



Amethod Public Schools

Regular Meeting of the AMPS Board of Directors

Published on August 13, 2020 at 4:52 PM PDT
Amended on September 22, 2020 at 3:31 PM PDT

Date and Time

Wednesday August 19, 2020 at 6:00 PM PDT

Location

Zoom Meeting Platform

Join the meeting via web or telephone:

Web: <https://us02web.zoom.us/j/82578923215>

By Telephone: +16699009128,,82578923215#

This meeting will be by teleconference pursuant to Executive Orders N-25-20 and N-29-20.

The Board of Directors (Board) and employees of Amethod Public Schools shall meet via the Zoom meeting platform. Members of the public who wish to access this Board meeting may do so at:

<https://us02web.zoom.us/j/82578923215>

Participating by Telephone: 669-900-9128 Meeting ID: 82578923215

Public Comment: Members of the public who wish to comment during the Board meeting may use the “raise hand” tool on the Zoom platform or press *9 if you are joining by telephone. Individual comments will be limited to two (2) minutes. If comments are in Spanish or another language, they will be translated to English and such comments will be limited to four (4) minutes. The Board of Directors may limit the total time for public comment

to a reasonable time. The Board reserves the right to mute or remove a member of the public if comments or actions disrupts the Board meeting.

Access to Board Materials: A copy of the written materials which will be submitted to the School Board may be reviewed by any interested persons on the Amethod Public School's website at www.amethodschools.org along with this agenda following the posting of the agenda at least 72 hours in advance of this meeting.

Disability Access: Requests for disability-related modifications or accommodations to participate in this public meeting should be made 72 hours prior to the meeting by calling (510) 701 -2415. All efforts will be made for reasonable accommodations. The agenda and public documents can be modified upon request as required by Section 202 of the Americans with Disabilities Act.

ORDER OF BUSINESS MAY BE CHANGED WITHOUT NOTICE

Agenda

| | Purpose | Presenter | Time |
|--|---------|--------------|----------------|
| I. Opening Items | | | 6:00 PM |
| A. Call the Meeting to Order | | Peter Hanley | 1 m |
| B. Roll Call | | Luis Romo | 3 m |
| C. Announcements | | Peter Hanley | 5 m |
| II. Nominating Committee | | | 6:09 PM |
| A. Consider Appointment of Nick Driver to the AMPS Board of Directors | Vote | Peter Hanley | 10 m |
| III. Disclosure of Items to be Discussed in Closed Session (Government Code 5457.7) | | | |
| IV. Recess to Closed Session | | | 6:19 PM |
| A. Conference with legal counsel-Anticipated Litigation (2) [(Government Code section 54956.9(b)] | | | 30 m |
| B. Public Employee Evaluation Pursuant of Government Code 54597-Interim CEO | | | 10 m |

| | Purpose | Presenter | Time |
|--|---------|-----------|------|
|--|---------|-----------|------|

V. Reconvene from Closed Session**VI. General Public/Board Comments (2min per speaker)****VII. Consent Agenda 6:59 PM**

| | | | | |
|-----------|--|-----------------|--------------|-----|
| A. | Approval of Board Minutes (07.22.2020) | Approve Minutes | Luis Romo | 1 m |
| B. | Title IX Sexual Harassment, Intimidation, Discrimination and Bullying Policy | Vote | Evelia Villa | 1 m |
| C. | Approval of Updated 2020-2021 Employee Handbook | Vote | Evelia Villa | 1 m |

VIII. Business 7:02 PM

| | | | | |
|-----------|---|---------|--------------|------|
| A. | CEO Report | FYI | Evelia Villa | 10 m |
| B. | Approve Request for Proposal for CEO Search | Vote | Peter Hanley | 23 m |
| C. | State Budget Update | Discuss | Kelly Ellis | 15 m |
| D. | Instructional Update Reopening Task Force to present this Item | Discuss | Evelia Villa | 20 m |
| E. | Ratification of Interim CEO Compensation | Vote | Peter Hanley | 5 m |
| F. | Resolution to Correct Vacation Pay | Vote | Peter Hanley | 5 m |
| G. | Discuss and Decide on September Meeting Schedule | Vote | Peter Hanley | 15 m |

IX. Closing Items 8:35 PM

- A.** Adjourn Meeting

THE ORDER OF BUSINESS MAY BE CHANGED WITHOUT NOTICE. Notice is hereby given that the order of consideration of matters on this agenda may be changed without prior notice. **REASONABLE LIMITATIONS MAY BE PLACED ON PUBLIC TESTIMONY.** The Governing Board's presiding officer reserves the right to impose reasonable time limits on public testimony to ensure that the agenda is completed. **SPECIAL PRESENTATIONS**

MAY BE MADE. Notice is hereby given that; consistent with the requirements of the Ralph Brown Open Meeting Act, special presentations not mentioned in the agenda may be made at this meeting. However, any such presentation will be for information only. **REASONABLE ACCOMMODATION WILL BE PROVIDED FOR ANY INDIVIDUAL WITH A DISABILITY.** Pursuant to the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, any individual with a disability who requires reasonable accommodation to attend or participate in this meeting of the Governing Board may request assistance by contacting the Amethod Public School Inc., 2101 Livingston Street Second Floor. Oakland, CA 94606; telephone, (510) 434-7017 ext.117 info@amethodschools.org. **FOR MORE INFORMATION.** For more information concerning this agenda, please contact Amethod Public Schools Main Administration, 2101 Livingston St. Second Floor. Oakland, CA 94606; telephone, (510) 436-0172 ext. 106; Email: lromo@amethodschools.org

Coversheet

Call the Meeting to Order

| | |
|--------------------------|---|
| Section: | I. Opening Items |
| Item: | A. Call the Meeting to Order |
| Purpose: | FYI |
| Submitted by: | |
| Related Material: | A. Approval of Board Meeting Minutes (07.22.2020).pdf |



HONOR HARD WORK

Amethod Public Schools
Regular Meeting of the Board of Directors
Wednesday, July 22, 2020 6:00 PM
AGENDA

Items

1.0 Call to Order 6:02PM

1.1 Roll Call

Board Member Maribel Gonzalez; Present
Board Secretary Gilbert Lopez Jr.; Present
Board Vice Chair Edgar Quiroz; Present
Board Chair Peter Hanley; Present
Quorum Established

2.0 Announcements: Not Any.

3.0 Public Comment on Closed Session Items: Not Any.

4.0 Disclosure of Items to be Discussed in Closed Session (Government Code 5457.7)

Discussing anticipated litigation matters with counsel during a closed session which is estimated to last 45 minutes.

5.0 Recess to Closed Session

5.1 Conference with legal counsel-Anticipated Litigation (3) [(Government Code section 54956.9(b))]

6.0 Reconvene from Closed Session

Reconvene with quorum established. No reportable action taken during.

7.0 General Public/Board Comments (2min per speaker)

Don Gosney and Gabriela Gutierrez make comments. Board Chair Mr. Hanley addresses JHHS approval at the SBE.

8.0 Consent Agenda

8.1 Approval of Board Minutes (06.24.2020, 07.02.2020, 07.17.2020)

8.2 Uniform Complaint Procedures (UCP) Policy

8.3 Consolidated Application and Reporting System (CARS)

Motion; Gilbert Lopet Jr.

Second; Edgar Quiroz

Board Member Maribel Gonzalez; Yes

Board Secretary Gilbert Lopez Jr.; Yes

Board Vice Chair Edgar Quiroz; Yes

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AGENDA

Board Chair Peter Hanley; Yes
Unanimous; motion carries

9.0 Business

9.1 CEO Report

Mrs. Evelia Villa makes her report and introduces Anjelica Zermeno, Slté Leader at BJE and RCA. She gives instructional updates and introduces Andrew Wang, Senior Director of Finance as well.

9.2 Approve School Reopening Plans

Bianca Forrester and Anjelica Zermeno make a presentation on reopening schools.

Public comment; Cinthia Hernandez with students entering 4th grade at BJE.

Motion; Edgar Quiroz

Second; Maribel Gonzalez

Board Member Maribel Gonzalez; Yes

Board Secretary Gilbert Lopez Jr.; Yes

Board Vice Chair Edgar Quiroz; Yes

Board Chair Peter Hanley; Yes

Unanimous; motion carries

9.3 COVID Board Resolution

Motion; Edgar Quiroz

Second; Gilbert Lopet Jr.

Board Member Maribel Gonzalez; Yes

Board Secretary Gilbert Lopez Jr.; Yes

Board Vice Chair Edgar Quiroz; Yes

Board Chair Peter Hanley; Yes

Unanimous; motion carries.

No Public Comment on this item.

9.4 Consider Membership with Board On Track

Mr. Hanley introduces services and potential membership with 'Board on Track'.

Motion; Maribel Gonzalez

Second; Edgar Quiroz

Board Member Maribel Gonzalez; Yes

Board Secretary Gilbert Lopez Jr.; Yes

Board Vice Chair Edgar Quiroz; Yes

Board Chair Peter Hanley; Yes

Unanimous; motion carries.

9.5 Adjourn Meeting 8:07PM

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AGENDA

officer reserves the right to impose reasonable time limits on public testimony to ensure that the agenda is completed. *SPECIAL PRESENTATIONS MAY BE MADE.* Notice is hereby given that; consistent with the requirements of the *Ralph Brown Open Meeting Act*, special presentations not mentioned in the agenda may be made at this meeting. However, any such presentation will be for information only. *REASONABLE ACCOMMODATION WILL BE PROVIDED FOR ANY INDIVIDUAL WITH A DISABILITY.* Pursuant to the *Rehabilitation Act of 1973* and the *Americans with Disabilities Act of 1990*, any individual with a disability who requires reasonable accommodation to attend or participate in this meeting of the Governing Board may request assistance by contacting the Amethod Public School Inc., 2101 Livingston Street Second Floor. Oakland, CA 94606; telephone, (510) 434-7017 ext.117 info@amethodschools.org *FOR MORE INFORMATION* For more information concerning this agenda, please contact Amethod Public Schools Main Administration, 2101 Livingston St. Second Floor. Oakland, CA 94606; telephone, (510) 436-0172 ext. 106; Email: lromo@amethodschools.org

Coversheet

Consider Appointment of Nick Driver to the AMPS Board of Directors

| | |
|--------------------------|---|
| Section: | II. Nominating Committee |
| Item: | A. Consider Appointment of Nick Driver to the AMPS Board of Directors |
| Purpose: | Vote |
| Submitted by: | |
| Related Material: | Nick Driver Resume 2020.doc |

Nick Driver

3630 18th St., San Francisco, CA 94110
415-302-0062

Summary: Seasoned senior charter school and non-profit leader with deep financial management, governance, data and operations experience. Superior communication and presentation skills. Self-starting who excels at leading as well as following. Experienced strategic planner equally comfortable at creating long-term goals aligned with missions as he is at the details of spreadsheets, managing audits, and contract management and negotiation.

PROFESSIONAL EXPERIENCE

CLEAR THINKING, 2019-present Co-Founder

- Manage consulting and research projects on the charter schools.
- Conduct financial and separation of duties analysis for schools
- Find solutions for schools for cash flow issues due to deferrals.
- Train school boards on required financial and governance compliance, including open meeting and conflict of interest rules
- Support schools through governance trainings, executive transitions and leadership coaching.
- Lead strategic planning engagements and workshops, provide technical assistance for schools

EDUCATION FOR CHANGE PUBLIC SCHOOLS, 2011-present Board Chair, Executive and Finance Committee Member

- Oversee \$40 mn annual budget, chair nine-person board
- Evaluate CEO, spearheaded smooth leadership transition
- Provide direct communication to parents and teachers in service of grassroots outreach and education campaign

CHARTER ASSET MANAGEMENT Vice President, National Partnerships

- Face of organization, member of leadership team of national financing firm.
- Conduced financial and operational analyses of charter schools.
- Forged key relationships with charter stakeholders across the country, including state charter support organizations and foundations.
- Helped expand organizational scope to support charter schools in multiple states.

CHARTER SCHOOL MANAGEMENT CORPORATION Vice President, Strategic Development, 2012-2019

- Face of organization, member of leadership team of national back office firm.
- Conduced financial and operational analyses of charter schools.
- Supported the creation of dozens of charter schools, primarily by creating startup, cash flow and multi-year budgets for them.
- Forged key relationships with charter stakeholders across the country, including state charter support organizations and foundations.
- Helped expand organizational scope to start and support charter schools in 10 states.
- Conducted strategic planning workshops and provided technical assistance for numerous school groups around the state.

CALIFORNIA CHARTER SCHOOLS ASSOCIATION Vice President and General Manager 2004-2011

- Supported the creation of more than 200 schools
- Conveyed the breakthrough, education reform nature of charter schools to community groups, parents, educators and the general public so they start or support high-quality charter schools.

- Supported and strengthened the existing 300+ charter schools in the region
- Convened and catalyzed community groups, parents and educators to start high-quality charter schools.
- Supported the creation of charter public schools to drive higher quality educational choices for all students.

SAN FRANCISCO EXAMINER, San Francisco CA, 2001 – 2003

Education Reporter, Editor, 2001-2003

- Broke numerous stories on local education issues
- Worked with school district to highlight areas and schools with issues and with strengths
- Highlighted schools-related issues not covered by other media

CHINA FOOD & AGRICULTURE SERVICES, Shanghai, China

Senior Vice-President, Board Member, 1995-2001

- Co-founded Shanghai-based analysis and research consulting firm
- Developed company to successful leader in its field within one year; successfully marketed China export expansion plans to U.S.-based organizations.

UNITED PRESS INTERNATIONAL, Beijing, China 1992-1994

Reporter, Bureau Chief, Beijing Bureau

- Covered human rights, political leadership changes
- Covered economic and social change during a key period in China's reform
- Broke dozens of stories on economic and political corruption, human rights abuses

LOS ANGELES TIMES, Beijing, China 1988-1992

Reporter, Beijing Bureau

- Covered human rights, political leadership changes, and social change during the Tiananmen Square period and its aftermath in the 1990s
- Part of team of reporters shortlisted for Pulitzer Prize

ADDITIONAL RELEVANT EXPERIENCE

UNIVERSITY OF SAN FRANCISCO 2005-2017

Board member, University of San Francisco Center for the Pacific Rim

SFUSD PARENT ADVISORY COUNCIL 2005-2008

Committee member and Committee Chair

- Advocated for students and parents at school board
- Organized parent meetings of parents throughout the district

ALVARADO SCHOOL SITE COUNCIL, San Francisco CA 2002-2007

Chair, Vice-Chair, Member

- Wrote academic plan for K-5 elementary school.
- Negotiated historic state budget cuts with teachers, staff and community to minimize classroom disruption in the face of layoffs to one-third of school's teachers

COMMITTEE TO REPAIR OUR SCHOOLS – San Francisco School Bond Campaign

Campaign Committee, 2003, 2011

- Helped raise money for local school bond campaign
- Assisted in organizing volunteers
- Wrote, edited and translated opinion pieces and campaign literature

EDUCATION

University of International Business and Economics, Beijing

Graduate Business School Coursework

Coversheet

Title IX Sexual Harassment, Intimidation, Discrimination and Bullying Policy

Section: VII. Consent Agenda
Item: B. Title IX Sexual Harassment, Intimidation, Discrimination and Bullying Policy
Purpose: Vote
Submitted by:
Related Material:
20 07 21- Title IX Harassment Intimidation Discrim. and Bullying Policy (YMC draft).docx
B. Title IX Briefing Sheet.docx

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Board Policy [INSERT #] Title IX, Harassment, Intimidation, Discrimination and Bullying Policy
Approved [INSERT DATE]

Discrimination, sexual harassment, harassment, intimidation, and bullying are all disruptive behaviors, which interfere with students' ability to learn, negatively affect student engagement, diminish school safety, and contribute to a hostile school environment. As such, Amethod Public Schools ("AMPS" or the "Charter School") prohibits any acts of discrimination, sexual harassment, harassment, intimidation, and bullying altogether. This policy is inclusive of instances that occur on any area of the school campus, at school-sponsored events and activities, regardless of location, through school-owned technology, and through other electronic means.

As used in this policy, discrimination, sexual harassment, harassment, intimidation, and bullying are described as the intentional conduct, including verbal, physical, written communication or cyber-bullying, including cyber sexual bullying, based on the actual or perceived characteristics of mental or physical disability, sex (including pregnancy and related conditions, and parental status), sexual orientation, gender, gender identity, gender expression, immigration status, nationality (including national origin, country of origin, and citizenship), race or ethnicity (including ancestry, color, ethnic group identification, ethnic background, and traits historically associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twist), religion (including agnosticism and atheism), religious affiliation, medical condition, genetic information, marital status, age or association with a person or group with one or more of these actual or perceived characteristics or based on any other characteristic protected under applicable state or federal law or local ordinance. Hereafter, such actions are referred to as "misconduct prohibited by this Policy."

To the extent possible, the Charter School will make reasonable efforts to prevent students from being discriminated against, harassed, intimidated, and/or bullied, and will take action to investigate, respond, address and report on such behaviors in a timely manner. AMPS school staff that witness acts of misconduct prohibited by this Policy will take immediate steps to intervene when safe to do so.

Moreover, the Charter School will not condone or tolerate misconduct prohibited by this Policy by any employee, independent contractor or other person with whom AMPS does business, or any other individual, student, or volunteer. This Policy applies to all employees, students, or volunteer actions and relationships, regardless of position or gender. AMPS will promptly and thoroughly investigate and respond to any complaint of misconduct prohibited by this Policy in a manner that is not deliberately indifferent and will take appropriate corrective action, if warranted. AMPS complies with all applicable state and federal laws and regulations and local ordinances in its investigation of and response to reports of misconduct prohibited by this Policy.

Title IX, Harassment, Intimidation, Discrimination and Bullying Coordinator ("Coordinator"):

Grace Borja

Comment [C1]: Per AB 34 and 543, this policy 1) must be posted in a prominent and readily accessible location on the School's website; 2) should be included in the School's "regular policy statement"; 3) shall be provided as part of any orientation program conducted for new and continuing pupils at the beginning of each quarter, semester, or summer session, as applicable; 4) shall be provided for each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year, or at the time that there is a new employee hired; 5) and shall appear in any publication of the institution that sets forth the comprehensive rules, regulations, procedures, and standards of conduct for the institution (i.e. student handbook); and 6) shall be displayed in a prominent location in the main administrative building or other area of the campus or schoolsite where other similar notices/policies are posted.

Please note that in addition to this policy, the School is legally required to have Title IX language on the School's website in compliance with Education Code section 221.61 including a link to the CDE's Title IX information, the definition of discrimination and harassment based on sex as described in Section 230, and the rights set forth in Section 221.8. We can provide you with some sample language if desired.

Further, charter school serving pupils in any of grades 9 through 12, inclusive, shall create a poster that notifies pupils of the applicable sexual harassment policy. The language in the poster shall be age appropriate and culturally relevant. The poster shall be displayed in English and any primary language spoken by 15 percent or more of the pupils enrolled at the schoolsite as determined pursuant to EC Section 48985. The poster shall be no smaller than 8.5 by 11 inches and use at least 12-point font. The poster shall be prominently and conspicuously displayed in each bathroom and locker room at the

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2101 Livingston St
Oakland, CA 94606
Phone Number: (510) 535-1580
Email Address: gborja@amethodschools.org

Comment [C2]: This is the Title IX Coordinator listed on the School's website. You may change this as needed to reflect who serves in this role at the School.

Definitions

Prohibited Unlawful Harassment

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

Prohibited Unlawful Harassment under Title IX

Title IX (20 U.S.C. § 1681 *et seq.*; 34 C.F.R. § 106.1 *et seq.*) and California state law prohibit discrimination and harassment on the basis of sex. In accordance with these existing laws, discrimination and harassment on the basis of sex in education institutions, including in the education institution's admissions and employment practices, is prohibited. All persons, regardless of sex, are afforded equal rights and opportunities and freedom from unlawful discrimination and harassment in education programs or activities conducted by AMPS.

AMPS is committed to providing a work and educational environment free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action. Inquiries about the application of Title IX and 34 C.F.R. Part 106 may be referred to the Coordinator, the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

Sexual harassment consists of conduct on the basis of sex, including but not limited to unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct on the basis of sex, regardless of whether or not the conduct is motivated by sexual desire, when: (a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, education, academic status, or progress; (b) submission to, or rejection of, the conduct by the individual is used as the basis of employment, educational or academic decisions affecting the individual; (c) the conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment; and/or (d) submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

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

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Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:
 - Rape, sexual battery, molestation or attempts to commit these assaults.
 - Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, or poking another's body.
- Unwanted sexual advances, propositions or other sexual comments, such as:
 - Sexually oriented gestures, notices, remarks, jokes, or comments about a person's sexuality or sexual experience.
 - Preferential treatment or promises of preferential treatment to an individual for submitting to sexual conduct, including soliciting or attempting to solicit any individual to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct.
 - Subjecting or threats of subjecting a student or employee to unwelcome sexual attention or conduct or intentionally making the student's or employee's performance more difficult because of the student's or the employee's sex.
- Sexual or discriminatory displays or publications anywhere in the work or educational environment, such as:
 - Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing or possessing any such material to read, display or view in the work or educational environment.
 - Reading publicly or otherwise publicizing in the work or educational environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic.
 - Displaying signs or other materials purporting to segregate an individual by sex in an area of the work or educational environment (other than restrooms or similar rooms).

The illustrations of harassment and sexual harassment above are not to be construed as an all-inclusive list of prohibited acts under this Policy.

Prohibited Bullying

Bullying is defined as any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act. Bullying includes one or more acts committed by a student or group of students that may constitute sexual harassment, hate violence, or creates an intimidating and/or hostile educational environment, directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

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1. Placing a reasonable student ¹ or students in fear of harm to that student's or those students' person or property.
2. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
3. Causing a reasonable student to experience a substantial interference with his or her academic performance.
4. Causing a reasonable student to experience a substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by AMPS.

Cyberbullying is an electronic act that includes the transmission of harassing communication, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

Electronic act means the creation and transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

1. A message, text, sound, video, or image.
2. A post on a social network Internet Web site including, but not limited to:
 - a. Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in the definition of "bullying," above.
 - b. Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in the definition of "bullying," above. "Credible impersonation" means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
 - c. Creating a false profile for the purpose of having one or more of the effects listed in the definition of "bullying," above. "False profile" means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
3. An act of "Cyber sexual bullying" including, but not limited to:
 - a. The dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in definition of "bullying," above. A

¹ "Reasonable student" is defined as a student, including, but not limited to, an exceptional needs student, who exercises care, skill and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

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photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

- b. "Cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
4. Notwithstanding the definitions of "bullying" and "electronic act" above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

Formal Complaint of Sexual Harassment means a written document filed and signed by a complainant who is participating in or attempting to participate in AMPS's education program or activity or signed by the Coordinator alleging sexual harassment against a respondent and requesting that AMPS investigate the allegation of sexual harassment.

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

Bullying and Cyberbullying Prevention Procedures

AMPS has adopted the following procedures for preventing acts of bullying, including cyberbullying.

1. Cyberbullying Prevention Procedures

AMPS advises students:

- a. To never share passwords, personal data, or private photos online.
- b. To think about what they are doing carefully before posting and by emphasizing that comments cannot be retracted once they are posted.
- c. That personal information revealed on social media can be shared with anyone including parents, teachers, administrators, and potential employers. Students should never reveal information that would make them uncomfortable if the world had access to it.
- d. To consider how it would feel receiving such comments before making comments about others online.

AMPS informs Charter School employees, students, and parents/guardians of AMPS's policies regarding the use of technology in and out of the classroom. AMPS encourages parents/guardians to discuss these policies with their children to ensure their children understand and comply with such policies.

2. Education

Comment [C3]: This section has been added pursuant to Education Code section 234.4 (AB 2291), which requires LEAs including charter schools to adopt, on or before December 31, 2019, "procedures for preventing acts of bullying, including cyberbullying."

The law doesn't specify the exact bullying prevention procedures that must be adopted by schools. However, since the law requires schools to provide the CDE's bullying module to its staff who interact with students, the bullying prevention procedures developed by the School should be consistent with those outlined in the CDE's online bullying module, which include education and professional development components.

To develop these procedures, we used the CDE's bullying module and Stopbullying.gov-Bullying Training Prevention Center's bullying module, which is also recommended by the CDE and available at:

<https://www.stopbullying.gov/prevention/training-center/index.html>

Please let us know if these proposed procedures do not work for the School logistically or if they are inconsistent with the procedures the School plans to implement. We can work with the School to further tailor the procedures to align with the School's program.

Comment [C4]: Please ensure the School's technology use policies align with the cyberbullying prevention procedures adopted by the School as part of this policy. If the School doesn't have a technology use policy, we can provide the School with a starting place draft for this policy upon request. These cyber-bullying prevention procedures were developed from the CDE's bullying module.

Comment [C5]: We recommend that the School have a technology policy and an acceptable use agreement. If you would like a sample policy, please let us know.

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AMPS employees cannot always be present when bullying incidents occur, so educating students about bullying is a key prevention technique to limit bullying from happening. AMPS advises students that hateful and/or demeaning behavior is inappropriate and unacceptable in our society and at AMPS and encourages students to practice compassion and respect each other.

Charter School educates students to accept all student peers regardless of protected characteristics (including but not limited to actual or perceived sexual orientation, gender identification, physical or cognitive disabilities, race, ethnicity, religion, and immigration status) and about the negative impact of bullying other students based on protected characteristics.

AMPS's bullying prevention education also discusses the differences between appropriate and inappropriate behaviors and includes sample situations to help students learn and practice appropriate behavior and to develop techniques and strategies to respond in a non-aggressive way to bullying-type behaviors. Students will also develop confidence and learn how to advocate for themselves and others, and when to go to an adult for help.

AMPS informs AMPS employees, students, and parents/guardians of this Policy and encourages parents/guardians to discuss this Policy with their children to ensure their children understand and comply with this Policy.

3. Professional Development

AMPS annually makes available the online training module developed by the California Department of Education pursuant Education Code section 32283.5(a) to its certificated employees and all other AMPS employees who have regular interaction with students.

AMPS informs certificated employees about the common signs that a student is a target of bullying including:

- Physical cuts or injuries
- Lost or broken personal items
- Fear of going to school/practice/games
- Loss of interest in school, activities, or friends
- Trouble sleeping or eating
- Anxious/sick/nervous behavior or distracted appearance
- Self-destructiveness or displays of odd behavior
- Decreased self-esteem

Charter School also informs certificated employees about the groups of students determined by AMPS, and available research, to be at elevated risk for bullying. These groups include but are not limited to:

Comment [C6]: Teaching students about the difference between appropriate and inappropriate behaviors, how to advocate for themselves and others, and when to go to an adult for help are listed as recommended bullying prevention procedures in the CDE's bullying module. Please ensure the School's bullying prevention education aligns with the procedures adopted by the School in this Policy.

Comment [C7]: The CDE recommends bullying prevention procedures be placed within the parent/student handbook, school safety plan, and the bullying prevention policy. (pg. 12)

Comment [C8]: This is required per Ed. Code section 32283.5 (effective 1/1/19). The CDE's bullying module and online training module are currently located here:

<https://www.cde.ca.gov/ls/ss/se/bullyres.asp>

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- Students who are lesbian, gay, bisexual, transgender, or questioning youth (“LGBTQ”) and those youth perceived as LGBTQ; and
- Students with physical or learning disabilities.

AMPS encourages its employees to demonstrate effective problem-solving, anger management, and self-confidence skills for AMPS’s students.

Grievance Procedures

1. Scope of Grievance Procedures

AMPS will comply with its Uniform Complaint Procedures (“UCP”) policy when investigating and responding to complaints alleging unlawful harassment, discrimination, intimidation or bullying against a protected group or on the basis of a person’s association with a person or group with one or more of the protected characteristics set forth in the UCP that:

- a. **Are written and signed;**
- b. Filed by an individual who alleges that that individual has personally suffered unlawful discrimination, harassment, intimidation or bullying, or by one who believes any specific class of individuals has been subjected to discrimination, harassment, intimidation or bullying prohibited by this part, or by a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying; and
- c. Submitted to the AMPS UCP Compliance Officer not later than six (6) months from the date the alleged unlawful discrimination, harassment, intimidation or bullying occurred, or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying.

Comment [C9]: If the complainant is unable to put the complaint in writing, due to conditions such as a disability or illiteracy, the School must assist the complainant in the filing of the complaint.

The following grievance procedures shall be utilized for reports of misconduct prohibited by this Policy that do not comply with the writing, timeline, or other formal filing requirements of a uniform complaint. For formal complaints of sexual harassment, AMPS will utilize the following grievance procedures in addition to its UCP when applicable.

2. Reporting

All staff are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or become aware of misconduct prohibited by this Policy, to intervene when safe to do so, call for assistance, and report such incidents. The Board requires staff to follow the procedures in this policy for reporting alleged acts of misconduct prohibited by this Policy.

Any student who believes they have been subject to misconduct prohibited by this Policy or has witnessed such prohibited misconduct is encouraged to immediately report such misconduct to the Coordinator:

Grace Borja
2101 Livingston St
Oakland, CA 94606

Amethod Public Schools

Phone Number: (510) 535-1580

Email Address: gborja@amethodschools.org

Complaints regarding such misconduct may also be made to the U.S. Department of Education, Office for Civil Rights. Civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders may also be available to complainants.

While submission of a written report is not required, the reporting party is encouraged to submit a written report to the Coordinator. AMPS will investigate and respond to all oral and written reports of misconduct prohibited by this Policy in a manner that is not deliberately indifferent. Reports may be made anonymously, but formal disciplinary action cannot be based solely on an anonymous report.

Students are expected to report all incidents of misconduct prohibited by this Policy or other verbal, or physical abuses. Any student who feels they are a target of such behavior should immediately contact a teacher, counselor, the Principal, Coordinator, a staff person or a family member so that the student can get assistance in resolving the issue in a manner that is consistent with this Policy.

AMPS acknowledges and respects every individual's right to privacy. All reports shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process to the greatest extent possible. This includes keeping the identity of the reporter confidential, as appropriate, except to the extent necessary to comply with the law, carry out the investigation and/or to resolve the issue, as determined by the Coordinator or administrative designee on a case-by-case basis.

AMPS prohibits any form of retaliation against any individual who files a report or complaint, testifies, assists, participates, or refuses to participate in any investigation or proceeding related to misconduct prohibited by this Policy. Such participation or lack of participation shall not in any way affect the status, grades, or work assignments of the individual. Individuals alleging retaliation in violation of this Policy may file a grievance using the procedures set forth in this Policy. Knowingly making false statements or knowingly submitting false information during the grievance process is prohibited and may result in disciplinary action.

All supervisors of staff will receive sexual harassment training within six (6) months of their assumption of a supervisory position and will receive further training once every two (2) years thereafter. All staff, and any individual designated as a coordinator, investigator or decision-maker will receive sexual harassment training and/or instruction concerning sexual harassment as required by law.

3. Supportive Measures

Upon the receipt of an informal or formal complaint of sexual harassment, the Coordinator will promptly contact the complainant to discuss the availability of supportive measures. The Coordinator will 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

Comment [C10]: This is the Title IX Coordinator listed on the School's website. You may change this as needed to reflect who serves in this role at the School.

Comment [C11]: For a complaint of discrimination, bullying, harassment, discrimination or intimidation to fall under the UCP, it must be a written complaint. However, all reports of harassment/discrimination/bullying must be investigated even if they are oral or outside the UCP timelines, and appropriate action must be taken when necessary according to the results of the investigation.

Comment [C12]: The training of these individuals must include training on the definition of sexual harassment in § 106.30, the scope of the recipient's education program or activity, how to conduct an investigation and grievance process including 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.

The School also must ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence and decision-makers are trained 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.

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complaint of sexual harassment, and explain the process for filing a formal complaint of sexual harassment.

Supportive measures are 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 of sexual harassment or where no formal complaint of sexual harassment has been filed. Such measures are designed to restore or preserve equal access to AMPS's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or AMPS's educational environment, or deter sexual harassment. Supportive measures available to complainants and respondents may include but are not limited to 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. AMPS will 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 AMPS to provide the supportive measures.

4. Investigation and Response

Upon receipt of a report of misconduct prohibited by this Policy from a student, staff member, parent, volunteer, visitor or affiliate of AMPS, the Coordinator (or administrative designee) will promptly initiate an investigation. In most cases, a thorough investigation will take no more than twenty-five (25) school days. If the Coordinator (or administrative designee) determines that an investigation will take longer than twenty-five (25) school days and needs to be delayed or extended due to good cause, the Coordinator (or administrative designee) will inform the complainant of the reasons for the delay or extension and provide an approximate date when the investigation will be complete.

At the conclusion of the investigation, the Coordinator (or administrative designee) will meet with the complainant and, to the extent possible with respect to confidentiality laws, provide the complainant with information about the investigation, including any actions necessary to resolve the incident/situation. However, the Coordinator (or administrative designee) will not reveal confidential information related to other students or employees.

For investigations of and responses to formal complaints of sexual harassment, the following grievance procedures will apply:

- Notice of the Allegations
 - Upon receipt of a formal complaint of sexual harassment, the Coordinator will give all known parties written notice of its grievance process, including any voluntary informal resolution process. The notice will include:
 - A description of the allegations of sexual harassment at issue and to the extent known, the identities of the parties involved in the incident, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident;

Comment [C13]: If a complaint is against the Coordinator, that complaint must be investigated/resolved by another administrator who holds a position above the Coordinator or by a member of the Board.

Comment [C14]: EC 234.1 does not include a specific timeline for the investigation but requires that this policy include a timeline and the timeline should be reasonable. We have included a suggested timeline of 25 school days (or about 5 weeks unless over a break) or less, but have left flexibility in the event the investigation will take longer. Note that under the UCP, for complaints alleging discrimination, harassment, intimidation or bullying against a group based on protected characteristics or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, a written response including specific elements must be provided to the complainant within 60 days from the receipt of the complaint.

Comment [C15]: If, in the course of an investigation, the School decides to investigate allegations about the complainant or respondent that are not included in this notice, the School must provide notice of the additional allegations to the parties whose identities are known.

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- A statement that the respondent is presumed not responsible for the alleged conduct until a final decision is reached;
 - A statement that the parties may have an advisor of their choice, who may be an attorney, and may inspect and review evidence; and
 - A statement that AMPS prohibits an individual from knowingly making false statements or knowingly submitting false information during the grievance process.
- Emergency Removal
 - AMPS may place a non-student employee respondent on administrative leave during the pendency of a formal complaint of sexual harassment grievance process in accordance with AMPS's policies.
 - AMPS may remove a respondent from AMPS's education program or activity on an emergency basis, in accordance with AMPS's policies, provided that AMPS undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.
 - This provision may not be construed to modify any rights under the IDEA, Section 504, or the ADA.
- Informal Resolution
 - If a formal complaint of sexual harassment is filed, AMPS may offer a voluntary informal resolution process, such as mediation, to the parties at any time prior to reaching a determination regarding responsibility. If AMPS offers such a process, it will do the following:
 - Provide the parties with advance written notice of:
 - The allegations;
 - The requirements of the voluntary informal resolution process including the circumstances under which the parties are precluded from resuming a formal complaint of sexual harassment arising from the same allegations;
 - The parties' right to withdraw from the voluntary informal resolution process and resume the grievance process at any time prior to agreeing to a resolution; and
 - Any consequences resulting from participating in the voluntary informal resolution process, including the records that will be maintained or could be shared; and
 - Obtain the parties' advance voluntary, written consent to the informal resolution process.
 - AMPS will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.
- Investigation Process

Comment [C16]: Regardless of any determination on whether to remove a student or employee on an emergency basis, the School still must follow the grievance process required for formal complaints of sexual harassment before imposing any disciplinary sanctions or other actions that are not supportive measures (e.g., terminations or expulsions) against a respondent. Emergency removal is not a substitute for reaching a determination as to a respondent's responsibility for the sexual harassment allegations; rather, emergency removal is for the purpose of addressing imminent threats posed to any person's physical health or safety, which might arise out of the sexual harassment allegations. Emergency removals allow schools to address emergency situations, whether or not a grievance process is underway, provided that the school first undertakes an individualized safety and risk analysis and provides the respondent notice and opportunity to challenge the removal decision.

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- The decision-maker will not be the same person(s) as the Coordinator or the investigator. AMPS shall ensure that all decision-makers and investigators do not have a conflict of interest or bias for or against complainants or respondents.
- In most cases, a thorough investigation will take no more than twenty-five (25) school days. If the investigator determines that an investigation will take longer than twenty-five (25) school days and needs to be delayed or extended due to good cause, the investigator will inform the complainant and any respondents in writing of the reasons for the delay or extension and provide an approximate date when the investigation will be complete.
- The parties will be provided with an equal opportunity to present witnesses, to inspect and review any evidence obtained that is directly related to the allegations raised, and to have an advisor present during any investigative meeting or interview.
- The parties will not be prohibited from discussing the allegations under investigation or to gather and present relevant evidence.
- A party whose participation is invited or expected at an investigative meeting or interview will receive written notice of the date, time, location, participants, and purpose of the meeting or interview with sufficient time for the party to prepare to participate.
- Prior to completion of the investigative report, AMPS will send to each party and the party's advisor, if any, a copy of the evidence subject to inspection and review, and the parties will have at least ten (10) days to submit a written response for the investigator's consideration prior to the completion of the investigation report.
- The investigator will complete an investigation report that fairly summarizes relevant evidence and send a copy of the report to each party and the party's advisor, if any, at least ten (10) days prior to the determination of responsibility.
- Dismissal of a Formal Complaint of Sexual Harassment
 - If the investigation reveals that the alleged harassment did not occur in AMPS's educational program in the United States or would not constitute sexual harassment even if proved, the formal complaint with regard to that conduct must be dismissed. However, such a dismissal does not preclude action under another applicable AMPS policy.
 - AMPS may dismiss a formal complaint of sexual harassment if:
 - The complainant provides a written withdrawal of the complaint to the Coordinator;
 - The respondent is no longer employed or enrolled at AMPS; or
 - The specific circumstances prevent AMPS from gathering evidence sufficient to reach a decision on the formal complaint or the allegations therein.
 - If a formal complaint of sexual harassment or any of the claims therein are dismissed, AMPS will promptly send written notice of the dismissal and the reason(s) for the dismissal simultaneously to the parties.
- Determination of Responsibility

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- The standard of evidence used to determine responsibility is the preponderance of the evidence standard.
- AMPS will send a written decision on the formal complaint to the complainant and respondent simultaneously that describes:
 - The allegations in the formal complaint of sexual harassment;
 - All procedural steps taken including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
 - The findings of facts supporting the determination;
 - The conclusions about the application of AMPS's code of conduct to the facts;
 - The decision and rationale for each allegation;
 - Any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve equal access to the education program or activity will be provided to the complainant; and
 - The procedures and permissible bases for appeals.

5. Consequences

Students or employees who engage in misconduct prohibited by this Policy, knowingly make false statements or knowingly submit false information during the grievance process may be subject to disciplinary action up to and including expulsion from AMPS or termination of employment. The Coordinator is responsible for effective implementation of any remedies ordered by AMPS in response to a formal complaint of sexual harassment.

6. Right of Appeal

Should the reporting individual find AMPS's resolution unsatisfactory, the reporting individual may, within five (5) business days of notice of AMPS's decision or resolution, submit a written appeal to the President of the AMPS Board, who will review the investigation and render a final decision.

The following appeal rights and procedures will also apply to formal complaints of sexual harassment:

- The complainant and the respondent shall have the same appeal rights and AMPS will implement appeal procedures equally for both parties.
- AMPS will notify the other party in writing when an appeal is filed.
- The decision-maker for the appeal will give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome; issue a written decision describing the result of the appeal and the rationale for the result; and provide the written decision simultaneously to both parties.

7. Recordkeeping

All records related to any investigation of complaints under this Policy are maintained in a secure location.

Comment [C17]: The School may change this reference to an administrator at the School who is in a position above the person making the initial decision as long as it is not the same person as the Coordinator or the investigator. The School could also use the Board to make the appeal decision, which may ultimately delay the process, but anyone on the Board who participated in the investigation or initial decision or who serves as the Coordinator would need to recuse themselves.

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AMPS will maintain the following records for at least seven (7) years:

- Records of each sexual harassment investigation, including any determination of responsibility; any audio or audiovisual recording or transcript; any disciplinary sanctions imposed on the respondent; and any remedies provided to the complainant.
- Records of any appeal of a formal sexual harassment complaint and the results of that appeal.
- Records of any informal resolution of a sexual harassment complaint and the results of that informal resolution.
- All materials used to train Title IX coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.
- Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment.

Comment [C18]: The School must make these training materials publicly available on its website or, if it does not have a website, make them available for inspection by the general public upon request.

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TITLE IX, HARASSMENT, INTIMIDATION, DISCRIMINATION & BULLYING COMPLAINT FORM

Your Name: _____ Date: _____

Date of Alleged Incident(s): _____

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

List any witnesses that were present: _____

Where did the incident(s) occur? _____

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

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

Signature of Complainant

Date: _____

Print Name

To be completed by AMPS:

Received by: _____ Date: _____

Follow up Meeting with Complainant held on: _____



HONOR HARD WORK

Amethod Public Schools

Board Item Overview

Date: 08/19/2020**Subject:** 9.2

Title IX Sexual Harrasment, Intimidation, Discrimination and Bullying Policy

Action:**Information:****Committee:****RECOMMENDATIONS:**

Staff recommends that the board approves the policy being presented as it adheres to new policy mandates.

**SUMMARY OF PREVIOUS
BOARD DISCUSSION AND
ACTION:**

NA

SUMMARY OF KEYS ISSUES:**FISCAL ANALYSIS**

NA

ATTACHMENT(S):

-Board policy for Title IX Sexual Harrassment, Intimidation, Discrimination and Bully Policy

Coversheet

Approval of Updated 2020-2021 Employee Handbook

Section: VII. Consent Agenda

Item: C. Approval of Updated 2020-2021 Employee Handbook

Purpose: Vote

Submitted by:

Related Material:

AMPS_2020-2021_Employee_Handbook- Revised (2).pdf

C Employee Handbook.pdf

DOCS--4153871-v1--Clean Version AMPS Employee Handbook_August 2020 (1).DOCX

AMPS



HONOR HARD WORK

AMETHOD PUBLIC SCHOOLS

~~2019~~20-~~2020~~21 **EMPLOYEE HANDBOOK**

[Effective: August 10, 2020](#)

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INTRODUCTION TO HANDBOOK

This Handbook is designed to help employees get acquainted with Amethod Public Schools (hereafter referred to as either “AMPS” or ~~“Organization” or “School”~~). It explains some of our philosophies and beliefs, and describes in general terms, some of our employment guidelines. Although this Handbook is not intended to be an exclusive or comprehensive policies and procedures manual, we hope that it will serve as a useful reference document for employees throughout their employment at ~~the Organization~~ AMPS. It is not intended to create any expectations of continued employment, or an employment contract, express or implied. In no way does the Handbook replace or modify any official plan documents (e.g., health insurance, retirement plan, etc.) or insurance contracts.

This Handbook supersedes any previously issued handbooks and any policies or other written or verbal statements that are inconsistent with the policies described herein. Employees must sign the acknowledgment form at the end of this Handbook, and return it to ~~the office of the CEO~~ Human Resources. It is important that all employees read, understand, and follow the provisions of the Handbook. If you need further information, or if you wish to discuss any policy in this Handbook, please feel free to contact your supervisor, Human Resources or the CEO.

Amethod Public Schools ~~is a growing and changing organization, and therefore, it~~ reserves full discretion to add, change, amend, supplement, or delete provisions of this Handbook, or the policies and procedures on which they may be based, at any time without advance notice. No one other than the CEO or the Board of Directors has the authority to enter into any employment agreement or other agreement that modifies ~~Organization~~ AMPS policy, the arbitration agreement, or the employee’s at-will employment with the School, and any such modification *must* be in writing and approved by the Board of Directors in writing.

GENERAL POLICIES

A. ***Equal Employment Opportunity (Discrimination)***

Covered Individuals

This policy protects all employees of the School as well as interns, volunteers, and potential employees (applicants). All employees of the School are required to abide by this policy, regardless of position or status, including supervisors, management, and co-workers.

Discrimination

As used in this policy, “discrimination” means taking any adverse employment action against an employee or applicant in any aspect of employment, solely or in part based on the individual’s protected category. Discrimination may include, but is not necessarily limited to, factoring an individual’s protected category in hiring, promotion, compensation, or other terms and conditions of employment unless otherwise permitted by law.

Adverse Employment Action

As used in this policy, “adverse employment action” may include, but is not necessarily limited to, the following: demotion; suspension; reduction in pay; denial of a merit salary increase; failure to hire or consider for hire; refusal to promote or consider for promotion; denial of employment opportunities; change of an employee’s work assignments; failure to provide a workplace accommodation when required (i.e., disability, pregnancy, religion, transgender); failure to provide a leave of absence when required (i.e., medical, pregnancy, workers’ compensation, military, domestic violence); or any other unequal treatment based on the individual’s protected category resulting in an adverse employment action.

Protected Categories

The School’s policy prohibits discrimination based on race (which includes historically associated traits, such as hair styles and protective hair styles, e.g., braids, locks, and twists), religious creed (which includes religious dress and grooming practices), color, national origin (which includes, but is not limited to, national origin groups and aspects of national origin, such as height, weight, accent, or language proficiency), ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex (which includes pregnancy, childbirth, breastfeeding, and related medical conditions), gender, gender identity, gender expression, age, sexual orientation, military or veteran status (including state and federal active and reserve members as well as those ordered to duty or training), immigration/citizenship status or related protected activities (which includes undocumented individuals and human trafficking), protected medical leaves, domestic violence victim status, political affiliation, or any other consideration made unlawful by federal, state, or local laws, ordinances, or regulations. These categories include a perception that the individual has any of these characteristics or is associated with a person who has (or is perceived to have) any of these characteristics.

Scope of Policy

The School is an equal employment opportunity employer and is committed to complying with all applicable laws providing equal employment opportunities. As such, the School makes employment decisions, including, but not limited to, hiring, recruiting, firing, promotion, demotion, training, compensation, qualifications/job requirements, on the basis of merit and/or business necessity. Employment decisions are based on an individual’s qualifications as they relate to the job under consideration pursuant to legitimate business purposes.

If you believe you have been subjected to, witnessed, or have knowledge about discrimination, please follow the complaint procedure outlined below [in Section D](#).

B. Unlawful Harassment

Covered Individuals

This policy protects all employees of the School as well as interns, volunteers, and potential employees (applicants). All employees of the School are required to abide by this policy, regardless of position or status, including supervisors, management, and co-workers. In addition, this policy prohibits unlawful harassment by any third parties. The School will take all reasonable steps to prevent or eliminate unlawful harassment by non-employees, including students, parents, and anyone else who has workplace contact with our employees.

Protected Categories

The School's policy prohibits harassment based on race ([which includes historically associated traits, such as hair styles and protective hair styles, e.g., braids, locks, and twists](#)), religious creed (which includes religious dress and grooming practices), color, national origin (which includes, but is not limited to, national origin groups and aspects of national origin, such as height, weight, accent, or language proficiency), ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex (which includes pregnancy, childbirth, breastfeeding, and related medical conditions), gender, gender identity, gender expression, age, sexual orientation, military or veteran status (including state and federal active and reserve members as well as those ordered to duty or training), immigration/citizenship status or related protected activities (which includes undocumented individuals and human trafficking), protected medical leaves, domestic violence victim status, political affiliation, or any other consideration made unlawful by federal, state, or local laws, ordinances, or regulations. These categories include a perception that the individual has any of these characteristics or is associated with a person who has (or is perceived to have) any of these characteristics.

Unlawful Harassment

Prohibited unlawful harassment may include, but is not necessarily limited to, the following behavior pertaining to **any of the above protected categories**:

- **Verbal conduct** such as flirting, epithets, derogatory jokes or comments, voicemails, slurs or unwanted sexual advances, sexually suggestive innuendos, conversations regarding sexual activities, invitations, or comments (including, but not limited to, threats of deportation against applicants and employees and family members of applicants and employees, derogatory comments about immigration status or disability, or mockery of an accent or a language or its speakers) ("[hostile work environment](#)" harassment).
- Disrespectful or unprofessional conduct based on any of the protected categories listed above ("[hostile work environment](#)" harassment).
- Comments or conduct that consistently target one gender, even if the content is not sexual ("[hostile work environment](#)" harassment).
- **Visual conduct** such as derogatory and/or sexually oriented posters, photography, cartoons, drawings, gestures, text messages, social media, instant messages, e-mails, letters, pictures, or gifts ("[hostile work environment](#)" harassment).

- **Physical conduct** such as assault, unwanted touching, blocking normal movement, or interfering with work because of any protected basis ("hostile work environment" harassment).
- Threats and demands to submit to sexual requests as a condition of continued employment or to avoid some other loss and offers of employment benefits in return for sexual favors ("quid pro quo" harassment).
- Sexually harassing conduct does need not to be motivated by sexual desire and may include situations that began as reciprocal relationships but later ceased to be reciprocal.

Scope of Policy

The School is committed to providing a work environment free of unlawful harassment. This policy applies to all phases of employment, including, but not limited to, recruiting, testing, hiring, upgrading, promotion, demotion, transfer, layoff, termination, rates of pay, benefits, and selection for training. In addition, this policy extends to conduct with a connection to an employee's work, even when the conduct takes place away from the School's premises, such as a business trip, School-related social function, or social media activity (depending on the circumstances).

If you believe you have been subjected to, witnessed, or have knowledge about unlawful harassment, please follow the complaint procedure outlined below.

C. Retaliation

Covered Individuals

This policy protects all employees of the School as well as interns, volunteers, and potential employees (applicants). All employees of the School are required to abide by this policy, regardless of position or status, including supervisors, management, and co-workers.

Retaliation

As used in this policy, "retaliation" means taking any adverse employment action against an employee because he or she engaged in protected activity pursuant to this policy. Protected activity may include, but is not necessarily limited to, the following: opposing a practice or conduct the employee reasonably believes to be unlawful; reporting or assisting in reporting suspected violations of the School's anti-discrimination, harassment, or retaliation policies; cooperating or participating in investigations or proceedings arising out of a violation of these policies; or engaging in any other activity protected by applicable law.

Adverse Employment Action

As used in this policy, "adverse employment action" means conduct or an action that materially affects the terms and conditions of the employee's employment status or is reasonably likely to deter the employee from engaging in further protected activity. Adverse employment actions may include, but are not limited to, the following: demotion; suspension; reduction in pay; denial of a merit salary increase; failure to hire or consider for hire; refusing to promote or consider for promotion because of reporting a violation of this policy; harassing another employee for filing a complaint; denying employment opportunities because of making a complaint or for cooperating in an investigation; changing an employee's work assignments for identifying harassment or other forms of discrimination in the workplace; treating an employee differently such as denying an accommodation; not talking to an employee (the "cold shoulder") when otherwise required by

job duties; or otherwise excluding the employee from job-related activities because of engagement in activities protected under this policy.

Any retaliatory adverse action because of protected activity may be unlawful and will not be tolerated. If you believe you have been subjected to, witnessed, or have knowledge about retaliation, please follow the complaint procedure outlined below.

D. Complaint Procedure—Discrimination, Unlawful Harassment, Retaliation

Duty to Report

All employees who believe they have been subjected to discrimination, unlawful harassment, and/or retaliation are **strongly encouraged** to promptly report the alleged violation(s) in accordance with the procedures set forth below. All employees (**particularly supervisors**) who believe they have witnessed or have knowledge of discrimination, unlawful harassment, and/or retaliation are required to immediately report the alleged violation(s) in accordance with the procedures set forth below. Immediate reporting allows the School to quickly and fairly resolve any complaints in the workplace.

In addition to reporting, any employee who experiences or witnesses conduct that the individual believes is unlawful is encouraged to tell the offending individual that the behavior is inappropriate and must be stopped, if the employee is comfortable doing so.

Where to Report Complaint to the School

Submit a complaint to your supervisor, Human Resources (hrsupport@amethodschools.org), any other supervisor within the School, or the Board of Directors. There is no requirement to report your complaint to any designated supervisor within the School. Select the individual with whom you feel the most comfortable discussing your complaint. Do not report your complaint to any individual who has allegedly engaged in the inappropriate behavior that is the subject of your complaint.

Supervisors must report any and all conduct of which they are made aware, which violates, or may violate, policies regarding discrimination, unlawful harassment, or retaliation to the CEO, Talent and Human Resources Manager, Board of Directors, or other upper-level administrators, as appropriate. Supervisors who fail to report alleged violations may be subject to disciplinary action, up to and including termination.

Contents of Complaint

All complaints submitted pursuant to this policy can be done in writing or verbally. Your complaint should be specific and should include the names of the individuals involved, the names of any witnesses, and any supporting documentation. Employees may choose to submit their complaints anonymously.

Response to Complaint (Investigation)

Upon notice of conduct requiring an investigation, the School will look into the facts and circumstances of the alleged violation, as appropriate. The School will attempt to resolve the situation by promptly undertaking an effective, thorough, and objective investigation through the use of “qualified personnel” and using methods that provide all parties with “appropriate due process.” The School’s investigation methods will vary depending on the nature of the complaint, the allegations, the witnesses, and other factors. All complaints will be handled as confidentially as possible and information will be disclosed only as it is necessary to complete the investigation and resolve the matter.

The School may investigate conduct in the absence of a formal complaint if the School has reason to believe that an individual has engaged in conduct that violates School policies or applicable law. Further, the School may continue its investigation even if the original complainant withdraws his or her complaint during the course of the investigation.

All employees are required to fully cooperate with the School's investigation, which includes, but is not limited to, providing all pertinent information in a truthful manner, submitting pertinent documents in their possession, not interfering with the investigation in any manner, and maintaining an appropriate level of discretion regarding the investigation. Failure to do so may result in disciplinary action, up to and including termination.

During the investigation, the School will provide regular progress updates, as appropriate, to those directly involved. The School will strive to complete its investigation as efficiently as possible in light of the allegations and will reach any conclusions based on the evidence collected and credibility of the witnesses. At the completion of its investigation, the School will inform the complainant(s) and the accused of its findings and decisions to the extent permitted by applicable law.

Corrective Action

If the School determines that violations have occurred, the School will take appropriate corrective action in accordance with the circumstances involved, including appropriate action to deter future conduct. Examples of potential corrective action include, but are not limited to, written or verbal disciplinary action, suspension, reassignment, demotion, or termination, among others. In addition, the offending individual may be legally liable for his or her conduct, depending on the circumstances. Due to privacy protections, the School is not able to fully disclose its entire decision regarding corrective action to the complainant.

No Retaliation

There will be no retaliation against any employee who brings a complaint in good faith or who honestly assists in investigating such a complaint, even if the investigation produces insufficient evidence that there has been a violation, or if the charges cannot be proven. Please refer to the School's Retaliation Policy above for further information.

How to Report Complaint to Government Agencies

Employees who believe that they have experienced unlawful conduct under these policies may also file a complaint with the local office of the California Department of Fair Employment and Housing ("DFEH") or the Equal Employment Opportunity Commission ("EEOC"). The DFEH and the California Fair Employment and Housing Council ("FEHC") as well as the EEOC can also order an employer to hire, reinstate, or promote a victim of discrimination, unlawful harassment, and/or retaliation or make other changes in ~~company~~ School policies. The address and phone number of the local DFEH and EEOC offices can be found online or dialing 800-FREE-411.

E. Sexual Harassment Training Requirements

The School requires all employees to abide by California's sexual harassment training requirements, which includes training within six months of hire and retraining every two years thereafter. Employees who fail to complete this required training will be subject to disciplinary action, up to and including termination.

F. Reasonable Accommodations

Any applicant or employee who requires an accommodation due to a disability in order to perform his or her job duties should contact his or her supervisor or the Talent and Human Resources Manager, ~~or the CEO,~~ to request such an accommodation. The individual with the disability should specify what accommodation he or she needs to perform the job. ~~The Organization-AMPS~~ AMPS will consider any requests for accommodations and make reasonable accommodations for a qualified individual with a disability, unless undue hardship would result, as required by applicable law. The School will analyze the situation, engage in an interactive process with the individual, and respond to the individual's request. ~~The Organization~~ AMPS will comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability.

G. Employment –“At- Will”

It is the policy of ~~the Organization~~ AMPS that all employees are considered “at-will” employees of ~~the Organization~~ AMPS. Accordingly, either ~~the Organization~~ AMPS or the employee can terminate this employment relationship at any time, for any reason or no reason at all, with or without cause, and with or without advance notice. Similarly, your status (for example, position, duties, salary, promotions, demotions, etc.) may be changed at-will, with or without cause, and with or without notice at any time.

Nothing contained in this Handbook, employment applications, ~~Organization-~~ AMPS memoranda or other materials provided to employees in connection with their employment shall require ~~the Organization~~ AMPS to have “cause” to terminate an employee or otherwise restrict ~~the Organization's~~ AMPS' right to terminate an employee from his or her at-will employment with ~~the Organization~~ AMPS. Statements of specific grounds for termination set forth in this Handbook or elsewhere are not all-inclusive and are not intended to restrict ~~the Organization's~~ AMPS' right to terminate at-will.

No representative of ~~the Organization~~ AMPS, other than the Board of Directors, is authorized to modify this at-will employment policy for any employee or to make any representations to employees or applicants concerning the terms or conditions of employment with ~~the Organization~~ AMPS that are not consistent with ~~the Organization's~~ AMPS' policy regarding “at-will” employment. Any agreement that alters the “at-will” nature of employment must be approved by the Board of Directors and must be in writing and signed by the Board of Directors, and the affected employee. This policy shall not be modified by any statements contained in this Handbook or employee applications, School memoranda or other materials provided to employees in connection with their employment. Further, none of those documents whether singly or combined, or any employment practices shall create neither an express or implied contract of employment for a definite period, nor an express or implied contract concerning any terms or conditions of employment.

H. Eligibility for Employment

Immigration Compliance

AMPS will only employ individuals who are authorized to work in the United States. All new hires must provide proof of identity and work eligibility in accordance with applicable laws. Employees must complete and sign a Form I-9 and produce valid documents which establish both identity and employment eligibility within three (3) working days of hire. Failure to comply may result in termination from employment.

Certification

The School's teachers are required to hold a current California Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in public schools would be required to hold by law. ~~Teachers of non-core subjects may not be required to comply with this policy.~~ If you are a credentialed staff member, you must provide copies of your credential, certificate of clearance, transcripts, and test scores prior to your first day of actual work and if already employed, prior to the start of the academic year if applicable. Failure to provide these documents may delay your ability to begin or continuation of work.

Tuberculosis Testing

No person shall be employed by the School unless he or she provides proof of having submitted to a tuberculosis (TB) risk assessment within the past 60 days and that no risk factors have been identified. If TB risk factors are identified, or as an alternative to the assessment, the applicant must submit proof that a qualified professional has determined he or she is free of infectious TB following testing and examination. The examination, if required, shall consist of an approved intra-dermal tuberculin test that, if positive, shall be followed by an X-ray of the lungs. Each employee shall cause to be on file with the School a certificate from a qualified professional showing the employee was assessed or examined and found free of risk factors or of infectious TB (as applicable). A person who transfers employment from another school can meet these requirements by providing a certificate from a qualified professional, or a verification form from the prior school employer, that shows he or she was found to be free of infectious TB within 60 days of initial hire.

An employee who has no identified risk factors or who tests negative for TB shall undergo the TB risk assessment and, if risk factors are identified, the examination, at least once every four years or more often if recommended by the local health officer.

The risk assessment, and examination if necessary, is a condition of initial employment, and the expense incident thereto shall be borne by the applicant. The School shall reimburse current employees for the cost, if any, of the tuberculosis risk assessment and the examination.

Criminal Background Checks

It is the policy of the School to require fingerprinting and background checks for its employees consistent with legal requirements. The School may determine, on a case-by-case basis whether a volunteer will have more than limited contact with pupils or consider other factors requiring a criminal background check for such a volunteer.

I. Employment Classifications

For purposes of salary administration and eligibility for overtime payments and employee benefits, Amethod Public Schools classifies its employees as defined below. Please direct any questions you may have regarding your employment classification or status to ~~the Human Resources Organization's CEO or~~ Resources or your direct supervisor.

Nonexempt Employees

Non-exempt employees are entitled to overtime pay for all hours worked in excess of 40 hours per week, in excess of 8 hours in a day, and for the first 8 hours worked on the seventh consecutive workday. Non-exempt employees are also eligible for double-time pay under certain circumstances. Non-exempt employees are required to take meal periods and are authorized and permitted to take rest periods in the manner described in this Handbook. Non-exempt employees may be scheduled for full-time or part-time shifts, as assigned by his or her supervisor or the CEO.

Exempt Employees

AMPS may choose to designate as exempt an employee whose job duties and salary qualify for exemption under applicable law. Exempt employees are not eligible to receive overtime pay.

J. Employment Status

Regular Full-time Employees

Employees who work 40 hours or more per workweek on a regular basis. Such employees may be “exempt” or “nonexempt” and are eligible for employee benefits as described in this Handbook as well as those benefits required by law.

Regular Part-time Employees

Employees who work fewer than 40 hours per workweek on a regular basis. Part-time employees may be assigned a work schedule in advance or may work on an as-needed basis. Such employees may be “exempt” or “nonexempt”. Part-time employees are not eligible for benefits except as required by law.

Temporary/Seasonal/Intern Employees

Temporary employees are those employed on a temporary basis for short-term assignments. Short-term assignments will generally be periods of three months or less; however, such assignments may be extended. Temporary employees are not eligible for any benefits except where mandated by law. A temporary employee may be offered and may accept a new temporary assignment with AMPS and still retain temporary status.

Individuals assigned by temporary employment agencies are employees of the agency and not of AMPS.

K. Job Duties

Your supervisor(s) will explain your job responsibilities. Be aware that your job responsibilities may change at any time during your employment. From time to time, you may be asked to work on special projects or to assist with other work necessary or important to the operation of your department or AMPS. Your cooperation and assistance in performing such additional work is expected. AMPS reserves the right, at any time, with or without notice, to alter or change job responsibilities, reassign or transfer job positions or assign additional job responsibilities.

L. Open Door Policy

At some time or another, you may have a suggestion, complaint, or question about the School, your job, your working conditions, or the treatment you are receiving. We welcome your suggestions, complaints, or questions. For issues other than prohibited harassment, discrimination, or retaliation, we ask that you take your concerns first to your supervisor, who will investigate and provide a solution or explanation. If the problem is still not resolved, you may present it to Human Resources, ~~or the Regional Superintendent of the School,~~ preferably in writing, who will address your concerns.

M. Workplace Anti-Violence Policy

The School recognizes that violence in the workplace is a growing nationwide problem necessitating a firm, considered response. The costs of such violence are great, both in human and financial terms. We believe that the safety and security of employees and students is paramount. Therefore, the School has adopted this policy regarding workplace violence to help maintain a secure workplace.

Acts or threats of physical violence, including intimidation, harassment, and/or coercion, that involve or affect the School, occur on School property, or occur in the conduct of School business off property will not be tolerated. This prohibition against threats and acts of violence applies to all persons involved in School operations, including, but not limited to, School students, parents, employees, independent contractors, temporary employees, vendors and anyone else on School property or conducting School business off property. Violations of this policy, by any individual, may result in disciplinary action, up to and including termination and/or legal action as appropriate.

Always ensure that all visitors have signed in the visitor log and are wearing appropriate visitor tags/badges. Suspicious persons or activities should be reported to Human Resources ~~or the Regional Superintendent~~. Secure your desk or office at the end of the day.

Workplace Violence Defined

Workplace violence includes, but is not limited to, threats of any kind; threatening, physically aggressive, or violent behavior, such as intimidation or attempts to instill fear in others; other behavior that suggests a propensity toward violence, including belligerent speech, excessive arguing or swearing, sabotage, threats of sabotage of School property; defacing School property or causing physical damage to the facilities; and bringing weapons or firearms of any kind on School premises or while conducting School business.

Enforcement/Complaint Procedure

Any person who violates this policy on School property may be removed from the premises as quickly and safely as possible, at the School's discretion, and may be required to remain off School premises pending the outcome of an investigation of the incident.

If any employee observes or becomes aware of any of the above-listed actions or behavior by an employee, student, parent, visitor, or anyone else, he or she must immediately notify his or her supervisor, Human Resources, or the Site Director. Furthermore, employees should notify Human Resources or the Site Director if any restraining order is in effect or if a potentially violent non-work-related situation exists that could result in violence in the workplace.

All reports of workplace violence will be taken seriously and will be investigated promptly and thoroughly. In appropriate circumstances, the School will inform the reporting individual of the results of the investigation. To the extent feasible, the School will maintain the confidentiality of the reporting employee. However, the School may need to disclose information in appropriate circumstances (for example, in order to protect individual safety). The School will not tolerate retaliation against any employee who reports workplace violence.

If the School determines that workplace violence has occurred, the School will take appropriate corrective action and may impose disciplinary action, up to and including termination.

[In certain circumstances, the School may seek a workplace violence restraining order on behalf of one or more employees in furtherance of its commitment to providing a workplace that is free from acts of violence or threats of violence.](#)

WAGES, ATTENDANCE, TIMEKEEPING AND RELATED PRACTICES

A. *Payment of Wages*

Employees are paid on an established payroll schedule that will be provided by ~~the Organization~~ [AMPS](#). If a regular payday falls on a Saturday, Sunday, or holiday, employees will generally be paid on the previous business day and if not, then the following business day. Paychecks are normally available by 12:00 p.m. and must be picked up from your supervisor or designee, unless you have authorized direct payroll deposit. If you observe an error on your check, please report it immediately to Human Resources.

The School will make authorized withholdings and deductions from each employee's pay. Every deduction from your paycheck is identified on your check voucher. If you do not understand the deductions, or to change the number of withholding allowances you wish to claim, consult with Human Resources.

B. *Overtime Pay*

Amethod Public Schools provides compensation for all overtime worked by non-exempt employees in accordance with applicable law. All overtime work must be authorized in advance by the Site Director or immediate supervisor. Failure to obtain such approval may subject an employee to discipline, up to and including termination. No overtime compensation will be paid to exempt employees.

C. *Expense Reimbursement*

Employees ~~shall~~ will be reimbursed for reasonable business expenses incurred while performing their duties or attending pre-approved workshops or other employment-related functions in accordance with the School's policy on expense reimbursements. Please follow the procedure set forth in the Finance and Operations Manual to submit expense requests for approval. ~~Approval for workshops or other employment-related functions must be obtained in writing from the employee's direct supervisor or the Site Director for the activity for which the employee will seek reimbursement.~~

~~All reimbursements claims must be supported by accurate, original receipts. Copies of receipts or other documentation are not acceptable unless exceptional circumstances exist.~~

~~Examples of items and/or expenses that are not reimbursed include:~~

~~Alcoholic beverages~~

~~Entertainment (movie, purchases/rental, plays, concerts, etc.)~~

~~When incurring business expenses, Amethod Public Schools expects employees to:~~

~~Exercise good business judgment with respect to those expenses~~

~~Be cost-conscious and spend organizational money as carefully and judiciously as the individual would spend his or her own funds~~

~~Report expenses, supported by required documentation, as they were actually spent~~

~~General Travel Requirements:~~

~~The employee and his/her supervisor shall consider the way in which AMPS will benefit from the travel and weigh those benefits against the anticipated cost of the travel. The same considerations shall be taken into account in deciding whether the benefits to AMPS outweigh the costs, less expensive alternatives, such as participation by telephone or video conferencing, or the availability of local programs or training opportunities, which should also be considered.~~

~~Air Travel Reimbursement:~~

~~Air travel reservations should be made as far in advance as possible in order to take advantage of reduced fares. All air flights must be reviewed by the appointed supervisor or appointed designee before booking any air flights to assure fare expense. Personnel shall not make travel arrangement at a time that is less advantageous to AMPS or involving greater expense to AMPS in order to accommodate travel plans.~~

~~Any additional expense incurred as a result of personal travel, including but not limited to extra hotel nights, additional stopovers, meals, or transportation are the sole responsibility of the AMPS employee. Expenses associated with travel of an individual's spouse, family or friends will not be reimbursed by AMPS.~~

~~**After receiving written approval from your supervisor, you may book a flight yourself and submit for reimbursement once the flight has been completed or ask your Supervisor or the Operations Department to book a flight for you using the Organization's AMPS' credit card.**~~

~~In or Out of Town Lodging Reimbursement:~~

~~Maximum reimbursement for lodging is \$150.00 per night unless otherwise approved by your Site Director or appropriate designee. Convenience, the cost of staying in the city in which the hotel is located, proximity to other venues on the individual's itinerary shall be considered in determining reasonableness. Employees shall make use of available corporate and discount rates for hotel where applicable.~~

~~Car Rentals Reimbursement:~~

~~Should your travel require a car rental and refueling cost, you must receive prior written approval from the director or appropriate designee. **Please decline car rental insurance fees as that is covered by personal car insurance. AMPS will not reimburse you for rental car insurance fees, upgrades, and navigation features.** Reimbursement for gas is allowable on car rental only.~~

~~Personal Vehicle Mileage Reimbursement:~~

~~Mileage reimbursement for driving your own personal vehicle to conduct School business will be at the IRS approved rate. The following rules apply:~~

~~Travel must be for an AMPS business function.~~

~~Mileage will be reimbursed for the round-trip distance between the employee's work site and the location of the business function being attended. If employees depart from or return to their home instead of their work site, only the miles in excess of the normal daily commute may be claimed as an expense.~~

~~Mileage amounts should be verifiable through the use of commercially available websites (ex. MapQuest, Google Maps).~~

~~Employees must document their travel on the Expense and Mileage Reimbursement Form. This must be approved by your supervisor.~~

Meals for Travels:

~~Itemized receipts are required for all meals to show actual meals cost per individual and to verify alcoholic beverage restrictions. Employees are allowed no more than \$65/per day to pay for meals during business travel.~~

Travel Expense Report

~~All reimbursement forms and receipts must be submitted within 30 days of the event or travel. All original receipts must be submitted along with the travel expense report. Upon completion, return the report and associated receipts directly to accounts payable office manager. Travel reimbursements forms can also be found at accounts payable manager's office.~~

Travel Expense Guidelines

| Expense type | Detail | Amount |
|-----------------------------|------------------|-------------------|
| Flight | Preferred | <\$350 |
| | Max: | \$500 |
| Hotel | Preferred | <\$150 |
| | Max: | \$200 |
| Hotel or Conference Parking | | <\$15 a day |
| Rental Car | Economy class | \$35-\$65 |
| Traveling Meals | Breakfast | \$15 |
| | Lunch | \$20 |
| | Dinner | \$30 |
| | Total Day | <\$65 per day |
| Mileage | | IRS approved rate |

D. Attendance and Tardiness

All employees, whether exempt or non-exempt, are expected to arrive at work consistently, on time and prepared to start work. Absenteeism and tardiness negatively affects ~~the~~ Organization's AMPS' ability to implement its educational program and disrupts consistency in students' learning.

If you will be absent or late, you are expected to telephone the Site Director or your direct supervisor as soon as possible but no later than two (2) hours before the start of your workday. Because voice mail messages may go unheard for significant periods of time, leaving a voice mail message is not a sufficient method of notification—you must personally contact your supervisor or the Site Director in a timely manner. If you are unable to reach your supervisor or the Site Director by phone, you may send an email, but you must attempt to reach the appropriate parties by phone first. If you are required to leave work early, you must also personally contact your supervisor or the Site Director and obtain his or her permission. Employees are not allowed to relay messages to the direct supervisor or the Site Director through co-workers that they will be absent or tardy. If you are absent from work longer than one day, you are expected to keep your supervisor sufficiently informed of your situation and when you will return to work. You must get approval from your direct supervisor for any absence. Under certain circumstances, ~~the Organization~~ AMPS may require documentation from a healthcare provider verifying your need to be absent from work due to illness or other medical reasons if such absence lasts three or more consecutive work days. ***The Site Director will arrange for and make the final decision on whether to retain a substitute teacher for the day.***

Employees also are expected to remain at work for their entire work schedule, except for meal and rest periods when appropriate, when required to leave on authorized School business, or when otherwise permitted by the School. Late arrival, early departure, or other absences from scheduled hours are disruptive and must be avoided. Employees also must inform their supervisor of the expected duration of any absence. Excessive or unexcused absences or tardiness may result in disciplinary action up to and including termination from employment with ~~the Organization~~ AMPS to the extent authorized by law.

Except as otherwise provided by law, if you fail to report for work without any notification to your supervisor and your absence continues for a period of three consecutively scheduled workdays, the School will, in most cases, consider that you have abandoned your employment and have voluntarily resigned.

E. School Social Activities

Employees may attend school-sponsored events not required by their job duties on a voluntary basis unless otherwise directed by the School. An employee's attendance at such social and recreational activities is completely voluntary and at the employee's own risk and the School disclaims any and all liability arising out of the employee's participation in these activities. Because an employee who chooses to attend school events is doing so on a voluntary basis, such participation will not be compensated by the School.

F. Timekeeping Requirements

To ensure compliance with all applicable laws, non-exempt employees must accurately record all hours worked using the School's timekeeping system. This means they must clock in and out whenever they begin, cease, or resume working during the course of a workday. Employees must clock out and in for their meal periods, but are not required to clock out and in

for rest periods. Under no circumstances may one employee clock in or out for another employee. Exempt employees may also be expected to record their total time worked and report absences from work due to personal needs or illness.

Employees are prohibited from doing the following:

- Recording inaccurate hours worked.
- Recording hours worked on behalf of another employee.
- Working “off the clock.” This includes, but is not limited to, working before or after a shift without recording that time or conducting School business on personal cell phones after hours. **Employees are prohibited from using their personal cell phones to conduct School business.**
- Failing to record all hours worked.
- Falsifying any time record.

Violations of this policy may result in disciplinary action, up to and including termination.

G. Work Schedules

Your work schedule depends, first, on the school site where you are located. AMPS Schools are generally open for business between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday. Your supervisor will assign your individual work schedule. All employees are expected to be at their classrooms or workstations at the start of their scheduled shifts, ready to work. For purposes of calculating overtime, the workweek begins at 12:01 a.m. Monday and ends at midnight on ~~Monday~~Sunday. The School's standard workday is 12:01 a.m. to 12:00 a.m. (midnight) each day. AMPS reserves the right to change work schedules and assign employees to special schedules as deemed necessary for effective operations. When a change in work schedule is necessary, every effort will be made to provide reasonable advance notice to the employees. Any request to change work hours must be approved in advance by the employee's supervisor.

H. Rest Breaks and Meal Breaks

~~The Organization~~AMPS provides all non-exempt employees with an opportunity to take an off-duty meal break as allowed by law and authorizes and permits non-exempt employees to take rest breaks in accordance with the law.

Rest Breaks

All non-exempt employees are required to take an uninterrupted ten (10) minute rest break for every four hours of work or major fraction thereof. Rest breaks should be taken as close as possible to the middle of each four hour period of work. Non-exempt employees are required to take one uninterrupted ten (10) minute rest break if they work three and one-half hours in a day but less than six hours, two ten minute rest breaks if they work more than six hours up to ten hours, three ten minute rest breaks if they work more than ten hours up to fourteen hours, and four ten minute rest breaks if they work more than fourteen hours up to eighteen hours. Employees cannot combine rest breaks with meal breaks or other rest breaks. Employees may not perform work during rest breaks and are free to leave the premises provided they can return to the site in order to timely resume work. If an employee is asked to work during a rest break,

the employee should report the incident to Human Resources. A rest break is non-work time and cannot be used to come to work late, to extend a meal break, or to leave early. Employees must resume work promptly after the end of the rest break.

You should check with your immediate supervisor to schedule your rest breaks. You do not need to record the beginning and end of rest breaks on your timesheet, unlike meal breaks. If you have any questions about taking your rest break(s), or if you are prevented or discouraged from taking a rest break, you should contact your direct supervisor, the Site Director, or Human Resources Department. Failure to take rest breaks may be grounds for discipline up to and including termination.

Meal Breaks

All non-exempt employees are provided and required to take an unpaid, uninterrupted meal break of thirty (30) minutes for every five hours of work. During the meal break, you are relieved of all duty and free to leave the premises, and go off-site. You may not perform work during your meal break. If someone asks you to work during your meal break, please report the incident to Human Resources. You should let your supervisor know when you will be leaving to take your meal break. Meal breaks should be taken as close to the midpoint of your workday as reasonably practical, but must not start later than the end of your fifth hour of work. In other words, you must start your meal break before the end of your fifth hour of work. [Further, all non-exempt employees must take a second uninterrupted meal period of at least 30 minutes for each work period in excess of 10 hours in accordance with this policy.](#) Meal breaks are not paid time, so you will need to record the beginning and end time of your meal break on your timesheet each workday.

[An employee whose work period is 5 to 6 hours may waive, in writing, his or her right to a first meal period. Further, an employee may waive his or her right to a second meal period for a work period as long as the employee does not work more than 12 hours and did not waive his or her first meal period for that work period. The School offers written Meal Period Waiver Agreements that govern an employee's entire employment, which are voluntary and may be revoked at any time, to document the employee's waiver of first and second meal periods.](#)

You should check with your immediate supervisor to schedule your meal breaks. If you have any questions about taking your meal breaks, you should contact your direct supervisor, the Site Director, or Human Resources Department. If you are prevented or discouraged from taking a meal break, you **must** inform your direct supervisor as soon as possible on the same workday. Failure to take meal breaks may be grounds for discipline up to and including termination.

It is mandatory that non-exempt employees take all required breaks. It is very important that your timesheets have an accurate record of when you took your meal break.

[Any employee who misses a meal or rest period or who experiences a late, short, or interrupted meal period—for any reason—must immediately report this issue to his or her supervisor and complete a Daily Meal Period and Rest Period Reporting Form. The employee must fill out all fields on the form, including providing a thorough explanation for the non-compliant meal or rest period. The employee must complete and turn in this form to his or her supervisor and Human Resources on the same workday that he or she experienced the non-compliant meal or rest period.](#)

[If an employee voluntarily chooses to miss a meal or rest period or take a late, short, or interrupted meal period \(e.g., I chose to take my lunch later in the day or I chose to refuse an](#)

"authorized" meal period at the time provided by the School), the employee is not entitled to premium pay (one additional hour of pay). If an employee involuntarily experiences a missed meal or rest period or a late, short, or interrupted meal period (e.g., my supervisor asked me to handle a client call or meeting that caused me to miss or take a late meal period), the employee is entitled to premium pay. Employees must report the reason for the non-compliant meal or rest period on the Daily Meal Period and Rest Period Form.

Responsibilities

Non-exempt employees are required to take their meal and rest periods in accordance with this policy. If you encounter any challenges with taking meal or rest periods in accordance with this policy, please immediately contact your supervisor or the Human Resources.

Discipline

Failure to comply with the School's policy regarding meal and/or rest periods can lead to discipline, up to and including termination.

I. Lactation Breaks

~~The Organization~~AMPS supports the needs of nursing mothers in the workplace and will comply with applicable law. ~~The Organization~~AMPS encourages employees and management to have a positive, accepting attitude toward working women and breastfeeding. ~~The Organization~~AMPS supports breastfeeding and the expression of breast milk by employees who are breastfeeding when they return to work.

Employees may use their meal and/or rest periods for the purpose of expressing breast milk. If required, a reasonable amount of additional time will be provided. Such additional time will be unpaid.

A private location to express breast milk will be provided in close proximity to the employee's work area. The employee's normal work area may be used if it allows the employee to express milk in private. In certain circumstances, a temporary location, multipurpose room, or shared space may be provided in accordance with applicable law. The location will also meet the following requirements: not be a bathroom; be free from intrusion; be shielded from view; be safe, clean, and free of hazardous materials; contain a surface to place a breast pump and personal items; contain a place to sit; and have access to electricity or alternative devices, including, but not limited to, extension cords or charging stations, needed to operate an electric or battery-powered breast pump. In addition, the School shall provide access to a sink with running water and a refrigerator suitable for storing milk in close proximity to the employee's work area. If a refrigerator cannot be provided, the School may provide another cooling device suitable for storing milk, such as a School-provided cooler.

To request the above, please contact Human Resources. The School will respond accordingly, generally within two business days.

If any employee believes that he or she has experienced retaliation or discrimination as a result of conduct protected by this policy, the employee may file a complaint with his or her supervisor and/or the Labor Commissioner's Office. For more information, contact the Labor Commissioner's Office or visit a local office by finding the nearest one on our website: www.dir.ca.gov/dlse/DistrictOffices.htm. The Labor Commissioner's Office provides an interpreter at no cost to the employee, if needed.

~~The Organization will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk. If possible, the break time should coincide with any paid break time already provided to the employee. If not, the break time will not be paid. The Organization will make reasonable efforts to provide the employee with the use of a room or other location, other than a toilet stall, in close proximity to the employee's work area, for the employee to express milk in private. In certain circumstances, a temporary location may be provided in accordance with applicable law.~~

~~Employees need to keep their supervisors informed of their needs so that appropriate accommodations can be made to satisfy the needs of both the employee and the Organization.~~

STANDARDS OF CONDUCT

A. ***Employee-Student Relations Policy***

Boundaries Defined

For the purposes of this policy, the term “Boundaries” is defined as acceptable professional behavior by employees while interacting with a student. Trespassing beyond the Boundaries of a student/teacher or student/educator relationship is deemed an abuse of power and a betrayal of public trust.

Unacceptable and Acceptable Behavior

Some activities may seem innocent from an employee’s perspective, but some of these can be perceived as flirtation or sexual insinuation from a student or parental point of view. The purpose of the following lists of acceptable and unacceptable behaviors is not to restrain innocent, positive relationships between employees and students but to prevent relationships that could lead to, or may be perceived as, misconduct.

Employees must understand their own responsibilities for ensuring that they do not cross the Boundaries as written in this policy. Disagreeing with the wording or intent of the established Boundaries will be considered irrelevant for any required disciplinary purposes. Thus, it is critical that all employees study this policy thoroughly and apply its spirit and intent in their daily activities. Although sincere, professional interaction with students fosters the charter mission of academic excellence, employee-student interaction has Boundaries regarding the activities, locations, and intentions.

The following is an illustrative list of unacceptable behavior, which includes, but is not limited to:

- Giving gifts to an individual student that are of a personal and intimate nature
- Kissing of ANY kind
- Massage (Note: massages are prohibited in athletics unless provided by massage therapist or other certified professional in an open public location. Coaches may not perform massage or rub-down. Massages are permitted in special education only as instructed under an IEP or 504 plan.)
- Full frontal or rear hugs and lengthy embraces
- Sitting students on one’s lap (grades 3 and above)
- Touching buttocks, thighs, chest or genital area
- Wrestling with students or other staff member except in the context of a formal wrestling program
- Tickling or piggyback rides
- Any form of sexual contact
- Any type of unnecessary physical contact with a student in a private situation
- Intentionally being alone with a student away from the School
- Making, or participating in, sexually inappropriate comments
- Sexual jokes or jokes/comments with sexual double entendre
- Seeking emotional involvement (which can include intimate attachment) with a student beyond the normative care and concern required of an educator
- Listening to or telling stories that are sexually oriented
- Discussing inappropriate personal troubles or intimate issues with a student in an attempt to gain their support and understanding
- Furnishing alcohol, tobacco products, or drugs or failing to report knowledge of such
- “Dating” or “going out with” a student

- Making remarks about physical attributes or physiological development of anyone. This includes comments such as “Looking fine!” or “Check out that [body part].”
- Becoming involved with a student so that a reasonable person may suspect inappropriate behavior
- Giving students a ride to/from School or School activities without parental permission
- Being alone in a room with a student at the School with the door closed
- Taking photographs or videos of students for personal use or posting online
- Undressing in front of a student
- Leaving campus alone with a student for lunch
- Sharing a bed, mat, or sleeping bag with a student
- Allowing students in your home without signed parent permission for a preplanned and precommunicated educational activity that must include the presence of another educator, parent, or other responsible adult
- Excessive attention toward a particular student
- Sending e-mails, text messages, instant messages, social media messages, or letters to students if the content is not about School activities and not in accordance with applicable School policies or in violation of the School’s Social Media Policy
- Being “friends” with a student on any personal or non-School social media website
- Communicating with students or parents/guardians in violation of the School’s Social Media Policy
- Engaging in inappropriate and/or unprofessional communications with students on School social media
- Using profanity with or to a student
- Involving students in non-educational or non-school related issues, including, but not limited to, the employee’s employment issues

The following is an illustrative list of acceptable and recommended behavior, which includes, but is not limited to:

- Obtaining parents’ written consent for any after-school activity on or off campus (exclusive of tutorials)
- Obtaining formal approval (School and parental) to take students off School property for activities such as field trips or competitions
- E-mails, text messages, phone conversations, and other communications to and with students must be professional and pertain to School activities or classes, and communication should be initiated via School-based technology and equipment
- Keeping the door open when alone with a student
- Keeping reasonable space between you and students
- Stopping and correcting students if they cross your own personal boundaries
- Keeping parents informed when a significant issue develops about a student
- Keeping after-class discussions with a student professional and brief
- Asking for advice from senior staff or administrators (such as Human Resources or the CEO) if you find yourself in a difficult situation related to Boundaries
- Involving your supervisor if conflict arises with a student
- Informing Human Resources or the CEO about situations that have the potential to become more severe
- Making detailed notes about an incident that could evolve into a more serious situation later
- Recognizing the responsibility to stop unacceptable behavior of students and/or coworkers

- Asking another employee to be present if you will be alone with any student who may have severe social or emotional challenges
- Asking another employee to be present, or within close supervisory distance, when you must be alone with a student after regular School hours
- Giving students praise and recognition without touching them in questionable areas; giving appropriate pats on the back, high five's, and handshakes
- Keeping your professional conduct a high priority during all moments of student contact
- Asking yourself if any of your actions that go contrary to these provisions are worth sacrificing your job, your career, and the reputation of the School

This policy does not prevent: 1) touching a student for the purpose of guiding them along a physical path; 2) helping them up after a fall; or 3) engaging in a rescue or the application of Cardio Pulmonary Resuscitation (CPR) or other emergency first-aid. Nor does it prohibit the use of reasonable force and touching in self-defense or in the defense of another. Restraining a child who is trying to engage in violent or inappropriate behavior is also allowed. Only such force as necessary to defend one's self, another person, or the child or to protect property is legally permitted. Excessive force is prohibited.

Reporting Violations

When an employee becomes aware of another employee having crossed the Boundaries specified in this policy, he or she must promptly report the suspicion to Human Resources or the Chief Academic Officer. All reports shall be kept as confidential as possible. Prompt reporting is essential to protect students, the suspected employee, any witnesses, and the School as a whole. Employees must also report to the administration any awareness of, or concern about, student behavior that crosses Boundaries or any situation in which a student appears to be at risk for sexual abuse.

Child Abuse & Neglect Reporting

California Penal Code section 11166 requires any mandated reporter (including teachers, instructional aides and "classified" employees of a public school) who has knowledge of, or observes, a child in his or her professional capacity or within the scope of his or her employment whom he or she knows or reasonably suspects has been the victim of child abuse or neglect to report the known or suspected instance of child abuse or neglect to a child protective agency immediately, or as soon as practically possible, by telephone and to prepare and send a written report thereof within thirty-six (36) hours of receiving the information concerning the incident. Employees may, but are not required to report such incidents to Human Resources and the CEO. Reporting such incidents to Human Resources and the CEO does not relieve the employee of responsibility to also immediately report such incidents to the appropriate child protective agency by telephone and to send a written report thereof within thirty-six (36) hours. However, employees may work cooperatively to report the incidents and to file one written report. Employees who have any questions about these reporting requirements should contact Human Resources.

"Child" is defined as a person under the age of 18 years. The term "child abuse or neglect" includes sexual abuse; neglect defined as the negligent treatment or the maltreatment of a child by a person responsible for the child's welfare under circumstances indicating harm or threatened harm to the child's health or welfare including both acts and omissions on the part of the responsible person; willful cruelty or unjustifiable pain or suffering; unlawful corporal punishment or injury; and abuse or neglect in out-of-home care. Child abuse or neglect does not include a mutual affray between minors or an injury caused by reasonable and necessary force

used by a peace officer acting within the course and scope of his or her employment as a peace officer.

Employees shall not contact the child's family or any other persons to determine or investigate the cause of the suspected abuse or neglect.

Investigating

~~The Organization~~ AMPS will investigate any allegation of a violation of the Employee-Student Relations Policy, using such support staff or outside assistance as he or she deems necessary and appropriate under the circumstances, unless the allegation also constitutes a reportable allegation under California Penal Code section 11166. In the event the allegation also constitutes such a reportable allegation, ~~the Organization~~ AMPS shall comply with the legal requirements of immediately reporting the allegation to a child protective agency and shall follow up such report with a written report with thirty-six (36) hours.

If the allegation is only a violation of the Employee-Student Relations Policy, but not a violation of California Penal Code section 11166, ~~the Organization~~ AMPS shall conduct an investigation as set forth above. Throughout this fact-finding process, the investigating administrator, and all others privy to the investigation, will protect the privacy interests of any affected student(s) and/or employee(s), including any potential witnesses, to the fullest extent possible.

Violations

Violations of this policy may result in disciplinary action, up to and including termination. When appropriate, violations of this policy may also be reported to authorities for potential legal action.

B. Confidential Information

All information relating to students, including personal information, schools attended, addresses, contact numbers and progress information is confidential in nature, and may not be shared with or distributed to unauthorized parties. All records concerning special education pupils shall be kept strictly confidential and maintained in separate files.

It is important to the School to protect and preserve its trade secrets and confidential information. Confidential information includes, but is not limited to, parent and student lists, lesson plans, techniques and concepts, marketing plans, strategies, forecasts, bid plans, bid strategies, bid information, contract prices, new products, software, computer programs, writings, and all know-how and show-how whether or not protected by patent, copyright, or trade secret law. Personal, private information about other employees and personnel matters are also confidential, if learned as a part of the employee's job performance. The School devotes significant time, energy, and expense to develop and acquire its trade secrets and confidential information. As an employee of the School you will, during the course of your employment, have access to and become familiar with various trade secrets and confidential information that are owned by the School. An employee shall not, directly or indirectly, disclose or use any of the foregoing information other than for the sole benefit of the School, either during the term of your employment or at any other time thereafter. This information shall not be disclosed except through normal channels and with authorization. Any and all trade secrets or confidential information shall be returned to the School during extended leaves of absence or upon termination of employment.

The School prohibits audio or video recordings in the workplace, during working hours, without authorization of the School due to privacy and confidentiality concerns and protections.

Failure to maintain confidentiality consistent with this policy may result in disciplinary action, up to and including termination.

C. Rules of Conduct

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

This list of prohibited conduct is illustrative only and not meant to be exhaustive:

- *Insubordination* - refusing to perform a task or duty assigned or act in accordance with instructions and / or policies provided by an employee's supervisor, ~~organizational~~ AMPS' policies, or proper authority.
- *Inefficiency* - including deliberate restriction of output, carelessness or unnecessary wastes of time or material, neglect of job, duties or responsibilities.
- *Unauthorized soliciting*: collecting of contributions, distribution of literature, or written or printed material that is not directly related to the School is strictly prohibited in work areas during work times (see Solicitation and Distribution Policy, below) by both non-employees and by employees. However, nothing in this provision is intended to limit the rights of employees to organize, or otherwise engage in conduct expressly permitted under the National Labor Relations Act.
- Damaging, defacing, unauthorized removal, destruction or theft of another employee's property or ~~of~~ Organization AMPS property.
- Fighting or instigating a fight on ~~Organization~~ AMPS premises.
- Violations of the drug and alcohol policy.
- Using or possessing firearms, weapons or explosives of any kind on ~~Organization~~ AMPS premises.
- Gambling on ~~Organization~~ AMPS premises.
- Tampering with or falsifying any report or record including, but not limited to, personnel, absentee, sickness or production reports or records, applications for employment, payroll information, timesheets, and time cards.
- Recording the timesheets of another employee or permitting or arranging for another employee to record your timesheet.
- Conducting personal business during business hours and/or unauthorized use of telephone lines for personal calls.
- Excessive absenteeism or tardiness excused or unexcused except to the extent permitted by law.
- Posting any notices on ~~Organization~~ AMPS premises without prior written approval of management, unless posting is on an ~~Organization~~ AMPS bulletin board designated for such employee postings.
- ~~Immoral or indecent conduct.~~
- ~~Conviction of certain criminal acts.~~
- Engaging in sabotage or espionage (industrial or otherwise)
- Violations of the discrimination, harassment and retaliation ~~sexual harassment prevention~~ policy.

- Failure to report a job-related accident to the employee's manager or failure to take or follow prescribed tests, procedures or treatment.
- Sleeping during work hours.
- Release of confidential information without authorization.
- Refusal to speak to supervisors or other employees.
- Unauthorized use of cameras or other recording devices on School premises.
- Intentionally supplying false information in order to obtain a leave of absence or other benefits from the School.
- Poor attendance, including, but not limited to, habitual tardiness and/or absenteeism, leaving early without permission, absence from work without permission, and abuse of time during work hours, to the extent permitted by law.
- Unsatisfactory work performance.

This statement of prohibited conduct does not alter the School's policy of at-will employment. The School and you retain the right to terminate the employment relationship at any time, with or without reason or advance notice.

D. *Employment References*

All requests for references must be directed to Human Resources. No other manager, supervisor, or employee is authorized to release references for current or former employees. The School's policy as to references for employees who have left the School is to disclose only the dates of employment and the title of the last position held. If you authorize disclosure in writing, the School will also provide a prospective employer with the information on the amount of salary or wage you last earned.

OPERATIONAL CONSIDERATIONS

A. *Computer Usage and Privacy*

Every user who is provided access to the School's Communications Systems is responsible for using the Communications Systems in accordance with this policy. Any questions about this policy should be addressed to ~~the CEO or his or her designee~~ [Human Resources](#).

Definitions

The School's electronic communications systems ("Communications Systems") includes, but is not limited to, computers, laptops, e-mail, telephones, cellular phones, tablets, PDAs, text messaging, instant messaging, video conferencing, voice mail, facsimiles, and connections to the Internet and other internal or external networks.

Ownership and Conditions of Use

The Communications Systems is the property of the School. It has been provided by the School for the sole purpose of conducting School-related business as well as other business that is approved by the CEO of the School. All communications and information transmitted by, received from, or stored in these systems are School records and the property of the School.

Electronic communications are a means of business communication. The School requires all users to conduct themselves in a professional manner. Users should conduct all electronic communications with the same care, judgment, and responsibility that they would use when sending letters or memoranda written on School letterhead. Special care must be taken when posting any information on the Internet because of the potentially broad distribution of and access to such information.

To protect the integrity of the School's Communications Systems and the users thereof against unauthorized or improper use of these systems, the School reserves the right, without notice, to limit or restrict any individual's use, and to inspect, copy, remove, or delete any unauthorized use of its Communications Systems upon authorization of the CEO or his or her designee. The School also reserves the right periodically to monitor the use of its Communications Systems and to access users' voice mail, Internet access, and e-mail for that purpose or any other business related purpose upon authorization of the CEO or his or her designee.

Erasing an e-mail message from a mailbox does not necessarily erase all copies of the message on the network. Archived copies may be stored for substantial periods of time and are subject to the provisions of this policy regarding content, review, access, and disclosure.

Users are required to comply with the School's Computer Usage and Privacy Policy and agree to be bound by this policy by using the School's Communications Systems.

Confidentiality and Privileges

Information stored on the Communications Systems is intended to be kept confidential within the School. The School has taken all reasonable steps to assure confidentiality and security. Like other means of communication, however, it is not possible to guarantee complete security of electronic communications either within or outside the School, and care should be exercised when sending or receiving sensitive, privileged, or confidential information electronically. For example, information sent through the Internet can be monitored by external systems en route to its final destination. All users must keep this in mind when forwarding sensitive, confidential, and/or privileged information. Where appropriate, this fact should be disclosed to outside contacts.

Prohibited Use

Users are prohibited from using the Communications Systems for any unauthorized or unlawful purpose, including, but not limited to, the following:

- Users of the Communications Systems are strictly prohibited from using the Communications Systems to deliver a message that is harassing or offensive on the basis of any characteristic protected by law as set forth in the School's policies against discrimination, harassment, and retaliation. Those policies apply to all aspects of employment, including the use of the Communications Systems.
- Users are prohibited from using the Communications Systems for transmitting or making accessible annoying, offensive, defamatory, or harassing material or intentionally damaging or violating the privacy of information of others.
- Users are prohibited from using the Communications Systems to transmit, display, store, publish, or purposely receive any pornographic, obscene, or sexually explicit material.
- Users must respect all copyrights and licenses to software and other online information, and may not upload, download, or copy software or other material through the Communications Systems without the prior written authorization of the CEO of the School.
- Users must not alter, copy, transmit, or remove School information, proprietary software, or other files without proper authorization from the School.
- Users are prohibited from reading, copying, recording, or listening to messages and information delivered to another person's e-mail and voice mail mailboxes without proper authorization, based on legitimate business reasons, from the Board or CEO or his/~~or~~-her/its designee. Anyone who receives an electronic communication for which he or she is not the intended recipient must immediately inform the sender that the message was sent improperly and must delete the message from their e-mail and voice mail mailboxes.

Access and Disclosure

The Communications Systems is provided solely for the purpose of conducting the School business. Incidental and occasional personal use of the Communications Systems is permitted, but such communications must not disrupt School business, and users do not have any expectation of personal privacy in any matters stored in, created, received, or sent over the Communications Systems.

The School, as owner of the Communications Systems, to protect the integrity of its systems from unauthorized or improper use, reserves the right for legitimate business reasons, upon authorization of the Board or CEO or his/~~or~~-her/its designee, to monitor, access, retrieve, download, copy, listen to, or delete anything stored in, created, received, or sent over its Communications Systems without the permission of or prior notice to any user.

Although the School entrusts you with the use of voice mail, e-mail, computer files, software, or similar School property, you should keep in mind that these items have been installed and maintained at great expense to the School and are only intended for business purposes. At all times, they remain School property. Likewise, all records, files, software, and electronic communications contained in these systems also are School property. You are advised that electronic files, records, and communications on School computer systems, electronic communication systems, or through the use of School telecommunications equipment are not private. Although they are a confidential part of School property, you should not use this equipment or these systems for confidential messages. The use of passwords to limit access to

these systems is only intended to prevent unauthorized access to voice mail, e-mail, and computer systems, files, and records. Additionally, these systems are subject to inspection, search, and/or monitoring by School personnel for any number of business reasons. As a result, employees do not have an expectation of privacy in this regard. Accordingly, these systems and equipment should not be used to transmit personal messages, except in necessary situations or when exceptions are specifically sanctioned by management. Voice mail messages and e-mail messages should be routinely deleted when no longer needed. The School is not responsible for costs incurred when employees use School telephones or e-mail systems for personal matters.

You should be advised to use voice mail and e-mail as cautiously as you would use any more permanent communication medium such as a memorandum or letter. You should realize that e-mail messages:

- May be saved and read by third parties.
- May be retrieved even after "deletion."
- May be accessed by authorized service personnel.
- May be examined by management without notice for business purposes.

There will be times when the School, in order to conduct business, will utilize its ability to access your e-mail, voice mail, computer files, software, or other School property. The School also may inspect the contents of your voice mail, e-mail, computers, computer files, or software to monitor job performance, for training or quality control purposes, or when the School suspects that School property is being used in an unauthorized manner.

The School reserves the right to use and disclose any electronic non-privileged communication on its Communications Systems without the permission of or any prior notice to any user, including disclosure to law enforcement officials.

Retention in the Event of Litigation, Subpoena, or Regulatory Inquiry

In the event of any subpoena, regulatory inquiry, or litigation, employees are prohibited from deleting, discarding, or destroying any emails or other Communications Systems relating in any way to the subpoena, regulatory inquiry, or litigation. Employees will be notified if this occurs.

Discipline for Violations of Policy

Any person who discovers misuse of the Internet access or any of the School's Communications Systems should immediately contact Human Resources or the CEO of the School. Any user who violates any part of this policy will be subject to discipline, up to and including immediate termination.

Policy May Be Amended at Any Time

The pace of technological change and growth in electronic communications is rapid. This policy applies to all present and future electronic communications systems and devices and to improvements and innovations to existing systems and devices and to completely new technologies, devices, and systems. The School reserves the right to amend this policy at any time through an authorized writing from an authorized School representative.

B. Social Media Policy

In light of the explosive growth and popularity of social media technology in today's society, the School has developed the following policy to establish rules and guidelines regarding the appropriate use of social media by employees. This policy applies to situations when you:

(1) make a post to a social media platform that is related to the School; (2) engage in social media activities during working hours; (3) use School equipment or resources while engaging in social media activities; (4) use your School e-mail address to make a post to a social media platform; (5) post in a manner that reveals your affiliation with the School; or (6) interact with School students or parents/guardians of School students (regarding School-related business) on the Internet and on social media sites.

For the purposes of this policy, the phrase “social media” refers to the use of a website or other electronic application to connect with other people, including, but not limited to, Facebook, Instagram, Twitter, Pinterest, LinkedIn and YouTube, as well as related web-based media, such as blogs, wikis, and any other form of user-generated media or web-based discussion forums. Social media may be accessed through a variety of electronic devices, including computers, cell phones, smart phones, PDAs, tablets, and other similar devices.

This policy is intended to supplement, not replace, the School’s other policies, rules, and standards of conduct. For example, School policies on confidentiality, use of School equipment, professionalism, employee references and background checks, workplace violence, unlawful harassment, and other rules of conduct are not affected by this policy.

You are required to comply with all School policies whenever your social media activities may involve or implicate the School in any way, including, but not limited to, the policies contained in this Handbook.

Standards of Conduct

You are required to comply with the following rules and guidelines when participating in social media activities that are governed by this policy:

- Comply with the law at all times. Do not post any information or engage in any social media activity that may violate applicable local, state, or federal laws or regulations.
- Do not engage in any discriminatory, harassing, or retaliatory behavior in violation of School policy.
- Respect copyright, fair use, and financial disclosure rules and regulations. Identify all copyrighted or borrowed material with proper citations and/or links.
- Maintain the confidentiality of the School’s trade secrets and private or confidential information. Trade secrets may include information regarding the development of systems, processes, products, know-how, and technology. Do not post internal reports, policies, procedures, or other internal business-related confidential communications. This prohibition applies both during and after your employment with the School.
- Do not post confidential information (as defined in this Handbook) about the School, its employees, or its students. Remember that most student information is protected by the Family Educational Rights and Privacy Act, including any and all information that might identify the student. Publicizing student work and accomplishments is permitted only if appropriate consents are obtained.
- While it is acceptable to engage in limited and incidental social media activities at work, such social media activities may not interfere with your job duties or

responsibilities. Do not use your School-authorized e-mail address to register on social media websites, blogs, or other online tools utilized for personal use.

- Be knowledgeable about and comply with the School's background check procedures. Do not "research" job candidates on the Internet or social media websites without prior approval from Human Resources.
- Be knowledgeable about and comply with the School's reference policy. Do not provide employment references for current or former employees, regardless of the substance of such comments, without prior approval from Human Resources.
- ~~Always~~ We encourage you to be fair and courteous to fellow employees, students, parents, vendors, customers, suppliers, or other people who work on behalf of the School. We also encourage you to ~~A~~avoid posting statements, photographs, video, or audio that could be reasonably viewed as malicious, obscene, threatening, or intimidating, that disparage employees, students, parents, vendors, customers, suppliers, or other people who work on behalf of the School, or that might constitute harassment or bullying.
- Make sure you ~~are~~ always try to be honest and accurate when posting information or news, and if you make a mistake, correct it quickly. ~~Never~~ Please do not post any information or rumors that you know to be false about the School, fellow employees, students, parents, vendors, customers, suppliers, people working on behalf of the School, or competitors.
- Express only your personal opinions. Never represent yourself as a spokesperson for the School unless authorized to do so. If you publish social media content that may be related to your work or subjects associated with the School, make it clear that you are not speaking on behalf of the School and that your views do not represent those of the School, fellow employees, students, parents, vendors, customers, suppliers, or other people working on behalf of the School. It is best to use a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of the School."
- Never be false or misleading with respect to your professional credentials.

Creating and Using School Social Media

Employees are only permitted to communicate and connect with students on social media that is owned and operated by the School. Employees are only permitted to communicate and connect with students' parents or guardians regarding School-related matters on social media that is owned and operated by the School. All communications with parents or guardians regarding School-related matters on non-School or personal social media may result in disciplinary action, up to and including termination. Any communication whatsoever with students on non-School or personal social media may result in disciplinary action, up to and including termination.

The ~~Marketing Department~~ COO and IT Department, in addition to Human Resources and members of the School's administration, are responsible for approving requests for School social media, monitoring School social media for inappropriate and unprofessional content, and maintaining the social media account information (including, but not limited to, username and password). The School has final approval over all content and reserves the right to close the

social media at any time, with or without notice. Any inappropriate or unprofessional communications may result in disciplinary action, up to and including termination.

To set up social media that is owned and operated by the School in compliance with this policy, employees must adhere to the following procedures:

- Request and obtain permission to create School social media from ~~AMPS the Marketing Manager~~ [COO](#).
- Contact the ~~Marketing Department~~ [COO](#) to set up the social media. Provide the ~~Marketing Department~~ [COO](#) with the username and password that you would like assigned to the account. If you change the username and/or password, you must immediately update this information with the ~~Marketing Department~~ [COO and the IT Department](#). Failure to do so may result in disciplinary action, up to and including termination.

Any social media created and/or used in violation of this policy may result in disciplinary action, up to and including termination.

Access

Employees are reminded that the School's various electronic communications systems, including, but not limited to, its electronic devices, computers, telephones, e-mail accounts, video conferencing, voice mail, facsimiles, internal and external networks, computers, cell phones, smart phones, PDAs, tablets, and other similar devices, are the property of the School. All communications and information transmitted by, received from, or stored in these systems are School records.

As a result, the School may, and does, monitor its employees' use of these electronic communication systems, including for social media activities, from time to time. The School may monitor such activities randomly, periodically, and/or in situations when there is reason to believe that someone associated with the School has engaged in a violation of this, or any other, School policy. As a result, employees do not have a reasonable expectation of privacy in their use of or access to the School's various electronic communications systems.

Discipline

Any violation of this Social Media Policy may result in disciplinary action, up to and including immediate termination.

Retaliation Is Prohibited

The School prohibits retaliation against any employee for reporting a possible violation of this policy or for cooperating in an investigation of a potential violation of this policy. Any employee who retaliates against another employee for reporting a possible violation of this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

Questions

In the event you have any questions about whether a particular social media activity may involve or implicate the School, or may violate this policy, please contact Human Resources.

Social media is in a state of constant evolution, and the School recognizes that there will likely be events or issues that are not addressed in these guidelines. Thus, each School employee is

responsible for using good judgment and seeking guidance, clarification, or authorization *before* engaging in social media activities that may implicate this policy.

C. *Personal Business*

Amethod Public School facilities for handling mail and telephone calls are designed to accommodate School business. Please have your personal mail directed to your home address and limit personal telephone calls to an absolute minimum. Personal calls that would result in additional fees to the School are not permitted. **Do not use School material, time or equipment for personal projects.**

D. *News Media Contacts*

Employees occasionally may be approached for interviews or comments by the news media. Only employees designated by the CEO, who is the identified principal point of contact, may comment to news reporters on behalf of Amethod Public Schools.

E. *Notice Posting*

Amethod Public Schools notices and notices required by law will be regularly posted on our bulletin board(s) or designated area(s). Employees should make it a practice to review them frequently so that they can keep current regarding news about Amethod Public Schools. Employees may not post or remove items on the bulletin board(s) or designated area(s) without approval by their supervisor. The same restrictions apply to bulletin boards located in employee break areas. Employees who wish to post on the bulletin board should obtain approval from their supervisor.

F. *Conflict of Interest*

While employed by the School, all employees owe a duty of loyalty to the School and must avoid situations involving an actual or potential conflict of interest. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the School's business dealings. For purposes of this policy, "relatives" are defined to include spouses, registered domestic partners, children, siblings, parents, in-laws, and step-relatives. Instances where an actual or potential conflict of interest may arise include, but are not limited to, the acceptance of gifts, engaging in outside activities, and personal and familial relationships.

An employee involved in any relationships or situations which may constitute a conflict of interest should immediately and fully disclose the relevant circumstances to his or her immediate supervisor, [Human Resources](#) or the CEO or designee, who will attempt to determine whether a potential or actual conflict exists. If an actual or potential conflict is determined, ~~the Organization~~ [AMPS](#) may take whatever corrective action appears appropriate according to the circumstances. Failure to disclose facts may constitute grounds for disciplinary action.

Notwithstanding this policy, if an employee is a "designated employee" under the AMPS' Conflicts of Interest Code (adopted pursuant to the Political Reform Act), then the employee must comply with those provisions in addition to this policy.

Personal and Familial Relationships With Co-Workers

Relatives of employees may be eligible for employment with the School only if the individuals involved do not work in a direct supervisory relationship or in job positions in which an actual or

potential conflict of interest could arise. Current employees who marry will be permitted to continue working in the same job positions held only if they do not work in direct supervisory relationship with one another or in job positions involving conflicts of interest.

Gifts

Improper personal gain may result not only where an employee or relative has a significant ownership interest in a company with which the School does business but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the School. The receipt of occasional flowers, candy or gifts worth less than \$100.00 from clients, customers, or vendors fall outside the intent of this policy and acceptance of such items is permissible. However, employees must obtain written approval from the CEO before accepting any item worth in excess of \$100.00 from clients, customers, or vendors. Under no circumstances shall a School employee accept monetary gifts consisting of, but not limited to, gift certificates, coupons, entertainment tickets etc.

Gifts that an employee may receive from donors or donor websites i.e. (Donors Choose, etc.) for use by the School, its students or at a specific Amethod School Site will be considered property of the Amethod Public School. Such donations will remain with the Amethod Public School upon termination of the employment relationship to continue to benefit the intended student population.

Outside Activities

The School recognizes the right of employees to engage in activities outside of their employment that are of a private nature and unrelated to the School's business. However, employees may not engage in any outside activity, including outside employment, which presents an actual or potential conflict of interest. Such outside activities must not affect the employee's work hours, interfere or conflict with the employee's job duties, raise any ethical or conflict of interest concerns, or create any conditions that may impact the employee's job performance. Each employee must disclose any outside employment that may create an actual or potential conflict of interest to the supervisor and Human Resources in writing.

Employees also may not use the School's name, logo, supplies, equipment, or other property in connection with any outside activities.

G. Employer Property

Lockers, computers, desks, bookshelves, and other employer-owned property are Amethod Public Schools property and must be maintained according to Amethod Public Schools rules and regulations. They must be kept clean and are to be used only for work-related purposes. Amethod Public Schools reserves the right to inspect all Amethod Public Schools property to ensure compliance with its rules and regulations, without notice to the employee and at any time, not necessarily in the employee's presence. Prior authorization must be obtained before any School property may be removed from the premises. Materials developed by an employee for purposes of his or her employment with the School are considered School property. All School property must be immediately returned upon termination of the employment relationship.

Employees are prohibited from deliberately performing acts that waste any of the resources of AMPS or unfairly monopolize any of the resources to the exclusion of others. These acts include, but are not limited to, using the e-mail system for other than business-related communications—, sending multiple pictures using the e-mail system (unless specifically authorized to do so and business-related), sending mass mailings or chain letters, spending

excessive amounts of time on the Internet, playing games, engaging in on-line chat groups, printing multiple copies of large documents, wasting paper frivolously, undertaking excessively large OCR scanning projects, or otherwise creating unnecessary network traffic.

H. Employee Property

For security reasons, employees should not leave personal belongings of value in the workplace, (i.e. desks, bookshelves, counter, etc.). Terminated employees should remove as many personal items as time permits at the time they leave ~~the Organization~~ [AMPS](#). Personal items left in the workplace are subject to storage, and eventually disposal if not claimed at the time of an employee's termination.

I. Dress Code and Other Personal Standards

Amethod Public School employees and volunteers serve as role models for the students and as representatives of Amethod Public Schools. Consistent with these roles, all employees and volunteers shall dress professionally and appropriately relative to their specific job duties and responsibilities and shall adhere to standards of dress and appearance that are compatible with an effective learning environment. Wearing clothing which is sexually provocative or unduly revealing, which contains profane, vulgar, offensive or obscene statements or images, or which may disrupt the orderly operation of the school is prohibited.

Administrators and administrative support employees are expected to project a professional image and should dress appropriately for an office/business environment. Teachers and staff serve as role models, and they should maintain professional standards of dress and grooming. Physical education teachers, coaches and athletic volunteers should wear the appropriate athletic attire necessary to meet the requirements of their job responsibilities and a sweat or warm-up suit when not actively teaching physical education classes or coaching. Site Directors and the CEO may also determine different or more specific dress standards from time to time.

Specific examples of attire, or lack of attire, considered inappropriate and prohibited under this policy include but are not limited to:

- Excessively tight clothing;
- Clothing which promotes alcoholic beverages, tobacco, or the use of controlled substances by words or symbols;
- Tube tops;
- Plain white or tank top T-shirts;
- Clothing with slurs, political statements, slogans, etc., other than the School's logo and or School motto;
- Shorts that end more than 2 inches above the knee;
- Exposed body areas usually concealed by clothing such as torso, chest, back, stomach, etc.;
- Bright ~~or non-natural~~ colored hair dye (unless as excused for school spirit functions or discussed with Site leaders);
- Clothing which contains profanity, nudity, depicts violence, or is sexual in nature by words or symbols;
- Open toed shoes, sandals, or flip flops;
- Tank tops or spaghetti strap tops;
- Undergarments worn as an outer garment or any see-through clothing that reveals an undergarment;

- Hats, visors, sunglasses, sweatbands, and bandanas (may be worn outside but must be removed when inside the workplace);
- Jeans (except for nice jeans on Friday Casual Option).

Reasonable accommodations shall be made where appropriate and as approved in writing by the supervisor for those employees or volunteers who, because of a sincerely held religious belief, cultural heritage, or medical reason, request a waiver of a particular part of this policy.

Piercings and Tattoos

~~Exposed tattoos or body~~ piercings (e.g. jewelry affixed to a nose, tongue, cheek, lip or eyebrow), other than appropriate earrings are prohibited. Tattoos should not be exposed and should be covered as best as possible.

Friday Business Casual Dress Policy

The normal dress code will be relaxed on Fridays to provide a more comfortable clothing standard and foster school/collegiate spirit. Fridays throughout the year will be designated as Business Casual Dress Day. It is the intent that each employee may choose to wear less formal attire as long as clothing is in good taste and will not negatively affect the Site's image. Casual dress is outlined as follows:

- Casual shirts: AMPS or site branded polo shirts. All shirts with collars, business casual crewneck or V-neck shirts, blouses, golf and polo shirts in school colors. College-branded shirts are acceptable. Examples of inappropriate shirts include; shirts with inappropriate slogans, tank tops, muscle shirts, camouflage and crop tops. In specified circumstances, T-shirts may be approved and provided for specific events only.
- Pants: Casual slacks and trousers and jeans without holes, frays, etc. Examples of inappropriate pants include shorts (except for walking-length shorts), camouflage and pants worn below the waist or hip line.
- Footwear: Casual slip-on or tie shoes, dress sandals with heel straps and athletic shoes if approved by the department. Examples of inappropriate footwear include floppy sandals, flip-flops and construction or hunting boots.

J. Parking

Employees may park their vehicles in any Amethod Public Schools marked space, if space permits. If space is unavailable, employees must park in permissible public areas on the streets in the vicinity of Amethod Public Schools property. Amethod Public Schools is not responsible for any loss or damage to employee vehicles or contents while parked on or off of Amethod Public Schools property.

K. Solicitation and Distribution of Literature

In order to maintain and promote efficient operations, discipline, and security, the School maintains rules applicable to all employees that govern solicitation, distribution of written material, and entry onto the premises and work areas. All employees are expected to comply with these rules, which will be strictly enforced. Any employee who is in doubt concerning the application of these rules should immediately consult with his or her supervisor. These rules are:

1. No employee shall sell merchandise or solicit or promote support for any cause or organization during his or her working time or during the working time of the employee(s) at whom such activity is directed. As used in these rules, working time excludes meal and break periods.
2. No employee shall distribute or circulate any written or printed material, other than those approved by management for business purposes, in work areas at any time or during his or her working time or during the working time of the employee(s) at whom such activity is directed.
3. No employee shall enter or remain in School work areas for any purpose except to report for, be present during, and conclude a work period. Non-exempt employees must not begin work and clock in at his or her working area more than 10 minutes before they are scheduled to begin and must stop work and clock out from his or her work area no later than 10 minutes after their work scheduled for the day is completed. Work area does not include School parking lots, break rooms, gates, or other similar outside areas unless an employee is assigned to work in such areas.
4. Under no circumstances will non-employees be permitted to solicit or distribute written material for any purpose on School property.
5. Non-employees must sign in at the front office before entering School property.

Violations of this policy may result in disciplinary action, up to and including termination.

L. Health and Safety Policy

Amethod Public Schools is committed to providing and maintaining a healthy and safe work environment for all employees.

- You are required to know and comply with the School's Safety Manual and to follow safe and healthy work practices at all times.
- You are required to report immediately to the School's Site Director any potential health or safety hazards, and all injuries or accidents.

M. Drug and Alcohol Abuse Policy

~~Amethod Public Schools is committed to providing a drug and alcohol free workplace and to promoting safety in the workplace, employee health and well-being, family confidence and a work environment that is conducive to attaining high work standards. The use of illegal drugs or abuse of alcohol or medication by employees, whether on or off the job, jeopardizes these goals, since it adversely affects health and safety, security, productivity, and public confidence and trust.~~

~~The School prohibits the following:~~

- ~~• Use, possession, manufacture, distribution, dispensation, purchase, or sale of illegal drugs or drug paraphernalia on School premises or School business or during working hours;~~

- ~~• Unauthorized use or possession or any manufacture, distribution, dispensation, purchase, or sale of a controlled substance (including medicinal and recreational marijuana) on School premises or School business or during working hours;~~
- ~~• Unauthorized use or possession or any manufacture, distribution, dispensation, purchase, or sale of alcohol on School premises or School business or during working hours;~~
- ~~• Storing in a locker, desk, automobile, or other repository on School premises any controlled substance or alcohol, or any illegal drug or drug paraphernalia;~~
- ~~• Being under the influence of an unauthorized controlled substance, illegal drug, or alcohol on School premises or School business or during working hours;~~
- ~~• Refusing to submit to an inspection when requested by management;~~
- ~~• Failing to adhere to the requirements of any drug or alcohol treatment or counseling program in which the employee is enrolled;~~
- ~~• Conviction under any criminal drug statute for a violation occurring in the workplace;~~
- ~~• Failure to keep all prescribed medicine in its original container, which identifies the drug, date of prescription, and the prescribing doctor.~~

~~The School may at times conduct unannounced searches of School property for alcohol, illegal drugs, drug paraphernalia, and/or unauthorized controlled substances or to ensure compliance with any other School-related policy. This includes desks, storage areas, and rooms normally used to store employees' personal property. As a result, employees do not have an expectation of privacy in this regard.~~

~~Violation of this Drug and Alcohol Abuse Policy may result in disciplinary action, up to and including termination, at the School's sole discretion.~~

~~Employees may be eligible for leave under the School's Alcohol and Drug Rehabilitation Leave policy, as discussed below. However, employees should be aware that participation in a rehabilitation program will not necessarily prevent the imposition of disciplinary action, including termination, for violation of this policy. Employees who undergo voluntary counseling or treatment and who continue to work, if any, must meet all established standards of conduct and job performance.~~

It is the intent of Amethod Public Schools to promote a safe, healthy and productive work environment for all employees. We believe our employees have the right to work in an alcohol and drug-free environment and to work with persons free from the effects of alcohol and drugs. Employees who abuse alcohol or drugs are a danger to themselves and to other employees. We are therefore committed to maintaining a safe and healthy workplace free from the influence of alcohol and drugs. We hope all employees will join with us in achieving our goal of a safe and productive drug-free workplace.

For purposes of this policy, "illegal drugs" includes, but is not limited to, substances that are prohibited by law (such as cocaine, heroin, etc.), controlled substances, marijuana (including medicinal marijuana and marijuana vaping or other recreational marijuana use), and prescription drugs (if they are not prescribed for the person using them and/or not being used as prescribed). "Drug paraphernalia" means any accessory for the use, possession, manufacture, distribution, dispensation, purchase, or sale of illegal drugs. "Under the influence" means that the employee is affected by alcohol, prescription medication that impairs cognitive or physical functions, and/or illegal drugs in any detectable manner.

The School complies with all Federal and State regulations regarding drug use while on the job. This policy prohibits the following:

- Use, possession, purchase, or offer for sale of illegal drugs, drug paraphernalia or alcohol during working hours, including meal and break periods, or in the presence of pupils;
- Use, possession, purchase, or offer for sale of illegal drugs, drug paraphernalia, or alcohol on School property at any time;
- Use, possession, purchase, or offer for sale of illegal drugs, drug paraphernalia, or alcohol while attending a School function or event;
- Storing alcohol (if unauthorized), illegal drugs, or drug paraphernalia in a locker, desk, automobile, or other repository on the School's premises;
- Refusing to submit to an inspection or testing when requested by the School;
- Being under the influence of illegal drugs, prescription medication that impairs cognitive or physical functions and/or alcohol during working hours, while on the School's premises and/or attending a School function or event;
- Conviction under any criminal drug statute for a violation occurring in the workplace; or
- Failure to keep all prescribed medicine in its original container.

In addition, if you are required to take any kind of prescription or nonprescription medication that will affect your ability to perform your job, you are required to report this to Human Resources. Human Resources will determine if it is necessary to temporarily place you on another assignment or take other action as appropriate to protect your safety and the safety of other employees and students.

This policy will not be construed to prohibit the use of alcohol at social or business functions sponsored by the School where alcohol is served or while entertaining actual or prospective donors to the School. However, employees must remember their obligation to conduct themselves appropriately at all times while at School-sponsored functions or while representing the School.

Searches

The School may at times conduct unannounced searches of School property for alcohol, illegal drugs, drug paraphernalia, and/or unauthorized controlled substances or to ensure compliance with any other School-related policy. This may include desks, storage areas and rooms normally used to store employees' personal property. As a result, employees do not have an expectation of privacy in this regard.

Testing

The School may require a test by intoxilator, blood test, urinalysis, medical examination, or other drug/alcohol screening of those persons whom the School reasonably suspects of using.

possessing, or being under the influence of a drug or alcohol. Such testing will be conducted if two or more employees observe an employee acting in such a manner to raise suspicion that the employee is under the influence of an illegal drug or alcohol or is acting in such manner that they may harm themselves or another employee.

Any refusal to submit to such testing will be considered a positive screen. An employee's consent to submit to such a test is required as a condition of employment, and an employee's refusal to consent may result in disciplinary action, including termination for a first refusal or any subsequent refusal. The School shall determine the manner in which such testing is conducted with the goal being to ensure that the test results are accurate.

Such a test may be required of employees involved in any work-related accident or unsafe practice where the safety of the employee or other employees was jeopardized. Periodic retesting may also be required following positive test results or after any violation of this policy or rehabilitation.

Violations

Compliance with this policy is a condition of employment at the School. Failure or refusal of an employee to cooperate fully, sign any required document, or submit to any inspection or testing will result in discipline, up to and including termination. Furthermore, any violations of this policy may result in disciplinary action, up to and including termination, at the School's sole discretion.

Employees should be aware that participation in a rehabilitation program will not necessarily prevent the imposition of disciplinary action, including termination, for violation of this policy. Employees who undergo voluntary counseling or treatment and who continue to work, if any, must meet all established standards of conduct and job performance.

Because the use, sale, purchase, possession, or furnishing of an illegally obtained substance is a violation of the law, School may report such illegal drug activities to an appropriate law enforcement agency.

N. Smoking

Amethod Public School sites are all non-smoking facilities. Smoking is prohibited on AMPS property and campuses.

O. Security Protocols

The security of facilities as well as the welfare of our employees depends upon the alertness and sensitivity of every individual to potential security risks. To help maintain a secure workplace, be aware of unknown persons loitering in parking areas, walkways, entrances and exits and service areas. Report any suspicious persons or activities to the Site Director or your supervisor immediately.

Secure your desk or office at the end of the day. When called away from your work area for an extended length of time, do not leave valuable or personal articles around your work station that may be accessible. You should immediately notify ~~the School's CEO~~ Human Resources when keys are missing or if security access codes or passes have been breached.

P. Safety and Incident Reporting

Amethod Public Schools is committed to providing a safe working environment and accident prevention is of primary importance in all phases of operation and administration. If an employee is ever in doubt how to perform a job or task safely, he or she should request assistance. All employees must report unsafe conditions to management immediately and remedy them to the extent possible. Employees must also report fires or other emergencies by calling 911. Employee must immediately, or as soon as is practical, report any accident or injury occurring during work or on School premises to management, to allow the School to appropriately respond.

Failure to comply with or enforce School's Safety Manual or safety and health rules, practices and procedures could result in disciplinary action up to and including termination.

Q. Driving ~~for Organization~~ on AMPS Business

Employees who are required to drive their own vehicle on approved School business will be required to show proof of a current, valid driver's license and proof of effective auto liability insurance coverage. Employees whose job duties include driving must follow all traffic laws at all times and practice safe driving.

Pursuant to applicable law and safety standards, employees whose job responsibilities include regular or occasional driving and who are issued a cell phone for business use must refrain from using their phone while driving unless they are using a hands-free device. Safety must come before all other concerns. Thus, unless an employee is using a hands-free device in a safe-manner, he or she must safely pull off to the side of the road and safely stop the vehicle before placing, accepting, or continuing a call. Sending or reviewing text messages while driving is also prohibited.

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

Any employee who fails to comply with this policy will be deemed to have engaged in grossly negligent conduct beyond the course and scope of his or her employment. As a result, any employee who is charged with a traffic violation or incurs any other form of liability resulting from a violation of this policy will, to the extent allowed by applicable law, be solely responsible for any such liability. Any employee who has an accident while driving on AMPS business must report that accident immediately to his or her supervisor.

~~The Organization~~ AMPS will reimburse employees using a personal vehicle for mileage when on AMPS business at a reimbursement rate set by ~~the Organization~~ AMPS. Employees are required to keep a record of the number of miles driven to perform their job duties. Please refer to the Expense Reimbursement policy in his Handbook for further information.

EMPLOYEE LEAVES AND BENEFITS

A. Holidays

Amethod Public Schools calendar reflects any and all holidays observed by the School. School classes are not in session on holidays observed by the School. When a holiday falls on a workday, that workday is the holiday. When a holiday falls on a Saturday, the preceding Friday is treated as the holiday. When a holiday falls on a Sunday, the subsequent Monday is treated as the holiday.

The following days are observed as paid holidays by Amethod Public Schools:

New Year's Day (~~Observed on January 1, 2020~~)
 Memorial Day (~~Observed on May 25, 2019~~)
 Independence Day (~~Observed on July 4, 2019~~)
 Labor Day (~~Observed on September 7, 2019~~)
 Veteran's Day (~~Observed on November 11, 2019~~)
 Thanksgiving (~~Observed on November 26, 2019~~)
 Christmas Day (~~Observed on December 25, 2019~~)

In addition, AMPS provides the following days as paid holidays to ALL staff.

Friday after Thanksgiving (~~Observed on November 27, 2019~~)
 Christmas Eve (~~Observed on December 24, 2019~~)
 New Year's Eve (~~Observed on December 31, 2019~~)
 Teacher/President's Day (~~Observed on February 17, 2020~~)
 Friday of Spring break Week (~~Observed on April 5, 2019~~)

Teacher Days - (*Teachers please check your teacher calendar and clarify with your site director about teacher specific days off.*)

Employees may receive one additional paid holiday per year to observe any religious holiday not otherwise recognized. Employees must request the day off 60 days in advance by written notice to the Site Director.

[The School will provide a schedule each year with the dates on which the School holidays will be observed.](#)

To be eligible for holiday pay, an employee must [either be a regular full-time non-exempt employee or and a part-time non-exempt employees, who works on average at least thirty \(30\) hours per workweek, non-exempt](#) and must work both the business day before and after the holiday unless otherwise authorized by the Site Director. [Exempt employees will receive their regularly scheduled pay during applicable holidays.](#) Holiday hours do not count as hours worked for purposes of calculating overtime.

B. Vacation Policy

Teachers, paraprofessionals, counselors, psychologists, education specialists and other certificated staff do not accrue vacation days. All other regular full-time employees (as defined in this Handbook) begin to earn and accrue vacation starting on the first day of employment at a rate of 6.67 hours per month up to 80 hours of vacation time per year. Vacation time carries over year to year and employees can accrue up to a maximum of 120 hours of vacation time.

Once the 120 hour cap is reached, employees will cease to accrue further vacation time until the employee's accrued vacation time falls below that cap. When vacation time falls below the cap of 120 hours, then vacation will begin to accrue again. Vacation accrues on an as-worked basis. Vacation will not accrue during any unpaid leave of absence, inactive time, unpaid time, or non-working time ~~Vacation will not accrue during any unpaid leave~~ or during any period when the employee's vacation time was at the maximum cap.

Vacation time may be taken in minimum increments of one hour. If an exempt employee absents himself or herself from work for part or all of the workday, he or she may be required to use accrued vacation to make up for the partial day absence.

All employees must have supervisory approval before taking vacation, by submitting a form available from Human Resources to their direct supervisor at least two weeks prior to the day requested. Failure to submit this request with at least two weeks in advance may result in denial of the request. Vacations shall be scheduled in such a way as to provide adequate coverage of job responsibilities and staffing requirements. Although the School will attempt to accommodate vacation request to the greatest extent possible, there is no guarantee that any given vacation request will be granted, and the School reserves the right to deny a vacation request based on operational needs of the School. The School reserves the right to schedule vacation time for employees or to compensate employees for accrued, unused vacation time at any time in its sole discretion. If a holiday occurs during your vacation period, you will receive holiday compensation for that day.

Employees who terminate their employment for any reason will be paid for any accrued but unused vacation time in accordance with this policy. Vacation time is paid at the employee's final rate of pay at the time of the employee's separation.

As with all of its policies and procedures, the School reserves the right to modify, alter, or otherwise amend this policy at its sole and absolute discretion to the extent allowed by law.

C. Paid Sick Leave

AMPS employees shall accrue up to 72 hours of paid sick leave per year at the rate of one hour per every 30 hours worked, beginning at the commencement of employment. Exempt employees are deemed to work 40 hours per workweek for the purposes of accrual under this policy, unless the employee's normal workweek is less than 40 hours, in which case the employee shall accrue paid sick leave based upon that normal workweek. An employee shall be entitled to use accrued paid sick leave beginning on the 30th day of employment, after which day the employee may use paid leave as it is accrued. ~~Such leave shall accrue only in hour-unit increments; there shall be no accrual of a fraction of an hour of such leave.~~

Paid sick leave time can be accrued up to a maximum cap of 72 hours. Once this cap is reached, sick leave time will stop accruing for the employee. Accrued and unused sick leave time will carry over to the next year until an employee reaches the maximum cap of 72 hours, at which point accrual will cease. Sick leave time will begin to accrue again once it has been used and an employee's accrual amount drops below the maximum accrual cap. When the accrued sick leave time has been decreased below the cap, additional sick leave time will begin to accrue again but only until the cap is reached. ~~There is no retroactive grant of sick~~ Sick leave time does not accrue for the period of time the accrued sick leave time was at the cap.

The School will not compensate an employee for accrued, unused paid sick days upon termination, resignation, retirement, or other separation from employment. However, if an

employee separates from the School and is rehired by the School within one year from the date of separation, any previously accrued and unused paid sick leave shall be reinstated. The employee shall be entitled to use that previously accrued and unused paid sick leave and to accrue additional paid sick leave upon rehiring, subject to this policy.

An employee may use paid sick leave not only when he or she is ill or injured or for the purpose of the employee's receiving medical care, treatment, or diagnosis, but also to aid or care for the following persons when they are ill or injured or receiving medical care, treatment, or diagnosis: the employee's child; parent; legal guardian or ward; sibling; grandparent; grandchild; and spouse, registered domestic partner under any state or local law, or designated person. The employee may use all or any percentage of his or her paid sick leave to aid or care for the aforementioned persons. The aforementioned child, parent, sibling, grandparent, and grandchild relationships include not only biological relationships but also relationships resulting from adoption; step-relationships; and foster care relationships. "Child" as used herein includes a child of a domestic partner and a child of a person standing in loco parentis.

If the employee has no spouse or registered domestic partner, the employee may designate one person as to whom the employee may use paid sick leave to aid or care for that person in lieu of a spouse or registered domestic partner. The School will give employee the opportunity to make such designation as is required by applicable sick leave laws.

The School will not require, as a condition of an employee's taking paid sick leave, that the employee search for or find a replacement worker to cover the hours during which the employee is on paid sick leave. Employees who wish to use paid sick leave can do so upon a verbal or written request. When possible, employees must give reasonable advance notification of an absence from work for which paid sick leave will be used. If the need for paid sick leave is unforeseeable, the employee shall provide notice of the need for the leave as soon as practicable. When an employee is out due to illness for three (3) or more workdays, a doctor's note certifying the need for the absence and the employee's fitness to return to duty may be required. Employees out on sick leave for more than five (5) consecutive work days will be required to discuss leave of absence options with Human Resources.

The School will not retaliate or discriminate against an employee for using accrued sick leave, attempting to exercise the right to use accrued sick leave, or cooperating in an investigation of an alleged violation of this policy.

D. Unpaid Leave of Absence (Medical)

In an effort to comply with its duty to accommodate employees with qualifying disabilities, the School will provide leaves of absence without pay when an employee is temporarily unable to work due to a mental or physical disability, certified in writing by his or her health care provider, unless such leave would cause an undue hardship to the School. Approved absences of less than two weeks are not treated as medical leaves of absences but rather as excused absences without pay. ~~Employees granted unpaid medical leave have no right to guaranteed reinstatement.~~

Benefit accrual, such as vacation, sick leave, and holiday benefits, will be suspended during an unpaid medical leave period and will resume upon return to active employment. Unless otherwise required by law, the School does not continue to pay premiums for health insurance coverage for employees on unpaid medical leave. However, if eligible, you may self-pay the premiums under the provisions of COBRA.

E. Discretionary Unpaid Leave of Absence (Non-Medical)

AMPS may grant a discretionary leave of absence to employees in certain unusual circumstances when requested by the employee. There is no guaranteed right to take a discretionary unpaid leave of absence and if such a leave is granted, there is not guaranteed right to reinstatement.

It is important to request any leave in writing as far in advance as possible, to keep in touch with your supervisor and Human Resources during your leave, and to give prompt notice if there is any change in your return date. If your leave expires and you have not contacted your supervisor and Human Resources, the School will assume that you do not plan to return and that you have voluntarily terminated your employment. Employees do not continue to accrue vacation, PSL, or holiday benefits while they are on unpaid discretionary leaves of absence.

Employees will be required to use any accrued vacation during this leave. Unless otherwise required by law, the School does not continue to pay premiums for health insurance coverage for employees on discretionary unpaid leaves of absence. However, if eligible, you may self-pay the premiums under the provisions of COBRA.

F. Family Care and Medical Leave

Eligible employees may request a family and medical leave of absence under the circumstances described below. Eligible employees are those who have been employed by the School for at least 12 months (not necessarily consecutive), have worked at least 1250 hours during the 12 months immediately prior to the family and medical leave of absence, and are employed at a worksite where there are 50 or more employees of the School within 75 miles.

Ordinarily, you must request a planned family and medical leave at least 30 days before the leave begins. If the need for the leave is not foreseeable, you must request the leave as soon as practicable. You should use the School's request form, which is available upon request from Human Resources. Failure to comply with this requirement may result in a delay of the start of the leave.

A family and medical leave may be taken for the following reasons:

1. the birth of an employee's child or the placement of a child with the employee for foster care or adoption, so long as the leave is completed within 12 months of the birth or placement of the child;
2. the care of the employee's spouse, child, parent, or registered domestic partner with a "serious health condition";
3. the "serious health condition" of the employee;
4. the care of the employee's spouse, child, parent, or next of kin who is a member of the Armed Forces, including a member of the National Guard or Reserves, and who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
5. any qualifying exigency as defined by the applicable regulations arising out of the fact that the employee's spouse, child, or parent is on active duty (or has been

notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.

A “serious health condition” is one that requires inpatient care in a hospital or other medical care facility or continuing treatment or supervision by a health care provider. You may take a leave under paragraph (2) above only if due to a serious health condition, your spouse, child, parent, or registered domestic partner requires your care or assistance as certified in writing by the family member’s health care provider. If you are seeking a leave under paragraph (3) above, you must provide the School with a medical certification from your health care provider establishing eligibility for the leave, and you must provide the School with a release to return to work from the health care provider before returning to work. You must provide the required medical certification to the School in a timely manner to avoid a delay or denial of leave. You may obtain the appropriate forms from Human Resources.

Family and medical leave may be taken for up to 12 workweeks during the designated 12-month period (with the exception of qualifying leaves to care for a member of the Armed Services who has a serious illness or injury, which may be taken for up to a total of 26 workweeks of leave during a single 12-month period). The 12-month period will be defined as a “rolling twelve months” looking backward over the preceding 12 months to calculate how much family and medical leave time has been taken and therefore determine the amount of leave that is available. Qualifying leaves to care for a member of the Armed Services who has a serious illness or injury will be calculated on the 12-month period looking forward. All time off that qualifies as family and medical leave will be counted against your state and federal family and medical leave entitlements to the fullest extent permitted by law.

You will be required to use any accrued vacation during unpaid family and medical leave. You will also be required to use any accrued paid sick leave during unpaid family and medical leave that is due to your own or a family member’s serious health condition. However, if an employee is receiving benefit payments pursuant to a disability insurance plan (such as California’s State Disability Insurance plan or Paid Family Leave program) or workers’ compensation insurance plan, the employee and the School may mutually agree to supplement such benefit payments with available vacation and/or paid sick leave.

During a family and medical leave, group health benefits will be maintained as if you were continuously employed. However, you must continue to pay your share of applicable premiums (for yourself and any dependents) during the leave.

If you do not return to work on the first workday following the expiration of an approved family and medical leave, you will be deemed to have resigned from your employment. Upon returning from such a leave, you will normally be reinstated to your original or an equivalent position and will receive pay and benefits equivalent to those you received prior to the leave, as required by law. In certain circumstances, “key” employees may not be eligible for reinstatement following a family and medical leave. The School will provide written notice to any “key” employee who is not eligible for reinstatement.

If you have any questions concerning, or would like to submit a request for a family and medical leave of absence, please contact Human Resources.

G. *Pregnancy Disability Leave*

The School provides pregnancy disability leaves of absence without pay to eligible employees who are temporarily unable to work due to a disability related to pregnancy, childbirth, or related

medical conditions. Employees should make requests for pregnancy disability leave to their supervisor at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events. A health care provider's statement must be submitted, verifying the need for such leave and its beginning and expected ending dates. Any changes in this information should be promptly reported to the School. Employees returning from pregnancy disability leave must submit a health care provider's verification of their fitness to return to work.

The School will make a good faith effort to provide reasonable accommodations and/or transfer requests when such a request is medically advisable based on the certification of a health care provider. When an employee's health care provider finds it is medically advisable for an employee to take intermittent leave or leave on a reduced work schedule and such leave is foreseeable based on planned medical treatment because of pregnancy, the School may require the employee to transfer temporarily to an available alternative position. This alternative position will have equivalent rate of pay and benefits and must better accommodate recurring periods of leave than the employee's regular job.

Eligible employees are normally granted unpaid leave for the period of disability, up to a maximum of four months (or 17 1/3 weeks or 693 hours) per pregnancy. Employees will be required to use any accrued sick time during any unpaid portion of pregnancy disability leave. Employees may also elect to use any accrued vacation time during any unpaid portion of pregnancy disability leave. If an employee is receiving benefit payments pursuant to a disability insurance plan (such as California's State Disability Insurance plan or Paid Family Leave program), the employee and the School may mutually agree to supplement such benefit payments with available vacation and/or sick leave.

Benefit accrual, such as vacation, sick leave, and holiday benefits, will be suspended during the approved pregnancy disability leave period and will resume upon return to active employment. Group health benefits will be maintained during the approved pregnancy disability leave as if you were continuously employed. However, you must continue to pay your share of applicable premiums (for yourself and any dependents) during the leave.

So that an employee's return to work can be properly scheduled, an employee on pregnancy disability leave is requested to provide the School with at least one week's advance notice of the date she intends to return to work.

When an approved pregnancy disability leave ends, the employee will be reinstated to the same position, unless the job ceased to exist because of legitimate business reasons. An employee has no greater right to reinstatement to the same position or to other benefits and conditions of employment than if she had been continuously employed in this position during the pregnancy disability leave or transfer. If the same position is not available, the employee will be offered a comparable position in terms of such issues as pay, location, job content, and promotional opportunities, if one exists. An employee has no greater right to reinstatement to a comparable position or to other benefits or conditions of employment than an employee who has been continuously employed in another position that is being eliminated.

If you have any questions regarding pregnancy disability leave, please contact Human Resources.

H. Military and Military Spousal Leave of Absence

All employees who leave the School for active military service or military reserve duty will be placed on an unpaid military leave of absence. Employees are entitled to reinstatement upon

completion of such military service or duty, provided an application for reinstatement is made within 90 days of discharge, or as otherwise provided by law.

You may use accrued vacation time during military leave. Time spent on military leave counts for purposes of determining "length of service." However, you will not accrue vacation or sick leave or receive holiday pay during military leave.

I. Jury Duty/Witness Duty

All employees who receive a notice of jury/witness duty must notify their supervisor as soon as possible so that arrangements may be made to cover the absence. In addition, employees must provide a copy of the official jury/witness duty notice to their supervisor. Employees must report for work whenever the court schedule permits. Either the School or the employee may request an excuse from jury/witness duty if, in the School's judgment, the employee's absence would create serious operational difficulties.

Non-exempt employees who are called for jury/witness duty will be provided time off without pay. Exempt employees will receive their regular salary unless they do not work any hours during the course of a workweek. Employees may elect to use any accrued vacation during jury/witness duty leave.

In the event that the employee must serve as a witness within the course and scope of his or her employment with the School, the School will provide time off with pay.

J. Time-Off for Voting

The School encourages its employees to fulfill their civic responsibilities by participating in elections. Because polls are open from 7:00 a.m. until 8:00 p.m., employees generally are able to find time to vote either before or after their regular work schedule. If employees are unable to vote in an election during their non-working hours and have not requested an absentee ballot, then the School will grant up to two hours of paid time off to vote.

Employees must request time off to vote from their supervisor at least two working days prior to the election day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift, whichever provides the least disruption to the normal work schedule.

Employees must submit a voter's receipt on the first working day following the election to qualify for paid time off.

[Nothing in this policy requires the employee to bring his or her mail \(absentee\) ballot to work, including mailing such absentee ballot from work.](#)

K. Emergency Duty/Training Leave

In California, no employee shall receive discipline for taking time off to perform emergency duty/training as a volunteer firefighter, reserve peace officer, or emergency rescue personnel. If you are participating in this kind of emergency duty/training, please alert your supervisor so that he or she may be aware of the fact that you may have to take unpaid time off for emergency duty/training. In the event that you need to take time off for emergency duty/training, please alert your supervisor before doing so whenever possible. Time off for emergency training may not exceed 14 days per calendar year.

Emergency Duty/Training Leave is unpaid. You may choose to use your accrued vacation if you wish to receive compensation for this time off, but you are not required to do so.

If you feel you have been treated unfairly as a result of taking or requesting Emergency Duty/Training Leave, you should contact your supervisor or any other manager, as appropriate.

L. Suspended Pupil/Child Leave

California law requires employers to provide time off for parents required to visit a child's school when the child has served a period of suspension from school. To be eligible for time off to attend a child's school, the employee must be the parent of a child in kindergarten or in grades 1-12 and must present the school's letter, which requests the employee's appearance at the school, to his or her supervisor at least two days before the requested time off. Employees may use accrued vacation while attending a child's school under these circumstances. If not, suspended pupil/child leave will be unpaid.

M. Leave for Crime Victims and Their Family Members

If you are the victim—or an immediate family member (i.e., spouse, registered domestic partner, child, step-child, sibling, step-sibling, parent, step-parent, or the child of a registered domestic partner) of the victim—of a violent felony, serious felony (as defined by the California Penal Code), or felonies related to theft or embezzlement, you are permitted to be absent from work to attend judicial proceedings related to the crime.

You must provide your supervisor with written notification for each scheduled proceeding, unless advance notice is not possible. This time off is unpaid. You may choose to use your accrued vacation, but this is not required.

N. Military Spouse Leave

Qualified employees are eligible for up to 10 days of unpaid leave when their spouse or registered domestic partner is on leave from military deployment. A qualified employee is one who regularly works more than 20 hours per week and whose spouse or registered domestic partner is a member of the Armed Forces, National Guard, or Reserves and is on leave from deployment during a period of military conflict.

If you are eligible for such leave, please submit a written request for leave to Human Resources within two business days of receiving official notice that your spouse or registered domestic partner will be on leave from deployment. You will also be required to provide written documentation certifying that your spouse or registered domestic partner will be on leave from deployment.

Non-exempt employees must use accrued vacation time in order to receive compensation for this time off. If no vacation time is available, the employee may take this time off without pay. An exempt employee is required to charge any absence of four or more hours under this policy to his or her vacation bank, if any. Otherwise, exempt employees will be compensated to the extent required by applicable law.

O. School and Daycare Leave

If you are the parent or guardian of a child who is in school up to grade 12, or who attends a licensed day care facility, you may take up to 40 hours of unpaid leave per year to participate in the activities of the school or day care facility, to find, enroll or reenroll your child in a school or

with a licensed child care provider and/or to address a child care provider or school emergency. You may take no more than eight hours off for this purpose in any one calendar month. Unless it is to address an emergency, you should schedule this time off with your supervisor in advance. You may be asked to provide documentation from the school or day care facility to confirm your attendance at its facility for reasons covered under this policy on the specific date and time that you took the leave. This time off is unpaid. You may choose to use your accrued vacation, but this is not required.

P. Leave and Accommodation for Domestic ~~Violence and Sexual~~ Violence, Sexual Assault and Stalking Victims

If you are a victim of domestic violence, ~~or~~ sexual assault or stalking, you may take unpaid time off to help ensure the health, safety, or welfare of you and/or that of your child. Specifically, you may take such leave for the following reasons:

1. To obtain a temporary or permanent restraining order or other court assistance;
2. To seek medical attention for injuries caused by domestic violence, ~~or~~ sexual assault or stalking;
3. To obtain services from a shelter, program, or rape crisis center as a result of domestic violence, ~~or~~ sexual assault or stalking;
4. To obtain psychological counseling related to an experience of domestic violence, ~~or~~ sexual assault or stalking; or
5. To participate in safety planning and take other actions to increase safety from future domestic violence, ~~or~~ sexual assault or assault stalking, including temporary or permanent relocation.

If you need to take time off for any of the above reasons, you should notify your supervisor in advance, if possible. If your absence is unscheduled, you may be asked to provide documentation, such as a police report, court order, or other evidence that you appeared in court, or documentation from a counselor or domestic violence advocate. Although this leave is unpaid, you may use your accrued vacation if you wish to receive compensation for this time off.

You may also take unpaid time off to recover from domestic abuse, ~~or~~ sexual assault or stalking pursuant to the School's family and medical leave policy.

You also have the right to ask the School for help or changes in their workplace to make sure you are safe at work. The School will work with its employees to see what changes can be made. Changes in the workplace may include putting in locks, changing shifts or phone numbers, transferring or reassigning the employee, or help with keeping a record of what happened to the employee. The School may ask the affected employee for a signed statement certifying that this request is for a proper purpose and may also request proof showing the need for an accommodation. The School will maintain confidentiality regarding any requests for accommodations under this policy.

The School does not tolerate any acts of discrimination, harassment, or retaliation against employees who are victims of domestic violence, ~~or~~ sexual assault or stalking. If you believe you have been the victim of any such act, please contact your supervisor, the Human Resources Department, or any another manager, as appropriate. The School will maintain the

confidentiality of requests for time off due to domestic violence, ~~or~~ sexual assault or stalking to the extent possible and as allowed by law.

Q. Adult Literacy Leave

Pursuant to California law, the School will reasonably accommodate any eligible employee who seeks to enroll in an adult literacy education program, provided that the accommodation does not impose an undue hardship on the School. The School does not provide paid time off for participation in an adult literacy education. However, you may utilize accrued vacation if you want compensation for this time off. If you do not have accrued vacation available, you will be permitted to take the time off without pay.

R. Alcohol and Drug Rehabilitation Leave

Pursuant to California law, the School will reasonably accommodate any eligible employee who wishes to voluntarily enter and participate in an alcohol or drug rehabilitation program, provided that the accommodation does not impose an undue hardship on the School. The School does not provide paid time off for participation in an alcohol or drug rehabilitation program. However, you may utilize accrued vacation if you want compensation for this time off. If you do not have accrued vacation available, you will be permitted to take the time off without pay.

This policy in no way restricts the School's right to discipline an employee, up to and including termination of employment, for violation of the School's Drug and Alcohol Abuse Policy.

S. Civil Air Patrol Leave

Pursuant to California law, the School will provide unpaid leave to employees who are volunteer members of the California Wing of the Civil Air Patrol and who have been duly directed and authorized to respond to an emergency operational mission of the California Wing of the Civil Air Patrol. Employees must be employed for at least 90 days immediately preceding the commencement of leave in order to be eligible.

Employees are required to give the School as much notice as possible of the intended dates upon which the leave would begin and end. The School will restore the employee to the position he or she held when the leave began or to a position with equivalent seniority status, employee benefits, pay, and other terms and conditions of employment, unless the employee is not restored because of conditions unrelated to the exercise of the leave rights by the employee. The time off is unpaid. However, an employee may utilize accrued vacation.

T. Leave for Bone Marrow and Organ Donors

Pursuant to California law, the School will provide up to five business days of paid leave within a one-year period to an employee who donates bone marrow to another person. In addition, the School will provide up to 30 business days of paid leave within a one-year period and up to another 30 business days of *unpaid* leave within a one-year period to an employee who donates an organ to another person. The one-year period is measured from the date the employee's leave begins and shall consist of 12 consecutive months.

~~Pursuant to California law, the School will provide up to five business days of paid leave within a one-year period to an employee who donates bone marrow to another person; the School will also provide up to 30 business days of paid leave within a one-year period to an employee who donates an organ to another person. The School requires that bone marrow donors use up to five days of available accrued sick or vacation time during the course of the leave. Organ~~

~~donors must use up to ten days of available accrued sick or vacation time during the course of the leave.~~

To qualify for this leave, an employee must have been employed for at least 90 days prior to the commencement of the leave and must provide the School with written verification of his or her status as an organ or bone marrow donor and the medical necessity for the donation. During such leave, the School will continue coverage under its group medical insurance plan, if applicable. However, employees must continue to pay their portion of the applicable premiums. Employees should give the School as much notice as possible of the intended dates upon which the leave would begin and end.

U. Bereavement Leave

Full-time employees are entitled to a leave of up to three (3) work days without loss of pay due to a death in the immediate family (parent, spouse, son/daughter, sister/brother, parents-in-law, son/daughter-in-law, grandparents, and grandchild). Full-time employees are eligible for an additional two (2) work days without loss of pay if out-of-state travel is required. Bereavement pay will not be used in computing overtime pay. Any scheduled days off (including weekends, holidays and vacations) falling during the absence will be counted as bereavement leave. Bereavement leave as stated above must be approved by the employee's direct supervisor in advance and will not be charged to vacation. The School may request documentation (i.e., copy of the death certificate) to certify the need for such leave.

INSURANCE BENEFITS

V. Health Benefits

Amethod Public Schools offers a comprehensive health insurance plan for eligible employees.

Regular full-time and part-time employees, who work on average at least thirty (30) hours per workweek, are eligible for health insurance on the first day of the month following ~~completion of thirty (30) days of service~~ their hire date in the following manners:

- Employees that work less than an average of 30 hours per workweek are not eligible for any Health Benefits.
- Full-time employees that work an average of 30 hours or more per workweek will receive 100% health benefits coverage and AMPS will pay premiums up to a designated amount.

Amethod Public Schools pays the premium for eligible employees up to a designated amount. Any remaining costs associated with the Employee's plan shall be paid by the employee as a pre-tax payroll deduction. Employees will be notified of their contribution amount, should there be one, at the time they sign up for the specific benefit. AMPS ~~does not pay~~ pays a portion of the premiums for health insurance or any other benefits for family members or dependents; that portion is currently 40% of the total cost, but is subject to change based on health care costs and the financial condition of the OrganizationAMPS. Eligible employees are responsible for their portion of the monthly premium costs for their dependents' coverage.

Subject to applicable law, there is no guarantee that the School will continue to maintain a medical insurance plan or that the terms and conditions of any such plan will not be changed at any time. Further, in order to continue participation in any such plan, employees may be required to pay a part of the premium.

When Coverage Starts

Your coverage will begin on the first day of the calendar month following the employee's first day of employment. Your enrollment form must be submitted to the Human Resources Department as soon as possible. This enrollment form serves as a request for coverage, and authorizes any payroll deductions necessary to pay for your coverage. By delaying the submission of the health benefits enrollment package, an employee's enrollment and health coverage may result in lack of coverage until the designated open enrollment period.

Flexible Spending Plans

Amethod Public Schools provides, at no cost to employees a Flexible Spending Plan which allows employees to pay for monthly health premiums, and commuter benefits with pre-tax dollars. This means your health premiums are subtracted from your gross pay before federal, state and social security (FICA) taxes are applied. The Flexible Spending Plan Document is in all cases controlling and supersedes any inconsistent terms in this manual. From time to time, we may also offer employees' access to a Medical Reimbursement and Dependent Care option within this program that is funded 100% by the employee. These options, if available, will be explained to you during open enrollment once established.

Stipend

Employees who are covered under a spouse's health plan, and not ~~the Organization's~~AMPS' plan, may qualify to be paid a predetermined monthly stipend. The rate at which the stipend is calculated is subject to annual change based on the annual health insurance rates. Please talk with the Human Resources Department if you believe you qualify.

COBRA

If for some reason your coverage under the School's health insurance ends, you and your dependents may be eligible to continue coverage for a specified term under COBRA. In this event, the School will provide additional information on COBRA coverage.

W. State Disability Insurance (Wage Supplement)

The School contributes to the State of California to provide you with disability insurance pursuant to the California Unemployment Insurance Code. Contributions are made through a payroll deduction. Disability insurance is payable when you cannot work because of illness or injury not caused by employment with the School or when you are entitled to temporary workers' compensation at a rate less than the daily disability benefit amount.

Disability insurance is a wage supplement provided concurrently while an employee takes an eligible leave of absence under ~~Company~~ School policy and applicable law. The program will be administered in a manner consistent with California law. For more information regarding this program, you may contact the California Employment Development Department.

X. Paid Family Leave Insurance Benefits (Wage Supplement)

Under California law, eligible employees may participate in the paid family leave ("PFL") program, which is part of the state's unemployment compensation disability insurance program. The PFL program provides up to ~~six~~ eight weeks of partial wage replacement benefits to employees who take time off to care for a seriously ill child, spouse, parent, or registered domestic partner or to bond with a new child (whether by birth, foster placement, or adoption). The PFL program does not provide job protection or reinstatement rights. The School will require you to take up to two weeks of accrued but unused vacation prior to your receipt of benefits under the PFL program.

The program will be administered by the California Employment Development Department ("EDD"). For more information regarding this program, you may contact the EDD directly.

Y. Unemployment Compensation

The School contributes a significant amount of money each year to the California Unemployment Insurance Fund on behalf of its employees. Under certain circumstances, you may be eligible for unemployment insurance benefits.

Z. Social Security

Social Security is an important part of every employee's retirement benefit. The School pays a matching contribution to each employee's Social Security taxes.

AA. Workers' Compensation Insurance

At no cost to you, you are protected by the School's workers' compensation insurance policy while employed by the School. This policy covers you in case of occupational injury or illness.

PERSONNEL EVALUATION AND RECORD KEEPING

A. *Performance Evaluations*

Amethod Public Schools strives to conduct formal performance reviews for all of its employees. Teacher and Site Directors will generally be formally reviewed once each school year. However, informal observations will be conducted throughout the year. The frequency of performance evaluations may vary depending upon length of service, job position, past performance, changes in job duties, performance problems or operational requirements.

Performance reviews may cover factors such as job criteria, instructional practice, data reviews, critical duties and tasks of a job, attainment of goals, and adherence to the Amethod Public Schools core values. The performance evaluations are intended to make you aware of your progress, areas for improvement and objectives or goals for future work performance. Favorable performance reviews do not guarantee increases in salary or promotions. Salary increases and promotions are solely within the discretion of Amethod Public Schools and depend upon many factors in addition to performance, including availability of funds. After the review, you will be required to sign the evaluation report to acknowledge that it has been presented to you, that you have discussed it with your supervisor and that you are aware of its contents. You may add a rebuttal statement to your review within 10 days of your review that will be maintained in your personnel file.

Nothing in this policy shall limit the right to terminate employment at-will or limit the School's right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment at its sole discretion. Failure by the School to evaluate the employee will not prevent the School from transferring, demoting, disciplining, or terminating an employee. Employment is at the mutual consent of the employee and the School. Accordingly, either the employee or the School can terminate the employment relationship at-will, at any time, with or without reason and with or without notice.

B. *Performance Improvement Plan*

Employees who are having performance or behavioral difficulties may, at the sole discretion of AMPS, be placed on a performance improvement plan. This plan will detail the current issue(s) and outline improvement plan steps and goals to assist the employee in a successful outcome. Performance Improvement Plans may be initiated by the Site Director (Supervisor) and may be done in writing. Both the Supervisor and the employee are expected to sign off on the plan and meet at the specified times to work through the issues. Teachers are expected to follow the detailed plans as required by supervisor. The Performance Improvement Plan does not in any way change the at-will nature of the employment relationship. There is no guarantee or promise that an employee will be placed on a Performance Improvement Plan prior to any discipline up to and including termination.

C. *Personnel Files*

At the time of your employment, a personnel file is established for you. To keep our personnel records accurate and to comply with applicable laws, you must notify your supervisor immediately of any change(s) in the following personnel information:

- Your name (whether by marriage or otherwise).
- Your home address and telephone number.
- Whom to inform in case of an emergency, including names and home and work telephone numbers and addresses.

- Withholding tax information (your marital status and correct number of dependents).
- Completion of education.
- Change of beneficiary on group life insurance

A request for information contained in the personnel file must be directed to ~~the CEO~~ [Human Resources](#). Only ~~the CEO~~ [Human Resources](#) or ~~his/her~~ [its](#) designee is authorized to release information about current or former employees.

AMPS EMPLOYEE HANDBOOK ACKNOWLEDGMENT AND AT-WILL AGREEMENT

ALL EMPLOYEES MUST READ THIS EMPLOYEE HANDBOOK AND FILL OUT AND RETURN THIS PORTION TO HUMAN RESOURCES WITHIN ONE WEEK OF RECEIPT.

I have received a copy of the Amethod Public Schools' Employee Handbook. I understand that it is my responsibility to carefully read and understand its contents and I agree to follow the policies stated therein. Unless specified otherwise in an agreement between me and the School, I agree that the School and I both have the right to terminate my employment at any time, with or without notice, and with or without cause. I further understand that transfers, demotions, suspensions, employee discipline, and changes in the terms and conditions of employment may be administered at the sole and absolute discretion of the School. Unless specified otherwise in an agreement between me and the School, I understand that I am an at-will employee. I understand that the at-will nature of my employment may not be modified orally and may only be modified in a writing signed by the CEO of the School and me, and approved in writing by the School's Board of Directors.

I understand that nothing in the Handbook is intended, nor should be construed, as a limitation of my right and the School's right to terminate the employment relationship at any time, with or without notice, and with or without cause, or the School's absolute right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment at its sole discretion. I understand that nothing in the Handbook is intended, nor should be construed, to create an implied or express contract of employment contrary to this express at-will agreement or to the School's absolute right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment at its sole discretion. I understand that the School reserves the right to depart from and modify the policies stated in the Handbook at its sole discretion, with the exception of my at-will status and the School's absolute right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment. The foregoing constitutes the entire terms of the agreement between me and the School regarding the duration and at-will nature of my employment and the School's absolute right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment at its sole discretion.

Employee Signature: _____

Date: _____

AMPS

HONOR HARD WORK

Amethod Public Schools
*Board Item Overview***Date: 08/19/2020****Subject: 9.4**

Employee Handbook (2020-2021)

Action:☒**Information:**☐**Committee:**☐**RECOMMENDATIONS:**

Staff recommends that the board approves the 2020-2021 Employee Handbook.

**SUMMARY OF PREVIOUS
BOARD DISCUSSION AND
ACTION:**

NA

SUMMARY OF KEYS ISSUES:**FISCAL ANALYSIS**

NA

ATTACHMENT(S):-Red line version of Employee Handbook
-Revised Employee Handbook 2020-2021

AMPS



HONOR HARD WORK

AMETHOD PUBLIC SCHOOLS

EMPLOYEE HANDBOOK

Effective: August 10, 2020

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INTRODUCTION TO HANDBOOK

This Handbook is designed to help employees get acquainted with Amethod Public Schools (hereafter referred to as either “AMPS” or “School”). It explains some of our philosophies and beliefs, and describes in general terms, some of our employment guidelines. Although this Handbook is not intended to be an exclusive or comprehensive policies and procedures manual, we hope that it will serve as a useful reference document for employees throughout their employment at AMPS. It is not intended to create any expectations of continued employment, or an employment contract, express or implied. In no way does the Handbook replace or modify any official plan documents (e.g., health insurance, retirement plan, etc.) or insurance contracts.

This Handbook supersedes any previously issued handbooks and any policies or other written or verbal statements that are inconsistent with the policies described herein. Employees must sign the acknowledgment form at the end of this Handbook, and return it to Human Resources. It is important that all employees read, understand, and follow the provisions of the Handbook. If you need further information, or if you wish to discuss any policy in this Handbook, please feel free to contact your supervisor, Human Resources or the CEO.

Amethod Public Schools reserves full discretion to add, change, amend, supplement, or delete provisions of this Handbook, or the policies and procedures on which they may be based, at any time without advance notice. No one other than the CEO or the Board of Directors has the authority to enter into any employment agreement or other agreement that modifies AMPS policy, the arbitration agreement, or the employee’s at-will employment with the School, and any such modification *must* be in writing and approved by the Board of Directors in writing.

GENERAL POLICIES

A. *Equal Employment Opportunity (Discrimination)*

Covered Individuals

This policy protects all employees of the School as well as interns, volunteers, and potential employees (applicants). All employees of the School are required to abide by this policy, regardless of position or status, including supervisors, management, and co-workers.

Discrimination

As used in this policy, “discrimination” means taking any adverse employment action against an employee or applicant in any aspect of employment, solely or in part based on the individual’s protected category. Discrimination may include, but is not necessarily limited to, factoring an individual’s protected category in hiring, promotion, compensation, or other terms and conditions of employment unless otherwise permitted by law.

Adverse Employment Action

As used in this policy, “adverse employment action” may include, but is not necessarily limited to, the following: demotion; suspension; reduction in pay; denial of a merit salary increase; failure to hire or consider for hire; refusal to promote or consider for promotion; denial of employment opportunities; change of an employee’s work assignments; failure to provide a workplace accommodation when required (i.e., disability, pregnancy, religion, transgender); failure to provide a leave of absence when required (i.e., medical, pregnancy, workers’ compensation, military, domestic violence); or any other unequal treatment based on the individual’s protected category resulting in an adverse employment action.

Protected Categories

The School’s policy prohibits discrimination based on race (which includes historically associated traits, such as hair styles and protective hair styles, e.g., braids, locks, and twists), religious creed (which includes religious dress and grooming practices), color, national origin (which includes, but is not limited to, national origin groups and aspects of national origin, such as height, weight, accent, or language proficiency), ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex (which includes pregnancy, childbirth, breastfeeding, and related medical conditions), gender, gender identity, gender expression, age, sexual orientation, military or veteran status (including state and federal active and reserve members as well as those ordered to duty or training), immigration/citizenship status or related protected activities (which includes undocumented individuals and human trafficking), protected medical leaves, domestic violence victim status, political affiliation, or any other consideration made unlawful by federal, state, or local laws, ordinances, or regulations. These categories include a perception that the individual has any of these characteristics or is associated with a person who has (or is perceived to have) any of these characteristics.

Scope of Policy

The School is an equal employment opportunity employer and is committed to complying with all applicable laws providing equal employment opportunities. As such, the School makes employment decisions, including, but not limited to, hiring, recruiting, firing, promotion, demotion, training, compensation, qualifications/job requirements, on the basis of merit and/or business necessity. Employment decisions are based on an individual’s qualifications as they relate to the job under consideration pursuant to legitimate business purposes.

If you believe you have been subjected to, witnessed, or have knowledge about discrimination, please follow the complaint procedure outlined below in Section D.

B. Unlawful Harassment

Covered Individuals

This policy protects all employees of the School as well as interns, volunteers, and potential employees (applicants). All employees of the School are required to abide by this policy, regardless of position or status, including supervisors, management, and co-workers. In addition, this policy prohibits unlawful harassment by any third parties. The School will take all reasonable steps to prevent or eliminate unlawful harassment by non-employees, including students, parents, and anyone else who has workplace contact with our employees.

Protected Categories

The School's policy prohibits harassment based on race (which includes historically associated traits, such as hair styles and protective hair styles, e.g., braids, locks, and twists), religious creed (which includes religious dress and grooming practices), color, national origin (which includes, but is not limited to, national origin groups and aspects of national origin, such as height, weight, accent, or language proficiency), ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex (which includes pregnancy, childbirth, breastfeeding, and related medical conditions), gender, gender identity, gender expression, age, sexual orientation, military or veteran status (including state and federal active and reserve members as well as those ordered to duty or training), immigration/citizenship status or related protected activities (which includes undocumented individuals and human trafficking), protected medical leaves, domestic violence victim status, political affiliation, or any other consideration made unlawful by federal, state, or local laws, ordinances, or regulations. These categories include a perception that the individual has any of these characteristics or is associated with a person who has (or is perceived to have) any of these characteristics.

Unlawful Harassment

Prohibited unlawful harassment may include, but is not necessarily limited to, the following behavior pertaining to **any of the above protected categories**:

- **Verbal conduct** such as flirting, epithets, derogatory jokes or comments, voicemails, slurs or unwanted sexual advances, sexually suggestive innuendos, conversations regarding sexual activities, invitations, or comments (including, but not limited to, threats of deportation against applicants and employees and family members of applicants and employees, derogatory comments about immigration status or disability, or mockery of an accent or a language or its speakers) ("hostile work environment" harassment).
- Disrespectful or unprofessional conduct based on any of the protected categories listed above ("hostile work environment" harassment).
- Comments or conduct that consistently target one gender, even if the content is not sexual ("hostile work environment" harassment).
- **Visual conduct** such as derogatory and/or sexually oriented posters, photography, cartoons, drawings, gestures, text messages, social media, instant messages, e-mails, letters, pictures, or gifts ("hostile work environment" harassment).

- **Physical conduct** such as assault, unwanted touching, blocking normal movement, or interfering with work because of any protected basis ("hostile work environment" harassment).
- Threats and demands to submit to sexual requests as a condition of continued employment or to avoid some other loss and offers of employment benefits in return for sexual favors ("quid pro quo" harassment).
- Sexually harassing conduct does need not to be motivated by sexual desire and may include situations that began as reciprocal relationships but later ceased to be reciprocal.

Scope of Policy

The School is committed to providing a work environment free of unlawful harassment. This policy applies to all phases of employment, including, but not limited to, recruiting, testing, hiring, upgrading, promotion, demotion, transfer, layoff, termination, rates of pay, benefits, and selection for training. In addition, this policy extends to conduct with a connection to an employee's work, even when the conduct takes place away from the School's premises, such as a business trip, School-related social function, or social media activity (depending on the circumstances).

If you believe you have been subjected to, witnessed, or have knowledge about unlawful harassment, please follow the complaint procedure outlined below.

C. Retaliation

Covered Individuals

This policy protects all employees of the School as well as interns, volunteers, and potential employees (applicants). All employees of the School are required to abide by this policy, regardless of position or status, including supervisors, management, and co-workers.

Retaliation

As used in this policy, "retaliation" means taking any adverse employment action against an employee because he or she engaged in protected activity pursuant to this policy. Protected activity may include, but is not necessarily limited to, the following: opposing a practice or conduct the employee reasonably believes to be unlawful; reporting or assisting in reporting suspected violations of the School's anti-discrimination, harassment, or retaliation policies; cooperating or participating in investigations or proceedings arising out of a violation of these policies; or engaging in any other activity protected by applicable law.

Adverse Employment Action

As used in this policy, "adverse employment action" means conduct or an action that materially affects the terms and conditions of the employee's employment status or is reasonably likely to deter the employee from engaging in further protected activity. Adverse employment actions may include, but are not limited to, the following: demotion; suspension; reduction in pay; denial of a merit salary increase; failure to hire or consider for hire; refusing to promote or consider for promotion because of reporting a violation of this policy; harassing another employee for filing a complaint; denying employment opportunities because of making a complaint or for cooperating in an investigation; changing an employee's work assignments for identifying harassment or other forms of discrimination in the workplace; treating an employee differently such as denying an accommodation; not talking to an employee (the "cold shoulder") when otherwise required by job

duties; or otherwise excluding the employee from job-related activities because of engagement in activities protected under this policy.

Any retaliatory adverse action because of protected activity may be unlawful and will not be tolerated. If you believe you have been subjected to, witnessed, or have knowledge about retaliation, please follow the complaint procedure outlined below.

D. Complaint Procedure—Discrimination, Unlawful Harassment, Retaliation

Duty to Report

All employees who believe they have been subjected to discrimination, unlawful harassment, and/or retaliation are **strongly encouraged** to promptly report the alleged violation(s) in accordance with the procedures set forth below. All employees (**particularly supervisors**) who believe they have witnessed or have knowledge of discrimination, unlawful harassment, and/or retaliation are required to immediately report the alleged violation(s) in accordance with the procedures set forth below. Immediate reporting allows the School to quickly and fairly resolve any complaints in the workplace.

In addition to reporting, any employee who experiences or witnesses conduct that the individual believes is unlawful is encouraged to tell the offending individual that the behavior is inappropriate and must be stopped, if the employee is comfortable doing so.

Where to Report Complaint to the School

Submit a complaint to your supervisor, Human Resources (hrsupport@amethodschools.org), any other supervisor within the School, or the Board of Directors. There is no requirement to report your complaint to any designated supervisor within the School. Select the individual with whom you feel the most comfortable discussing your complaint. Do not report your complaint to any individual who has allegedly engaged in the inappropriate behavior that is the subject of your complaint.

Supervisors must report any and all conduct of which they are made aware, which violates, or may violate, policies regarding discrimination, unlawful harassment, or retaliation to the CEO, Talent and Human Resources Manager, Board of Directors, or other upper-level administrators, as appropriate. Supervisors who fail to report alleged violations may be subject to disciplinary action, up to and including termination.

Contents of Complaint

All complaints submitted pursuant to this policy can be done in writing or verbally. Your complaint should be specific and should include the names of the individuals involved, the names of any witnesses, and any supporting documentation. Employees may choose to submit their complaints anonymously.

Response to Complaint (Investigation)

Upon notice of conduct requiring an investigation, the School will look into the facts and circumstances of the alleged violation, as appropriate. The School will attempt to resolve the situation by promptly undertaking an effective, thorough, and objective investigation through the use of “qualified personnel” and using methods that provide all parties with “appropriate due process.” The School’s investigation methods will vary depending on the nature of the complaint, the allegations, the witnesses, and other factors. All complaints will be handled as confidentially as possible and information will be disclosed only as it is necessary to complete the investigation and resolve the matter.

The School may investigate conduct in the absence of a formal complaint if the School has reason to believe that an individual has engaged in conduct that violates School policies or applicable law. Further, the School may continue its investigation even if the original complainant withdraws his or her complaint during the course of the investigation.

All employees are required to fully cooperate with the School's investigation, which includes, but is not limited to, providing all pertinent information in a truthful manner, submitting pertinent documents in their possession, not interfering with the investigation in any manner, and maintaining an appropriate level of discretion regarding the investigation. Failure to do so may result in disciplinary action, up to and including termination.

During the investigation, the School will provide regular progress updates, as appropriate, to those directly involved. The School will strive to complete its investigation as efficiently as possible in light of the allegations and will reach any conclusions based on the evidence collected and credibility of the witnesses. At the completion of its investigation, the School will inform the complainant(s) and the accused of its findings and decisions to the extent permitted by applicable law.

Corrective Action

If the School determines that violations have occurred, the School will take appropriate corrective action in accordance with the circumstances involved, including appropriate action to deter future conduct. Examples of potential corrective action include, but are not limited to, written or verbal disciplinary action, suspension, reassignment, demotion, or termination, among others. In addition, the offending individual may be legally liable for his or her conduct, depending on the circumstances. Due to privacy protections, the School is not able to fully disclose its entire decision regarding corrective action to the complainant.

No Retaliation

There will be no retaliation against any employee who brings a complaint in good faith or who honestly assists in investigating such a complaint, even if the investigation produces insufficient evidence that there has been a violation, or if the charges cannot be proven. Please refer to the School's Retaliation Policy above for further information.

How to Report Complaint to Government Agencies

Employees who believe that they have experienced unlawful conduct under these policies may also file a complaint with the local office of the California Department of Fair Employment and Housing ("DFEH") or the Equal Employment Opportunity Commission ("EEOC"). The DFEH and the California Fair Employment and Housing Council ("FEHC") as well as the EEOC can also order an employer to hire, reinstate, or promote a victim of discrimination, unlawful harassment, and/or retaliation or make other changes in School policies. The address and phone number of the local DFEH and EEOC offices can be found online or dialing 800-FREE-411.

E. Sexual Harassment Training Requirements

The School requires all employees to abide by California's sexual harassment training requirements, which includes training within six months of hire and retraining every two years thereafter. Employees who fail to complete this required training will be subject to disciplinary action, up to and including termination.

F. Reasonable Accommodations

Any applicant or employee who requires an accommodation due to a disability in order to perform his or her job duties should contact his or her supervisor or the Talent and Human Resources Manager to request such an accommodation. The individual with the disability should specify what accommodation he or she needs to perform the job. AMPS will consider any requests for accommodations and make reasonable accommodations for a qualified individual with a disability, unless undue hardship would result, as required by applicable law. The School will analyze the situation, engage in an interactive process with the individual, and respond to the individual's request. AMPS will comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability.

G. Employment –“At- Will”

It is the policy of AMPS that all employees are considered “*at-will*” employees of AMPS. Accordingly, either AMPS or the employee can terminate this employment relationship at any time, for any reason or no reason at all, with or without cause, and with or without advance notice. Similarly, your status (for example, position, duties, salary, promotions, demotions, etc.) may be changed at-will, with or without cause, and with or without notice at any time.

Nothing contained in this Handbook, employment applications, AMPS memoranda or other materials provided to employees in connection with their employment shall require AMPS to have “cause” to terminate an employee or otherwise restrict AMPS’ right to terminate an employee from his or her at-will employment with AMPS. Statements of specific grounds for termination set forth in this Handbook or elsewhere are not all-inclusive and are not intended to restrict AMPS’ right to terminate at-will.

No representative of AMPS, other than the Board of Directors, is authorized to modify this at-will employment policy for any employee or to make any representations to employees or applicants concerning the terms or conditions of employment with AMPS that are not consistent with AMPS’ policy regarding “at-will” employment. Any agreement that alters the “at-will” nature of employment must be approved by the Board of Directors and must be in writing and signed by the Board of Directors, and the affected employee. This policy shall not be modified by any statements contained in this Handbook or employee applications, School memoranda or other materials provided to employees in connection with their employment. Further, none of those documents whether singly or combined, or any employment practices shall create neither an express or implied contract of employment for a definite period, nor an express or implied contract concerning any terms or conditions of employment.

H. Eligibility for Employment

Immigration Compliance

AMPS will only employ individuals who are authorized to work in the United States. All new hires must provide proof of identity and work eligibility in accordance with applicable laws. Employees must complete and sign a Form I-9 and produce valid documents which establish both identity and employment eligibility within three (3) working days of hire. Failure to comply may result in termination from employment.

Certification

The School's teachers are required to hold a current California Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in public schools would be required to hold by law. If you are a credentialed staff member, you must provide copies of your credential, certificate of clearance, transcripts, and test scores prior to your

first day of actual work and if already employed, prior to the start of the academic year if applicable. Failure to provide these documents may delay your ability to begin or continuation of work. Tuberculosis Testing

No person shall be employed by the School unless he or she provides proof of having submitted to a tuberculosis (TB) risk assessment within the past 60 days and that no risk factors have been identified. If TB risk factors are identified, or as an alternative to the assessment, the applicant must submit proof that a qualified professional has determined he or she is free of infectious TB following testing and examination. The examination, if required, shall consist of an approved intra-dermal tuberculin test that, if positive, shall be followed by an X-ray of the lungs. Each employee shall cause to be on file with the School a certificate from a qualified professional showing the employee was assessed or examined and found free of risk factors or of infectious TB (as applicable). A person who transfers employment from another school can meet these requirements by providing a certificate from a qualified professional, or a verification form from the prior school employer, that shows he or she was found to be free of infectious TB within 60 days of initial hire.

An employee who has no identified risk factors or who tests negative for TB shall undergo the TB risk assessment and, if risk factors are identified, the examination, at least once every four years or more often if recommended by the local health officer.

The risk assessment, and examination if necessary, is a condition of initial employment, and the expense incident thereto shall be borne by the applicant. The School shall reimburse current employees for the cost, if any, of the tuberculosis risk assessment and the examination.

Criminal Background Checks

It is the policy of the School to require fingerprinting and background checks for its employees consistent with legal requirements. The School may determine, on a case-by-case basis whether a volunteer will have more than limited contact with pupils or consider other factors requiring a criminal background check for such a volunteer.

I. Employment Classifications

For purposes of salary administration and eligibility for overtime payments and employee benefits, Amethod Public Schools classifies its employees as defined below. Please direct any questions you may have regarding your employment classification or status to Human Resources or your direct supervisor.

Nonexempt Employees

Non-exempt employees are entitled to overtime pay for all hours worked in excess of 40 hours per week, in excess of 8 hours in a day, and for the first 8 hours worked on the seventh consecutive workday. Non-exempt employees are also eligible for double-time pay under certain circumstances. Non-exempt employees are required to take meal periods and are authorized and permitted to take rest periods in the manner described in this Handbook. Non-exempt employees may be scheduled for full-time or part-time shifts, as assigned by his or her supervisor or the CEO.

Exempt Employees

AMPS may choose to designate as exempt an employee whose job duties and salary qualify for exemption under applicable law. Exempt employees are not eligible to receive overtime pay.

J. *Employment Status*

Regular Full-time Employees

Employees who work 40 hours or more per workweek on a regular basis. Such employees may be “exempt” or “nonexempt” and are eligible for employee benefits as described in this Handbook as well as those benefits required by law.

Regular Part-time Employees

Employees who work fewer than 40 hours per workweek on a regular basis. Part-time employees may be assigned a work schedule in advance or may work on an as-needed basis. Such employees may be “exempt” or “nonexempt”. Part-time employees are not eligible for benefits except as required by law.

Temporary/Seasonal/Intern Employees

Temporary employees are those employed on a temporary basis for short-term assignments. Short-term assignments will generally be periods of three months or less; however, such assignments may be extended. Temporary employees are not eligible for any benefits except where mandated by law. A temporary employee may be offered and may accept a new temporary assignment with AMPS and still retain temporary status.

Individuals assigned by temporary employment agencies are employees of the agency and not of AMPS.

K. *Job Duties*

Your supervisor(s) will explain your job responsibilities. Be aware that your job responsibilities may change at any time during your employment. From time to time, you may be asked to work on special projects or to assist with other work necessary or important to the operation of your department or AMPS. Your cooperation and assistance in performing such additional work is expected. AMPS reserves the right, at any time, with or without notice, to alter or change job responsibilities, reassign or transfer job positions or assign additional job responsibilities.

L. *Open Door Policy*

At some time or another, you may have a suggestion, complaint, or question about the School, your job, your working conditions, or the treatment you are receiving. We welcome your suggestions, complaints, or questions. For issues other than prohibited harassment, discrimination, or retaliation, we ask that you take your concerns first to your supervisor, who will investigate and provide a solution or explanation. If the problem is still not resolved, you may present it to Human Resources, preferably in writing, who will address your concerns.

M. *Workplace Anti-Violence Policy*

The School recognizes that violence in the workplace is a growing nationwide problem necessitating a firm, considered response. The costs of such violence are great, both in human and financial terms. We believe that the safety and security of employees and students is paramount. Therefore, the School has adopted this policy regarding workplace violence to help maintain a secure workplace.

Acts or threats of physical violence, including intimidation, harassment, and/or coercion, that involve or affect the School, occur on School property, or occur in the conduct of School business off property will not be tolerated. This prohibition against threats and acts of violence applies to all persons involved in School operations, including, but not limited to, School students, parents,

employees, independent contractors, temporary employees, vendors and anyone else on School property or conducting School business off property. Violations of this policy, by any individual, may result in disciplinary action, up to and including termination and/or legal action as appropriate.

Always ensure that all visitors have signed in the visitor log and are wearing appropriate visitor tags/badges. Suspicious persons or activities should be reported to Human Resources. Secure your desk or office at the end of the day.

Workplace Violence Defined

Workplace violence includes, but is not limited to, threats of any kind; threatening, physically aggressive, or violent behavior, such as intimidation or attempts to instill fear in others; other behavior that suggests a propensity toward violence, including belligerent speech, excessive arguing or swearing, sabotage, threats of sabotage of School property; defacing School property or causing physical damage to the facilities; and bringing weapons or firearms of any kind on School premises or while conducting School business.

Enforcement/Complaint Procedure

Any person who violates this policy on School property may be removed from the premises as quickly and safely as possible, at the School's discretion, and may be required to remain off School premises pending the outcome of an investigation of the incident.

If any employee observes or becomes aware of any of the above-listed actions or behavior by an employee, student, parent, visitor, or anyone else, he or she must immediately notify his or her supervisor, Human Resources, or the Site Director. Furthermore, employees should notify Human Resources or the Site Director if any restraining order is in effect or if a potentially violent non-work-related situation exists that could result in violence in the workplace.

All reports of workplace violence will be taken seriously and will be investigated promptly and thoroughly. In appropriate circumstances, the School will inform the reporting individual of the results of the investigation. To the extent feasible, the School will maintain the confidentiality of the reporting employee. However, the School may need to disclose information in appropriate circumstances (for example, in order to protect individual safety). The School will not tolerate retaliation against any employee who reports workplace violence.

If the School determines that workplace violence has occurred, the School will take appropriate corrective action and may impose disciplinary action, up to and including termination.

In certain circumstances, the School may seek a workplace violence restraining order on behalf of one or more employees in furtherance of its commitment to providing a workplace that is free from acts of violence or threats of violence.

WAGES, ATTENDANCE, TIMEKEEPING AND RELATED PRACTICES

A. *Payment of Wages*

Employees are paid on an established payroll schedule that will be provided by AMPS. If a regular payday falls on a Saturday, Sunday, or holiday, employees will generally be paid on the previous business day and if not, then the following business day. Paychecks are normally available by 12:00 p.m. and must be picked up from your supervisor or designee, unless you have authorized direct payroll deposit. If you observe an error on your check, please report it immediately to Human Resources.

The School will make authorized withholdings and deductions from each employee's pay. Every deduction from your paycheck is identified on your check voucher. If you do not understand the deductions, or to change the number of withholding allowances you wish to claim, consult with Human Resources.

B. *Overtime Pay*

Amethod Public Schools provides compensation for all overtime worked by non-exempt employees in accordance with applicable law. All overtime work must be authorized in advance by the Site Director or immediate supervisor. Failure to obtain such approval may subject an employee to discipline, up to and including termination. No overtime compensation will be paid to exempt employees.

C. *Expense Reimbursement*

Employees will be reimbursed for reasonable business expenses incurred while performing their duties or attending pre-approved workshops or other employment-related functions in accordance with the School's policy on expense reimbursements. Please follow the procedure set forth in the Finance and Operations Manual to submit expense requests for approval.

D. *Attendance and Tardiness*

All employees, whether exempt or non-exempt, are expected to arrive at work consistently, on time and prepared to start work. Absenteeism and tardiness negatively affects AMPS' ability to implement its educational program and disrupts consistency in students' learning.

If you will be absent or late, you are expected to telephone the Site Director or your direct supervisor as soon as possible but no later than two (2) hours before the start of your workday. Because voice mail messages may go unheard for significant periods of time, leaving a voice mail message is not a sufficient method of notification—you must personally contact your supervisor or the Site Director in a timely manner. If you are unable to reach your supervisor or the Site Director by phone, you may send an email, but you must attempt to reach the appropriate parties by phone first. If you are required to leave work early, you must also personally contact your supervisor or the Site Director and obtain his or her permission. Employees are not allowed to relay messages to the direct supervisor or the Site Director through co-workers that they will be absent or tardy. If you are absent from work longer than one day, you are expected to keep your supervisor sufficiently informed of your situation and when you will return to work. You must get approval from your direct supervisor for any absence. Under certain circumstances, AMPS may require documentation from a healthcare provider verifying your need to be absent from work due to illness or other medical reasons if such absence lasts three or more consecutive work days. ***The Site Director will arrange for and make the final decision on whether to retain a substitute teacher for the day.***

Employees also are expected to remain at work for their entire work schedule, except for meal and rest periods when appropriate, when required to leave on authorized School business, or when otherwise permitted by the School. Late arrival, early departure, or other absences from scheduled hours are disruptive and must be avoided. Employees also must inform their supervisor of the expected duration of any absence. Excessive or unexcused absences or tardiness may result in disciplinary action up to and including termination from employment with AMPS to the extent authorized by law.

Except as otherwise provided by law, if you fail to report for work without any notification to your supervisor and your absence continues for a period of three consecutively scheduled workdays, the School will, in most cases, consider that you have abandoned your employment and have voluntarily resigned.

E. School Social Activities

Employees may attend school-sponsored events not required by their job duties on a voluntary basis unless otherwise directed by the School. An employee's attendance at such social and recreational activities is completely voluntary and at the employee's own risk and the School disclaims any and all liability arising out of the employee's participation in these activities. Because an employee who chooses to attend school events is doing so on a voluntary basis, such participation will not be compensated by the School.

F. Timekeeping Requirements

To ensure compliance with all applicable laws, non-exempt employees must accurately record all hours worked using the School's timekeeping system. This means they must clock in and out whenever they begin, cease, or resume working during the course of a workday. Employees must clock out and in for their meal periods, but are not required to clock out and in for rest periods. Under no circumstances may one employee clock in or out for another employee. Exempt employees may also be expected to record their total time worked and report absences from work due to personal needs or illness.

Employees are prohibited from doing the following:

- Recording inaccurate hours worked.
- Recording hours worked on behalf of another employee.
- Working "off the clock." This includes, but is not limited to, working before or after a shift without recording that time or conducting School business on personal cell phones after hours. Employees are prohibited from using their personal cell phones to conduct School business.
- Failing to record all hours worked.
- Falsifying any time record.

Violations of this policy may result in disciplinary action, up to and including termination.

G. Work Schedules

Your work schedule depends, first, on the school site where you are located. AMPS Schools are generally open for business between the hours of 7:00 a.m. and 6:00 p.m., Monday through

Friday. Your supervisor will assign your individual work schedule. All employees are expected to be at their classrooms or workstations at the start of their scheduled shifts, ready to work. For purposes of calculating overtime, the workweek begins at 12:01 a.m. Monday and ends at midnight on Sunday. The School's standard workday is 12:01 a.m. to 12:00 a.m. (midnight) each day. AMPS reserves the right to change work schedules and assign employees to special schedules as deemed necessary for effective operations. When a change in work schedule is necessary, every effort will be made to provide reasonable advance notice to the employees. Any request to change work hours must be approved in advance by the employee's supervisor.

H. Rest Breaks and Meal Breaks

AMPS provides all non-exempt employees with an opportunity to take an off-duty meal break as allowed by law and authorizes and permits non-exempt employees to take rest breaks in accordance with the law.

Rest Breaks

All non-exempt employees are required to take an uninterrupted ten (10) minute rest break for every four hours of work or major fraction thereof. Rest breaks should be taken as close as possible to the middle of each four hour period of work. Non-exempt employees are required to take one uninterrupted ten (10) minute rest break if they work three and one-half hours in a day but less than six hours, two ten minute rest breaks if they work more than six hours up to ten hours, three ten minute rest breaks if they work more than ten hours up to fourteen hours, and four ten minute rest breaks if they work more than fourteen hours up to eighteen hours. Employees cannot combine rest breaks with meal breaks or other rest breaks. Employees may not perform work during rest breaks and are free to leave the premises provided they can return to the site in order to timely resume work. If an employee is asked to work during a rest break, the employee should report the incident to Human Resources. A rest break is non-work time and cannot be used to come to work late, to extend a meal break, or to leave early. Employees must resume work promptly after the end of the rest break.

You should check with your immediate supervisor to schedule your rest breaks. You do not need to record the beginning and end of rest breaks on your timesheet, unlike meal breaks. If you have any questions about taking your rest break(s), or if you are prevented or discouraged from taking a rest break, you should contact your direct supervisor, the Site Director, or Human Resources Department. Failure to take rest breaks may be grounds for discipline up to and including termination.

Meal Breaks

All non-exempt employees are provided and required to take an unpaid, uninterrupted meal break of thirty (30) minutes for every five hours of work. During the meal break, you are relieved of all duty and free to leave the premises, and go off-site. You may not perform work during your meal break. If someone asks you to work during your meal break, please report the incident to Human Resources. You should let your supervisor know when you will be leaving to take your meal break. Meal breaks should be taken as close to the midpoint of your workday as reasonably practical, but must not start later than the end of your fifth hour of work. In other words, you must start your meal break before the end of your fifth hour of work. Further, all non-exempt employees must take a second uninterrupted meal period of at least 30 minutes for each work period in excess of 10 hours in accordance with this policy. Meal breaks are not paid time, so you will need to record the beginning and end time of your meal break on your timesheet each workday.

An employee whose work period is 5 to 6 hours may waive, in writing, his or her right to a first meal period. Further, an employee may waive his or her right to a second meal period for a work

period as long as the employee does not work more than 12 hours and did not waive his or her first meal period for that work period. The School offers written Meal Period Waiver Agreements that govern an employee's entire employment, which are voluntary and may be revoked at any time, to document the employee's waiver of first and second meal periods.

You should check with your immediate supervisor to schedule your meal breaks. If you have any questions about taking your meal breaks, you should contact your direct supervisor, the Site Director, or Human Resources Department. If you are prevented or discouraged from taking a meal break, you **must** inform your direct supervisor as soon as possible on the same workday. Failure to take meal breaks may be grounds for discipline up to and including termination.

It is mandatory that non-exempt employees take all required breaks. It is very important that your timesheets have an accurate record of when you took your meal break.

Any employee who misses a meal or rest period or who experiences a late, short, or interrupted meal period—for any reason—must immediately report this issue to his or her supervisor and complete a Daily Meal Period and Rest Period Reporting Form. The employee must fill out all fields on the form, including providing a thorough explanation for the non-compliant meal or rest period. The employee must complete and turn in this form to his or her supervisor and Human Resources on the same workday that he or she experienced the non-compliant meal or rest period.

If an employee voluntarily chooses to miss a meal or rest period or take a late, short, or interrupted meal period (e.g., I chose to take my lunch later in the day or I chose to refuse an "authorized" meal period at the time provided by the School), the employee is not entitled to premium pay (one additional hour of pay). If an employee involuntarily experiences a missed meal or rest period or a late, short, or interrupted meal period (e.g., my supervisor asked me to handle a client call or meeting that caused me to miss or take a late meal period), the employee is entitled to premium pay. Employees must report the reason for the non-compliant meal or rest period on the Daily Meal Period and Rest Period Form.

Responsibilities

Non-exempt employees are required to take their meal and rest periods in accordance with this policy. If you encounter any challenges with taking meal or rest periods in accordance with this policy, please immediately contact your supervisor or the Human Resources.

Discipline

Failure to comply with the School's policy regarding meal and/or rest periods can lead to discipline, up to and including termination.

I. Lactation Breaks

AMPS supports the needs of nursing mothers in the workplace and will comply with applicable law. AMPS encourages employees and management to have a positive, accepting attitude toward working women and breastfeeding. AMPS supports breastfeeding and the expression of breast milk by employees who are breastfeeding when they return to work.

Employees may use their meal and/or rest periods for the purpose of expressing breast milk. If required, a reasonable amount of additional time will be provided. Such additional time will be unpaid.

A private location to express breast milk will be provided in close proximity to the employee's work area. The employee's normal work area may be used if it allows the employee to express milk in private. In certain circumstances, a temporary location, multipurpose room, or shared space may be provided in accordance with applicable law. The location will also meet the following requirements: not be a bathroom; be free from intrusion; be shielded from view; be safe, clean, and free of hazardous materials; contain a surface to place a breast pump and personal items; contain a place to sit; and have access to electricity or alternative devices, including, but not limited to, extension cords or charging stations, needed to operate an electric or battery-powered breast pump. In addition, the School shall provide access to a sink with running water and a refrigerator suitable for storing milk in close proximity to the employee's work area. If a refrigerator cannot be provided, the School may provide another cooling device suitable for storing milk, such as a School-provided cooler.

To request the above, please contact Human Resources. The School will respond accordingly, generally within two business days.

If any employee believes that he or she has experienced retaliation or discrimination as a result of conduct protected by this policy, the employee may file a complaint with his or her supervisor and/or the Labor Commissioner's Office. For more information, contact the Labor Commissioner's Office or visit a local office by finding the nearest one on our website: www.dir.ca.gov/dlse/DistrictOffices.htm. The Labor Commissioner's Office provides an interpreter at no cost to the employee, if needed.

STANDARDS OF CONDUCT

A. ***Employee-Student Relations Policy***

Boundaries Defined

For the purposes of this policy, the term “Boundaries” is defined as acceptable professional behavior by employees while interacting with a student. Trespassing beyond the Boundaries of a student/teacher or student/educator relationship is deemed an abuse of power and a betrayal of public trust.

Unacceptable and Acceptable Behavior

Some activities may seem innocent from an employee’s perspective, but some of these can be perceived as flirtation or sexual insinuation from a student or parental point of view. The purpose of the following lists of acceptable and unacceptable behaviors is not to restrain innocent, positive relationships between employees and students but to prevent relationships that could lead to, or may be perceived as, misconduct.

Employees must understand their own responsibilities for ensuring that they do not cross the Boundaries as written in this policy. Disagreeing with the wording or intent of the established Boundaries will be considered irrelevant for any required disciplinary purposes. Thus, it is critical that all employees study this policy thoroughly and apply its spirit and intent in their daily activities. Although sincere, professional interaction with students fosters the charter mission of academic excellence, employee-student interaction has Boundaries regarding the activities, locations, and intentions.

The following is an illustrative list of unacceptable behavior, which includes, but is not limited to:

- Giving gifts to an individual student that are of a personal and intimate nature
- Kissing of ANY kind
- Massage (Note: massages are prohibited in athletics unless provided by massage therapist or other certified professional in an open public location. Coaches may not perform massage or rub-down. Massages are permitted in special education only as instructed under an IEP or 504 plan.)
- Full frontal or rear hugs and lengthy embraces
- Sitting students on one’s lap (grades 3 and above)
- Touching buttocks, thighs, chest or genital area
- Wrestling with students or other staff member except in the context of a formal wrestling program
- Tickling or piggyback rides
- Any form of sexual contact
- Any type of unnecessary physical contact with a student in a private situation
- Intentionally being alone with a student away from the School
- Making, or participating in, sexually inappropriate comments
- Sexual jokes or jokes/comments with sexual double entendre
- Seeking emotional involvement (which can include intimate attachment) with a student beyond the normative care and concern required of an educator
- Listening to or telling stories that are sexually oriented
- Discussing inappropriate personal troubles or intimate issues with a student in an attempt to gain their support and understanding
- Furnishing alcohol, tobacco products, or drugs or failing to report knowledge of such
- “Dating” or “going out with” a student

- Making remarks about physical attributes or physiological development of anyone. This includes comments such as “Looking fine!” or “Check out that [body part].”
- Becoming involved with a student so that a reasonable person may suspect inappropriate behavior
- Giving students a ride to/from School or School activities without parental permission
- Being alone in a room with a student at the School with the door closed
- Taking photographs or videos of students for personal use or posting online
- Undressing in front of a student
- Leaving campus alone with a student for lunch
- Sharing a bed, mat, or sleeping bag with a student
- Allowing students in your home without signed parent permission for a preplanned and precommunicated educational activity that must include the presence of another educator, parent, or other responsible adult
- Excessive attention toward a particular student
- Sending e-mails, text messages, instant messages, social media messages, or letters to students if the content is not about School activities and not in accordance with applicable School policies or in violation of the School’s Social Media Policy
- Being “friends” with a student on any personal or non-School social media website
- Communicating with students or parents/guardians in violation of the School’s Social Media Policy
- Engaging in inappropriate and/or unprofessional communications with students on School social media
- Using profanity with or to a student
- Involving students in non-educational or non-school related issues, including, but not limited to, the employee’s employment issues

The following is an illustrative list of acceptable and recommended behavior, which includes, but is not limited to:

- Obtaining parents’ written consent for any after-school activity on or off campus (exclusive of tutorials)
- Obtaining formal approval (School and parental) to take students off School property for activities such as field trips or competitions
- E-mails, text messages, phone conversations, and other communications to and with students must be professional and pertain to School activities or classes, and communication should be initiated via School-based technology and equipment
- Keeping the door open when alone with a student
- Keeping reasonable space between you and students
- Stopping and correcting students if they cross your own personal boundaries
- Keeping parents informed when a significant issue develops about a student
- Keeping after-class discussions with a student professional and brief
- Asking for advice from senior staff or administrators (such as Human Resources or the CEO) if you find yourself in a difficult situation related to Boundaries
- Involving your supervisor if conflict arises with a student
- Informing Human Resources or the CEO about situations that have the potential to become more severe
- Making detailed notes about an incident that could evolve into a more serious situation later
- Recognizing the responsibility to stop unacceptable behavior of students and/or coworkers

- Asking another employee to be present if you will be alone with any student who may have severe social or emotional challenges
- Asking another employee to be present, or within close supervisory distance, when you must be alone with a student after regular School hours
- Giving students praise and recognition without touching them in questionable areas; giving appropriate pats on the back, high five's, and handshakes
- Keeping your professional conduct a high priority during all moments of student contact
- Asking yourself if any of your actions that go contrary to these provisions are worth sacrificing your job, your career, and the reputation of the School

This policy does not prevent: 1) touching a student for the purpose of guiding them along a physical path; 2) helping them up after a fall; or 3) engaging in a rescue or the application of Cardio Pulmonary Resuscitation (CPR) or other emergency first-aid. Nor does it prohibit the use of reasonable force and touching in self-defense or in the defense of another. Restraining a child who is trying to engage in violent or inappropriate behavior is also allowed. Only such force as necessary to defend one's self, another person, or the child or to protect property is legally permitted. Excessive force is prohibited.

Reporting Violations

When an employee becomes aware of another employee having crossed the Boundaries specified in this policy, he or she must promptly report the suspicion to Human Resources or the Chief Academic Officer. All reports shall be kept as confidential as possible. Prompt reporting is essential to protect students, the suspected employee, any witnesses, and the School as a whole. Employees must also report to the administration any awareness of, or concern about, student behavior that crosses Boundaries or any situation in which a student appears to be at risk for sexual abuse.

Child Abuse & Neglect Reporting

California Penal Code section 11166 requires any mandated reporter (including teachers, instructional aides and "classified" employees of a public school) who has knowledge of, or observes, a child in his or her professional capacity or within the scope of his or her employment whom he or she knows or reasonably suspects has been the victim of child abuse or neglect to report the known or suspected instance of child abuse or neglect to a child protective agency immediately, or as soon as practically possible, by telephone and to prepare and send a written report thereof within thirty-six (36) hours of receiving the information concerning the incident. Employees may, but are not required to report such incidents to Human Resources and the CEO. Reporting such incidents to Human Resources and the CEO does not relieve the employee of responsibility to also immediately report such incidents to the appropriate child protective agency by telephone and to send a written report thereof within thirty-six (36) hours. However, employees may work cooperatively to report the incidents and to file one written report. Employees who have any questions about these reporting requirements should contact Human Resources.

"Child" is defined as a person under the age of 18 years. The term "child abuse or neglect" includes sexual abuse; neglect defined as the negligent treatment or the maltreatment of a child by a person responsible for the child's welfare under circumstances indicating harm or threatened harm to the child's health or welfare including both acts and omissions on the part of the responsible person; willful cruelty or unjustifiable pain or suffering; unlawful corporal punishment or injury; and abuse or neglect in out-of-home care. Child abuse or neglect does not include a mutual affray between minors or an injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his or her employment as a peace officer.

Employees shall not contact the child's family or any other persons to determine or investigate the cause of the suspected abuse or neglect.

Investigating

AMPS will investigate any allegation of a violation of the Employee-Student Relations Policy, using such support staff or outside assistance as he or she deems necessary and appropriate under the circumstances, unless the allegation also constitutes a reportable allegation under California Penal Code section 11166. In the event the allegation also constitutes such a reportable allegation, AMPS shall comply with the legal requirements of immediately reporting the allegation to a child protective agency and shall follow up such report with a written report with thirty-six (36) hours.

If the allegation is only a violation of the Employee-Student Relations Policy, but not a violation of California Penal Code section 11166, AMPS shall conduct an investigation as set forth above. Throughout this fact-finding process, the investigating administrator, and all others privy to the investigation, will protect the privacy interests of any affected student(s) and/or employee(s), including any potential witnesses, to the fullest extent possible.

Violations

Violations of this policy may result in disciplinary action, up to and including termination. When appropriate, violations of this policy may also be reported to authorities for potential legal action.

B. Confidential Information

All information relating to students, including personal information, schools attended, addresses, contact numbers and progress information is confidential in nature, and may not be shared with or distributed to unauthorized parties. All records concerning special education pupils shall be kept strictly confidential and maintained in separate files.

It is important to the School to protect and preserve its trade secrets and confidential information. Confidential information includes, but is not limited to, parent and student lists, lesson plans, techniques and concepts, marketing plans, strategies, forecasts, bid plans, bid strategies, bid information, contract prices, new products, software, computer programs, writings, and all know-how and show-how whether or not protected by patent, copyright, or trade secret law. Personal, private information about other employees and personnel matters are also confidential, if learned as a part of the employee's job performance. The School devotes significant time, energy, and expense to develop and acquire its trade secrets and confidential information. As an employee of the School you will, during the course of your employment, have access to and become familiar with various trade secrets and confidential information that are owned by the School. An employee shall not, directly or indirectly, disclose or use any of the foregoing information other than for the sole benefit of the School, either during the term of your employment or at any other time thereafter. This information shall not be disclosed except through normal channels and with authorization. Any and all trade secrets or confidential information shall be returned to the School during extended leaves of absence or upon termination of employment.

The School prohibits audio or video recordings in the workplace, during working hours, without authorization of the School due to privacy and confidentiality concerns and protections.

Failure to maintain confidentiality consistent with this policy may result in disciplinary action, up to and including termination.

C. Rules of Conduct

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

This list of prohibited conduct is illustrative only and not meant to be exhaustive:

- *Insubordination* - refusing to perform a task or duty assigned or act in accordance with instructions and / or policies provided by an employee's supervisor, AMPS' policies, or proper authority.
- *Inefficiency* - including deliberate restriction of output, carelessness or unnecessary wastes of time or material, neglect of job, duties or responsibilities.
- *Unauthorized soliciting*: collecting of contributions, distribution of literature, or written or printed material that is not directly related to the School is strictly prohibited in work areas during work times (see Solicitation and Distribution Policy, below) by both non-employees and by employees. However, nothing in this provision is intended to limit the rights of employees to organize, or otherwise engage in conduct expressly permitted under the National Labor Relations Act.
- Damaging, defacing, unauthorized removal, destruction or theft of another employee's property or of AMPS property.
- Fighting or instigating a fight on AMPS premises.
- Violations of the drug and alcohol policy.
- Using or possessing firearms, weapons or explosives of any kind on AMPS premises.
- Gambling on AMPS premises.
- Tampering with or falsifying any report or record including, but not limited to, personnel, absentee, sickness or production reports or records, applications for employment, payroll information, timesheets, and time cards.
- Recording the timesheets of another employee or permitting or arranging for another employee to record your timesheet.
- Conducting personal business during business hours and/or unauthorized use of telephone lines for personal calls.
- Excessive absenteeism or tardiness excused or unexcused except to the extent permitted by law.
- Posting any notices on AMPS premises without prior written approval of management, unless posting is on an AMPS bulletin board designated for such employee postings.
- Engaging in sabotage or espionage (industrial or otherwise)
- Violations of the discrimination, harassment and retaliation prevention policy.
- Failure to report a job-related accident to the employee's manager or failure to take or follow prescribed tests, procedures or treatment.
- Sleeping during work hours.
- Release of confidential information without authorization.
- Refusal to speak to supervisors or other employees.
- Unauthorized use of cameras or other recording devices on School premises.
- Intentionally supplying false information in order to obtain a leave of absence or other benefits from the School.

- Poor attendance, including, but not limited to, habitual tardiness and/or absenteeism, leaving early without permission, absence from work without permission, and abuse of time during work hours, to the extent permitted by law.
- Unsatisfactory work performance.

This statement of prohibited conduct does not alter the School's policy of at-will employment. The School and you retain the right to terminate the employment relationship at any time, with or without reason or advance notice.

D. Employment References

All requests for references must be directed to Human Resources. No other manager, supervisor, or employee is authorized to release references for current or former employees. The School's policy as to references for employees who have left the School is to disclose only the dates of employment and the title of the last position held. If you authorize disclosure in writing, the School will also provide a prospective employer with the information on the amount of salary or wage you last earned.

OPERATIONAL CONSIDERATIONS

A. *Computer Usage and Privacy*

Every user who is provided access to the School's Communications Systems is responsible for using the Communications Systems in accordance with this policy. Any questions about this policy should be addressed to Human Resources.

Definitions

The School's electronic communications systems ("Communications Systems") includes, but is not limited to, computers, laptops, e-mail, telephones, cellular phones, tablets, PDAs, text messaging, instant messaging, video conferencing, voice mail, facsimiles, and connections to the Internet and other internal or external networks.

Ownership and Conditions of Use

The Communications Systems is the property of the School. It has been provided by the School for the sole purpose of conducting School-related business as well as other business that is approved by the CEO of the School. All communications and information transmitted by, received from, or stored in these systems are School records and the property of the School.

Electronic communications are a means of business communication. The School requires all users to conduct themselves in a professional manner. Users should conduct all electronic communications with the same care, judgment, and responsibility that they would use when sending letters or memoranda written on School letterhead. Special care must be taken when posting any information on the Internet because of the potentially broad distribution of and access to such information.

To protect the integrity of the School's Communications Systems and the users thereof against unauthorized or improper use of these systems, the School reserves the right, without notice, to limit or restrict any individual's use, and to inspect, copy, remove, or delete any unauthorized use of its Communications Systems upon authorization of the CEO or his or her designee. The School also reserves the right periodically to monitor the use of its Communications Systems and to access users' voice mail, Internet access, and e-mail for that purpose or any other business related purpose upon authorization of the CEO or his or her designee.

Erasing an e-mail message from a mailbox does not necessarily erase all copies of the message on the network. Archived copies may be stored for substantial periods of time and are subject to the provisions of this policy regarding content, review, access, and disclosure.

Users are required to comply with the School's Computer Usage and Privacy Policy and agree to be bound by this policy by using the School's Communications Systems.

Confidentiality and Privileges

Information stored on the Communications Systems is intended to be kept confidential within the School. The School has taken all reasonable steps to assure confidentiality and security. Like other means of communication, however, it is not possible to guarantee complete security of electronic communications either within or outside the School, and care should be exercised when sending or receiving sensitive, privileged, or confidential information electronically. For example, information sent through the Internet can be monitored by external systems en route to its final destination. All users must keep this in mind when forwarding sensitive, confidential, and/or privileged information. Where appropriate, this fact should be disclosed to outside contacts.

Prohibited Use

Users are prohibited from using the Communications Systems for any unauthorized or unlawful purpose, including, but not limited to, the following:

- Users of the Communications Systems are strictly prohibited from using the Communications Systems to deliver a message that is harassing or offensive on the basis of any characteristic protected by law as set forth in the School's policies against discrimination, harassment, and retaliation. Those policies apply to all aspects of employment, including the use of the Communications Systems.
- Users are prohibited from using the Communications Systems for transmitting or making accessible annoying, offensive, defamatory, or harassing material or intentionally damaging or violating the privacy of information of others.
- Users are prohibited from using the Communications Systems to transmit, display, store, publish, or purposely receive any pornographic, obscene, or sexually explicit material.
- Users must respect all copyrights and licenses to software and other online information, and may not upload, download, or copy software or other material through the Communications Systems without the prior written authorization of the CEO of the School.
- Users must not alter, copy, transmit, or remove School information, proprietary software, or other files without proper authorization from the School.
- Users are prohibited from reading, copying, recording, or listening to messages and information delivered to another person's e-mail and voice mail mailboxes without proper authorization, based on legitimate business reasons, from the Board or CEO or his/her/its designee. Anyone who receives an electronic communication for which he or she is not the intended recipient must immediately inform the sender that the message was sent improperly and must delete the message from their e-mail and voice mail mailboxes.

Access and Disclosure

The Communications Systems is provided solely for the purpose of conducting the School business. Incidental and occasional personal use of the Communications Systems is permitted, but such communications must not disrupt School business, and users do not have any expectation of personal privacy in any matters stored in, created, received, or sent over the Communications Systems.

The School, as owner of the Communications Systems, to protect the integrity of its systems from unauthorized or improper use, reserves the right for legitimate business reasons, upon authorization of the Board or CEO or his/her/its designee, to monitor, access, retrieve, download, copy, listen to, or delete anything stored in, created, received, or sent over its Communications Systems without the permission of or prior notice to any user.

Although the School entrusts you with the use of voice mail, e-mail, computer files, software, or similar School property, you should keep in mind that these items have been installed and maintained at great expense to the School and are only intended for business purposes. At all times, they remain School property. Likewise, all records, files, software, and electronic communications contained in these systems also are School property. You are advised that electronic files, records, and communications on School computer systems, electronic communication systems, or through the use of School telecommunications equipment are not private. Although they are a confidential part of School property, you should not use this equipment or these systems for confidential messages. The use of passwords to limit access to

these systems is only intended to prevent unauthorized access to voice mail, e-mail, and computer systems, files, and records. Additionally, these systems are subject to inspection, search, and/or monitoring by School personnel for any number of business reasons. As a result, employees do not have an expectation of privacy in this regard. Accordingly, these systems and equipment should not be used to transmit personal messages, except in necessary situations or when exceptions are specifically sanctioned by management. Voice mail messages and e-mail messages should be routinely deleted when no longer needed. The School is not responsible for costs incurred when employees use School telephones or e-mail systems for personal matters.

You should be advised to use voice mail and e-mail as cautiously as you would use any more permanent communication medium such as a memorandum or letter. You should realize that e-mail messages:

- May be saved and read by third parties.
- May be retrieved even after "deletion."
- May be accessed by authorized service personnel.
- May be examined by management without notice for business purposes.

There will be times when the School, in order to conduct business, will utilize its ability to access your e-mail, voice mail, computer files, software, or other School property. The School also may inspect the contents of your voice mail, e-mail, computers, computer files, or software to monitor job performance, for training or quality control purposes, or when the School suspects that School property is being used in an unauthorized manner.

The School reserves the right to use and disclose any electronic non-privileged communication on its Communications Systems without the permission of or any prior notice to any user, including disclosure to law enforcement officials.

Retention in the Event of Litigation, Subpoena, or Regulatory Inquiry

In the event of any subpoena, regulatory inquiry, or litigation, employees are prohibited from deleting, discarding, or destroying any emails or other Communications Systems relating in any way to the subpoena, regulatory inquiry, or litigation. Employees will be notified if this occurs.

Discipline for Violations of Policy

Any person who discovers misuse of the Internet access or any of the School's Communications Systems should immediately contact Human Resources or the CEO of the School. Any user who violates any part of this policy will be subject to discipline, up to and including immediate termination.

Policy May Be Amended at Any Time

The pace of technological change and growth in electronic communications is rapid. This policy applies to all present and future electronic communications systems and devices and to improvements and innovations to existing systems and devices and to completely new technologies, devices, and systems. The School reserves the right to amend this policy at any time through an authorized writing from an authorized School representative.

B. Social Media Policy

In light of the explosive growth and popularity of social media technology in today's society, the School has developed the following policy to establish rules and guidelines regarding the appropriate use of social media by employees. This policy applies to situations when you: (1) make a post to a social media platform that is related to the School; (2) engage in social media

activities during working hours; (3) use School equipment or resources while engaging in social media activities; (4) use your School e-mail address to make a post to a social media platform; (5) post in a manner that reveals your affiliation with the School; or (6) interact with School students or parents/guardians of School students (regarding School-related business) on the Internet and on social media sites.

For the purposes of this policy, the phrase “social media” refers to the use of a website or other electronic application to connect with other people, including, but not limited to, Facebook, Instagram, Twitter, Pinterest, LinkedIn and YouTube, as well as related web-based media, such as blogs, wikis, and any other form of user-generated media or web-based discussion forums. Social media may be accessed through a variety of electronic devices, including computers, cell phones, smart phones, PDAs, tablets, and other similar devices.

This policy is intended to supplement, not replace, the School’s other policies, rules, and standards of conduct. For example, School policies on confidentiality, use of School equipment, professionalism, employee references and background checks, workplace violence, unlawful harassment, and other rules of conduct are not affected by this policy.

You are required to comply with all School policies whenever your social media activities may involve or implicate the School in any way, including, but not limited to, the policies contained in this Handbook.

Standards of Conduct

You are required to comply with the following rules and guidelines when participating in social media activities that are governed by this policy:

- Comply with the law at all times. Do not post any information or engage in any social media activity that may violate applicable local, state, or federal laws or regulations.
- Do not engage in any discriminatory, harassing, or retaliatory behavior in violation of School policy.
- Respect copyright, fair use, and financial disclosure rules and regulations. Identify all copyrighted or borrowed material with proper citations and/or links.
- Maintain the confidentiality of the School’s trade secrets and private or confidential information. Trade secrets may include information regarding the development of systems, processes, products, know-how, and technology. Do not post internal reports, policies, procedures, or other internal business-related confidential communications. This prohibition applies both during and after your employment with the School.
- Do not post confidential information (as defined in this Handbook) about the School, its employees, or its students. Remember that most student information is protected by the Family Educational Rights and Privacy Act, including any and all information that might identify the student. Publicizing student work and accomplishments is permitted only if appropriate consents are obtained.
- While it is acceptable to engage in limited and incidental social media activities at work, such social media activities may not interfere with your job duties or responsibilities.

Do not use your School-authorized e-mail address to register on social media websites, blogs, or other online tools utilized for personal use.

- Be knowledgeable about and comply with the School's background check procedures. Do not "research" job candidates on the Internet or social media websites without prior approval from Human Resources.
- Be knowledgeable about and comply with the School's reference policy. Do not provide employment references for current or former employees, regardless of the substance of such comments, without prior approval from Human Resources.
- We encourage you to be fair and courteous to fellow employees, students, parents, vendors, customers, suppliers, or other people who work on behalf of the School. We also encourage you to avoid posting statements, photographs, video, or audio that could be reasonably viewed as malicious, obscene, threatening, or intimidating, that disparage employees, students, parents, vendors, customers, suppliers, or other people who work on behalf of the School, or that might constitute harassment or bullying.
- Make sure you always try to be honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Please do not post any information or rumors that you know to be false about the School, fellow employees, students, parents, vendors, customers, suppliers, people working on behalf of the School, or competitors.
- Express only your personal opinions. Never represent yourself as a spokesperson for the School unless authorized to do so. If you publish social media content that may be related to your work or subjects associated with the School, make it clear that you are not speaking on behalf of the School and that your views do not represent those of the School, fellow employees, students, parents, vendors, customers, suppliers, or other people working on behalf of the School. It is best to use a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of the School."
- Never be false or misleading with respect to your professional credentials.

Creating and Using School Social Media

Employees are only permitted to communicate and connect with students on social media that is owned and operated by the School. Employees are only permitted to communicate and connect with students' parents or guardians regarding School-related matters on social media that is owned and operated by the School. All communications with parents or guardians regarding School-related matters on non-School or personal social media may result in disciplinary action, up to and including termination. Any communication whatsoever with students on non-School or personal social media may result in disciplinary action, up to and including termination.

The COO and IT Department, in addition to Human Resources and members of the School's administration, are responsible for approving requests for School social media, monitoring School social media for inappropriate and unprofessional content, and maintaining the social media account information (including, but not limited to, username and password). The School has final approval over all content and reserves the right to close the social media at any time, with or

without notice. Any inappropriate or unprofessional communications may result in disciplinary action, up to and including termination.

To set up social media that is owned and operated by the School in compliance with this policy, employees must adhere to the following procedures:

- Request and obtain permission to create School social media from the COO.
- Contact the COO to set up the social media. Provide the COO with the username and password that you would like assigned to the account. If you change the username and/or password, you must immediately update this information with the COO and the IT Department. Failure to do so may result in disciplinary action, up to and including termination.

Any social media created and/or used in violation of this policy may result in disciplinary action, up to and including termination.

Access

Employees are reminded that the School's various electronic communications systems, including, but not limited to, its electronic devices, computers, telephones, e-mail accounts, video conferencing, voice mail, facsimiles, internal and external networks, computers, cell phones, smart phones, PDAs, tablets, and other similar devices, are the property of the School. All communications and information transmitted by, received from, or stored in these systems are School records.

As a result, the School may, and does, monitor its employees' use of these electronic communication systems, including for social media activities, from time to time. The School may monitor such activities randomly, periodically, and/or in situations when there is reason to believe that someone associated with the School has engaged in a violation of this, or any other, School policy. As a result, employees do not have a reasonable expectation of privacy in their use of or access to the School's various electronic communications systems.

Discipline

Any violation of this Social Media Policy may result in disciplinary action, up to and including immediate termination.

Retaliation Is Prohibited

The School prohibits retaliation against any employee for reporting a possible violation of this policy or for cooperating in an investigation of a potential violation of this policy. Any employee who retaliates against another employee for reporting a possible violation of this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

Questions

In the event you have any questions about whether a particular social media activity may involve or implicate the School, or may violate this policy, please contact Human Resources.

Social media is in a state of constant evolution, and the School recognizes that there will likely be events or issues that are not addressed in these guidelines. Thus, each School employee is responsible for using good judgment and seeking guidance, clarification, or authorization *before* engaging in social media activities that may implicate this policy.

C. Personal Business

Amethod Public School facilities for handling mail and telephone calls are designed to accommodate School business. Please have your personal mail directed to your home address and limit personal telephone calls to an absolute minimum. Personal calls that would result in additional fees to the School are not permitted. **Do not use School material, time or equipment for personal projects.**

D. News Media Contacts

Employees occasionally may be approached for interviews or comments by the news media. Only employees designated by the CEO, who is the identified principal point of contact, may comment to news reporters on behalf of Amethod Public Schools.

E. Notice Posting

Amethod Public Schools notices and notices required by law will be regularly posted on our bulletin board(s) or designated area(s). Employees should make it a practice to review them frequently so that they can keep current regarding news about Amethod Public Schools. Employees may not post or remove items on the bulletin board(s) or designated area(s) without approval by their supervisor. The same restrictions apply to bulletin boards located in employee break areas. Employees who wish to post on the bulletin board should obtain approval from their supervisor.

F. Conflict of Interest

While employed by the School, all employees owe a duty of loyalty to the School and must avoid situations involving an actual or potential conflict of interest. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the School's business dealings. For purposes of this policy, "relatives" are defined to include spouses, registered domestic partners, children, siblings, parents, in-laws, and step-relatives. Instances where an actual or potential conflict of interest may arise include, but are not limited to, the acceptance of gifts, engaging in outside activities, and personal and familial relationships.

An employee involved in any relationships or situations which may constitute a conflict of interest should immediately and fully disclose the relevant circumstances to his or her immediate supervisor, Human Resources or the CEO or designee, who will attempt to determine whether a potential or actual conflict exists. If an actual or potential conflict is determined, AMPS may take whatever corrective action appears appropriate according to the circumstances. Failure to disclose facts may constitute grounds for disciplinary action.

Notwithstanding this policy, if an employee is a "designated employee" under the AMPS' Conflicts of Interest Code (adopted pursuant to the Political Reform Act), then the employee must comply with those provisions in addition to this policy.

Personal and Familial Relationships With Co-Workers

Relatives of employees may be eligible for employment with the School only if the individuals involved do not work in a direct supervisory relationship or in job positions in which an actual or potential conflict of interest could arise. Current employees who marry will be permitted to continue working in the same job positions held only if they do not work in direct supervisory relationship with one another or in job positions involving conflicts of interest.

Gifts

Improper personal gain may result not only where an employee or relative has a significant ownership interest in a company with which the School does business but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the School. The receipt of occasional flowers, candy or gifts worth less than \$100.00 from clients, customers, or vendors fall outside the intent of this policy and acceptance of such items is permissible. However, employees must obtain written approval from the CEO before accepting any item worth in excess of \$100.00 from clients, customers, or vendors. Under no circumstances shall a School employee accept monetary gifts consisting of, but not limited to, gift certificates, coupons, entertainment tickets etc.

Gifts that an employee may receive from donors or donor websites i.e. (Donors Choose, etc.) for use by the School, its students or at a specific Amethod School Site will be considered property of the Amethod Public School. Such donations will remain with the Amethod Public School upon termination of the employment relationship to continue to benefit the intended student population.

Outside Activities

The School recognizes the right of employees to engage in activities outside of their employment that are of a private nature and unrelated to the School's business. However, employees may not engage in any outside activity, including outside employment, which presents an actual or potential conflict of interest. Such outside activities must not affect the employee's work hours, interfere or conflict with the employee's job duties, raise any ethical or conflict of interest concerns, or create any conditions that may impact the employee's job performance. Each employee must disclose any outside employment that may create an actual or potential conflict of interest to the supervisor and Human Resources in writing.

Employees also may not use the School's name, logo, supplies, equipment, or other property in connection with any outside activities.

G. Employer Property

Lockers, computers, desks, bookshelves, and other employer-owned property are Amethod Public Schools property and must be maintained according to Amethod Public Schools rules and regulations. They must be kept clean and are to be used only for work-related purposes. Amethod Public Schools reserves the right to inspect all Amethod Public Schools property to ensure compliance with its rules and regulations, without notice to the employee and at any time, not necessarily in the employee's presence. Prior authorization must be obtained before any School property may be removed from the premises. Materials developed by an employee for purposes of his or her employment with the School are considered School property. All School property must be immediately returned upon termination of the employment relationship.

Employees are prohibited from deliberately performing acts that waste any of the resources of AMPS or unfairly monopolize any of the resources to the exclusion of others. These acts include, but are not limited to, using the e-mail system for other than business-related communications, sending multiple pictures using the e-mail system (unless specifically authorized to do so and business-related), sending mass mailings or chain letters, spending excessive amounts of time on the Internet, playing games, engaging in on-line chat groups, printing multiple copies of large documents, wasting paper frivolously, undertaking excessively large OCR scanning projects, or otherwise creating unnecessary network traffic.

H. Employee Property

For security reasons, employees should not leave personal belongings of value in the workplace, (i.e. desks, bookshelves, counter, etc.). Terminated employees should remove as many personal items as time permits at the time they leave AMPS. Personal items left in the workplace are subject to storage, and eventually disposal if not claimed at the time of an employee's termination.

I. Dress Code and Other Personal Standards

Amethod Public School employees and volunteers serve as role models for the students and as representatives of Amethod Public Schools. Consistent with these roles, all employees and volunteers shall dress professionally and appropriately relative to their specific job duties and responsibilities and shall adhere to standards of dress and appearance that are compatible with an effective learning environment. Wearing clothing which is sexually provocative or unduly revealing, which contains profane, vulgar, offensive or obscene statements or images, or which may disrupt the orderly operation of the school is prohibited.

Administrators and administrative support employees are expected to project a professional image and should dress appropriately for an office/business environment. Teachers and staff serve as role models, and they should maintain professional standards of dress and grooming. Physical education teachers, coaches and athletic volunteers should wear the appropriate athletic attire necessary to meet the requirements of their job responsibilities and a sweat or warm-up suit when not actively teaching physical education classes or coaching. Site Directors and the CEO may also determine different or more specific dress standards from time to time.

Specific examples of attire, or lack of attire, considered inappropriate and prohibited under this policy include but are not limited to:

- Excessively tight clothing;
- Clothing which promotes alcoholic beverages, tobacco, or the use of controlled substances by words or symbols;
- Tube tops;
- Plain white or tank top T-shirts;
- Clothing with slurs, political statements, slogans, etc., other than the School's logo and or School motto;
- Shorts that end more than 2 inches above the knee;
- Exposed body areas usually concealed by clothing such as torso, chest, back, stomach, etc.;
- Bright colored hair dye (unless as excused for school spirit functions or discussed with Site leaders);
- Clothing which contains profanity, nudity, depicts violence, or is sexual in nature by words or symbols;
- Open toed shoes, sandals, or flip flops;
- Tank tops or spaghetti strap tops;
- Undergarments worn as an outer garment or any see-through clothing that reveals an undergarment;
- Hats, visors, sunglasses, sweatbands, and bandanas (may be worn outside but must be removed when inside the workplace);
- Jeans (except for nice jeans on Friday Casual Option).

Reasonable accommodations shall be made where appropriate and as approved in writing by the supervisor for those employees or volunteers who, because of a sincerely held religious belief, cultural heritage, or medical reason, request a waiver of a particular part of this policy.

Piercings and Tattoos

Body piercings (e.g. jewelry affixed to a nose, tongue, cheek, lip or eyebrow), other than appropriate earrings are prohibited. Tattoos should not be exposed and should be covered as best as possible.

Friday Business Casual Dress Policy

The normal dress code will be relaxed on Fridays to provide a more comfortable clothing standard and foster school/collegiate spirit. Fridays throughout the year will be designated as Business Casual Dress Day. It is the intent that each employee may choose to wear less formal attire as long as clothing is in good taste and will not negatively affect the Site's image. Casual dress is outlined as follows:

- Casual shirts: AMPS or site branded polo shirts. All shirts with collars, business casual crewneck or V-neck shirts, blouses, golf and polo shirts in school colors. College-branded shirts are acceptable. Examples of inappropriate shirts include; shirts with inappropriate slogans, tank tops, muscle shirts, camouflage and crop tops. In specified circumstances, T-shirts may be approved and provided for specific events only.
- Pants: Casual slacks and trousers and jeans without holes, frays, etc. Examples of inappropriate pants include shorts (except for walking-length shorts), camouflage and pants worn below the waist or hip line.
- Footwear: Casual slip-on or tie shoes, dress sandals with heel straps and athletic shoes if approved by the department. Examples of inappropriate footwear include floppy sandals, flip-flops and construction or hunting boots.

J. *Parking*

Employees may park their vehicles in any Amethod Public Schools marked space, if space permits. If space is unavailable, employees must park in permissible public areas on the streets in the vicinity of Amethod Public Schools property. Amethod Public Schools is not responsible for any loss or damage to employee vehicles or contents while parked on or off of Amethod Public Schools property.

K. *Solicitation and Distribution of Literature*

In order to maintain and promote efficient operations, discipline, and security, the School maintains rules applicable to all employees that govern solicitation, distribution of written material, and entry onto the premises and work areas. All employees are expected to comply with these rules, which will be strictly enforced. Any employee who is in doubt concerning the application of these rules should immediately consult with his or her supervisor. These rules are:

1. No employee shall sell merchandise or solicit or promote support for any cause or organization during his or her working time or during the working time of the employee(s) at whom such activity is directed. As used in these rules, working time excludes meal and break periods.

2. No employee shall distribute or circulate any written or printed material, other than those approved by management for business purposes, in work areas at any time or during his or her working time or during the working time of the employee(s) at whom such activity is directed.
3. No employee shall enter or remain in School work areas for any purpose except to report for, be present during, and conclude a work period. Non-exempt employees must not begin work and clock in at his or her working area more than 10 minutes before they are scheduled to begin and must stop work and clock out from his or her work area no later than 10 minutes after their work scheduled for the day is completed. Work area does not include School parking lots, break rooms, gates, or other similar outside areas unless an employee is assigned to work in such areas.
4. Under no circumstances will non-employees be permitted to solicit or distribute written material for any purpose on School property.
5. Non-employees must sign in at the front office before entering School property.

Violations of this policy may result in disciplinary action, up to and including termination.

L. Health and Safety Policy

Amethod Public Schools is committed to providing and maintaining a healthy and safe work environment for all employees.

- You are required to know and comply with the School's Safety Manual and to follow safe and healthy work practices at all times.
- You are required to report immediately to the School's Site Director any potential health or safety hazards, and all injuries or accidents.

M. Drug and Alcohol Abuse Policy

It is the intent of Amethod Public Schools to promote a safe, healthy and productive work environment for all employees. We believe our employees have the right to work in an alcohol and drug-free environment and to work with persons free from the effects of alcohol and drugs. Employees who abuse alcohol or drugs are a danger to themselves and to other employees. We are therefore committed to maintaining a safe and healthy workplace free from the influence of alcohol and drugs. We hope all employees will join with us in achieving our goal of a safe and productive drug-free workplace.

For purposes of this policy, "illegal drugs" includes, but is not limited to, substances that are prohibited by law (such as cocaine, heroin, etc.), controlled substances, marijuana (including medicinal marijuana and marijuana vaping or other recreational marijuana use), and prescription drugs (if they are not prescribed for the person using them and/or not being used as prescribed). "Drug paraphernalia" means any accessory for the use, possession, manufacture, distribution, dispensation, purchase, or sale of illegal drugs. "Under the influence" means that the employee is affected by alcohol, prescription medication that impairs cognitive or physical functions, and/or illegal drugs in any detectable manner.

The School complies with all Federal and State regulations regarding drug use while on the job. This policy prohibits the following:

- Use, possession, purchase, or offer for sale of illegal drugs, drug paraphernalia or alcohol during working hours, including meal and break periods, or in the presence of pupils;
- Use, possession, purchase, or offer for sale of illegal drugs, drug paraphernalia, or alcohol on School property at any time;
- Use, possession, purchase, or offer for sale of illegal drugs, drug paraphernalia, or alcohol while attending a School function or event;
- Storing alcohol (if unauthorized), illegal drugs, or drug paraphernalia in a locker, desk, automobile, or other repository on the School's premises;
- Refusing to submit to an inspection or testing when requested by the School;
- Being under the influence of illegal drugs, prescription medication that impairs cognitive or physical functions and/or alcohol during working hours, while on the School's premises and/or attending a School function or event;
- Conviction under any criminal drug statute for a violation occurring in the workplace; or
- Failure to keep all prescribed medicine in its original container.

In addition, if you are required to take any kind of prescription or nonprescription medication that will affect your ability to perform your job, you are required to report this to Human Resources. Human Resources will determine if it is necessary to temporarily place you on another assignment or take other action as appropriate to protect your safety and the safety of other employees and students.

This policy will not be construed to prohibit the use of alcohol at social or business functions sponsored by the School where alcohol is served or while entertaining actual or prospective donors to the School. However, employees must remember their obligation to conduct themselves appropriately at all times while at School-sponsored functions or while representing the School.

Searches

The School may at times conduct unannounced searches of School property for alcohol, illegal drugs, drug paraphernalia, and/or unauthorized controlled substances or to ensure compliance with any other School-related policy. This may include desks, storage areas and rooms normally used to store employees' personal property. As a result, employees do not have an expectation of privacy in this regard.

Testing

The School may require a test by intoxilator, blood test, urinalysis, medical examination, or other drug/alcohol screening of those persons whom the School reasonably suspects of using, possessing, or being under the influence of a drug or alcohol. Such testing will be conducted if two or more employees observe an employee acting in such a manner to raise suspicion that the employee is under the influence of an illegal drug or alcohol or is acting in such manner that they may harm themselves or another employee.

Any refusal to submit to such testing will be considered a positive screen. An employee's consent to submit to such a test is required as a condition of employment, and an employee's refusal to consent may result in disciplinary action, including termination for a first refusal or any subsequent refusal. The School shall determine the manner in which such testing is conducted with the goal being to ensure that the test results are accurate.

Such a test may be required of employees involved in any work-related accident or unsafe practice where the safety of the employee or other employees was jeopardized. Periodic retesting may also be required following positive test results or after any violation of this policy or rehabilitation.

Violations

Compliance with this policy is a condition of employment at the School. Failure or refusal of an employee to cooperate fully, sign any required document, or submit to any inspection or testing will result in discipline, up to and including termination. Furthermore, any violations of this policy may result in disciplinary action, up to and including termination, at the School's sole discretion.

Employees should be aware that participation in a rehabilitation program will not necessarily prevent the imposition of disciplinary action, including termination, for violation of this policy. Employees who undergo voluntary counseling or treatment and who continue to work, if any, must meet all established standards of conduct and job performance.

Because the use, sale, purchase, possession, or furnishing of an illegally obtained substance is a violation of the law, School may report such illegal drug activities to an appropriate law enforcement agency.

N. Smoking

Amethod Public School sites are all non-smoking facilities. Smoking is prohibited on AMPS property and campuses.

O. Security Protocols

The security of facilities as well as the welfare of our employees depends upon the alertness and sensitivity of every individual to potential security risks. To help maintain a secure workplace, be aware of unknown persons loitering in parking areas, walkways, entrances and exits and service areas. Report any suspicious persons or activities to the Site Director or your supervisor immediately.

Secure your desk or office at the end of the day. When called away from your work area for an extended length of time, do not leave valuable or personal articles around your work station that may be accessible. You should immediately notify Human Resources when keys are missing or if security access codes or passes have been breached.

P. Safety and Incident Reporting

Amethod Public Schools is committed to providing a safe working environment and accident prevention is of primary importance in all phases of operation and administration. If an employee is ever in doubt how to perform a job or task safely, he or she should request assistance. All employees must report unsafe conditions to management immediately and remedy them to the extent possible. Employees must also report fires or other emergencies by calling 911. Employee

must immediately, or as soon as is practical, report any accident or injury occurring during work or on School premises to management, to allow the School to appropriately respond.

Failure to comply with or enforce School's Safety Manual or safety and health rules, practices and procedures could result in disciplinary action up to and including termination.

Q. Driving on AMPS Business

Employees who are required to drive their own vehicle on approved School business will be required to show proof of a current, valid driver's license and proof of effective auto liability insurance coverage. Employees whose job duties include driving must follow all traffic laws at all times and practice safe driving.

Pursuant to applicable law and safety standards, employees whose job responsibilities include regular or occasional driving and who are issued a cell phone for business use must refrain from using their phone while driving unless they are using a hands-free device. Safety must come before all other concerns. Thus, unless an employee is using a hands-free device in a safe-manner, he or she must safely pull off to the side of the road and safely stop the vehicle before placing, accepting, or continuing a call. Sending or reviewing text messages while driving is also prohibited.

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

Any employee who fails to comply with this policy will be deemed to have engaged in grossly negligent conduct beyond the course and scope of his or her employment. As a result, any employee who is charged with a traffic violation or incurs any other form of liability resulting from a violation of this policy will, to the extent allowed by applicable law, be solely responsible for any such liability. Any employee who has an accident while driving on AMPS business must report that accident immediately to his or her supervisor.

AMPS will reimburse employees using a personal vehicle for mileage when on AMPS business at a reimbursement rate set by AMPS. Employees are required to keep a record of the number of miles driven to perform their job duties.

EMPLOYEE LEAVES AND BENEFITS

A. Holidays

Amethod Public Schools calendar reflects any and all holidays observed by the School. School classes are not in session on holidays observed by the School. When a holiday falls on a workday, that workday is the holiday. When a holiday falls on a Saturday, the preceding Friday is treated as the holiday. When a holiday falls on a Sunday, the subsequent Monday is treated as the holiday.

The following days are observed as paid holidays by Amethod Public Schools:

New Year's Day
Memorial Day
Independence Day
Labor Day
Veteran's Day
Thanksgiving
Christmas Day

In addition, AMPS provides the following days as paid holidays to ALL staff.

Friday after Thanksgiving
Christmas Eve
New Year's Eve
Teacher/President's Day
Friday of Spring break Week

Teacher Days - (Teachers please check your teacher calendar and clarify with your site director about teacher specific days off.)

Employees may receive one additional paid holiday per year to observe any religious holiday not otherwise recognized. Employees must request the day off 60 days in advance by written notice to the Site Director.

The School will provide a schedule each year with the dates on which the School holidays will be observed.

To be eligible for holiday pay, an employee must either be a regular full-time non-exempt employee or a part-time non-exempt employee, who works on average at least thirty (30) hours per workweek, and must work both the business day before and after the holiday unless otherwise authorized by the Site Director. Exempt employees will receive their regularly scheduled pay during applicable holidays. Holiday hours do not count as hours worked for purposes of calculating overtime.

B. Vacation Policy

Teachers, paraprofessionals, counselors, psychologists, education specialists and other certificated staff do not accrue vacation days. All other regular full-time employees (as defined in this Handbook) begin to earn and accrue vacation starting on the first day of employment at a rate of 6.67 hours per month up to 80 hours of vacation time per year. Vacation time carries over year to year and employees can accrue up to a maximum of 120 hours of vacation time. Once

the 120 hour cap is reached, employees will cease to accrue further vacation time until the employee's accrued vacation time falls below that cap. When vacation time falls below the cap of 120 hours, then vacation will begin to accrue again. Vacation accrues on an as-worked basis. Vacation will not accrue during any unpaid leave of absence, inactive time, unpaid time, or non-working time or during any period when the employee's vacation time was at the maximum cap.

Vacation time may be taken in minimum increments of one hour. If an exempt employee absents himself or herself from work for part or all of the workday, he or she may be required to use accrued vacation to make up for the partial day absence.

All employees must have supervisory approval before taking vacation, by submitting a form available from Human Resources to their direct supervisor at least two weeks prior to the day requested. Failure to submit this request with at least two weeks in advance may result in denial of the request. Vacations shall be scheduled in such a way as to provide adequate coverage of job responsibilities and staffing requirements. Although the School will attempt to accommodate vacation request to the greatest extent possible, there is no guarantee that any given vacation request will be granted, and the School reserves the right to deny a vacation request based on operational needs of the School. The School reserves the right to schedule vacation time for employees or to compensate employees for accrued, unused vacation time at any time in its sole discretion. If a holiday occurs during your vacation period, you will receive holiday compensation for that day.

Employees who terminate their employment for any reason will be paid for any accrued but unused vacation time in accordance with this policy. Vacation time is paid at the employee's final rate of pay at the time of the employee's separation.

As with all of its policies and procedures, the School reserves the right to modify, alter, or otherwise amend this policy at its sole and absolute discretion to the extent allowed by law.

C. *Paid Sick Leave*

AMPS employees shall accrue up to 72 hours of paid sick leave per year at the rate of one hour per every 30 hours worked, beginning at the commencement of employment. Exempt employees are deemed to work 40 hours per workweek for the purposes of accrual under this policy, unless the employee's normal workweek is less than 40 hours, in which case the employee shall accrue paid sick leave based upon that normal workweek. An employee shall be entitled to use accrued paid sick leave beginning on the 30th day of employment, after which day the employee may use paid leave as it is accrued.

Paid sick leave time can be accrued up to a maximum cap of 72 hours. Once this cap is reached, sick leave time will stop accruing for the employee. Accrued and unused sick leave time will carry over to the next year until an employee reaches the maximum cap of 72 hours, at which point accrual will cease. Sick leave time will begin to accrue again once it has been used and an employee's accrual amount drops below the maximum accrual cap. When the accrued sick leave time has been decreased below the cap, additional sick leave time will begin to accrue again but only until the cap is reached. Sick leave time does not accrue for the period of time the accrued sick leave time was at the cap.

The School will not compensate an employee for accrued, unused paid sick days upon termination, resignation, retirement, or other separation from employment. However, if an employee separates from the School and is rehired by the School within one year from the date of separation, any previously accrued and unused paid sick leave shall be reinstated. The

employee shall be entitled to use that previously accrued and unused paid sick leave and to accrue additional paid sick leave upon rehiring, subject to this policy.

An employee may use paid sick leave not only when he or she is ill or injured or for the purpose of the employee's receiving medical care, treatment, or diagnosis, but also to aid or care for the following persons when they are ill or injured or receiving medical care, treatment, or diagnosis: the employee's child; parent; legal guardian or ward; sibling; grandparent; grandchild; and spouse, registered domestic partner under any state or local law, or designated person. The employee may use all or any percentage of his or her paid sick leave to aid or care for the aforementioned persons. The aforementioned child, parent, sibling, grandparent, and grandchild relationships include not only biological relationships but also relationships resulting from adoption; step-relationships; and foster care relationships. "Child" as used herein includes a child of a domestic partner and a child of a person standing in loco parentis.

If the employee has no spouse or registered domestic partner, the employee may designate one person as to whom the employee may use paid sick leave to aid or care for that person in lieu of a spouse or registered domestic partner. The School will give employee the opportunity to make such designation as is required by applicable sick leave laws.

The School will not require, as a condition of an employee's taking paid sick leave, that the employee search for or find a replacement worker to cover the hours during which the employee is on paid sick leave. Employees who wish to use paid sick leave can do so upon a verbal or written request. When possible, employees must give reasonable advance notification of an absence from work for which paid sick leave will be used. If the need for paid sick leave is unforeseeable, the employee shall provide notice of the need for the leave as soon as practicable. When an employee is out due to illness for three (3) or more workdays, a doctor's note certifying the need for the absence and the employee's fitness to return to duty may be required. Employees out on sick leave for more than five (5) consecutive work days will be required to discuss leave of absence options with Human Resources.

The School will not retaliate or discriminate against an employee for using accrued sick leave, attempting to exercise the right to use accrued sick leave, or cooperating in an investigation of an alleged violation of this policy.

D. Unpaid Leave of Absence (Medical)

In an effort to comply with its duty to accommodate employees with qualifying disabilities, the School will provide leaves of absence without pay when an employee is temporarily unable to work due to a mental or physical disability, certified in writing by his or her health care provider, unless such leave would cause an undue hardship to the School. Approved absences of less than two weeks are not treated as medical leaves of absences but rather as excused absences without pay.

Benefit accrual, such as vacation, sick leave, and holiday benefits, will be suspended during an unpaid medical leave period and will resume upon return to active employment. Unless otherwise required by law, the School does not continue to pay premiums for health insurance coverage for employees on unpaid medical leave. However, if eligible, you may self-pay the premiums under the provisions of COBRA.

E. Discretionary Unpaid Leave of Absence (Non-Medical)

AMPS may grant a discretionary leave of absence to employees in certain unusual circumstances when requested by the employee. There is no guaranteed right to take a discretionary unpaid leave of absence and if such a leave is granted, there is not guaranteed right to reinstatement.

It is important to request any leave in writing as far in advance as possible, to keep in touch with your supervisor and Human Resources during your leave, and to give prompt notice if there is any change in your return date. If your leave expires and you have not contacted your supervisor and Human Resources, the School will assume that you do not plan to return and that you have voluntarily terminated your employment. Employees do not continue to accrue vacation, PSL, or holiday benefits while they are on unpaid discretionary leaves of absence.

Employees will be required to use any accrued vacation during this leave. Unless otherwise required by law, the School does not continue to pay premiums for health insurance coverage for employees on discretionary unpaid leaves of absence. However, if eligible, you may self-pay the premiums under the provisions of COBRA.

F. Family Care and Medical Leave

Eligible employees may request a family and medical leave of absence under the circumstances described below. Eligible employees are those who have been employed by the School for at least 12 months (not necessarily consecutive), have worked at least 1250 hours during the 12 months immediately prior to the family and medical leave of absence, and are employed at a worksite where there are 50 or more employees of the School within 75 miles.

Ordinarily, you must request a planned family and medical leave at least 30 days before the leave begins. If the need for the leave is not foreseeable, you must request the leave as soon as practicable. You should use the School's request form, which is available upon request from Human Resources. Failure to comply with this requirement may result in a delay of the start of the leave.

A family and medical leave may be taken for the following reasons:

1. the birth of an employee's child or the placement of a child with the employee for foster care or adoption, so long as the leave is completed within 12 months of the birth or placement of the child;
2. the care of the employee's spouse, child, parent, or registered domestic partner with a "serious health condition";
3. the "serious health condition" of the employee;
4. the care of the employee's spouse, child, parent, or next of kin who is a member of the Armed Forces, including a member of the National Guard or Reserves, and who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
5. any qualifying exigency as defined by the applicable regulations arising out of the fact that the employee's spouse, child, or parent is on active duty (or has been

notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.

A “serious health condition” is one that requires inpatient care in a hospital or other medical care facility or continuing treatment or supervision by a health care provider. You may take a leave under paragraph (2) above only if due to a serious health condition, your spouse, child, parent, or registered domestic partner requires your care or assistance as certified in writing by the family member’s health care provider. If you are seeking a leave under paragraph (3) above, you must provide the School with a medical certification from your health care provider establishing eligibility for the leave, and you must provide the School with a release to return to work from the health care provider before returning to work. You must provide the required medical certification to the School in a timely manner to avoid a delay or denial of leave. You may obtain the appropriate forms from Human Resources.

Family and medical leave may be taken for up to 12 workweeks during the designated 12-month period (with the exception of qualifying leaves to care for a member of the Armed Services who has a serious illness or injury, which may be taken for up to a total of 26 workweeks of leave during a single 12-month period). The 12-month period will be defined as a “rolling twelve months” looking backward over the preceding 12 months to calculate how much family and medical leave time has been taken and therefore determine the amount of leave that is available. Qualifying leaves to care for a member of the Armed Services who has a serious illness or injury will be calculated on the 12-month period looking forward. All time off that qualifies as family and medical leave will be counted against your state and federal family and medical leave entitlements to the fullest extent permitted by law.

You will be required to use any accrued vacation during unpaid family and medical leave. You will also be required to use any accrued paid sick leave during unpaid family and medical leave that is due to your own or a family member’s serious health condition. However, if an employee is receiving benefit payments pursuant to a disability insurance plan (such as California’s State Disability Insurance plan or Paid Family Leave program) or workers’ compensation insurance plan, the employee and the School may mutually agree to supplement such benefit payments with available vacation and/or paid sick leave.

During a family and medical leave, group health benefits will be maintained as if you were continuously employed. However, you must continue to pay your share of applicable premiums (for yourself and any dependents) during the leave.

If you do not return to work on the first workday following the expiration of an approved family and medical leave, you will be deemed to have resigned from your employment. Upon returning from such a leave, you will normally be reinstated to your original or an equivalent position and will receive pay and benefits equivalent to those you received prior to the leave, as required by law. In certain circumstances, “key” employees may not be eligible for reinstatement following a family and medical leave. The School will provide written notice to any “key” employee who is not eligible for reinstatement.

If you have any questions concerning, or would like to submit a request for a family and medical leave of absence, please contact Human Resources.

G. *Pregnancy Disability Leave*

The School provides pregnancy disability leaves of absence without pay to eligible employees who are temporarily unable to work due to a disability related to pregnancy, childbirth, or related

medical conditions. Employees should make requests for pregnancy disability leave to their supervisor at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events. A health care provider's statement must be submitted, verifying the need for such leave and its beginning and expected ending dates. Any changes in this information should be promptly reported to the School. Employees returning from pregnancy disability leave must submit a health care provider's verification of their fitness to return to work.

The School will make a good faith effort to provide reasonable accommodations and/or transfer requests when such a request is medically advisable based on the certification of a health care provider. When an employee's health care provider finds it is medically advisable for an employee to take intermittent leave or leave on a reduced work schedule and such leave is foreseeable based on planned medical treatment because of pregnancy, the School may require the employee to transfer temporarily to an available alternative position. This alternative position will have equivalent rate of pay and benefits and must better accommodate recurring periods of leave than the employee's regular job.

Eligible employees are normally granted unpaid leave for the period of disability, up to a maximum of four months (or 17 1/3 weeks or 693 hours) per pregnancy. Employees will be required to use any accrued sick time during any unpaid portion of pregnancy disability leave. Employees may also elect to use any accrued vacation time during any unpaid portion of pregnancy disability leave. If an employee is receiving benefit payments pursuant to a disability insurance plan (such as California's State Disability Insurance plan or Paid Family Leave program), the employee and the School may mutually agree to supplement such benefit payments with available vacation and/or sick leave.

Benefit accrual, such as vacation, sick leave, and holiday benefits, will be suspended during the approved pregnancy disability leave period and will resume upon return to active employment. Group health benefits will be maintained during the approved pregnancy disability leave as if you were continuously employed. However, you must continue to pay your share of applicable premiums (for yourself and any dependents) during the leave.

So that an employee's return to work can be properly scheduled, an employee on pregnancy disability leave is requested to provide the School with at least one week's advance notice of the date she intends to return to work.

When an approved pregnancy disability leave ends, the employee will be reinstated to the same position, unless the job ceased to exist because of legitimate business reasons. An employee has no greater right to reinstatement to the same position or to other benefits and conditions of employment than if she had been continuously employed in this position during the pregnancy disability leave or transfer. If the same position is not available, the employee will be offered a comparable position in terms of such issues as pay, location, job content, and promotional opportunities, if one exists. An employee has no greater right to reinstatement to a comparable position or to other benefits or conditions of employment than an employee who has been continuously employed in another position that is being eliminated.

If you have any questions regarding pregnancy disability leave, please contact Human Resources.

H. Military and Military Spousal Leave of Absence

All employees who leave the School for active military service or military reserve duty will be placed on an unpaid military leave of absence. Employees are entitled to reinstatement upon

completion of such military service or duty, provided an application for reinstatement is made within 90 days of discharge, or as otherwise provided by law.

You may use accrued vacation time during military leave. Time spent on military leave counts for purposes of determining "length of service." However, you will not accrue vacation or sick leave or receive holiday pay during military leave.

I. Jury Duty/Witness Duty

All employees who receive a notice of jury/witness duty must notify their supervisor as soon as possible so that arrangements may be made to cover the absence. In addition, employees must provide a copy of the official jury/witness duty notice to their supervisor. Employees must report for work whenever the court schedule permits. Either the School or the employee may request an excuse from jury/witness duty if, in the School's judgment, the employee's absence would create serious operational difficulties.

Non-exempt employees who are called for jury/witness duty will be provided time off without pay. Exempt employees will receive their regular salary unless they do not work any hours during the course of a workweek. Employees may elect to use any accrued vacation during jury/witness duty leave.

In the event that the employee must serve as a witness within the course and scope of his or her employment with the School, the School will provide time off with pay.

J. Time-Off for Voting

The School encourages its employees to fulfill their civic responsibilities by participating in elections. Because polls are open from 7:00 a.m. until 8:00 p.m., employees generally are able to find time to vote either before or after their regular work schedule. If employees are unable to vote in an election during their non-working hours and have not requested an absentee ballot, then the School will grant up to two hours of paid time off to vote.

Employees must request time off to vote from their supervisor at least two working days prior to the election day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift, whichever provides the least disruption to the normal work schedule.

Employees must submit a voter's receipt on the first working day following the election to qualify for paid time off.

Nothing in this policy requires the employee to bring his or her mail (absentee) ballot to work, including mailing such absentee ballot from work.

K. Emergency Duty/Training Leave

In California, no employee shall receive discipline for taking time off to perform emergency duty/training as a volunteer firefighter, reserve peace officer, or emergency rescue personnel. If you are participating in this kind of emergency duty/training, please alert your supervisor so that he or she may be aware of the fact that you may have to take unpaid time off for emergency duty/training. In the event that you need to take time off for emergency duty/training, please alert your supervisor before doing so whenever possible. Time off for emergency training may not exceed 14 days per calendar year.

Emergency Duty/Training Leave is unpaid. You may choose to use your accrued vacation if you wish to receive compensation for this time off, but you are not required to do so.

If you feel you have been treated unfairly as a result of taking or requesting Emergency Duty/Training Leave, you should contact your supervisor or any other manager, as appropriate.

L. Suspended Pupil/Child Leave

California law requires employers to provide time off for parents required to visit a child's school when the child has served a period of suspension from school. To be eligible for time off to attend a child's school, the employee must be the parent of a child in kindergarten or in grades 1-12 and must present the school's letter, which requests the employee's appearance at the school, to his or her supervisor at least two days before the requested time off. Employees may use accrued vacation while attending a child's school under these circumstances. If not, suspended pupil/child leave will be unpaid.

M. Leave for Crime Victims and Their Family Members

If you are the victim—or an immediate family member (i.e., spouse, registered domestic partner, child, step-child, sibling, step-sibling, parent, step-parent, or the child of a registered domestic partner) of the victim—of a violent felony, serious felony (as defined by the California Penal Code), or felonies related to theft or embezzlement, you are permitted to be absent from work to attend judicial proceedings related to the crime.

You must provide your supervisor with written notification for each scheduled proceeding, unless advance notice is not possible. This time off is unpaid. You may choose to use your accrued vacation, but this is not required.

N. Military Spouse Leave

Qualified employees are eligible for up to 10 days of unpaid leave when their spouse or registered domestic partner is on leave from military deployment. A qualified employee is one who regularly works more than 20 hours per week and whose spouse or registered domestic partner is a member of the Armed Forces, National Guard, or Reserves and is on leave from deployment during a period of military conflict.

If you are eligible for such leave, please submit a written request for leave to Human Resources within two business days of receiving official notice that your spouse or registered domestic partner will be on leave from deployment. You will also be required to provide written documentation certifying that your spouse or registered domestic partner will be on leave from deployment.

Non-exempt employees must use accrued vacation time in order to receive compensation for this time off. If no vacation time is available, the employee may take this time off without pay. An exempt employee is required to charge any absence of four or more hours under this policy to his or her vacation bank, if any. Otherwise, exempt employees will be compensated to the extent required by applicable law.

O. School and Daycare Leave

If you are the parent or guardian of a child who is in school up to grade 12, or who attends a licensed day care facility, you may take up to 40 hours of unpaid leave per year to participate in the activities of the school or day care facility, to find, enroll or reenroll your child in a school or

with a licensed child care provider and/or to address a child care provider or school emergency. You may take no more than eight hours off for this purpose in any one calendar month. Unless it is to address an emergency, you should schedule this time off with your supervisor in advance. You may be asked to provide documentation from the school or day care facility to confirm your attendance at its facility for reasons covered under this policy on the specific date and time that you took the leave. This time off is unpaid. You may choose to use your accrued vacation, but this is not required.

P. Leave and Accommodation for Domestic Violence, Sexual Assault and Stalking Victims

If you are a victim of domestic violence, sexual assault or stalking, you may take unpaid time off to help ensure the health, safety, or welfare of you and/or that of your child. Specifically, you may take such leave for the following reasons:

1. To obtain a temporary or permanent restraining order or other court assistance;
2. To seek medical attention for injuries caused by domestic violence, sexual assault or stalking;
3. To obtain services from a shelter, program, or rape crisis center as a result of domestic violence, sexual assault or stalking;
4. To obtain psychological counseling related to an experience of domestic violence, sexual assault or stalking; or
5. To participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault or stalking, including temporary or permanent relocation.

If you need to take time off for any of the above reasons, you should notify your supervisor in advance, if possible. If your absence is unscheduled, you may be asked to provide documentation, such as a police report, court order, or other evidence that you appeared in court, or documentation from a counselor or domestic violence advocate. Although this leave is unpaid, you may use your accrued vacation if you wish to receive compensation for this time off.

You may also take unpaid time off to recover from domestic abuse, sexual assault or stalking pursuant to the School's family and medical leave policy.

You also have the right to ask the School for help or changes in their workplace to make sure you are safe at work. The School will work with its employees to see what changes can be made. Changes in the workplace may include putting in locks, changing shifts or phone numbers, transferring or reassigning the employee, or help with keeping a record of what happened to the employee. The School may ask the affected employee for a signed statement certifying that this request is for a proper purpose and may also request proof showing the need for an accommodation. The School will maintain confidentiality regarding any requests for accommodations under this policy.

The School does not tolerate any acts of discrimination, harassment, or retaliation against employees who are victims of domestic violence, sexual assault or stalking. If you believe you have been the victim of any such act, please contact your supervisor, the Human Resources Department, or any another manager, as appropriate. The School will maintain the confidentiality

of requests for time off due to domestic violence, sexual assault or stalking to the extent possible and as allowed by law.

Q. *Adult Literacy Leave*

Pursuant to California law, the School will reasonably accommodate any eligible employee who seeks to enroll in an adult literacy education program, provided that the accommodation does not impose an undue hardship on the School. The School does not provide paid time off for participation in an adult literacy education. However, you may utilize accrued vacation if you want compensation for this time off. If you do not have accrued vacation available, you will be permitted to take the time off without pay.

R. *Alcohol and Drug Rehabilitation Leave*

Pursuant to California law, the School will reasonably accommodate any eligible employee who wishes to voluntarily enter and participate in an alcohol or drug rehabilitation program, provided that the accommodation does not impose an undue hardship on the School. The School does not provide paid time off for participation in an alcohol or drug rehabilitation program. However, you may utilize accrued vacation if you want compensation for this time off. If you do not have accrued vacation available, you will be permitted to take the time off without pay.

This policy in no way restricts the School's right to discipline an employee, up to and including termination of employment, for violation of the School's Drug and Alcohol Abuse Policy.

S. *Civil Air Patrol Leave*

Pursuant to California law, the School will provide unpaid leave to employees who are volunteer members of the California Wing of the Civil Air Patrol and who have been duly directed and authorized to respond to an emergency operational mission of the California Wing of the Civil Air Patrol. Employees must be employed for at least 90 days immediately preceding the commencement of leave in order to be eligible.

Employees are required to give the School as much notice as possible of the intended dates upon which the leave would begin and end. The School will restore the employee to the position he or she held when the leave began or to a position with equivalent seniority status, employee benefits, pay, and other terms and conditions of employment, unless the employee is not restored because of conditions unrelated to the exercise of the leave rights by the employee. The time off is unpaid. However, an employee may utilize accrued vacation.

T. *Leave for Bone Marrow and Organ Donors*

Pursuant to California law, the School will provide up to five business days of paid leave within a one-year period to an employee who donates bone marrow to another person. In addition, the School will provide up to 30 business days of paid leave within a one-year period and up to another 30 business days of *unpaid* leave within a one-year period to an employee who donates an organ to another person. The one-year period is measured from the date the employee's leave begins and shall consist of 12 consecutive months.

To qualify for this leave, an employee must have been employed for at least 90 days prior to the commencement of the leave and must provide the School with written verification of his or her status as an organ or bone marrow donor and the medical necessity for the donation. During such leave, the School will continue coverage under its group medical insurance plan, if applicable. However, employees must continue to pay their portion of the applicable premiums.

Employees should give the School as much notice as possible of the intended dates upon which the leave would begin and end.

U. Bereavement Leave

Full-time employees are entitled to a leave of up to three (3) work days without loss of pay due to a death in the immediate family (parent, spouse, son/daughter, sister/brother, parents-in-law, son/daughter-in-law, grandparents, and grandchild). Full-time employees are eligible for an additional two (2) work days without loss of pay if out-of-state travel is required. Bereavement pay will not be used in computing overtime pay. Any scheduled days off (including weekends, holidays and vacations) falling during the absence will be counted as bereavement leave. Bereavement leave as stated above must be approved by the employee's direct supervisor in advance and will not be charged to vacation. The School may request documentation (i.e., copy of the death certificate) to certify the need for such leave.

INSURANCE BENEFITS

A. *Health Benefits*

Amethod Public Schools offers a comprehensive health insurance plan for eligible employees.

Regular full-time and part-time employees, who work on average at least thirty (30) hours per workweek, are eligible for health insurance on the first day of the month following their hire date in the following manners:

- Employees that work less than an average of 30 hours per workweek are not eligible for any Health Benefits.
- Full-time employees that work an average of 30 hours or more per workweek will receive 100% health benefits coverage and AMPS will pay premiums up to a designated amount.

Amethod Public Schools pays the premium for eligible employees up to a designated amount. Any remaining costs associated with the Employee's plan shall be paid by the employee as a pre-tax payroll deduction. Employees will be notified of their contribution amount, should there be one, at the time they sign up for the specific benefit. AMPS pays a portion of the premiums for health insurance or any other benefits for family members or dependents; that portion is currently 40% of the total cost, but is subject to change based on health care costs and the financial condition of AMPS. Eligible employees are responsible for their portion of the monthly premium costs for their dependents' coverage.

Subject to applicable law, there is no guarantee that the School will continue to maintain a medical insurance plan or that the terms and conditions of any such plan will not be changed at any time. Further, in order to continue participation in any such plan, employees may be required to pay a part of the premium.

When Coverage Starts

Your coverage will begin on the first day of the calendar month following the employee's first day of employment. Your enrollment form must be submitted to the Human Resources Department as soon as possible. This enrollment form serves as a request for coverage, and authorizes any payroll deductions necessary to pay for your coverage. By delaying the submission of the health benefits enrollment package, an employee's enrollment and health coverage may result in lack of coverage until the designated open enrollment period.

Flexible Spending Plans

Amethod Public Schools provides, at no cost to employees a Flexible Spending Plan which allows employees to pay for monthly health premiums, and commuter benefits with pre-tax dollars. This means your health premiums are subtracted from your gross pay before federal, state and social security (FICA) taxes are applied. The Flexible Spending Plan Document is in all cases controlling and supersedes any inconsistent terms in this manual. From time to time, we may also offer employees' access to a Medical Reimbursement and Dependent Care option within this program that is funded 100% by the employee. These options, if available, will be explained to you during open enrollment once established.

Stipend

Employees who are covered under a spouse's health plan, and not AMPS' plan, may qualify to be paid a predetermined monthly stipend. The rate at which the stipend is calculated is subject

to annual change based on the annual health insurance rates. Please talk with the Human Resources Department if you believe you qualify.

COBRA

If for some reason your coverage under the School's health insurance ends, you and your dependents may be eligible to continue coverage for a specified term under COBRA. In this event, the School will provide additional information on COBRA coverage.

B. State Disability Insurance (Wage Supplement)

The School contributes to the State of California to provide you with disability insurance pursuant to the California Unemployment Insurance Code. Contributions are made through a payroll deduction. Disability insurance is payable when you cannot work because of illness or injury not caused by employment with the School or when you are entitled to temporary workers' compensation at a rate less than the daily disability benefit amount.

Disability insurance is a wage supplement provided concurrently while an employee takes an eligible leave of absence under School policy and applicable law. The program will be administered in a manner consistent with California law. For more information regarding this program, you may contact the California Employment Development Department.

C. Paid Family Leave Insurance Benefits (Wage Supplement)

Under California law, eligible employees may participate in the paid family leave ("PFL") program, which is part of the state's unemployment compensation disability insurance program. The PFL program provides up to eight weeks of partial wage replacement benefits to employees who take time off to care for a seriously ill child, spouse, parent, or registered domestic partner or to bond with a new child (whether by birth, foster placement, or adoption). The PFL program does not provide job protection or reinstatement rights. The School will require you to take up to two weeks of accrued but unused vacation prior to your receipt of benefits under the PFL program.

The program will be administered by the California Employment Development Department ("EDD"). For more information regarding this program, you may contact the EDD directly.

D. Unemployment Compensation

The School contributes a significant amount of money each year to the California Unemployment Insurance Fund on behalf of its employees. Under certain circumstances, you may be eligible for unemployment insurance benefits.

E. Social Security

Social Security is an important part of every employee's retirement benefit. The School pays a matching contribution to each employee's Social Security taxes.

F. Workers' Compensation Insurance

At no cost to you, you are protected by the School's workers' compensation insurance policy while employed by the School. This policy covers you in case of occupational injury or illness.

PERSONNEL EVALUATION AND RECORD KEEPING

A. *Performance Evaluations*

Amethod Public Schools strives to conduct formal performance reviews for all of its employees. Teacher and Site Directors will generally be formally reviewed once each school year. However, informal observations will be conducted throughout the year. The frequency of performance evaluations may vary depending upon length of service, job position, past performance, changes in job duties, performance problems or operational requirements.

Performance reviews may cover factors such as job criteria, instructional practice, data reviews, critical duties and tasks of a job, attainment of goals, and adherence to the Amethod Public Schools core values. The performance evaluations are intended to make you aware of your progress, areas for improvement and objectives or goals for future work performance. Favorable performance reviews do not guarantee increases in salary or promotions. Salary increases and promotions are solely within the discretion of Amethod Public Schools and depend upon many factors in addition to performance, including availability of funds. After the review, you will be required to sign the evaluation report to acknowledge that it has been presented to you, that you have discussed it with your supervisor and that you are aware of its contents. You may add a rebuttal statement to your review within 10 days of your review that will be maintained in your personnel file.

Nothing in this policy shall limit the right to terminate employment at-will or limit the School's right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment at its sole discretion. Failure by the School to evaluate the employee will not prevent the School from transferring, demoting, disciplining, or terminating an employee. Employment is at the mutual consent of the employee and the School. Accordingly, either the employee or the School can terminate the employment relationship at-will, at any time, with or without reason and with or without notice.

B. *Performance Improvement Plan*

Employees who are having performance or behavioral difficulties may, at the sole discretion of AMPS, be placed on a performance improvement plan. This plan will detail the current issue(s) and outline improvement plan steps and goals to assist the employee in a successful outcome. Performance Improvement Plans may be initiated by the Site Director (Supervisor) and may be done in writing. Both the Supervisor and the employee are expected to sign off on the plan and meet at the specified times to work through the issues. Teachers are expected to follow the detailed plans as required by supervisor. The Performance Improvement Plan does not in any way change the at-will nature of the employment relationship. There is no guarantee or promise that an employee will be placed on a Performance Improvement Plan prior to any discipline up to and including termination.

C. *Personnel Files*

At the time of your employment, a personnel file is established for you. To keep our personnel records accurate and to comply with applicable laws, you must notify your supervisor immediately of any change(s) in the following personnel information:

- Your name (whether by marriage or otherwise).
- Your home address and telephone number.
- Whom to inform in case of an emergency, including names and home and work telephone numbers and addresses.

- Withholding tax information (your marital status and correct number of dependents).
- Completion of education.
- Change of beneficiary on group life insurance

A request for information contained in the personnel file must be directed to Human Resources. Only Human Resources or its designee is authorized to release information about current or former employees.

AMPS EMPLOYEE HANDBOOK ACKNOWLEDGMENT AND AT-WILL AGREEMENT

ALL EMPLOYEES MUST READ THIS EMPLOYEE HANDBOOK AND FILL OUT AND RETURN THIS PORTION TO HUMAN RESOURCES WITHIN ONE WEEK OF RECEIPT.

I have received a copy of the Amethod Public Schools' Employee Handbook. I understand that it is my responsibility to carefully read and understand its contents and I agree to follow the policies stated therein. Unless specified otherwise in an agreement between me and the School, I agree that the School and I both have the right to terminate my employment at any time, with or without notice, and with or without cause. I further understand that transfers, demotions, suspensions, employee discipline, and changes in the terms and conditions of employment may be administered at the sole and absolute discretion of the School. Unless specified otherwise in an agreement between me and the School, I understand that I am an at-will employee. I understand that the at-will nature of my employment may not be modified orally and may only be modified in a writing signed by the CEO of the School and me, and approved in writing by the School's Board of Directors.

I understand that nothing in the Handbook is intended, nor should be construed, as a limitation of my right and the School's right to terminate the employment relationship at any time, with or without notice, and with or without cause, or the School's absolute right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment at its sole discretion. I understand that nothing in the Handbook is intended, nor should be construed, to create an implied or express contract of employment contrary to this express at-will agreement or to the School's absolute right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment at its sole discretion. I understand that the School reserves the right to depart from and modify the policies stated in the Handbook at its sole discretion, with the exception of my at-will status and the School's absolute right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment. The foregoing constitutes the entire terms of the agreement between me and the School regarding the duration and at-will nature of my employment and the School's absolute right to transfer, demote, suspend, administer discipline, and change the terms and conditions of employment at its sole discretion.

Employee Signature: _____

Date: _____

Coversheet

Approve Request for Proposal for CEO Search

| | |
|--------------------------|---|
| Section: | VIII. Business |
| Item: | B. Approve Request for Proposal for CEO Search |
| Purpose: | Vote |
| Submitted by: | |
| Related Material: | B. Approve Request for Proposal for CEO Search .pdf |



REQUEST FOR PROPOSAL

Amethod Public Schools (AMPS), a nonprofit public benefit corporation, is requesting proposals for executive search assistance in finding a chief executive officer to assume office by or before the 2021-22 school year. Interested firms should submit proposals by September 15, 2020. The board intends to invite the most qualified candidates to interviews at a special meeting September 23, 2020 where it will make a selection.

Overview

Amethod Public Schools is one of California's longest operating charter organizations, beginning in 1994 with a middle school serving primarily Oakland's Fruitvale district. In 2004, after a decade of dismal results, that school's board, Oakland Charter Academy, recruited a new administration and underwent a reorganization that refocused on producing strong academic results and reducing the achievement gap among its primarily urban Latino and Black low-income students. By 2008, Oakland Charter Academy was named as a Federal Department of Education National Blue Ribbon School of Excellence. Since then, AMPS has grown to six public schools including two high schools, three middle schools, and one elementary school serving the areas of Oakland and Richmond. Our schools have been repeatedly recognized statewide and nationally for high academic achievement.

Today we serve approximately 2000 students with a rigorous college preparatory curriculum. We believe in fostering a culture of hard work and preparing our students in a manner that will help them excel in life and attend the college of their dreams.

AMPS Sites:

Founded in 1994 - Oakland Charter Academy
Founded in 2007 - Oakland Charter High School
Founded in 2012 - Richmond Charter Academy
Founded in 2014 - Downtown Charter Academy
Founded in 2014 - Benito Juarez Elementary
Founded in 2015 - John Henry High School

We seek a Chief Executive Officer who will continue and build upon AMPS' Five Foundations, which have been the core of our values and success over many years.

Foundation 1: Fostering High Expectations

Amethod Public Schools



Foundation 2: Results Driven

Foundation 3: Cultivating Excellent Talent

Foundation 4: Relations and Partnerships

Foundation 5: Building an AMPS Culture

Proposal Evaluation

Although the board must make the final selection of the CEO, it intends for the CEO selection process to be highly inclusive of the entire AMPS community—teachers, staff, school leaders, families, and interested community members. The board wants each to have input into its decision on the first permanent successor to the founding CEO. The board also seeks a firm with flexibility rather than a rigid search process that the board must follow. Therefore, proposals will be evaluated for the extent to which they meet the following criteria:

1. Recommendations for the best practices for selection of charter management organization CEO, keeping in mind the above criteria.
2. Experience and Qualifications of the Firm
3. Experience and Qualifications of the Proposed Personnel
4. Search Process Plan
5. Public Outreach Strategy and Plan
6. Price

Basis of Award

Subject to the provisions herein, the contract award will be made to the proposal providing the overall best value to AMPS with appropriate consideration given to the evaluation criteria stated herein. AMPS reserves the right to make an award to other than the low cost proposer. A fixed price, milestone-based contract is contemplated.

Proposal Submittal Requirements

Amethod Public Schools



One original proposal with signatures, 3 hard copies, and a USB flash drive in PDF format with signatures.

Required Proposal contents:

- One-page executive summary that answers “Why my search firm is the best for this assignment?”
- Statement of work proposed for the contract
- Qualifications statement
- Price Proposal with a proposed milestone billing schedule. Include estimated search expenses.

Please submit proposals to:

Andrew Wang
Sr. Director of Finance
Amethod Public Schools
2101 Livingston St.
Oakland, CA 94606

Amethod Public Schools

2101 Livingston Street, Oakland, CA 94606 | Office 510.436.0172 | Fax 510.436.0173

www.amethodschools.org
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Coversheet

State Budget Update

| | |
|--------------------------|----------------------------|
| Section: | VIII. Business |
| Item: | C. State Budget Update |
| Purpose: | Discuss |
| Submitted by: | |
| Related Material: | C. State Budget Update.pdf |

AMPS Board Financial Update

KELLY ELLIS

AIDAN BARRY-OWEN

AUGUST 19, 2020



Contents



1. **State Budget**

A. State Updates

2. **FY 2020-21 Budget**

A. Key Budget Updates

B. HH ADA Summary

C. FY 2020-21 Outlook

State Budget





State Budget Update

Revenues improve but uncertainty remains with deferrals and ADA

LCFF COLA

- -7.92% cut eliminated
- Flat funding from FY20 to FY21

Learning Loss Mitigation (CARES Act II)

- \$1,887 per 19-20 SpEd student
- +28.5% increase to Supplemental & Concentration
- +1.55% additional LCFF funding

ADA*

- LEAs will use 2019-20 P2 ADA
- New proposal to handle growth in FY20

Instructional Days

- Minimum 175 instructional days
- Flexibility in instructional minutes, minimum of 3-4 hours per day, varies by grade level

Note: *subject to change

Learning Loss Mitigation – Restricted Uses



Student learning supports

Extension of instructional time

**Academic services, instructional materials/
supports, devices/connectivity**

**Integrated supports for learning barriers, training to
teachers & parents, access to meals, mental health
services**

Learning Continuity & Attendance Plan & LCAP

Same acronym, new report exclusively for 2020-21



Sept 30,
2020

- **Adoption due date for new report by LEA's board**
- **Specific content requirements**
- **Separate public hearing required**



Dec 15,
2020

- **Due date for LCFF Budget Overview for parents**



July 1,
2021

- **Use new LCAP 3-year template (2021-2024)**
- **To be approved by Board with FY22 budget**



Multiyear Budgeting

Federal funds are a short-term solution – out years remain uncertain

2020-21

- ★ 0% COLA
- ★ CARES ESSER
- ★ CARES LLM
- ★ PPP Forgiveness
- ★ HEROES/Other Stimulus?

2021-22

- 💣 Unknown COLA
- ⊖ ESSER
- ⊖ LLM
- ⊖ PPP
- ⊖ HEROES

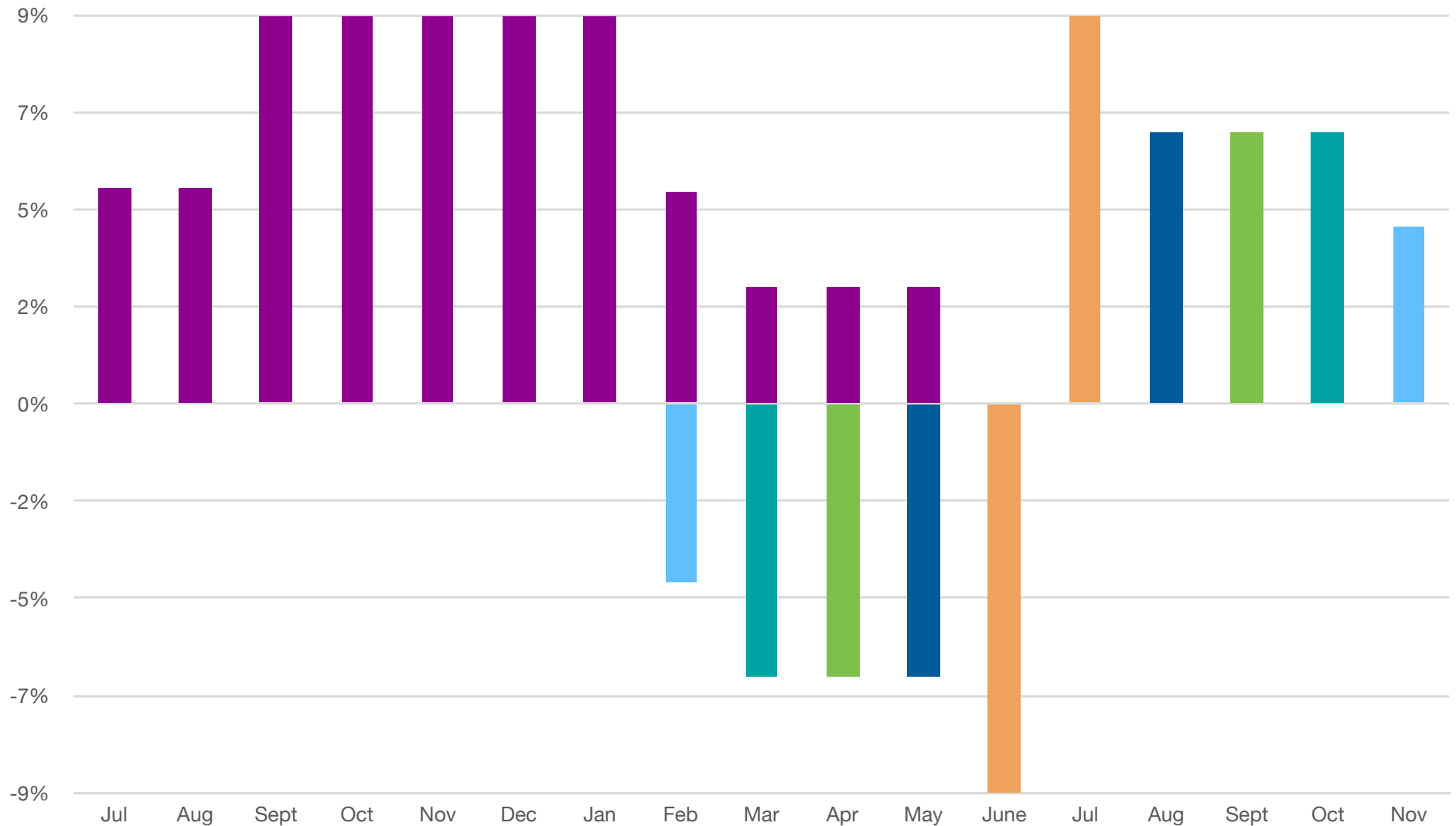
2022-23

- 💣 Unknown COLA
- ⊖ Extra funds?



2020-21 State Aid Deferrals

Spring State Aid to be paid much later in the year



FY 2020-21 Budget



Key Budget Updates

| Type | Description / Notes | Impact |
|-------------------|--|--------------|
| LCFF | Increased from -7.92% cut under the May Revise to 0% COLA for FY21 | \$2M |
| Hold Harmless ADA | Currently State is using 19-20 HH ADA, which largely affects LCFF | (\$70K) |
| LLM Revenue | Learning Loss Mitigation (CARES Act II) funds | \$2M |
| Payroll | Restored 2% raises for all employees | (\$300K) |
| LLM Contingency | LLM placeholder expense to offset the revenue | (\$2M) |
| | Net Increase in OI (including all other updates) | +\$1M |

HH ADA Summary

Increase at JHHS nearly equals losses at other sites

| Sites | 19-20 ADA | 20-21 ADA | Difference |
|-------------------|----------------|----------------|--------------|
| BJE | 455.4 | 471.9 | (16.5) |
| DCA | 320.4 | 323.9 | (3.5) |
| JHHS | 300.4 | 264.3 | 36.1 |
| OCA | 239.4 | 247.2 | (7.8) |
| OCHS | 444.3 | 450.5 | (6.3) |
| RCA | 248.7 | 257.2 | (8.6) |
| AMPS Total | 2,008.5 | 2,015.0 | (6.5) |

FY 2020-21 Outlook

Accomplishments

- John Henry approved by SBE
- Improved financial situation from most recent State updates

Next Steps

- Approve phase 4 budgets
- Make plan for spending down LLM funds

Goals & Horizon Issues

- State budget and Federal funding updates, especially in out years
- COVID-19 unknown expenses
- Richmond second floor capital project


Thank You



Coversheet

Ratification of Interim CEO Compensation

| | |
|--------------------------|---|
| Section: | VIII. Business |
| Item: | E. Ratification of Interim CEO Compensation |
| Purpose: | Vote |
| Submitted by: | |
| Related Material: | E. Ratification o fInterim CEO Compensation.pdf |

| | |
|--|---|
|  Amethod Public Schools | Amethod Public Schools Board Item Overview <i>Date: August 14, 2020</i> |
| Subject: | Ratification of Interim CEO Compensation |
| Action: <input checked="" type="checkbox"/> Information: <input type="checkbox"/> Committee: <input type="checkbox"/> | |

| | |
|---|--|
| RECOMMENDATIONS: | Ratify previous interim CEO compensation level of \$175,000 approved at July 14, 2020 meeting |
| SUMMARY OF PREVIOUS BOARD DISCUSSION AND ACTION: | In the wake of previous interim CEO Nicolas Vaca's unexpected departure from AMPS, the board called a special meeting July 14, 2020 to authorize signatories for its bank account and appoint a new interim CEO. It unanimously appointed Evelia Villa, the current COO, as interim CEO and raised her salary to match that of the previous interim CEO, i.e. \$175,000 while she is in that position. She is a salaried employee and does not have a contract. It discussed this and her benefits in open session prior to the appointment. |
| SUMMARY OF KEYS ISSUES: | <p>A member of the public has questioned whether the setting of her salary was a violation of the Brown Act which prohibits a board from calling a special meeting specifically "regarding the salaries...of a local agency executive." As that was not the purpose of calling the special meeting and adjusting Ms. Villa's salary was only ancillary to her appointment and to the purpose of the meeting, we and our counsel do not believe this to be a violation of the Brown Act.</p> <p>Nevertheless, to allay any concerns in the public, the board is placing this item on the agenda to ratify its previous action and cure any real or perceived violation.</p> |
| FISCAL ANALYSIS : | None |
| ATTACHMENT(s): | None |

Coversheet

Resolution to Correct Vacation Pay

| | |
|--------------------------|---|
| Section: | VIII. Business |
| Item: | F. Resolution to Correct Vacation Pay |
| Purpose: | Vote |
| Submitted by: | |
| Related Material: | F. Resolution to Correct Vacation Pay.pdf |



RESOLUTION TO CORRECT VACATION PAY

- Whereas Jorge Lopez founded Amethod Public Schools (AMPS) and served as its leader/CEO from 2004 until November 2019;
- Whereas the vacation pay he earned during that period was based on his salary at that CEO level;
- Whereas AMPS requested Mr. Lopez remain with the organization to assist with the transition at a substantially reduced salary for the remainder of the 2019-20 academic year until June 30, 2020;
- Whereas as part of that agreement it promised to pay any final vacation pay due at the time of his departure on June 30, 2020 based on his previous CEO salary;
- Whereas Mr. Lopez's final vacation pay was mistakenly paid based on his lower salary instead of his previously promised CEO salary;
- Therefore, the board authorizes AMPS to correct the error and pay Mr. Lopez the difference owed between what he was paid and what he would have been paid for his vacation pay had he left AMPS on October 31, 2019.

Adopted August 19, 2020

Peter Hanley, Board Chair

Amethod Public Schools