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# Personnel Policies

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# Attendance and Leave

## Purpose

This policy governs attendance and leave for ANCS personnel.

## Duration

This policy is permanent, but it is subject to revisions.

## Policy

### Section 1. Attendance and Leave

1. All staff members are expected to adhere to the school's stated policies ~~for attendance and leave. It is important that each staff member clock sign in each day and clock sign out each day. if he/she leaves the building before the end of the school day (and sign back in if returning before the end of the school day). An accurate sign in/sign out sheet is necessary in the event of an emergency or school evacuation.~~
2. All employees are required to work according to the schedule and dates stated in their employment agreement.

### Section 2. Professional Duties and Events Outside of School Hours

1. Teachers are required to participate in programs related to their professional duties that may be outside of school hours. These days include teacher in-service sessions conducted within the regular work hours, staff meetings, and parent-teacher-student conferences.
2. All employees are encouraged to attend school functions and events that occur after hours to maintain an integrated presence in the school community. Employees will be notified of those functions they are required to attend.

## Resources

- Attendance, Scheduling, and Use of Substitutes (Personnel Handbook)
- Inclement Weather in Student and Family Academic Program Policies



# Background Checks

## Purpose

ANCS wishes to create a safe learning environment for students to ensure student success. Therefore, ANCS employs individuals who act as role models for students and who demonstrate the highest level of integrity.

## Duration

This policy is permanent, but it is subject to revisions.

## Policy

### Section 1. Fingerprinting and Criminal Record Checks Prior to Employment

1. In accordance with O.C.G.A. § 20-2-211(e)(1), all personnel, certificated as well as non-certificated, employed by ANCS shall be fingerprinted and have a criminal record check.
2. The fingerprinting and record checks shall be initiated by ANCS at the appropriate time.
3. ~~Substitute teachers will be responsible for paying the associated fee.~~
4. Criminal record checks of non-certificated personnel continued in employment at ANCS shall occur every fifth year of employment.
5. The Campus Principal / Executive Director is authorized to develop regulations to implement this policy.

### Section 2. Verification of Employment

All employees of ANCS shall fill out the federal I-9 form at the time of employment.

### Section 3. Transcript and Diploma Verification

Each employee of ANCS will provide an official copy of her/his transcript(s) for inclusion in the employee's personnel records.

## Resources

- "Confidential Personnel File" on page 40



# Benefit Offerings and Eligibility

## Purpose

This policy governs benefits offerings and eligibility for ANCS employees.

## Duration

This policy is permanent, but it is subject to revisions.

## Policy

### Section 1. Benefit Eligibility

1. Employees who are employed at a rate of .5 FTE (50%) or greater are eligible to participate in the health benefit programs. Current employees who did not elect to participate in health benefits at the time of hire may later do so during an annual Open Enrollment period. Newly hired employees are eligible to enroll to participate in benefit programs during the first 30 days of employment.
2. For new faculty members (including those who are 191, 200, 214 or 241~~191~~-day contracted employees), benefits become effective on the first of the month following 60 days after their contract date, ~~which for most new faculty means that their benefits would become effective September 1 (60 days after their contract date of July 1).~~ For new staff members, benefits become effective 30 days following their date of hire. Faculty members who join mid year will have their benefits effective within 30 days.
3. The benefits offered by ANCS may change at any time at the sole discretion of ANCS.

### Section 2. Benefit Cost

1. ANCS covers at least 75% of the premium cost of health benefit program ~~medical, life, and dental and vision~~ coverages for plan participants. The employee's share of the premium cost is automatically deducted from each paycheck on a pre-tax basis.
2. All qualifying employees participate in the Teachers Retirement System (TRS), and a percentage of gross pay is withheld on a pre-tax basis as a retirement contribution. Additionally, ANCS contributes a percentage of employee's ~~your~~ gross pay to TRS on ~~your~~ behalf of employees. These percentages vary from year to year.



3. Employees pay the full costs of optional coverages, such as 403b or supplemental insurance plans.

## Resources

- Benefits Administration in Finance and Operations Policies
- Payroll in Finance and Operations Policies





# Cell Phone and Computer Internet Use

## Purpose

The purpose of this policy is to ensure that users utilize computer/Internet access in a manner consistent with the purpose of providing this Internet service.

## Duration

This policy is permanent, but it is subject to revisions.

## Policy

### Section 1. Cell Phone Use

Staff members should exercise discretion when using a cell phone for communications related to their job while in the presence of students. Staff members should not engage in cell phone use for non-school-related communications ~~while in the presence of students~~ if it interferes with their teaching responsibilities and duties. Staff may use their cell phones in the faculty lounge if they are on a break or off active duty while children are out of the classroom. ¶

This includes texting, emailing, application use, etc., as well as talking.

### Section 2. Computer and Internet Use

1. ANCS offers the use of school computers to staff, including Internet access. Users of these computers are expected to exercise care and follow all operating instructions, safety standards, and guidelines for their use as described in the Technology Use Agreement signed by employees during onboarding. Any damage to or loss of a school computer caused by an individual user may be that user's responsibility to fix, including and up to paying for the replacement of the computer.
2. All users must abide by the following when using school-issued computers and technology:
  - a. Respect the privacy, safety, and confidentiality of others by neither disclosing nor disseminating personal information on the Internet. This shall include email, chat rooms, and all forms of direct Internet communications.
  - b. Respect computer and network equipment. Equipment may not be altered, nor can access to computer or network configurations be made without the knowledge and consent of the Network Administrator(s).
  - c. Do not download or install software, music, or other programs from the Internet onto a



school computer.



- d. Understand that software piracy is a federal offense, and that ANCS' network may not be used for copying, downloading, distributing, or storing commercial software not licensed by ANCS.
  - e. Abide by copyright laws.
  - f. Understand individual users are responsible for all activity on their accounts, even if they are not the one behind the keyboard; for this reason, users should keep their accounts secure and not share their passwords with anyone else.
  - g. Understand that ANCS is an educational community, and that as such our educational function is our paramount mission. School issued computers should not be used for personal or recreational activities. ~~Therefore, users should defer their recreational activities to times outside of academic hours.~~
  - h. Abstain from accessing inappropriate web sites or computer games that include pornography, as well as images or language that are obscene or that are considered harmful to minors as defined by the Children's Internet Protection Act (aka CIPA).
  - i. Ask questions regarding computer procedures when unsure of how to do something.
3. It should be further understood that users of ANCS computing and networking resources cannot assume privacy. ~~Users should expect that network connections will be monitored, and computer files may be inspected.~~
  4. ANCS staff members are expected to use school resources responsibly, ethically, and lawfully to provide instructional support. Using electronic technology is a privilege, not a right, that ANCS may discontinue at any time. ANCS reserves the right to examine electronic mail messages, files of all types on ANCS computers, web browsers, cache files, web browser bookmarks, logs of websites visited, and other information stored on or passing through ANCS networks or standalone systems. This right of access ensures compliance with policies, assists with internal investigations, and assists in the management of ANCS information systems. Therefore, ANCS employees or persons using ANCS electronic resources should have NO expectation of privacy while using any ANCS network or standalone system. Users should expect that network connections will be monitored, and computer files may be inspected.

## Resources

- School-Issued Mobile Phone Guidelines



# Compensation

## Purpose

ANCS aims to attract, retain, and motivate a high-quality and competent workforce at all levels with a comprehensive, competitive compensation program designed to compensate employees for their skills, abilities, performance, and years of experience.

## Duration

This policy is permanent, but it is subject to revisions.

## Policy

### Section 1. Authorization for Salary and Compensation Administration

The Executive Director is authorized to maintain and administer the compensation plan adopted by the Board and to develop regulations for administering that plan.

### Section 2. Compensation Plan and Salary Schedule

The compensation plan shall be fair, externally comparable, internally consistent, and within the resources available to ANCS. Salaries of all employees shall be in accordance with Board policy.

1. Salary ranges for all positions will be proposed annually by the Executive Director to the Finance & Operations Committee then brought to the ANCS Governing Board for adoption. Schedules and changes will be guided by (but will not necessarily replicate) other metro Atlanta public charter schools' and districts' salary schedules, education, experience, and cost-of-living adjustments based on economic conditions.
2. The initial starting salary for all ANCS employees will be determined by the Executive Director.
3. The Executive Director is authorized to offer a one-time signing bonus as additional compensation for hard-to-staff positions. The positions for which signing bonuses are offered and the total amount of each signing bonus must be approved by the Finance & Operations Committee.
4. Additional longer-term responsibilities taken on outside of contractual responsibilities may be compensated with a stipend as determined by the Executive Director.
5. In addition to any Board-approved cost-of-living adjustments based on economic conditions, employees (other ¶)



ff

6. ff

than the Executive Director) whose contracts are renewed established by the ANCS Board. These tenure bonuses are awarded not only to acknowledge and reward and will ~~may~~ also receive a lump sum bonus at certain points in their tenure at ANCS according to the schedule below employee's longevity and sustained performance at ANCS, but also to encourage the employee to continue his or her employment with ANCS.

7. Tenure bonuses will be paid out to eligible employees by September 30th of each school year based on the availability of funding as determined by the Board. Any employees on an improvement plan at the start of a new contract period will not be eligible for a tenure bonus unless otherwise determined by the Executive Director (see Employee Evaluation).

~~The tenure bonus program will be implemented starting with the 2017–2018 school year and will not be applied retroactively; therefore, the first tenure bonuses will not be paid until the start of the 2018–2019 school year. (For example, if Teacher A has six years of experience with ANCS coming into the 2017–2018 school year, that year would be her seventh and she would therefore be eligible for a \$3,500 bonus to be paid by September 30 of the 2018–2019 school year. If Teacher B has three years of experience with ANCS coming into the 2017–2018 school year, that year would be her fourth and the 2018–2019 school year would be her fifth. She would then be eligible for a \$2,500 bonus to be paid by September 30 of the 2019–2020 school year.)~~

Tenure at ANCS	Tenure Bonus Amount
After completion of 5 years	\$2,500
After completion of 7 years	\$3,500
After completion of 10 years	\$5,000
After completion of 12 years	\$6,000
After completion of 15 years	\$7,500
After completion of 18 years	\$9,000
After completion of 20 years	\$10,000



8. After the 2019<sup>th</sup> year of employment at ANCS, an employee will receive either an additional 1% salary increase or a Board-approved cost-of-living salary increase (whichever is greater) annually for the remainder of the employee's employment at ANCS in addition to any other salary bonus the staff receives as a whole. ▫
9. As noted above, the tenure bonus program is in part intended to provide an incentive for an employee to remain at ANCS. Nevertheless, an employee who retires from ANCS at the end of a contract period in which the employee would be eligible for a tenure bonus will receive an additional 1% annually for every year worked after 20 years ~~the bonus~~ provided that the employee (1) officially retires in accordance with the rules of the Teachers Retirement System of Georgia and (2) satisfies the other criteria of this policy.

### **Section 3. Salary for Higher Certificates and Advanced Degrees**

The salary track for improved certificates and relevant advanced degrees will be adjusted in the following school year. Faculty should submit the improved certificates or advanced degrees prior to the issuance of contracts. A teacher who earns the improved certificate or advanced degree prior to the first pay period of an annual contract may petition for the salary increase to be effective in that contract year. A determination of whether an advanced degree is relevant to an employee's position will be at the discretion of the Executive Director.

### **Section 4. Certificates and Licenses**

Each certificated employee will hold the appropriate certificate or license for his/her assignment as required by the charter and all applicable ~~charter school~~ laws.

### **Section 5. Salary for Prior Service**

1. The Executive Director will grant newly employed employees steps on the salary schedule for equivalent and/or relevant prior experience as verified and approved by the Executive Director and/or Campus Principals. A determination of whether prior experience is equivalent and/or relevant will be at the discretion of the Executive Director.
2. Pay will be retroactive if verification of acceptable prior service is received within 90 days of the employment start date.

### **Section 6. Pay Periods**

1. ANCS personnel are paid on a twelve-month basis.
2. Paychecks are issued on the 5<sup>th</sup> and the 20<sup>th</sup> of the month.
3. Direct deposit is available and encouraged.



## Section 7. Stipends

1. Stipends are in addition to an employee's salary, defined in his/her contract. They are awarded for duties outside of the normal job description of faculty or staff. They are representative of a specific short-term or part-time need that is clearly defined by the Executive Director. Roles with stipends are advertised like all other vacancies. Any existing employee who meets the posted qualifications may express interest to the Executive Director in assuming the role in addition to their defined responsibilities in their existing contract.
2. The exact amount and duration of the stipend is commensurate with the level of time, effort, and specialized knowledge required for the duties. Stipends are defined by an addendum to the school contract and last, at the longest, for one year. For roles that are repetitive or extend beyond one year, a new contract will be presented for approval and offered either to the same employee or another defined for the role.



# Employee Conflict of Interest

## Purpose

The purpose of this policy is to ensure that ANCS employees' private financial interests and relationships do not conflict with their obligations to act objectively and with integrity as school employees.

## Duration

This policy is permanent, but it is subject to revisions.

## Policy

1. Beyond the list of guidelines below, it is the good judgment of employees that offers the best protection against potential conflicts of interest. Employees who have questions about a potential conflict of interest should discuss the situation with the Executive Director, Director of Finance and Operations, and/or the Campus Principal.
  - a. Each employee has a duty to act in the best interests of the students and the school.
  - b. No ANCS employee shall use his or her influence or authority as an ANCS official to sell or effect a sale, directly or indirectly, for personal gain, to the school or to any ANCS employee.
  - c. No ANCS employee shall disclose confidential information concerning the school's intentions, its investments, its property development, sale, acquisition, or its purchasing or contracting activities.
  - d. No ANCS employee shall receive any gift valued at over \$100. ~~No ANCS employee shall solicit, accept, or agree to accept gifts, loans, gratuities, entertainment, transportation, lodging, meals, any ticket of admission, discounts, payment, or service, except those of nominal value (less than \$50.00), from any employee, student, parent, person, firm, or corporation that to his or her knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the school; provided, however, that an elected official who is a candidate for public office may accept campaign contributions and services in connection with any campaign.~~
  - e. If an employee accepts items or services of nominal value, the gift must be disclosed to the Campus Principal. Advertising items and instructional products that are widely distributed may be accepted. Expressions of goodwill from the community as a token of retirement or a job well done may be accepted.





- f. No ANCS employee shall accept outside employment or business activity with obligations that may conflict, or appear to conflict, with the interests of ANCS, nor shall the employee conduct activities related to outside employment during the school/business day.
  - g. Employees at ~~Teachers employed by~~ ANCS shall not ~~shall not~~ be compensated for teaching or coaching any student during the regular school day ~~teach or coach for pay any ANCS student during the regular school day. Teachers shall not tutor for pay any ANCS students they directly teach.~~
  - h. No ANCS employee shall advertise business or professional services or use system resources for personal or commercial enterprise.
  - i. No ANCS employee shall use his/her influence or authority as an ANCS official to affect the employment of a relative as defined herein, including hourly employees, contractors, and vendors. Such influence and/or authority includes participation in decisions regarding hiring, reappointment, placement, evaluation, rate of pay, salary increases, promotion, tenure, monetary awards, and/or discipline, even when the related employees are not in the same line of supervision or authority (Hiring and Evaluation of Immediate Family Members, Vendor and Supplier Conflict of Interest).
  - j. No ANCS employee shall use his/her influence or authority as an ANCS official to affect the employment of an individual with whom he/she is engaged in a dating or romantic relationship, including hourly employees, contractors, and vendors. Such influence and/or authority includes participation in decisions regarding hiring, reappointment, placement, evaluation, rate of pay, salary increases, promotion, tenure, monetary awards, and/or discipline, even when the employees are not in the same line of supervision or authority.
  - k. No ANCS employee may occupy a position in the same line of authority as a relative as defined herein.
2. For the purposes of this policy, a member of the immediate family is defined as individuals who are relatev by blood, marriage, or adoption, including but not limited to include spouses, domestic partners, parents, children, adopted children, brothers, sisters, brothers-in-law, sisters-in-law, father-in-law, mother-in-law, step-parents, step-siblings, half-siblings, step-children, any other relative living in the household of the employee, orand a person who is engaged to be married to the employee or who otherwise holds himself/herself out as, or is generally known as, the person whom the employee intends to marry or with whom the employee intends to form a household. ~~For the purpose of this policy, relatives are defined as individuals who are related by blood, marriage, or adoption, including but not limited to the following relationships: spouse, child, stepchild, parent, step parent, grandparent, grandchild,~~



~~sibling, step-sibling, half-sibling, aunt, uncle, niece, nephew, parent-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law, any other relative living in the household of the employee, a person who is engaged to be married to the employee or who otherwise holds himself/herself out as, or is generally known as, the person whom the employee intends to marry or with whom the employee intends to form a household, or any other natural person having the same legal residence as the employee.~~



3. Consultants or temporary employees who are retained by ANCS shall be subject to this policy.
4. In the event that a potential conflict of interest situation arises, the employee who suspects the conflict should notify the Executive Director and Campus Principal. Employees who perform this reporting function in good faith will not be subject to any reprisal. Any employee who violates the policy shall be subject to discipline up to and including termination of employment. Any contract or subcontract made in violation of this policy may be voided and subject to termination. "Reporting Misconduct" on page 48.

## Resources

- "Hiring and Evaluation of Immediate Family Members" on page 27
- "Reporting Misconduct" on page 48
- Vendor and Supplier Conflict of Interest in Finance and Operations Policies



# Drug and Alcohol Substance Abuse

## Purpose

This policy governs employee abuse of drugs, alcohol, and other controlled substances.

## Duration

This policy is permanent, but it is subject to revisions.

## Policy

1. ANCS complies with all laws that regulate or prohibit the possession, use, or distribution of alcohol, illicit drugs, and controlled substances. The unlawful manufacture, distribution, dispensing, possession, or use of alcohol or a controlled substance, marijuana, or dangerous drug is prohibited at ANCS and at ANCS sponsored activities at all times for all ANCS employees, in accordance with the Drug Free Schools and Communities Act Amendments of 1989 and Drug Free Workplace Act of 1988, O.C.G.A. 34-9-410, and the Georgia Drug Free Public Work Force Act of 1990 on school grounds and in accordance with all applicable laws. All illegal drugs and alcohol are prohibited at ANCS-sponsored activities where children are present.
2. Employees must perform their jobs safely and without the adverse influence of alcohol or controlled substances. ANCS prohibits all employees. All employees are prohibited from possessing, using, manufacturing, dispensing, selling, distributing, or being under the influence of illegal drugs or unauthorized prescription drugs, and from the use, sale, distribution, or possession of drug paraphernalia alcohol while at work. ANCS prohibits All employees are prohibited from unlawfully possessing, using, manufacturing, dispensing, selling, distributing, or being under the influence of alcohol. from possessing, using, manufacturing, dispensing, selling, distributing, or being under the influence of illegal drugs or unauthorized prescription drugs, and from the use, sale, distribution, or possession of drug paraphernalia.
  - a. "Illegal drugs" or "illicit drugs" mean any controlled substance or imitation controlled substance whose unauthorized manufacture, distribution, dispensation, possession, consumption, use, or sale is prohibited by federal or state law.
  - b. "Unauthorized use of prescription drugs" means use of a drug by anyone other than the person for whom the drug was prescribed, or in any manner that is prohibited by federal or state laws.



3. The actions prohibited by this policy do not include the lawful and proper use of drugs prescribed by a physician or over-the-counter medications that are taken as directed. However, no employee shall report to work or attempt to engage in normal duties if he or she is knowingly impaired by drugs that are prescribed by a physician or by over-the-counter drugs.
4. Compliance with this policy is mandatory for all ANCS employees. ANCS has a zero-tolerance policy for violations of this policy, which means violators will be addressed through ANCS, through prosecution in the courts, or both. Employees who violate this policy will be subject to personnel and appropriate disciplinary actions, which may include termination of employment, counseling, referral to an appropriate treatment or rehabilitation program, a warning, placement on strict probation, unpaid suspension from employment, conditional continuation of employment, expulsion, discharge, and referral to the proper law enforcement authorities. Consideration may be given as to whether treatment or rehabilitation will be offered to employees who have self-identified and/or have provided appropriate documentation to substantiate difficulty with drugs or alcohol, so that they may meet the standards and requirements set forth by the policy.

~~This policy applies at the following times:¶~~

- ~~a. During school hours or as a part of any of its business activities¶~~
- ~~b. While on any property owned or leased by ANCS¶~~

~~At any time during which the employee is acting in the course and scope of his or her employment with ANCS¶~~

~~At any other time that the employee's violation of this policy has a direct and adverse effect on the performance of his or her job~~

5. An employee shall notify his or her supervisor of any charge, conviction (or plea of guilty, no contest, or "nolo contendere") of any criminal drug or alcohol statute no later than the next business day after any such charge, conviction, or plea.



# Employee Evaluation

## Purpose

This policy governs employee evaluations for ANCS personnel.

## Duration

This policy is permanent, but it is subject to revisions.

## Policy

### Section 1. Employee Evaluation Systems

Under Georgia law, all teachers and school leaders must be evaluated using the state's Teacher Keys (TKES) or Leader Keys (LKES) evaluation systems. For all such employees, the state requirements of TKES or LKES will be followed. All other (non-TKES/LKES) employees will be evaluated by the process described in the sections that follow.

### Section 2. Employee Evaluation Cycles

1. The process of evaluation at ANCS is one that is ultimately focused on giving clear and actionable feedback to support employees in the development of their practice and acknowledging professional growth.
2. Employees are formally evaluated by their supervisors via TKES or LKES as a part of evaluation cycles:
  - a. Level 1 employees are involved in an evaluation cycle at least twice each year.
  - b. Level 2 and 3 employees are involved in at least one evaluation cycle each year.
  - c. For each employee, at least one evaluation cycle must be completed prior to the issuance of a new/renewed contract.
3. At a minimum, an evaluation cycle consists of the following:
  - a. A pre-conference between the supervisor and employee.
  - b. An evaluation of a reasonable amount of the employee's work by the supervisor using multiple sources of data (including the observation of at least one full class session for all teachers and associate teachers).



- c. A written evaluation report with information from data sources containing commendations and recommendations and an overall rating of "Unsatisfactory", "Progressing", "Proficient", or "Exemplary."
4. At the start of the school year, each employee will meet with his/her supervisor by the end of September to review the criteria on which he/she will be evaluated and establish goals for the school year.

### Section 3. Employee Evaluation Reports

1. All evaluation reports will be signed by the employee, the employee's supervisor, and a Campus Principal or the Executive Director. An employee's evaluation reports will be kept confidential in the employee's personnel file. An employee may submit a written reply to any evaluation report, and the reply will be attached to the report and placed in the personnel file (Confidential Personnel File).
2. If an employee's performance has been rated "Unsatisfactory," the Executive Director or Campus Principal (in consultation with the employee's supervisor) may require that the employee be placed on an improvement plan. An improvement plan will outline the following:
  - a. The specific criteria to be met
  - b. Indicators of satisfactory performance
  - c. Support the employee will receive, when appropriate, in meeting these criteria
  - d. The time that will be allowed for improvement
  - e. The date by which another evaluation report will be completed
3. The employee, supervisor, and Executive Director or Campus Principal must review the improvement plan prior to it going into effect. Also, upon being placed on an improvement plan, the employee will receive a written warning that if his/her performance remains "Unsatisfactory" at the end of the evaluation cycle, he/she may be dismissed from his or her position.
4. In order to provide a more comprehensive picture of employee performance, multiple sources of data will be used in the process of evaluating employees as well as to target areas for specific professional development and improvement. Staff will be evaluated according to Georgia state standards when applicable, or in-house evaluation tools. ~~The following sources of data may be used in relation to the performance criteria as part of the support and evaluation process (Note: not all sources of data are applicable to all positions.):~~



a. ~~Observation~~

i. ~~Classroom observation~~

~~o Informal~~

~~o Formal~~

ii. ~~Outside of classroom observation~~

~~o Professional meetings~~

~~o Parent conferences~~

~~o Duties~~

b. ~~Information sessions, PTGA meetings, field trips, and other school-sponsored events~~

c. ~~Conferences~~

i. ~~Goal setting conferences~~

ii. ~~Pre and/or post observation conferences~~

d. ~~Teacher and Student Work Artifacts~~

i. ~~Student work samples, including feedback given on work~~

ii. ~~Student standardized test data~~

iii. ~~Lesson and unit plans~~

iv. ~~Assignment/unit overviews and rubrics~~

v. ~~Progress and end-of-term reports~~

vi. ~~Communications sent home to parents/guardians~~

vii. ~~Discipline referrals~~

e. ~~Surveys and Reflections~~

i. ~~Student survey data~~

f. ~~Parent/guardian survey data~~

i. ~~Student interviews~~

Self-evaluations





- a. ~~Other Sources~~
  - ii. ~~Attendance record~~
  - iii. ~~Arrival and departure times~~
- b. ~~Notes and data from other colleagues~~

## Resources

- "Confidential Personnel File" on page 40
- "Employee Levels" on page 24



# Employee Grievances

## Purpose

This policy governs the handling of employee grievances.

## Duration

This policy is permanent, but it is subject to revisions.

## Policy

### Section 1. Employee Grievances

1. As is natural, there are times when disputes arise between employees or between an employee and the school administration. Consistent with the philosophy behind the Charter, it is expected that during any dispute, all employees will model the conflict resolution skills that they encourage in ~~advance to~~ ANCS students. Should it become necessary, this procedure is intended to provide a simple, expeditious, and fair process for resolving employee complaints at the lowest possible level and with a minimum of conflict and formal proceedings.
2. No employee will be subject to reprisal as a result of filing a complaint under this procedure.

### Section 2. Scope of Complaint Procedure

1. Any current employee may file a complaint concerning his or her employment or the implementation of the personnel policies. The complaint should be in writing, and every attempt should have been made to settle the issue with individual conversations before bringing formal grievance.

### Exclusions

This procedure may not be used to complain about the following:

1. Performance ratings contained in the employee's personnel evaluations
2. The employee's job performance
3. Termination, non-renewal, demotion, suspension, or reprimand of employee
4. Revocation, suspension, or denial of certificates to all certified employees
5. Alleged misconduct, as that term is defined in the Reporting Misconduct Policy, unless the employee has already followed the reporting procedures therein and remains dissatisfied.



### Section 3. ~~Steps Scope of Complaint Procedure Steps~~

1. Step One: Informal Discussion. An employee having a grievance hereunder shall make a good-faith effort to resolve the matter through informal discussions with the individual(s) involved in the matter and/or with the employee's direct supervisor, within five (5) working days of the occurrence or cause of such matter.
2. Step Two: Administrative Review. If the matter cannot be resolved through informal discussion, the aggrieved employee ~~After a good faith effort with the Campus Principal to thoroughly resolve the dispute, all employees~~ may submit their complaint, in writing, to the Campus Principal or immediate supervisor within ten (10) days after the most recent event upon which the complaint is based. The written complaint should include identification of the problem, a description of the efforts undertaken to informally resolve the dispute, and a proposed resolution. The Principal will make every reasonable effort to schedule a meeting to occur within five (5) working days of receipt of the complaint with the Principal and any other person(s) whose actions or decisions give rise to the matter. At such meeting, each party will have the opportunity to be heard and to request relief. Within three (3) working days or as soon thereafter as is reasonably practicable, the Principal will issue a written recommendation as to how the matter should be resolved. All parties present at the meeting shall receive copies of the written recommendation.
3. Step Three: Review by Executive Director. If the aggrieved employee remains dissatisfied after administrative review, the employee may, within ten (10) working days of receipt of the Principal's written recommendation, submit the complaint to the Executive Director. ¶
4. ~~The Executive Director and an HR manager a third party who is not involved with the grievance~~ will meet with the employee to go over the complaint and for a discussion of the complaint with all parties involved. This meeting shall take place within ten (10) working days of the Executive Director's receipt of the complaint, or as soon thereafter as is reasonably practicable given the circumstances. ~~and~~ The Executive Director shall make every reasonable effort to prepare a written decision within five (5) working days of the meeting with the employee. All parties present at the meeting shall receive copies of the written decision.
5. Step Four: Review by the Board or a Committee thereof. If the aggrieved employee remains dissatisfied after review by the Executive Director, ~~if the resolution suggested in the complaint is not reached,~~ the employee may appeal the Executive Director's decision by filing within ten (10) working days of the decision, with the Chair of the Governance Committee, the original complaint, and a written explanation of why he or she disagrees with the decision of the Executive Director. A written decision will be issued by the Board or their designee as soon as is reasonably



practicable, but no later than five (5) working days after the next meeting of the Board. In its discretion, the Board may delegate any such review to a Committee of the Board or other delegate and/or hold a hearing where appropriate. If a hearing is held, it will be in closed session to the extent permitted by law. ~~Within five (5) working days of receipt of the appeal, the Chair of the Governance Committee shall schedule a hearing to hear from all parties. The Chair shall excuse themselves from the hearing if they have a conflict of interest in the subject of the hearing. A decision will then be rendered by the Chair of the Governance Committee within five (5) days of the completion of the hearing. Any such proceedings shall be conducted in closed session.~~ Board members who are interested parties shall excuse themselves from the hearing if such members have a conflict of interest in the subject of the appeal.

~~The employee may appeal the decision of the Chair of the Governance Committee to the Board of Directors, which may review and modify the decision of the Chair of the Governance Committee if it finds that the Chair or the Campus Principal/ Executive Director failed to properly follow the grievance procedure. A request for an appeal must be submitted to the Chair of the Board within five (5) days of the decision of the Chair of the Governance Committee. The Chair of the Board shall schedule a meeting to consider the appeal as soon as is practical. Board members who are interested parties shall excuse themselves from the hearing if such members have a conflict of interest in the subject of the appeal. Any such proceedings shall be conducted in closed session and a decision will be rendered by a majority vote of the Board of Directors within five (5) days of the meeting.~~

## **Mediation**

At any time in the process, the employee may elect to proceed to mediation and the time frames specified in this policy will be suspended. If mediation fails to resolve the complaint, this procedure will resume where it left off prior to the mediation.



# Employee Levels

## Purpose

This policy provides an overview of career development at ANCS by defining the process through which readiness for expanded responsibilities is determined and the types of support and evaluation provided for employees at various stages of their career.



To view employee evaluation schedules based on level, see "Employee Evaluation" on page 18.

## Duration

This policy is permanent, but it is subject to revisions.

## Policy

### Section 1. Level 1 Employees

1. Level 1 employees may be new to ANCS or simply new to the positions they are in at ANCS. Their level of responsibility takes into account their accumulated experience previous to ANCS, but this level is intended to support employees new to the school and/or their positions as they acclimate to ANCS and work to establish and demonstrate effective practices consistent with the school's philosophy and performance expectations. Level 1 employees have a focused set of responsibilities centered primarily on the criteria of their specific position. ~~They may, for example, be permitted to not take part in certain activities — such as K-8 committees or lunch/recess duties — as determined by the Executive Director and Campus Principals.~~ All employees new to ANCS will participate in a yearlong induction program that includes mentorship from another employee during that year and possibly beyond.
2. Any employees new to ANCS or new to their position or employees on an improvement plan will be categorized as level 1 employees in their positions unless otherwise determined by the Executive Director or Campus Principal.▪



## **Section 2. Level 2 Employees**

1. Level 2 employees are those employees whose performance on the criteria specified for their position as a level 1 employee is proficient. With position responsibilities capably handled, level 2 employees are expected to take part in all regular faculty and staff activities.
2. An employee may be hired at level 2 as determined by the Executive Director and Campus Principals as long as he/she:
  - a. Has at least two years of experience in a similar position or its equivalent.
  - b. Has demonstrated proficiency in his/her practice as outlined in the performance criteria for the position.

## **Section 3. Level 3 Employees**

Level 3 employees are those employees whose performance over time on the criteria specified for their positions is determined to be exemplary. Level 3 employees may remain full time in their positions with the expectation that they serve as models and advisors for other employees, and they also are eligible for leadership roles within the school and oversight of special projects as determined by the Executive Director and Campus Principals. These additional roles and responsibilities may change from one year to the next.

## **Section 4. Movement Through the Levels**

All employees begin at ANCS as either level 1 or level 2 employees. From that point forward, movement through the levels follows the process described below.

### **Movement from Level 1 to Level 2**

1. An employee may move from level 1 to level 2 status in the contract period immediately following at least two evaluations with ratings of "Proficient."
2. A level 1 employee whose evaluation rating has not reached "Proficient" after one contract period may be placed on an improvement plan or dismissed from the position.

### **Movement from Level 2 to Level 3**

1. An employee may move from level 2 to level 3 status in the contract period immediately following at least two evaluations with ratings of "Exemplary." A level 2 employee must be at ANCS at least two years prior to moving to level 3.



2. Movement from one level to the next is formally approved by the Executive Director based upon the recommendations of an employee's supervisor.

## Resources

- "Employee Evaluation" on page 18



# Hiring and Evaluation of Immediate Family Members

## Purpose

This policy intends to avoid any situation wherein a conflict of interest might arise on the part of a Board member or a member of the staff of ANCS without unnecessarily excluding qualified immediate family members from seeking employment opportunities with ANCS.

## Duration

This policy is permanent, but it is subject to revisions.

## Policy

### Section 1. Definitions

For the purposes of this policy, a member of the immediate family is defined as individuals who are relative by blood, marriage, or adoption, including but not limited to ~~include~~ spouses, domestic partners, parents, children, adopted children, brothers, sisters, brothers-in-law, sisters-in-law, father-in-law, mother-in-law, step-parents, step-siblings, half-siblings, step-children, any other relative living in the household of the employee, ~~and~~ a person who is engaged to be married to the employee or who otherwise holds himself/herself out as, or is generally known as, the person whom the employee intends to marry or with whom the employee intends to form a household.

### Section 2. Hiring of a Family Member

1. In any instance in which a member of a current employee's immediate family ("family member") applies for employment at the school, the employee shall remove himself/herself from the hiring process. ~~to the extent such that no favoritism on the part of the employee will influence the hiring for the position for which the employee's family member is applying.~~ It is the responsibility of the employee to notify the Campus Principal if a family member is applying for employment at the school ~~or if a marriage will create the potential for a conflict of interest among current employees.~~ In the case of a Campus Principal's family member applying for employment at the school, it is his/her responsibility to notify the Executive Director. In the case of the Executive Director's family member applying for employment at the school, it is his/her responsibility to notify the chairs of the Governing Board and the Governance Committee. ~~if a family member is applying for employment at the school.~~
2. The Board Chair shall confirm compliance with this policy. Also, any staff member may notify the Executive Director and, in the case of a conflict related to the Executive Director, the Board





Chair and the Chair of the Governance Committee if he/she feels this policy is not being followed.



3. Prior to approval of the contract by the Governing Board, the family relationship must be disclosed at a public meeting.

### **Section 3. Evaluation of a Family Member**

The Campus Principal and Executive Director shall make every effort to ensure that the family member is not supervised or evaluated by an immediate family member. If possible, the Campus Principal and/or Executive Director shall designate another appropriate supervisor for the family member. There will be circumstances in which the related employee's supervision and evaluation of the family member cannot be entirely avoided (e.g., terms of contract, related employee is the Campus Principal or Executive Director). Both parents/guardians and staff members may report any evidence of a conflict of interest or violation of this policy to the Campus Principal and/or Executive Director. Any evaluations conducted of the employee will be reviewed and signed by both the supervisor and the Executive Director.

### **Resources**

- "Hiring" on the next page



# Hiring

## Purpose

This policy governs hiring at ANCS.

## Duration

This policy is permanent, but it is subject to revisions.

## Policy

### Section 1. Vacancies

1. As ANCS is an equal opportunity employer, vacancies are open to all qualified applicants without regard to race, gender, disability, age, religion, sexual orientation, gender expression, or national origin. All vacancies will be posted and/or advertised publicly.
2. ANCS encourages promotion from within. When positions become vacant, notice will be posted publicly; current, qualified employees are encouraged to apply. All internal candidates will be interviewed.

### Section 2. Steps for Filling a Position

1. Before the vacancy is posted, the Campus Principal in conjunction with the HR manager will draft the following reference documents:
  - a. Job description
  - b. Criteria of eligibility
  - c. Schedule and protocol concerning the job posting
  - d. Text of the job posting
2. The position shall be posted on the ANCS website. The position may also be posted on the U.S. Charter Schools website, the Atlanta Journal-Constitution website, at local facilities that may include universities with education programs (GSU, Clark Atlanta, etc.) or on their websites, or on any other website or facility deemed appropriate by the Campus Principal or Executive Director.
3. The Campus Principal or Executive Director will review complete applications and select the most qualified applicants for interviews.



4. Each time an opening occurs, an ad hoc committee will be formed. This committee shall be charged with interviewing the most qualified applicants as selected by the Campus Principal or Executive Director. The ad hoc committee shall consist of the Campus Principal or Executive Director of ANCS, at least one peer (e.g., a current second-grade teacher for a second-grade lead teacher position opening), and potentially others as deemed appropriate.
5. The interview shall contain questions calling upon direct experience as well as hypothetical scenarios. All candidates for the same position shall be interviewed with an identical set of questions. Committee member notes from each interview will be collected and kept on file for one year by the Campus Principal / Executive Director.
6. An interview panel, when appropriate, will interview candidates until consensus has been reached on the most suitable candidate. Before an offer is extended to the candidate of choice, ~~all~~ references must be checked and determined to be satisfactory. Notes from reference calls must be kept in the candidate's employment file. Once a candidate has accepted the position and signed a contract, the other interviewees for that position will be notified by email of the decision. New hires must submit to a background check and fingerprinting within 30 days of the offer.

## Resources

- "Hiring and Evaluation of Immediate Family Members" on page 27



# Employee Leave of Absence

## Purpose

This policy governs leave for ANCS employees.

## Duration

This policy is permanent, but it is subject to revisions.

## Policy

### Section 1. Leave

Each member of the ANCS staff is entitled to leave as defined in this policy. Forms to request leave can be obtained online in Google Drive. ~~from the office or the faculty room.~~

### Section 2. Jury Duty or Witness Leave

ANCS is committed to allowing faculty and staff to fulfill their civic duty by providing leave for jury and witness duty.

1. An employee may be absent without loss of pay and without charge to any other category of leave when attending court as a juror or when subpoenaed to testify.
2. The employee must notify his or her immediate supervisor as soon as possible after the employee has been served with the summons for jury duty or a subpoena to appear in a case and provide a copy of the documentation to the employee's immediate supervisor. The employee may retain any compensation he/she receives for serving as a juror or as a witness.

### Section 3. Per Diem Leave

1. Per diem leave is leave that is related to illness, health-related issues, or family-related health issues. Per diem leave shall be accumulated based on the following formula:
  - a. Staff members who have less than 10 years of experience accrue days at a rate of 1.25 days per month worked.
  - b. Staff members who have 10 years or more years of experience accrue days at a rate of 2.25 days per month worked.



- c. Part-time staff members accrue the per-month rate according to the fraction of time worked.
  - d. Unused per diem days may be carried forward to subsequent school years. A staff member may accumulate up to 120 days of per diem leave.
2. An employee who is **retiring** from ANCS has two ~~three~~ options with respect to accrued per diem leave:
  - a. ~~The employee can choose to be reimbursed for up to 120 days of accrued leave at the rate of \$41 per day.~~
  - b. If the employee has a minimum of 60 days of accrued leave, the employee can choose to apply the accrued leave days to establish sick leave credit with her/his Teachers Retirement System of Georgia (TRS) account. The policy concerning the establishment of sick leave credit with TRS is governed by TRS and is subject to its rules (see Teachers Retirement System of Georgia). Consistent with TRS policy, the employee may not be reimbursed for any days that are used to establish sick leave credit with TRS. Creditable sick leave for TRS accumulates at a maximum rate of 1.25 days per month. For teachers who have earned sick leave at a rate of over 1.25 days per month (ANCS employees with over 10 years of ~~teaching~~ experience), the earned total for purposes of establishment of sick leave with TRS will be reduced to meet this standard of 1.25 days per month. This reduction of leave is governed by TRS and occurs only when an employee wishes to use his or her accrued leave to establish sick leave credit with TRS. TRS rules are available: <https://www.trsga.com/employer/unused-sick-leave-credit-at-retirement/>
  - c. The employee can apply some of her or his accrued leave to establish sick leave credit with TRS and request reimbursement at the rate of \$41/day for the remainder of the accrued leave (assuming the employee has a minimum of 60 days of accrued leave).
  - d. ¶
- ~~3.~~ 3. If an employee leaves ANCS they may transfer their banked days to their new school system or bank them with TRS.
4. ANCS will not pay cash for unused leave.
5. ANCS employees are permitted to accrue per diem leave in addition to 120 days, but any accrued per diem days over 120 days will be placed in a TRS overage account. These additional days cannot be used as per diem leave during employment but can be applied to establish sick leave credit toward TRS when an employee reaches retirement, consistent with TRS policy and rules.



6. Per diem leave may not be taken to extend a school holiday without documentation from a medical professional.



## Section 4. Personal Leave

1. Personal leave is leave that is used to conduct business that cannot be handled outside of the school day. Personal leave may be taken for any purpose.
2. Each staff member is allocated three (3) personal days per year. Personal days do not carry over from one year to the next.
3. The Campus Principal or a designee should be notified at least one week in advance of a staff member requesting a personal day.
4. Personal leave may not be taken to extend a school holiday without approval of the Campus Principal.

## Section 5. Parental Leave

~~Maternity/paternity/adoption leave~~ ("Parental Leave") under this policy is a paid leave associated with the birth of an employee's child or the placement of a child with the employee in connection with adoption or foster care. The purpose of Parental Leave is to enable the employee to care for and bond with a newborn or a newly adopted or newly placed child. To be eligible, the employee must have completed the equivalent of one semester (90 instructional days) of continuous employment at Atlanta Neighborhood Charter School immediately prior to the leave.

The amount of paid Parental Leave days is determined by the employee's election from among the following options:

- Twelve weeks of paid leave at 33% of salary;
- Eight weeks of paid leave at 50% of salary; or
- Four weeks of paid leave at 100% of salary.

All Parental Leave must be taken consecutively, without any suspension. The full amount of Parental Leave must be taken within the first 12 months of the date of birth of the employee's child or the date of placement of a child with the employee in connection with adoption or foster care. In no case will an employee receive more than one Parental Leave period (whatever the selected duration) in a rolling 12-month period, regardless of whether more than one birth, adoption or foster care placement event occurs within that 12-month timeframe. ~~If both parents are Atlanta Neighborhood Charter School employees, they both only one may access the paid benefits of this policy. Both, however, continue to be entitled to family and medical leave if eligible.~~

Temporary and part-time employees are not eligible for Parental Leave under this policy.





## **Continuation of Benefits**

Health insurance benefits will continue to be provided during the paid Parental Leave under this policy at the same rate as in effect before the leave was taken regardless of the employee's length of service. Paid leave benefits will continue to accrue.

## **Requirements for Obtaining Parental Leave**

The employee must provide to the HR manager ~~employee's department head~~ 30 days' notice of the requested leave (or as much notice as practicable if the leave is not foreseeable), complete the necessary forms and file them with the human resource department either in person or by email.

After the elected period of Parental Leave has been exhausted, subsequent leave will be covered under appropriate policies. The Family and Medical Leave Act (FMLA) allows eligible employees up to 12 work weeks of unpaid leave annually. Paid leave under this policy will run concurrently with any available FMLA leave. After paid Parental Leave is exhausted, the employee is required to apply any other available paid leave, which will also run concurrently with FMLA leave.

Employees not eligible for FMLA leave should refer to the Leave of Absence Policy after the elected period of paid Parental Leave and any other paid leave have been exhausted regarding continuation of insurance coverage for employees on unpaid leave of absence.

## **Pay Back Requirement**

If an employee, after taking Parental Leave, resigns from employment with Atlanta Neighborhood Charter School without finishing the remainder of the academic year in which the Parental Leave was taken, the school at its option may elect to require the employee to pay back an amount, up to the total sum value of benefits received.

Upon termination of the employee's employment with the school, the employee will not be paid for any unused Parental Leave for which the employee was eligible.

## **Section 6. Federal Family and Medical Leave Act/Long-Term Leave**

1. Long-term leave is defined as leave for issues beyond the allocated leave time. It may be used for pregnancy, post-childbirth maternity or paternity, adoption, employee long-term illness, and any other reasons required by law. Long-term or family leave is not paid leave. The school may require certification from a qualified medical professional to document the reason for the leave and/or to verify the employee's ability to return to work. Long-term leave may qualify under the Family Medical Leave Act (FMLA), which is a federal law that gives eligible employees the right to take up to 12 weeks (or up to 26 weeks in the case of military



caregiver leave) of job-protected leave for family or medical reasons. To be eligible for FMLA, an employee must have worked for ANCS full time for at least 12 months totaling 1250 hours.

2. The FMLA does not require employers to provide paid FMLA leave, but it does allow employers to charge FMLA absences simultaneously against any available paid leave as well as the FMLA. Therefore, an employee's available sick, personal, and per diem leave and vacation days will be applied to any FMLA leave taken for a reason covered by those provisions.

### **Reasons for Leave**

The FMLA allows eligible employees to take leave for the following reasons:

- To care for the employee's child during the first year following the birth, adoption, or foster care placement of the child;
- To care for the employee's spouse, child, or parent who has a serious health condition;
- Because of the employee's own serious or extended health condition (including pregnancy, childbirth, and related medical conditions, as well as mental health conditions) that makes the employee unable to perform his/her job;
- Any qualifying exigency arising from the fact that the employee's family member is a covered service member and is on covered active duty; or
- To care for a covered family member who is a covered service member and who suffers from a serious injury or illness incurred in the line of duty on active duty.

### **Length of FMLA Leave**

No more than 12 weeks of FMLA leave may be taken in any rolling 12-month period. Leave will be counted based on a rolling 12-month period measured backward from the date that the employee's FMLA or per diem leave begins.

### **Advance Notice**

Employees are required to provide advance notice of FMLA leave as follows:

- When the need for FMLA leave is foreseeable, notice is required 30 days in advance.
- When the need for leave is not foreseeable, the employee must provide notice as soon as practical. The taking of leave may be denied or postponed if these notice requirements are not met.



## **Medical Certification**

1. When the leave of absence is occasioned by the employee's own serious health condition or that of a family member, the employee will be required to submit medical certification on the appropriate form.
2. When the leave is over 30 days in length, recertification may be required at 30-day intervals throughout the leave. Recertification may also be required when the employee requests an extension of leave, when the medical situation changes, or when the Executive Director receives information that casts doubt on the continuing validity of an earlier certification.

## **Approval of FMLA Leave**

Campus Principals and the HR manager will be responsible for reviewing leave requests. Approval of the leave will be given in writing and will specify an expected return date. If an extension of leave is needed, the employee must submit a new request and medical certification to the Campus Principal before the end of the original leave period. Leave taken without approval, as required under this policy, will be treated as unauthorized leave and may result in disciplinary action up to and including termination.

## **Reinstatement**

The FMLA entitles an employee to return to the same or an equivalent position at the conclusion of the leave. Certain restrictions apply to instructional employees whose return from leave would occur near the end of the semester. Under certain circumstances, these employees may be required to extend their leave through the end of the semester to avoid disruption of the education process.

## **Health Insurance**

Employees on approved FMLA leave remain covered under the school's health insurance. Premium payments must be made within the time periods required. ANCS will continue to pay their portion of the premium; the employee is also responsible for their portion of the premium.

## **Section 7. Military Leave**

The military leave policy is defined by O.C.G.A. § 38-2-279:

1. An ANCS employee who receives orders for active military duty will be entitled to a leave of absence with pay for the period of such ordered military duty, and while going to and returning from such duty, not to exceed a total of eighteen (18) work days in any one (1) federal fiscal year (October 1–September 30).



2. After an employee has exhausted this period of paid military leave, ANCS may pay the employee for his or her accumulated per diem and personal leave. Following the maximum paid leave time, continued absence by the employee will be considered military leave without pay. The employee will be required to submit a copy of his or her orders to active military duty.
3. In the event that the governor declares an emergency and orders an employee to active duty as a member of the National Guard, the employee will be paid his or her salary or other compensation as an employee for a period not to exceed thirty (30) days in any one (1) federal fiscal year.

## **Section 8. Bereavement Leave**

1. In the case of the death of a member of the immediate family (defined in the Hiring and Evaluation of Immediate Family Members section), or of any relative living in the same home, the employee's administrator may grant the use of per diem or personal leave or, in some cases when an employee does not have available per diem or personal leave, a leave of absence for as many as five (5) work days at full pay.
2. See definition of immediate family in the Hiring and Evaluation of Immediate Family Members Policy above. ~~means husband, wife, partner, father, mother, son, daughter, brother, sister, grandparents, and these relatives in law.~~
3. The administrator may adjust the length of such leave to the distance traveled. A leave of one day or less may be granted by the administrator upon the death of relatives not in the immediate family.

## **Section 9. Leave to Pursue Education Goals**

1. ANCS wishes to support the advancement of learning for all staff. Therefore, the Board authorizes that regular full-time employees who have completed their probationary period may apply in writing to the Campus Principal / Executive Director for a leave of absence for study that is directly related to their ANCS area of work or for such other types of study as may be approved by the Campus Principal / Executive Director. The request for leave shall not exceed one year. Such leave may be granted without pay upon the recommendation of the Campus Principal / Executive Director and with the approval of the Board of Directors.
2. An employee who completes a period of leave to pursue educational goals will not be guaranteed their original position upon return, but they will be offered the same or equivalent (comparable or similar) position with equivalent employment benefits, pay, and other terms if such a position is available.



3. If an employee is granted leave for education reasons, a temporary replacement will be hired during the employee's absence.

## Resources

- U.S. Department of Labor



# **Nondiscrimination**

See Nondiscrimination in Student and Family Academic Program Policies.



# Confidential Personnel File

## Purpose

This policy governs confidential personnel files for ANCS employees.

## Duration

This policy is permanent, but it is subject to revisions.

## Policy

### Section 1. Maintaining Confidential Personnel Files

1. ANCS shall maintain a confidential personnel file for each employee.
2. The personnel file will contain evaluation documents and any other employment-related documents or correspondence. Personal data on all employees, including current address, contact phone numbers, relevant medical information, emergency contact numbers, and next of kin, will be included in the employee's personnel file.
3. All documents will be placed in the personnel file ~~will have been signed by all concerned parties.~~
4. Personnel files will be maintained by the Business Management Office. These digital and hard copy files will be secured ~~are locked during and after normal business hours,~~ with limited access ~~limited.~~ The Executive Director, ~~and~~ Campus Principals and HR manager will be the only individuals with a key to these files.

### Section 2. Updating Employee Personal Data

1. Employees shall promptly notify the Executive Director and Campus Principal in writing of any changes in personal data that may impact their employment.
2. Personal mailing addresses, telephone numbers, dependent information, emergency contact information, and other status changes must be accurate and current at all times.

### Section 3. Reviewing Confidential Personnel Files

1. Personnel files are the property of ANCS, and access to the information contained therein is restricted except as may be required by state or federal laws or the judicial process.
2. Only authorized representatives of the school, the employee, or the employee's designated representative with a legitimate reason to review information in a file are allowed to do so. With reasonable advance notice, an employee may review material and/or request a copy of



any or all of the materials at the employee's cost in the employee's file, but only in the presence of the Executive Director or the designated file custodian. With written authorization from the employee, the employee's representative may review and/or request copies of file contents.





# Professional Conduct

## Purpose

This policy governs professional conduct by ANCS employees.

## Duration

This policy is permanent, but it is subject to revisions.

## Policy

### Section 1. Decorum

1. ANCS expects all employees to maintain the highest standards of conduct and act in a mature and responsible manner at all times. Each staff member is expected at all times to perform the responsibilities of her/his position to the best of her/his ability. Employees shall not engage in activities that violate federal, state, or local laws or that diminish ANCS in ~~any~~
- ~~2.~~ any way.
3. Decorum by all staff should mirror teaching by example. Appropriate ~~Proper~~ language, gestures, emotional control, and mannerisms should befit those of a role model for students and parents and align with ANCS core values.

### Section 2. Ethics and Conduct

1. All staff members are reminded that the welfare of the child is the very first concern of our school. It is the responsibility of all staff members to support programs and activities when in public. When a staff member criticizes colleagues, families, or school programs, these criticisms should be discussed in instructional teams and all criticisms should be constructive and made in a professional manner. Any criticisms should be directed to the Campus Principal / Executive Director.

### Section 3. Communicable Diseases

1. If your medical condition poses a substantial health or safety risk to the school students and staff, you must leave the premises until your attendance on duty no longer poses a threat.
2. ANCS relies upon public health and medical experts' written documentation to determine whether to require your removal and when to permit your return to work.



## Section 4. Confidentiality

1. Professional communication by ANCS employees requires no discussion of individual students, families, or colleagues and their problems in non-professional situations. The faculty lounge and public places are inappropriate locations for these discussions. This also includes on-line forums, social media updates and other postings on websites. Breaches of confidentiality will be subject to disciplinary action.

## Section 5. Dress and Appearance Standards

1. Employees should dress in business casual attire unless otherwise stated by their manager. Employees are expected to abstain from wearing any clothing with inappropriate words or imagery. Clothing should not be revealing or make others feel uncomfortable. ~~ANCS recognizes that professional attire helps set the tone of an educational system. Faculty and staff are expected to dress professionally as befits their teaching activity (e.g., business casual) and should be in keeping with expectations held for students. Dressing in an appropriate manner for student learning and as a model for all students does not include the wearing of sweatpants or t-shirts with statements on them (unless an ANCS shirt or t-shirt otherwise approved for all staff use).~~

## Resources

- "Reporting Misconduct" on page 48



# Professional Growth

## Purpose

This policy governs professional growth for ANCS personnel.

## Duration

This policy is permanent, but it is subject to revisions.

## Policy

### Section 1. Supporting Professional Growth

1. In addition to the support and feedback gained through the evaluation process, the school also seeks to invest in the ongoing learning and development of employees.

### Section 2. Individual Professional Development Funds

1. An employee may request funds for an individual professional development opportunity by submitting a short, written proposal to his/her supervisor, who will review proposals, keeping in mind school and individual professional goals. Upon approval by the supervisor, the supervisor will formally request final approval from the Campus Principal or Executive Director. Final approval of requests for professional development is at the Campus Principal's sole discretion. Campus Principals may request funds for professional development from the Executive Director. Final approval of a Campus Principal's request for professional development is within the Executive Director's sole discretion. The Executive Director may request funds for professional development from the Chair of the Finance and Operations Committee.
2. Upon returning from the professional development experience, the employee will complete a short, written reflection and/or presentation to appropriate faculty/staff members.
3. Individual professional development funds may only be used for the direct expenses related to the opportunity.

## Resources

- "Employee Evaluation" on page 18



# Progressive Discipline

## Purpose

This policy governs disciplinary procedures for ANCS staff.

## Duration

This policy is permanent, but it is subject to revisions.

## Policy

### Section 1. Expectations

1. ANCS expects all employees to maintain the highest standards of conduct and act in a mature and responsible manner at all times. Each staff member is expected at all times to perform the responsibilities of her/his position to the best of her/his ability. Employees shall not engage in activities that violate federal, state, or local laws or that diminish the ANCS reputation/brand in any way. Key in the success of this task is effective communication of those responsibilities and any concerns about the performance of those responsibilities. (See "Professional Conduct" on page 42.)

### Section 2. Inappropriate Behaviors and Activities

1. ANCS expects employees to act in a responsible and mature way at all times. Supervisors shall answer any questions concerning any work or safety rule. Inappropriate behaviors include but are not limited to poor work performance and class management, tardiness and attendance issues, and insubordination. These types of inappropriate conduct may be addressed through a Professional Development Plan for the employee. Other inappropriate conduct may be addressed in accordance with the Professional Conduct policy and the employee's employment agreement, as determined within a supervisor's discretion.

### Section 3. Progressive Discipline Procedure

1. Under the following framework, open and productive communication will assist all employees in improving their job performance and/or correcting any inappropriate behavior.
2. The Campus Principal/ Executive Director, at his/her discretion, may combine or skip steps depending on the particulars of each situation, up to and including immediate termination. The level of disciplinary intervention may also vary; factors that will be considered may



include but are not limited to whether an offense is repeated despite counseling or training, the employee's performance record, and the impact of the performance/conduct issues on ANCS. Any behavior that violates the rules set forth by the Professional Standards Commission or state or federal law are subject to immediate termination.

Warning	Type	Discussion	Filed With	Response Time	Required Result
First	Verbal Warning with Written Meeting Summary	Principal/ Executive Director and Employee	Personnel Folder	2 weeks to enter response	Improved performance
Second	Written	Principal/ Executive Director and Employee	Personnel Folder	2 weeks to enter response	Improved performance
Third and Final	Written	Principal/ Executive Director and Employee	Personnel Folder; copies to Board Chair	Not applicable	Termination

3. For all warnings, the signature of the Campus Principal/Executive Director is required and the signature of the employee is requested.

### First Warning – Verbal with Written Summary

1. Staff member will be given a verbal warning concerning the poor job performance or behavior. The warning will be given in private by the Campus Principal and Executive Director, stating that it is a first warning outlining the issue, the corrective actions to be taken, and the time frame for these actions to be implemented. The warning will also outline that if the issue is not resolved, further disciplinary action will be taken, including but not limited to termination.
2. Following this warning, a written memo will be sent to the employee summarizing the discussion. A copy of this memo will be filed in the personnel file of the employee . The employee will have the option of placing a responsive memo in his or her personnel file within 2 weeks of the issuance of the warning.



## **Second Warning – Written**

1. Staff member will be given a written warning concerning the poor job performance or behavior. The warning will be given in private by the Campus Principal and Executive Director, clearly stating that it is a second warning, outlining the issue, corrective actions to be taken, and the time frame for these actions to be implemented. The warning will also outline that if the issue is not resolved, further disciplinary action will be taken, including but not limited to termination.
2. The principal or Executive Director will sign it and the employee will be asked to sign; however, they have the option to refuse to sign. A copy of this memo will be filed in the personnel file of the employee . The employee will have the option of placing a responsive memo in his or her personnel file within 2 weeks of the issuance of the warning.

## **Third and Final Warning – Written with Action**

1. In the event that the staff member does not correct the poor performance or behavior in the manner stated in the second warning, the Campus Principal/ Executive Director will meet with the staff member, provide a third and final written summary, and inform the employee that he or she will be terminated.

## **Resources**

- "Professional Conduct" on page 42



# Reporting Misconduct

## Purpose

This policy governs defining, identifying, and reporting procedures for misconduct.

## Duration

This policy is permanent, but it is subject to revisions.

## Policy



For purposes of this policy, the term "employee" includes all staff, independent contractors, and volunteers.

## Section 1. Reporting

1. ANCS ~~expects~~ ~~encourages~~ all ANCS employees to report misconduct to their immediate supervisor or, if their immediate supervisor is involved in the alleged misconduct, to the Campus Principal.
  - a. If the Campus Principal of their Campus is involved in the alleged misconduct, employees may report the misconduct to the Executive Director.
  - b. If the Executive Director is involved in the alleged misconduct, employees may report the misconduct to the Board Chair. ANCS is committed to protecting employees who report suspected misconduct. ANCS will not tolerate retaliation against employees who make good-faith reports of misconduct.

## Section 2. Confidentiality

ANCS will try to prevent disclosure of the identity of the employee reporting alleged misconduct. However, the identity of an employee may become obvious to others due to the nature of the information. The employee's identity will be disclosed to the following, where necessary:

1. Law enforcement agency investigating the matter.
2. ANCS employees assigned to investigate the matter.



## Resources

- "Professional Conduct" on page 42





# Sexual Discrimination, Harassment Policy, and Misconduct

## Purpose

This policy applies to allegations of sexual harassment made by and against students or employees. The intent of this policy is to comply with the Title IX federal regulations concerning sexual harassment. If the Title IX federal regulations are revised, Atlanta Neighborhood Charter School ("ANCS" or "the School") shall comply with any revised requirements. ~~This policy governs sexual discrimination, harassment, and misconduct at ANCS.~~

## Duration

This policy is permanent, but it is subject to revisions.

## Policy

While the procedures for Title IX complaints involving students or employees are largely the same, some important distinctions exist. Primarily, if a student is involved as either the complainant or the accused, then Atlanta Public School (APS)'s Title IX policy applies, and ANCS will ensure that APS is contacted regarding the complaint.

## DEFINITIONS

**Actual knowledge** means notice of sexual harassment or allegations of sexual harassment to ANCS's Title IX Coordinator or to any official or employee of ANCS. This notice requirement is not met when the only ANCS official or employee with actual knowledge is the respondent.

**Complainant** means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

**Days** for the purpose of this policy means "school days."

**Deliberately indifferent** means a response to sexual harassment that is clearly unreasonable in light of the known circumstances.

**Formal complaint** means a document filed by a complainant or signed by the Title IX Coordinator (whether the APS Title IX Coordinator or ANCS's Title IX Coordinator) alleging sexual harassment against a respondent and requesting that ANCS (and/or APS) investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in ANCS education program or activity. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed



for the Title IX Coordinator in ANCS's nondiscrimination notice posted on its website<sup>[BHV1]</sup>. As used in this policy, the phrase "document filed by a complainant" means a document or electronic submission that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party under this policy.

**Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

**Sexual harassment** means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of ANCS conditioning the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to ANCS's education program or activity; or
3. "Sexual assault"- an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation; or

"Dating Violence"- sex-based violence committed by a person-

(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

(B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

(i) The length of the relationship.

(ii) The type of relationship.

(iii) The frequency of interaction between the persons involved in the relationship; or

"Domestic Violence"- sex-based violence which includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction; or

"Sex-based Stalking" - engaging in a course of conduct directed at a specific person that would cause a reasonable person to-

(A) fear for his or her safety or the safety of others; or



(B) suffer substantial emotional distress.

**Supportive measures** means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or ANCS's educational environment, or deter sexual harassment. ANCS shall presume that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. The grievance process will be followed before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. ANCS shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of ANCS to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

## **NONDISCRIMINATION POLICY**

It is the policy of ANCS to comply fully with the requirements of state law, Title IX and its accompanying regulations.

ANCS prohibits discrimination based on sex and sexual harassment of employees by other employees, board members, students, volunteers, or others over whom ANCS has authority in any ANCS education program or activity. Education program or activity includes locations, events, or circumstances over which ANCS exercises substantial control over both the respondent and the context in which the sexual harassment occurs.

ANCS shall respond promptly in a manner that is not deliberately indifferent when it has actual knowledge of sexual harassment against a person in an education program or activity.

ANCS shall require that any individual designated and authorized as a Title IX Coordinator, investigator, decision-maker, or any person designated to facilitate an informal resolution process, not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. ANCS shall ensure that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, will receive training on the definition of sexual harassment, the scope of ANCS's education program or activity, how to conduct an investigation and grievance process including questioning, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. ANCS shall ensure that decision-makers receive training on any technology to be used during questioning, and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual



behavior are not relevant. ANCS also shall ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Reports or complaints made to ANCS regarding alleged sexual harassment in violation of Title IX shall be processed in accordance with the following process:

## **GRIEVANCE PROCESS**

1. Reports or complaints may be verbal or written and may be made at any time (including during non-business hours), in person, by mail, by telephone, or by electronic mail using the contact information posted on the ANCS website. If a ANCS student is either the complainant or the accused, APS's Title IX Coordinator for Student Matters will be involved, and APS's policies will be followed. ANCS will notify the Executive Directors of APS's Office of Charter and Partner Schools in such a scenario. While ANCS's Title IX policy largely mirrors APS's Title IX policy, to the extent any conflicts between the two exist, APS's policy will be followed.
2. Any employee, applicant for employment, or other person wishing to report or file a complaint alleging a violation as described above shall promptly notify either the Executive Director or the Title IX Coordinator designated and authorized by ANCS. Any employee who receives information alleging sexual harassment of an employee shall report it to the Executive Director or Title IX Coordinator. If the alleged offending individual is the Executive Director, the report or complaint should be made by the complainant to the Title IX Coordinator.
3. The Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures as defined in this policy, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint. ANCS shall treat complainants and respondents equitably by following this grievance process before punishing the respondent or providing remedies to the complainant. Remedies will be designed to restore or preserve equal access to ANCS 's education program or activity. Such remedies may include the same individualized services described as "supportive measures." However, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.
4. **Formal Complaint.** Upon receipt of a formal complaint, ANCS shall within 10 days provide the following written notice to the parties who are known:
  - (A) Notice of ANCS's grievance process;
  - (B) Notice of the allegations potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice shall (i) include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process; (i) inform the parties that they may have an advisor of their choice, who may be, but is not



required to be, an attorney, and may inspect and review evidence; (iii) inform the parties of any the consequences of making false statements or knowingly submitting false information during the grievance process, or any policies addressing the same; and (iv) describe potential disciplinary sanctions and remedies that ANCS may implement following any determination of responsibility.

(C) If, in the course of an investigation, ANCS decides to investigate allegations about the complainant or respondent not included in the notice provided pursuant to paragraph (4)(B), ANCS shall provide notice of the additional allegations to the parties whose identities are known.

**5. Dismissal of a formal complaint.** ANCS shall investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint would not constitute sexual harassment as defined herein even if proved or did not occur in ANCS's education program or activity or in the United States, then ANCS shall dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under Title IX; such a dismissal does not preclude action under another provision of ANCS's policies.

(A) ANCS may dismiss the formal complaint or any allegations therein, if at any time during the investigation: A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; the respondent is no longer employed by or attends ANCS; or specific circumstances prevent ANCS from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

(B) Upon a dismissal required or permitted pursuant to paragraph (5), ANCS shall promptly send written notice of and reason(s) for the dismissal simultaneously to the parties.

**6. Consolidation of formal complaints.** ANCS may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

**7. Investigation of a formal complaint.** After providing written notice to the parties of the receipt of a formal complaint, ANCS shall have 15 days to investigate. When investigating a formal complaint and throughout the grievance process, ANCS shall—

(A) Assume the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility and not place such burdens on the parties provided that ANCS cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless ANCS obtains that party's voluntary, written consent to do so;

(B) Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;

(C) Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;



(D) Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, ANCS may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;

(E) Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate;

(F) Provide both parties an equal opportunity to inspect and review any non-privileged evidence obtained as part of the investigation directly related to the allegations raised in a formal complaint, including the evidence upon which ANCS does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completing the investigative report, ANCS shall send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties shall have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report. ANCS shall make all such evidence subject to the parties' inspection and review available at any meeting to give each party equal opportunity to refer to such evidence during the meeting, including for purposes of cross-examination; and

(G) After providing both parties the opportunity to review the evidence as described above, and at least 10 days before a determination regarding responsibility, ANCS will create an investigative report that fairly summarizes relevant evidence. The report will be sent to each party and the party's advisor, if any, in an electronic format or a hard copy, for their review and written response.

(H) Reported sexual harassment determined not to be sexual harassment as defined under Title IX may be investigated in accordance with other applicable ANCS policies.

**8. Questions.** After ANCS has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision-maker(s) shall afford a 10-day period for each party to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. The complainant's sexual predisposition or prior sexual behavior are not relevant unless offered to prove that someone other than the respondent committed the alleged conduct or if specific incidents of the complainant's prior sexual behavior with respect to the respondent are offered to prove consent. Questions or evidence that seek disclosure of information protected under a legally recognized privilege shall not be permitted unless the privilege has been waived. The decision-maker(s) shall explain to the party proposing the questions any decision to exclude a question as not relevant.

**9. Determination regarding responsibility.** The decision-maker(s), who cannot be the same person(s) as the Title IX Coordinator or the investigator(s), shall, within 10 days after the end of the question and answer period, issue a written determination regarding responsibility. ANCS shall apply the



preponderance of the evidence standard to all complaints.

The written determination shall include—

- (A) Identification of the allegations potentially constituting sexual harassment as defined in this policy;
- (B) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
- (C) Findings of fact supporting the determination;
- (D) Conclusions regarding the application of ANCS's policies to the facts;
- (E) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions ANCS imposes on the respondent, and whether remedies designed to restore or preserve equal access to ANCS's education program or activity will be provided by ANCS to the complainant; and
- (F) ANCS's procedures and permissible bases for the complainant and respondent to appeal.

ANCS shall provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that ANCS provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

The Title IX Coordinator is responsible for effective implementation of any remedies.

**10. Appeals.** ANCS shall offer both parties 10 days after a decision for an appeal from a determination regarding responsibility, and from ANCS's dismissal of a formal complaint or any allegations therein, on the following bases:

- (A) Procedural irregularity that affected the outcome of the matter;
- (B) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- (C) The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

For all appeals, ANCS shall:

- (i) Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
- (ii) Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s)



that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;

(iii) Ensure that the decision-maker(s) for the appeal complies with the training standards set forth in this policy;

(iv) Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;

(v) Issue a written decision describing the result of the appeal and the rationale for the result; and

(vi) Provide the written decision simultaneously to both parties within 10 days of the receipt of the appeal.

**11. Informal resolution.** Informal resolution is a less formal process such as mediation that does not involve a full investigation and adjudication. It may be used in lieu of the process above, where both the complainant and respondent consent to the informal process. However, (a) it may not be used where a student alleges sexual harassment by an employee; (b) ANCS shall not require it as a condition of employment or enjoyment of any other right, and shall not require the parties to participate in an informal resolution process unless a formal complaint is filed. Informal resolution may be used if ANCS:

(A) Provides to the parties a written notice disclosing: The allegations, the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;

(B) Obtains the parties' voluntary, written consent to the informal resolution process.

**12. Confidentiality.** ANCS shall keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by federal or state law or regulations, or to carry out the purposes of Title IX requirements, including the conduct of any investigation or judicial proceeding arising thereunder.

**13. Retaliation Prohibited.**

(a) No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation or proceeding under Title IX. Intimidation, threats, coercion, or discrimination, including charges against an individual for employee code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex





discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation.

Complaints alleging retaliation may be filed in accordance with the ANCS grievance process.

(b) The exercise of rights protected under the First Amendment does not constitute retaliation prohibited under subparagraph (a).

(c) Charging an individual with an employee code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy does not constitute retaliation prohibited under subparagraph (a); provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

#### **14. Time Frame.**

ANCS shall allow for the temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

**NOTICE:** ANCS does not discriminate on the basis of sex in the operation of its education programs or activities, including admissions and employment.

Contact information for ANCS's Title IX Coordinator is located on its website and in its Non-Discrimination Statement. Inquiries about Title IX and its implementing regulations may be referred to ANCS's Title IX Coordinator, to the Assistant Secretary of the U.S. Department of Education, or both.

#### **~~Section 1. Prohibition of Sexual Harassment¶¶~~**

- ~~1. Sexual harassment is a form of sex discrimination that undermines the integrity of the educational and employment environment and violates Title VII of the Civil Rights Act of 1964, as amended, and Title IX of the Education Amendments of 1972. Accordingly, sexual misconduct perpetuated against or by employees is prohibited at ANCS. It is the policy of ANCS that all individuals shall learn and work in an environment free of all forms of discrimination, including sex discrimination.¶¶~~
- ~~2. ANCS will investigate all complaints, formal or informal, verbal or written, of alleged improper sexual conduct and will discipline any individual who, in the course of his or her education, employment, or involvement with ANCS, exposes another person to improper sexual conduct.¶¶~~

#### **~~Section 2. Definitions of Misconduct¶¶~~**

- ~~1. Sexual misconduct refers to any unwelcome or unlawful sexual act; any solicitation of any~~



~~unlawful sexual act, whether written, verbal, or physical; any act of child abuse, as defined by law; any solicitation, encouragement, or consummation of a romantic or physical relationship with a student; or any sexual contact with a student or any student of any age currently enrolled in a secondary school. The definition of the term "romantic relationship" includes dating a student or otherwise being involved in an inappropriate social relationship or any act of unlawful sexual harassment as defined by law.¶¶~~

- ~~2. Sexual harassment is a specific form of sexual misconduct. As defined by the Equal Employment Opportunity Commission (EEOC) and the Office for Civil Rights (OCR), sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when:¶¶~~



- a. ~~Submission to such conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, educational opportunities, or other benefits provided by ANCS;¶~~
  - b. ~~An individual's submission to, or rejection of, such conduct or communication is used as a factor in decisions affecting that individual's employment, educational opportunities, or other benefits provided by ANCS; or¶~~
  - c. ~~Such conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment, or creating an intimidating, hostile, or offensive working or learning environment.¶~~
3. ~~Sexual harassment may consist of exposure to a pattern of objectionable sexual behavior or exposure to a single, serious act. Sexual harassment exists when such conduct is unwelcome, offensive to both the recipient and to a reasonable person, and severe or pervasive. Even if never acted upon, threats or suggestions of preferential or adverse treatment with regard to an individual's employment or educational status constitute sexual harassment when made by a person in a supervisory position.¶~~

### ~~Section 3. Complaint Resolution Process¶~~

~~Any employee (full time, part time, hourly), contractor, or consultant who believes that he or she has been exposed to unwelcome sexual misconduct should immediately report the alleged act to their immediate supervisor or, if their immediate supervisor is involved in the alleged misconduct, to the Campus Principal of their Campus. If the Campus Principal of their Campus is involved in the alleged misconduct, employees may report the misconduct to the Executive Director. If the Executive Director is involved in the alleged misconduct, employees may should report the misconduct to the Board Chair. In addition, in the case of a conflict of interest, an employee may report the alleged act to the Board Chair. The resolution will then proceed as outlined in the ANCS Grievance Procedure in "Employee Grievances" on page 22.¶~~

### ~~Section 4. Sanctions¶~~

~~Appropriate disciplinary actions will be taken against persons found to have violated this policy. These actions shall include sanctions authorized by law and Board policy. These actions shall also include other measures designed to end sexual misconduct and to prevent its recurrence. Due process rights shall be afforded to all affected persons, where appropriate.¶~~

### ~~Section 5. Appeals Process¶~~

~~See "Employee Grievances" on page 22.¶~~



## ~~Section 6. Prohibitions~~

~~ANCS prohibits retaliation, intentional false reporting, and hindering an investigation.~~

### ~~Retaliation~~

- ~~1. Retaliation against individuals who file complaints of alleged sexual misconduct is expressly prohibited. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.~~
- ~~2. Appropriate disciplinary action up to and including termination shall be imposed for verified acts of retaliation.~~

### ~~Intentional False Reporting~~

~~Persons who knowingly fabricate allegations of sexual misconduct shall be subject to disciplinary action up to and including termination.~~

### ~~Hindering an Investigation~~

~~Individuals who withhold information, purposely provide inaccurate facts, violate privacy and confidentiality rules, or otherwise hinder an investigation of sexual misconduct shall be subject to disciplinary action up to and including termination.~~

## ~~Section 7. Notice~~

~~This policy shall be available at the school and online on the school's website.~~

## ~~Section 8. Right to Alternate Dispute Resolution Procedures~~

~~These procedures do not deny the right of any individual to pursue other avenues of recourse.~~

## Resources

- "Employee Grievances" on page 22



# Smoke- and Vape-Free School Zone

## Purpose

This policy governs the use of tobacco products on ANCS grounds.

## Duration

This policy is permanent, but it is subject to revisions.

## Policy

### Section 1. Scope of Policy

1. As part of ANCS' commitment to providing a healthy and safe environment for its community, all areas of ANCS are smoke- and vape-free without exception. This includes but is not limited to private, enclosed offices; conference and meeting rooms; cafeterias/lunchrooms; employee break areas; playing/athletic fields; entrances and exits to buildings; and parking lots. ANCS prohibits the use of any tobacco product, including but not limited to cigarettes, cigars, cigarillos, small cigars, pipes, hookah, smokeless tobacco (otherwise known as dip, chew, snuff, spit, and snus), electronic cigarettes, and other smokeless products.
2. ~~students, employees, and visitors are prohibited from smoking, vaping or using any tobacco product at off-campus at ANCS facilities or ANCS-sponsored events, such as fundraisers where children are present. ANCS prohibits the use of any tobacco product, including but not limited to cigarettes, cigars, cigarillos, small cigars, pipes, hookah, smokeless tobacco (otherwise known as dip, chew, snuff, spit, and snus), electronic cigarettes, and other smokeless products.~~
3. ~~All areas of ANCS are smoke and vape free without exception. This includes but is not limited to private, enclosed offices; conference and meeting rooms; cafeterias/lunchrooms; employee break areas; playing/athletic fields; entrances and exits to buildings; and parking lots.~~
4. Smoking is prohibited by employees while they are on duty supervising students, whether they are on or off ANCS property.
5. The Campus Principal / Executive Director is authorized to develop regulations to implement this policy.

### Section 2. Notification of Policy to Prospective Employees

In accordance with O.C.G.A. § 31-12A-5, all prospective employees are to be notified of this no-



smoking policy upon their application for employment.



# Weapons

## Purpose

This policy governs weapons on ANCS property and ANCS-sponsored trips and activities.

## Duration

This policy is permanent, but it is subject to revisions.

## Policy

### Section 1. Prohibition of Weapons

1. ANCS is committed to maintaining a safe and secure working and learning environment to ensure student success. ANCS prohibits the possession of weapons of any type on school property, on school-sponsored trips, in the school safety zone, and at school-sponsored activities. Anyone violating this policy shall be subject to disciplinary action up to and including termination and, potentially, prosecution under the provisions of law.
2. ~~In response to recent changes made to state statute O.C.G.A. § 16-11-127.1, w~~Weapons are not allowed on ANCS property, in schools, administrative offices, or at school activities, or on any bus or other transportation provided by ANCS. Trained police officers and ANCS-employed/contracted security personnel are the only individuals who may carry weapons on ANCS property (schools and administrative offices), school safety zones, and at activities. Security personnel employed or contracted by ANCS are required to maintain appropriate certifications and licenses to safely carry firearms. Lapse in certification may result in termination.

### Section 2. Definition of "Weapon"

The term "weapon" means and includes those items listed in O.C.G.A. § 16-11-127.1 and other applicable laws. However, regardless of the definitions and specific instruments defined in said laws, ANCS prohibits the possession of knives of any type on school property, in the school safety zone, and at school-sponsored activities, if any such knife can be used to inflict bodily harm, with the exception of knives used by the school's kitchen staff for food preparation in accordance with safety guidelines and policies.



## Resources

- O.C.G.A. § 16-11-127.1 Carrying Weapons Within School Safety Zones, at School Functions, or on a Bus or Other Transportation Furnished by a School





# Accident or Injury in the Workplace

## Purpose

This policy instructs staff on action to take if there is an accident or injury in the workplace.

## Duration

This policy is permanent, but it is subject to revisions.

## Policy

### Section 1. Immediate Procedure

1. All employee injuries that occur on ANCS premises should immediately be reported to the Campus Principal and HR manager where the injury occurred and/or the immediate supervisor of the employee.
2. Upon observation or notification of an employee injury, the Campus Principal or supervisor should take action to assess the level of medical emergency and immediately obtain the appropriate medical care.
3. Any employee aware ~~In the case of~~ major or life-threatening emergencies, ~~the campus principal or designee~~ should immediately call 911 and request emergency medical assistance and should then immediately contact the campus principal or designee who will apprise the school community that 911 has been called so as to prevent multiple calls..
4. In the case of minor or non-life-threatening injuries, provide first aid or medical treatment through the School Nurse, as available.

### Section 2. Incident Report

1. Once the employee's injuries have been addressed, the Campus Principal or supervisor should complete an Incident Report detailing the following:
  - a. The employee involved
  - b. Others present
  - c. The date, time, location, and description of the accident
2. The Incident Report should be forwarded to the Executive Director, who will then initiate a claim with ANCS's Workers' Compensation carrier.



### **Section 3. Additional Medical Treatment**

1. Should the employee need additional medical treatment, they should be directed to select one of the Workers' Compensation medical providers listed on the Official Notice of Georgia Workers' Compensation Law, which is posted in the teachers' lounge.
2. A Workers' Compensation claim representative will be assigned to provide the injured employee with further instructions regarding their medical care.



# Workplace Violence

## Purpose

This describes workplace violence policy at ANCS.

## Duration

This policy is permanent, but it is subject to revisions.

## Policy

### Section 1. Scope

1. ANCS strives to have a workplace that is free from acts or threats of physical violence, harassment, intimidation, or other threatening and/or disruptive behavior that takes place on ANCS grounds or offsite at an ANCS-related activity. To this end, ANCS seeks to provide a safe work environment for all employees to the full extent of the law. This statement shall not be construed to create an obligation on the part of ANCS to take action beyond what is required by law.
2. ANCS has a zero-tolerance policy regarding workplace violence. Violations of this policy will lead to disciplinary and/or legal action as appropriate.
3. Employees are expected to refrain from conduct that may be dangerous to others. Conduct that intimidates, threatens, or intimidates another employee, student, or visitor will not be tolerated.
4. ANCS resources may not be used to threaten, harass, or stalk anyone, whether on or off ANCS grounds.
5. ANCS treats threats stemming from a personal relationship as it does other forms of violence.



## Section 2. Reporting and Investigating Workplace Violence

1. All indirect or direct threats of violence, incidents of actual violence, or suspicious individuals or activities should be reported as soon as possible to a direct supervisor or, if the direct supervisor is involved in the alleged misconduct, to the Campus Principal. If the Campus Principal is involved in the alleged activity, employees may report the activity to the Executive Director. If the Executive Director is involved in the alleged misconduct, employees may report the misconduct to the Board Chair.
2. ANCS will thoroughly and promptly investigate all reports of threats or incidents of violence and of suspicious individuals or activities. The identity of the person making the report will be protected as much as possible. ANCS will not retaliate against employees who make good-faith reports of violence, threats, or suspicious individuals or activities. To maintain workplace safety and the integrity of its investigation, the school may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending the results of its investigation.

## Resources

- "Professional Conduct" on page 42
- Student Discipline in Student and Family Academic Program Policies