brandishing, or using a weapon on School premises or while engaged in School business
- Damaging property intentionally
- Threatening to injure an individual or damage property
- Committing injurious acts motivated by or related to domestic violence or sexual harassment

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Every employee has an obligation to report potential workplace violence to the Executive Director. This would include if you hear or observe anyone exhibiting one or more of the following behaviors:

- Discussing weapons or bringing weapons into the workplace
- Displaying overt signs of hostility or anger
- Making threatening remarks
- Sudden or significant deterioration of performance
- Displaying irrational or inappropriate behavior

It is extremely important that you report any knowledge of actual or potential acts of violence to the Executive Director so that all can be assured of a working and learning environment free of fear and violence.

P48- Workplace Searches

To protect property and ensure the safety of all employees, students and visitors, the School reserves the right to conduct personal searches consistent with state law, and to inspect any packages, parcels, purses, handbags, briefcases, lunch boxes or any other possessions, articles or property carried to the School's property. The School reserves the right to search any employee's desk, office, locker, file or computer or any other area of the premises. Inspection may be conducted at any time at the discretion of the School.

Persons entering the premises who refuse to cooperate with an inspection conducted pursuant to the School's policy may not enter the premises, and employees refusing to cooperate may be subject to disciplinary measures, up to and including discharge.

P49- Immigrants

The Board shall hire only United States citizens and others lawfully authorized to work in the United States. Any person hired will be required to provide satisfactory documentation of identification and employment authorization as set forth in Federal law and regulations.

P50- Complaints

All employees are encouraged to bring their problems or concerns to the immediate attention of the Executive Director. If the Executive Director is not available, or if the complaint involves conduct of the Executive Director, employees should direct their questions or concerns to the Board Chair.

P51- Lending of School Owned Equipment

The School Board of Directors believes that School-owned equipment is a valuable resource which, when used effectively, will enhance the quality of student learning in the School and the quality of life within the community.

The Board will provide School-owned equipment for the express purpose of increasing the effectiveness of the teaching and learning process.

The Board will provide School-owned equipment which may be loaned for community use on the written request of the user and approval granted by the Treasurer and provided such use does not disrupt the educational program of the School.

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The user of School-owned equipment shall be fully liable for any damage or loss occurring to the equipment during the period of its use, and shall be responsible for its safe return.

School equipment may be removed from School property by staff in order to fulfill the requirements and obligations of their mission.

School equipment may be removed from School property by students or staff members upon receipt of the required consent of the Executive Director/supervisor within the rules and guidelines established by the Treasurer to account for equipment.

Removal of School-owned equipment by staff or students from school property for personal use is prohibited.

The Executive Director shall establish guidelines and procedures for the effective and efficient implementation of this policy.

P52- Staff Use of School Equipment / Facility

Board Policy requires that limits be placed on staff use of School equipment and facilities. The following guidelines describe the nature and extent of such use.

Telephones

- A. Staff members may use the telephones to make brief, local (non-toll) calls provided such calls are made during free time and are not for conducting a private business.
- B. No long-distance calls are to be made without the permission of the supervisor. If such calls are made, time and charges are to be recorded by the caller and submitted together with the payment to the Treasurer's Office.

Copy Machines

- A. Staff members may use a School copier to make copies of personal documents providing such copying is done on free time and are not for conducting a private business.
- B. A staff member may make multiple copies of one or more documents for a fee of \$.10 per page which includes the cost of paper. The number of copies is to be recorded and submitted, together with the fee payment, to the Treasurer's Office.

Fax Machines

- A. Staff members may use a School fax machine to send copies of personal documents providing such faxing is done on free time and are not for conducting private business.
- B. A staff member may send faxes of one or more documents for a fee based upon the cost of the call.
- C. A staff member may also receive faxes of one or more documents for a fee of \$.10 per page which includes the cost of paper. The number of copies is to be recorded and submitted, together with the fee payment, to the Treasurer's Office.

Computers

School PC's may be used for personal reasons providing such use has been approved by the supervisor and takes place during a staff member's free time and is not for conducting a private business.

P53- Community Use of School Equipment / Facility

The School's Equipment and Supplies will be made available to Representative Community Groups

(Nothing in this Policy shall conflict with Minnesota Law. If there is a conflict, the provisions of Minnesota law will prevail)

under the following terms and conditions:

- A. Under no circumstances may the equipment and supplies be used for profit-making ventures or for personal use for conducting a private business.
- B. Equipment and supplies may be made available in emergency situations, as determined by the Executive Director or Schools/Designee-Treasurer.
- C. Equipment and supplies may be loaned upon application (application may be waived for emergency situations if time is an impediment and completed at a later date)
- D. Group/Representative agrees in application to assume all liability/responsibility for repairs and/or replacement as a result of their use of the School's equipment/supplies. The School shall fix the cost for repair/replacement.
- E. The group/representative agrees in the application to hold harmless the School and its representatives for any and all claims which may result from the use/misuse of any/all equipment/supplies which are loaned to community groups/representatives.

P54- Evaluations

Administrators, teachers, and support staff will be assessed by the Executive Director or his/her designee on their job performance including their level of adherence to the School's mission and the extent to which they devote their energies and resources to assisting the School to attain its goals. Additional methods of professional assessment may be developed by the Board or its designee. Evaluations will be conducted annually or more or less frequently as needed. There shall be a compilation of periodic observation(s) of the teacher's professional services made prior to a formal evaluation. The formal evaluation shall cover all aspects of the teacher's professional behavior and not merely classroom observation reports. It shall also be consistent with the performance responsibilities listed in the job description for a teacher.

Evaluation records should show evidence of continuity of growth and the variety of professional activities examined, where such growth and activities can be documented. Lack of such growth is also a pertinent topic for evaluation.

The School will provide teachers with assistance in correcting professional difficulties, but the School will not tolerate inadequate or poor performance.

Teacher Evaluations

This policy applies to teachers who spend at least 50% of his/her time providing content-related student instruction. Executive Directors and assistant Executive Directors shall be evaluated in accordance with the Executive Director evaluation policy adopted by the Board.

This policy does not apply to the superintendent, assistant superintendent(s), business manager, treasurer or "other administrator". This policy also does not apply to support staff, substitute teachers and part time staff.

Assigning an Effectiveness Rating

Each evaluation will result in an effectiveness rating of "Exceeds", "Meets", "Partially Meets", or "Does Not Meet". The effectiveness rating is based on the following two categories: 1) Teacher Performance; and 2) Student Growth Measures. Fifty percent (50%) of the evaluation will be attributed to teacher performance and fifty-percent (50%) will be attributed to multiple measures of student growth.

Teacher Performance and Student Growth Measures ratings shall be combined to reach the summative teacher effectiveness rating. The Evaluation Matrix is attached hereto as Exhibit A and incorporated herein.

(Nothing in this Policy shall conflict with Minnesota Law. If there is a conflict, the provisions of Minnesota law will prevail)

Calculating Teacher Performance

Teacher Performance is evaluated during the two cycles of formal observations and professional responsibilities evaluation as well as periodic classroom walkthroughs. Fifty-percent (50%) of the effectiveness rating will be attributed to Teacher Performance through a holistic process based upon the following Standards for the Teaching Profession:

1. Understanding Student Learning and Development and Respecting the Diversity of the Students they Teach;
2. Understanding the Content Area for which they have Instructional Responsibility;
3. Understanding and Using Varied Assessments to Inform Instruction, Evaluate and Ensure Student Learning;
4. Planning and Delivering Effective Instruction that Advances Individual Student Learning;
5. Creating Learning Environments that Promote High Levels of Learning and Student Achievement;
6. Collaborating and Communicating with Students, Parents, Other Educators, District Administrators and the Community to Support Student Learning; and
7. Assuming Responsibility for Professional Growth, Performance and Involvement.

In accordance with the above requirements, the School shall utilize the Concept Schools Rubric of Teacher Performance or such other rubric approved by the Board of Directors. This rubric shall be utilized by school administrators for all professional responsibilities evaluations and formal evaluations of no less than 30 minutes in duration. Results of such evaluations will be input into the CSSIS Evaluation System, an online system of performance measurement that will both record and average teacher performance statistics.

Teachers will also be evaluated on an on-going basis through the completion of unannounced walk-throughs of various lengths. Such walk-throughs may be performed by administrators. Said walk-throughs will be recorded in the CSSIS Evaluation System. The results of completed walk-throughs will be used in calculating teachers' final performance figures.

Calculating Student Growth Measures

For purposes of calculating student growth measures, "student growth" means the change in student achievement for an individual student between two or more points in time. This component of the evaluation includes some combination of the following: 1) Vendor Assessments and/or 2) Locally-determined Measures.

1. District Assessments: Assessments, if utilized by the school, must be included as one of the multiple measures of student growth. Assessments utilized must be included when calculating the fifty percent (50%) attributed to student growth measures.
2. Locally-determined Measures: For courses of instruction in which assessments are available, the Executive Director/designee will create measures for assessing student growth in the courses of instruction.

The School will, in accordance with above policy, utilize approved vendor assessment value-added data in determining student-growth. The school will administer annually, and use in such calculations, NWEA Map Testing. In effort to ensure accurate calculation and reporting of student growth for the purposes of measuring teacher quality, the school will continually revisit and re-evaluate assessment methods used, striving to ensure quality and accuracy in reported results.

In the calculation for student academic growth, a student who has sixty or more absences, excused and/or unexcused absences, for the school year will not be included.

(Nothing in this Policy shall conflict with Minnesota Law. If there is a conflict, the provisions of Minnesota law will prevail)

Evaluation Timeline

School administrators shall conduct an evaluation of each teacher subject to this policy at least annually. Each evaluation shall include: 1) Two (2) cycles of formal observations of at least thirty (30) minutes each; 2) Two (2) cycles of professional responsibilities evaluation and 3) Periodic classroom walkthroughs by the evaluator. All teacher evaluations shall be completed by the first day of June and each teacher subject to this policy shall be provided with a written copy of the evaluation results by the end of June.

Professional Growth and Improvement Plans

Teachers must develop professional growth or improvement plans based on their needs and should keep the logs in ConceptSIS.

Testing for Teachers in Core Subject Areas

If the teacher has received a rating of “Does Not Meet” on evaluations for two of the three most recent school years and the teacher teaches in a “Core Subject Area”, the teacher shall be required to register for and take all written examinations of content knowledge selected by state. “Core Subject Area” means reading and English language arts, mathematics, science, foreign language, government, economics, fine arts, history, and geography.

Retention and Promotion Decisions

The Board adopts the following procedures to be used by administrators in making retention and promotion decisions:

Buildings administrators shall review, with the assistance of all appropriate administration, all available evaluation data. The Building administrator will consider said data when making retention and promotion decisions.

Seniority shall not be a basis for making retention decisions, except when making a decision between teachers who have comparable evaluations.

Removal of Poorly Performing Teachers

The Board adopts the following procedures to be used by administrators in removing poorly performing teachers:

Teachers with repeatedly low performance data, who fail to demonstrate improvement, do not faithfully plan using the improvement planning strategies outlined in the section titled “Professional Growth and Improvement Plans,” or do not follow said plans when completed, will be considered for termination. Termination decisions for licensed teachers will be made by recommendation of the Executive Director followed by approval by the Board of Directors of the School.

Non-renewal of a licensed teacher’s contract shall not be deemed a termination.

Professional Development

The Board’s plan for the allocation of financial resources to support professional development is as follows:

School’s Local Professional Development Committee shall work in conjunction with building and/or district administration to ensure that appropriate funding is allocated to the development of teachers. Evaluation results will be consulted when selecting appropriate professional development to ensure maximum gains are achieved.

(Nothing in this Policy shall conflict with Minnesota Law. If there is a conflict, the provisions of Minnesota law will prevail)

P54: EXHIBIT A

Evaluation Growth	E	M	P	D
4	E	E	M	P
3	E	M	P	P
2	M	P	P	D
1	P	P	D	D

NWEA MCA	4	3	2	1
4	4	4	3	2
3	4	3	2	2
2	3	2	2	1
1	2	2	1	1

Growth Legend	Rating	NWEA Percentile	MCA z-score
4	Superior	66 - 99	0 or more
3	Above Average	56 - 65	[-0.2, 0)
2	Average	36 - 55	[-0.5, -0.2)
1	Below Average	1 - 35	Less than -0.5

P55- Discipline and Termination

The School retains its right to discipline or terminate the employment of any employee at any time, with or without cause at the School’s sole discretion.

With the exception of substitute employees and temporary employees (one year or less), these policies apply to all employees of the School, including certified, classified, and administrative personnel, and apply to all job-related activities of such employees.

(Note: this section looks and feels like “termination for cause.” No such language is appropriate when employment is At-Will. MN law will likely interpret this language as contradictory to the rules of At-Will employment and if that occurs, the At-Will status for any employee will likely be qualified.)

(Nothing in this Policy shall conflict with Minnesota Law. If there is a conflict, the provisions of Minnesota law will prevail)

Bases for Disciplinary Action: The following is a partial list of acts, which, if performed by an employee in the scope of employment, may constitute grounds for disciplinary action, up to and including termination:

- Insubordination, including the willful refusal of an employee to perform an assignment or to comply with a directive given by the employee's supervisor.
- Unprofessional job-related conduct.
- Incompetence or inefficiency in the performance of duties.
- Corporal punishment of students.
- Improper conduct toward students and/or other employees.
- Conduct in violation of any School policy or established expectation of performance.
- Conviction of a felony related to the employee's employment, or which seriously impairs the employee's ability to perform his or her assigned duties.
- Serious misconduct related to the employee's job.
- Abuse of the School's sick and personal leave policy.
- Excessive tardiness.
- Excessive absenteeism.
- Unexcused absences from work.
- Gross negligence or gross carelessness in the performance of duties.
- Use of School property for personal gain.
- Negligent or willful damage to School property.
- Gross waste of School supplies or equipment.
- Dishonesty or falsification of any information involving the School, including grades, credits, data on forms, employee records, or any other information involving the School.
- Possession of alcohol or other intoxicants or illegal narcotics, or other controlled substances without prescription on school property or at any school function.
- The use or distribution of or being under the influence of alcohol or other intoxicants or illegal narcotics, or other controlled substances without prescription on school property or at any school function.
- Deliberate conduct which has the apparent purpose of exposing the School to embarrassment, censure, ridicule, or reproach.
- Verbal and/or physical fighting on school premises or at any school related activities.
- Falsification of records or data with intent to defraud.
- Sexual misconduct which deviates from the ordinary standards of morality prevalent in the area served by the School.
- Harassment.

This list is not a complete list of acts worthy of disciplinary action. The Executive Director reserves the right to determine when disciplinary action is appropriate and the degree of disciplinary action to be administered, including termination.

Persons Authorized to Initiate and Carry Out Disciplinary Actions

Verbal and written warnings may be issued by the Board of Directors, the Executive Director, administrators, or other supervisory personnel relative to employees under their jurisdiction.

(Nothing in this Policy shall conflict with Minnesota Law. If there is a conflict, the provisions of Minnesota law will prevail)

P56- Termination of Employment

Resignation

Employees who resign from the School should give at least two-weeks notice. The letter of resignation should state fully the reason(s) for leaving and should be turned in to the employee's supervisor.

The resigning employee should relinquish all property of the School at the time of departure. Any applicable mandatory and optional, authorized deductions will be made from the employee's last paycheck. The School reserves the right to withhold the remaining paycheck(s) of the resigning employee until all property of the School is returned or until all outstanding payments in excess of the amount of the paycheck(s) have been made to the School.

The School reserves the right to pay the resigning employee for the notice period and accept the resignation immediately.

School Termination of Employment

Employment with the School is at-will and may be terminated by the School at any time with or without cause and with or without notice. Employees will be paid for all work performed through the effective date of the termination of their employment. The School reserves the right to withhold the remaining paycheck(s) of the resigning employee until all property of the School is returned or until all outstanding payments in excess of the amount of the paycheck(s) have been made to the School. All applicable mandatory and optional, authorized deductions will be made from the employee's last paycheck.

P57- Local Professional Development Committee (LPDC)

The school will form a local professional development committee is to review the course work and other professional development activities proposed and completed by educators employed by the school to determine if the requirements for the renewal of certificates or licenses have been met.

The committee will abide by the state rules pertaining to the LPDC committee.

P58- Administrator Evaluation

Evaluation of Executive Directors and Other Administrators

This policy shall apply to all persons employed by the Board of Education in a position as an administrator (Executive Director, Assistant Executive Director, Instructional Coordinator and Dean of Students). The Superintendent is authorized to develop administrative guidelines for the procedural and substantive evaluation of the director and other administrators. Each administrator shall be evaluated at least twice annually. A written evaluation document shall be produced for each evaluation. The evaluation shall be conducted by the Superintendent or his/her designee (such designation may be oral or in writing). Prior to the Board's consideration of contract renewal or non-renewal, the Superintendent shall review the results of the evaluation process with the Board.

All administrators (Executive Director, Assistant Executive Director, Instructional Coordinator and Dean of Students) will receive a summative evaluation every year. All administrators' evaluations shall be completed by the first day of June and each administrator subject to this policy shall be provided with a written copy of the evaluation results by the tenth day of June. Each administrator evaluation will result in an effectiveness rating of "Exceeds", "Meets", "Partially Meets", or "Does Not Meet". An effectiveness rating is based on the following two categories: 1) Administrator Performance; and 2) Student Growth Measures. Fifty percent (50%) of the evaluation will be attributed to admin performance and fifty-percent

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(50%) will be attributed to multiple measures of student growth. Administrator Performance and Student Growth Measures ratings shall be combined to reach the summative admin effectiveness rating.

Student Growth

For the purpose of use in evaluation systems, student growth is defined as the change in student achievement for an individual student between two or more points in time. For Executive Director and other administrator evaluation, student growth represents aggregation of student growth measures in a school.

Student academic growth will be measured through multiple measures which must include nationally normed standardized assessments (NWEA), district assessments or end-of-course examinations for grade levels and subjects.

Performance Based Compensation

Under the school administrator evaluation policy, all administrators (Executive Director, Assistant Executive Director, Instructional Coordinator and Dean of Students) will receive a summative evaluation every year. The school will offer the following performance based compensation for the administrators based on their summative evaluation.

- \$3,000.00 will be given to the administrator who receives an effectiveness rating of “Accomplished” on the admin’s summative evaluation.
- \$1,500.00 will be given to the administrator who receives an effectiveness rating of “Skilled” on the admin’s summative evaluation.

P59- Personal Information Systems Policy

The Board of Directors requires the Management Company to maintain personal information systems which relate to School’s students, teachers or other employees. The guidelines for the operation of such personal information systems are as follows.

A. Operation of a System

1. The Management Company is directly responsible for the operation of all personal information systems.
2. Every employee who has any responsibility for the operation or maintenance of a system or the personal information contained in a system shall receive a copy of these rules and regulations and shall conduct themselves in accordance with them.
3. The purpose of these rules is to assure that the personal information within a system is used as authorized and that the subject of any information is aware of the information and is able to challenge its presence within the system.
4. Any employee who initiates or otherwise contributes to any disciplinary or other punitive action against any individual who gives evidence of unauthorized use of information contained in the system shall be subject to the disciplinary measures of the Management Company which can include suspension and/or termination of their employment.

B. Personal Information in a System

1. Any person who is asked to supply personal information for a system shall be advised that they may refuse to supply the requested information unless there is a legal requirement that they provide the information, in which case, they shall be advised of that requirement.

(Nothing in this Policy shall conflict with Minnesota Law. If there is a conflict, the provisions of Minnesota law will prevail)

2. The personal information collected, maintained, and used within a system shall be necessary and relevant to the numerous functions of the school as required or authorized by statute, regulation or rule or necessarily inferred from those sources.
3. Personal information which is no longer necessary and relevant to those functions should be eliminated from a system at the earliest opportunity in accordance with the Ohio Revised Code.
4. The personal information in a system shall be used in a manner consistent with the purpose of the system and functions of the School.

C. Access to Personal Information

1. Any person who is the subject of the personal information system or his/her legal guardian or representative with a signed authorization from the person shall have the ability to inspect the personal information in the system relating to said person at reasonable business hours by arranging a prior appointment.
2. Except for those employees who, as part of their job responsibility, have access to a personal information system from time to time, all persons who have access to a personal information system shall be required to note their name and any other information requested by the Management Company in a manner prescribed by the Management Company.
3. The provisions of this policy and the existence of a personal information system shall not prohibit the release of public records or the disclosure of personal information in a public record as provided in the Family Education Rights and Privacy Act and any rules, regulations or policies adopted by the Board of Directors there under.
4. The release of personal information to members of the general public which is contained within a public record is not an improper use of personal information.

D. Dispute of Personal Information

1. If any person disputes the accuracy, relevance, timeliness, or completeness of personal information relating to him/her and maintained by the school, said person may request an investigation of the current status of the information by filing a written request with the Administrator.
2. Upon receipt of the investigation request, the Executive Director shall, within a reasonable time, but not later than ninety (90) days after receipt, conduct a reasonable investigation to determine whether the disputed information is accurate, relevant, timely and complete.
3. The Executive Director or designee shall present the results of the investigation in writing to the Management Company with a copy of said report being furnished to the disputant.
4. The Management Company shall, after receipt of the investigation report, decide what action it intends to take regarding the disputed information and shall notify the disputant of its action.
5. Any personal information that the Management Company, through this investigation process, cannot verify or finds to be inaccurate shall be deleted from the system in accordance with the Ohio Revised Code.
6. If the disputant is not satisfied with the determination and action of the Management Company, the disputant may advise the Board of Directors and shall be permitted to place a brief statement of his/her position within the system consisting of not more than one hundred (100) words.
7. Any statement of dispute shall be included in any subsequent transfer, report, or dissemination of the disputed information and, if the Board of Directors or the Management Company believes the statement of dispute to be frivolous or irrelevant, a statement of that belief may also be included.
8. If any information is deleted because the Board of Directors or Management Company found the information to be unverified or irrelevant, or if a statement of dispute has been filed, upon written request of the disputant, notice of such a deletion or a copy of the disputed statement shall be

(Nothing in this Policy shall conflict with Minnesota Law. If there is a conflict, the provisions of Minnesota law will prevail)

sent to any person specifically designated by the disputant; however, such person shall be someone who is reasonably aware of the existence of the disputed information.

9. The disputant shall be notified of this right to make such a request in a clear and conspicuous manner such as on the notice of the Board of Directors' action.

P60- Personnel Policies Employee Acknowledgement

I have been given access to all Personnel and School Policies and am familiar with its terms. I understand that it is not a binding contract, but a source of information and a set of guidelines for implementation of personnel policies. I understand that nothing contained in the Personnel Policies is intended to alter my at-will employment status or to create any implied promise of continued employment. I understand that School can unilaterally rescind, modify, or make exceptions to any of these policies, or adopt new policies, at any time. I also understand that the provisions of these Policies will override contrary statements, representations or assurances made by any supervisory personnel.

I understand the Harassment Policy contained in the Policies. I know that I am responsible for reporting any instance of harassment observed by me, whether or not I am the victim, and I understand how to report it. I understand that if I engage in harassment, I may be subject to discipline, up to and including termination.

I have been provided with information from School about the fraud-reporting system as described by State Law. I have read and understand the information provided. I have received and read the information and the protections provided regarding the before-mentioned fraud reporting system. In addition, I have read the information provided by my employer regarding the fraud-reporting system operated by the State Auditor's office. I further state that the undersigned signature acknowledges receipt of this information.

EMPLOYEE'S SIGNATURE

PRINTED NAME

DATE: _____

Please sign this page and return it to the Executive Director immediately. A copy of this acknowledgement will be retained in your personnel file.